

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, July 25, 2002

**TWO HUNDRED THIRTY-SEVENTH SESSION DAY
FIVE HUNDRED NINETY-NINTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, July 25, 2002

The Assembly met at 9 a.m.
Hon. Christine Kehoe, Assistant Speaker pro Tempore of the
Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Francesca Vega reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Cox moved a quorum call of the Assembly.
Motion carried. Time, 9:01 a.m.
The Assistant Speaker pro Tempore directed the Sergeant at Arms to
close the doors, and to bring in the absent Members.

Quorum Present

At 9:17 a.m., Assistant Speaker pro Tempore Kehoe declared a
quorum of the Assembly present.

The roll call was completed, and the following answered to their
names—65:

Aanestad	Corbett	La Suer	Pavley
Alquist	Cox	Leach	Pescetti
Aroner	Daucher	Leslie	Reyes
Ashburn	Dickerson	Longville	Runner
Bates	Dutra	Lowenthal	Shelley
Bogh	Firebaugh	Maddox	Simitian
Calderon	Florez	Maldonado	Steinberg
Campbell, Bill	Frommer	Matthews	Strickland
Campbell, John	Goldberg	Migden	Strom-Martin
Canciamilla	Havice	Mountjoy	Vargas
Cardenas	Hollingsworth	Nakano	Washington
Cardoza	Horton	Nation	Wyman
Chan	Jackson	Negrete McLeod	Zettel
Chavez	Keeley	Oropeza	Mr. Speaker
Chu	Kehoe	Pacheco, Robert	
Cogdill	Kelley	Pacheco, Rod	
Cohn	Koretz	Papan	

PRAYER

Upon invitation of Assistant Speaker pro Tempore Kehoe, the following prayer was offered by Assembly Member John Dutra, of the 20th Assembly District:

Heavenly Father, Your gift is love, and in all our deliberations we would be aware that peace and happiness come not from what we have, but what we share. Help us in our laws to share the grace and blessings of Your Spirit with one another.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Kehoe, Assembly Member Corbett then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Chan, seconded by Assembly Member Cox.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Briggs, Hertzberg, Salinas, Wiggins, and Wright.

On personal business, and waiving per diem: Assembly Members Correa, Diaz, Harman, Leonard, Liu, and Richman.*

Because of illness in their families: Assembly Members Thomson, Wayne*, and Wyland*.*

Because of a death in his family: Assembly Member Cedillo.

(*NOTE: For further explanations by Assembly Members Correa and Wyland relative to per diem during the 2002 Budget delay, see Assembly Journal for July 22, 2002, page 7320; for further explanation by Assembly Member Wayne, see Assembly Journal, page 7167; for further explanation by Assembly Member Thomson relative to waiver of per diem for the 2001–02 Session, see Assembly Journal, page 162.)

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

July 24, 2002

*The Honorable Herb Wesson
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request permission to be excused from session on Thursday, July 25, 2002 as I will be away on legislative business. If you have any questions you can contact Jill Archer, my secretary. Thank you for your assistance.

Sincerely,

MIKE BRIGGS, Assembly Member
Twenty-ninth District

July 24, 2002

The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Wesson: Please accept this request to be excused from Session on Thursday, July 25, 2002. I will be receiving a "Legislator of the Year" award from the California Highway Patrol in Manhattan Beach, California.

Should you have any questions, please feel free to have your staff contact Toni Nakashima in my Capitol Office.

Thank you in advance for your consideration of this request.

Very truly yours,

ROBERT M. HERTZBERG
Speaker Emeritus

July 12, 2002

The Honorable Herb J. Wesson, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I am writing to request permission to be excused from Assembly Floor Session for Thursday, July 25, 2002 as I will be attending to important legislative business in my district. Please contact Emilee Ford in my Capitol Office with any questions about this request.

Sincerely,

SIMÓN SALINAS, Assembly Member
Twenty-eighth District

July 19, 2002

The Honorable Herb Wesson
Speaker of the California State Assembly
State Capitol
Sacramento, California

Dear Mr. Speaker: This letter serves as a request to be excused from Assembly Floor Session on Thursday, July 25, 2002 due to legislative business.

Thank you for your attention regarding this matter.

Sincerely,

PATRICIA WIGGINS, Assembly Member
Seventh District

July 23, 2002

The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request permission to be excused from floor session on July 25, 2002, due to legislative business. Should you have any questions, please feel free to contact my office at (916) 319-2048. Thank you for your attention to this request.

Sincerely,

RODERICK D. WRIGHT, Assembly Member
 Forty-eighth District

(NOTE: For letter explaining the absence of Assembly Member Wright on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for July 22, 2002.)

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

July 24, 2002

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymembers Judy Chu, Fred Keeley, Paul Koretz and Alan Lowenthal to replace Assemblymembers Lou Correa, Manny Diaz, Patricia Wiggins and Rod Wright on the Assembly Appropriations Committee for the July 25th hearing only.

Sincerely,

HERB J. WESSON, JR.
 Speaker of the California Assembly

REPORTS

The following reports were presented by the Chief Clerk:

Audit of Energy Efficiency and Low-Income Assistance Funds (Pursuant to Senate Bill X1 5)

Above transmitted report, together with letter of transmittal from Lorretta M. Lynch, President, Public Utilities Commission, dated July 11, 2002, referred by the Speaker to the Committee on Utilities and Commerce.

Annual Update Regarding Special Incident Information (Pursuant to Assembly Bill 430, Chapter 171, Statutes of 2001)

Above transmitted report, together with letter of transmittal from Cliff Allenby, Director, Department of Developmental Services, dated July 5, 2002, referred by the Speaker to the Committee on Utilities and Commerce.

**Jobs for California Graduates
(Pursuant to Unemployment Insurance Code Sections 9900–9908)**

Above transmitted report, together with letter of transmittal from Michael S. Bernick, Director, Employment Development Department, dated July 25, 2002, referred by the Speaker to the Committee on Labor and Employment.

**California Integrated Waste Management Board's
Report on the Facility Compliance Loan Program for
Fiscal Years 1999–2000 and 2000–2001
(Pursuant to Budget Act 1999)**

Above transmitted report, together with letter of transmittal from Linda Moulton-Patterson, Chair, Integrated Waste Management Board, dated July 17, 2002, referred by the Speaker to the Committee on Budget.

The following letters of transmittal were presented by the Speaker, and ordered printed in the Journal:

California State Auditor

2001-125
July 23, 2002

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning our review of the implementation, application, and efficacy of red light camera programs statewide.

This report concludes that red light cameras have contributed to a reduction of accidents; however, our review of a sample of seven local governments found weaknesses in the way they are operating their programs that make them more vulnerable to legal challenge. Specifically, we found that the local governments we reviewed need to more rigorously supervise their respective vendors to exercise and maintain control of their programs.

Furthermore, we could not always determine if local governments followed the best practice of first addressing any needed engineering improvements to the intersections they designated before installing the red light cameras. In addition, four of the seven local governments in our sample avoided placing cameras at dangerous intersections along state-owned highways because of the delay involved in obtaining state permission. Moreover, most would use photographs as evidence in

criminal proceedings even though it would appear to conflict with the law governing the program.

We also found that the local governments in our sample have generally followed the California Department of Transportation's required yellow light time interval standards. Finally, only two of the seven local governments we reviewed have generated significant revenue from their red light camera programs.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Local Government.

California State Auditor

2001-130
July 25, 2002

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the University of California's (university) partnership agreement. This report concludes that although the university's partnership agreement contains measurable targets for some of the objectives, it does not contain such targets for others. Specifically, we found that of the 22 objectives in the partnership agreement, only 9 contain outcomes with quantifiable and clear targets to measure improved performance, and 13 do not. Thus, the university's ability to demonstrate its success in using state funds to achieve the partnership agreement's objectives is limited. Additionally, the university's expenditures for support salaries made out of its general operating funds increased at a greater rate than its expenditures for academic staff salaries within instruction, research, and public service between 1997 and 2001—two years before and three years after the partnership agreement went into effect. Only 44 percent of its increase in salary expenditures during this time related to these academic salaries, while 56 percent related to support staff salaries.

Further, certain factors have an impact on the 4.8 primary course-to-faculty ratio the university agreed to maintain as part of the partnership agreement. For example, we found that 13 percent of the primary courses taught by regular-rank faculty had enrollment of two students or fewer. In addition, although the university reports the workload of regular-rank faculty in its annual report to the Legislature, it does not address the workload of non-regular-rank faculty and miscellaneous instructors. These individuals teach a combined total of 46 percent of the university's primary courses. Because the university

does not disclose workload ratios for all faculty and miscellaneous instructors, the Legislature and governor may not have a complete picture of how the workloads affect the university's ability to meet the objectives of the partnership agreement.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Higher Education.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 25, 2002

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

House Resolution No. 54

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 236—Salinas (Coauthor: Florez). Relative to Agricultural Worker Health and Housing Commission.

HOUSE RESOLUTION NO. 81—Wesson. Relative to commending the Honorable Virginia Strom-Martin.

HOUSE RESOLUTION NO. 82—Wesson. Relative to commending the Honorable Roy Ashburn.

HOUSE RESOLUTION NO. 83—Wesson. Relative to commending the Honorable Howard Wayne.

HOUSE RESOLUTION NO. 84—Wesson. Relative to commending the Honorable Mike Briggs.

HOUSE RESOLUTION NO. 85—Wesson. Relative to commending the Honorable Gilbert Cedillo.

REQUEST TO SUSPEND JOINT RULES

The following requests were received, and read:

Assembly Chamber, July 25, 2002

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12) as it relates to Senate Bills Nos. 530 and 1524.

RODERICK WRIGHT

Assembly Chamber, July 25, 2002

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12) as it relates to Senate Bill No. 644.

BARBARA MATTHEWS

Assembly Chamber, July 25, 2002

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12) as it relates to Senate Bills Nos. 1063 and 1596.

DION ARONER

Above requests ordered transmitted to the Committee on Rules.

AUTHOR'S AMENDMENTS
Committee on Local Government

July 25, 2002

Mr. Speaker: The Chair of your Committee on Local Government reports:

Senate Bill No. 1714

Senate Bill No. 1942

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WIGGINS, Chairwoman

SENATE BILL NO. 1714—An act to add Section 12463.2 to the Government Code, relating to property tax revenues.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 1942—An act to amend Section 10005 of the Public Utilities Code, relating to municipal corporations.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

July 25, 2002

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Senate Bill No. 900

Senate Bill No. 1344

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chairman

SENATE BILL NO. 900—An act to amend Sections 11105, 11105.02, 11105.3, and 11105.4 of the Penal Code, and to amend Section 15660 of the Welfare and Institutions Code, relating to criminal history information.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 1344—An act relating to health care.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Natural Resources

July 25, 2002

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Senate Bill No. 1927

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WAYNE, Chairman

SENATE BILL NO. 1927—An act to add Section 99162 to the Public Utilities Code, relating to transit.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

July 25, 2002

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Senate Bill No. 1867

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chairman

SENATE BILL NO. 1867—An act to amend Section 13964 of the Government Code, relating to victims of crime, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

July 25, 2002

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Senate Bill No. 1385

Senate Bill No. 2047

Senate Bill No. 1467

Senate Bill No. 2050

Senate Bill No. 1531

Senate Bill No. 2076

Senate Bill No. 1895

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chairman

SENATE BILL NO. 1385—An act to add Chapter 1.697 (commencing with Section 5096.687) to Division 5 of the Public Resources Code, relating to parks and recreation, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 1467—An act to amend Section 10430 of, and to add Article 4 (commencing with Section 10515) and Article 5 (commencing with Section 10520) to Chapter 2.1 of Part 2 of Division 2 of, the Public Contract Code, relating to public contracts.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 1531—An act to amend Sections 1358.11 and 1358.12 of, and to add Section 1358.24 to, the Health and Safety Code, and to amend Sections 10192.11 and 10192.12 of the Insurance Code, relating to health care coverage.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 1895—An act to add and repeal Section 13823.16 to the Penal Code, relating to domestic violence.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 2047—An act to add Chapter 3.5 (commencing with Section 104210) to Part 1 of Division 103 of the Health and Safety Code, relating to health services.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 2050—An act to amend Sections 13269 and 13385 of the Water Code, relating to water quality.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 2076—An act to amend Section 11515 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS **Committee on Appropriations**

July 25, 2002

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Senate Bill No. 68

Senate Bill No. 1326

Senate Bill No. 2026

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chairman

SENATE BILL NO. 68—An act to amend Sections 16305.2, 16429.1, and 16480 of, and to add Sections 16305.9 and 16429.4 to, the Government Code, relating to local agency investments, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 1326—An act to amend Sections 10509 and 10511 of the Elections Code, and to amend Sections 6588, 6598.5, 6599.1, 8855, 14672.99, 23115, 23119, 25200, 25205, 25526.5, 26881, 26920, 26922, 36936, 37392, 53205.1, 53356.05, 53359.5, 53601, 53635, 53646, and 54960.1 of, to add Section 61601.20 to, and to repeal Sections 26921, 26923, and 29746 of, the Government Code, and to amend Sections 5786.7, 8801, 8815.1, 8815.2, 8815.3, 8817, and 8819 of, to amend and renumber Section 8812 of, to add Section 8812 to, to repeal Sections 8811, 8813.1, and 8813.2 of, and to repeal and add Sections 8813 and 8815.4 of, the Public Resources Code, and to amend Sections 50731.5 and 50731.6 of the Water Code, relating to local government.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 2026—An act to amend Sections 25, 28, 29, 32, 650.4, 728, 731, 802, 1054, 2908, 4110, 4507, 4980, 4980.02, 4980.10, 4980.30, 4980.34, 4980.35, 4980.37, 4980.38, 4980.40, 4980.43, 4980.44, 4980.45, 4980.46, 4980.48, 4980.50, 4980.54, 4980.55, 4980.60, 4980.80, 4980.90, 4981, 4982, 4982.2, 4982.25, 4984.7, 4984.8, 4986.70, 4987.5, 4987.7, 4987.8, 4988, 4988.1, 4988.2, 4990.3, 4992.36, 4996.13, 4998, 4999.2, 7019, 7057, 7085, 7091, 7106.5, 7110, 7141, 8698.6, 8751, 8762, and 8764.5 of, to add Section 7122.2 to, and to repeal Sections 4980.57, 7058.1, and 7085.8 of, the Business and Professions Code, to amend Sections 43.7, 43.93, and 43.95 of the Civil Code, to amend Section 13401.5 of the Corporations Code, to amend Section 35160.5 of the Education Code, to amend Sections 795 and 1014 of the Evidence Code, to amend Sections 6929, 7827, and 8502 of the Family Code, to amend Section 66452.5 of the Government Code, to amend Sections 1348.8, 1373, 1373.8, 111656.4, and 123105 of the Health and Safety Code, to amend Sections 10176, 10176.7, 10177, and 10177.8 of the Insurance Code, to amend Section 3209.8 of the Labor Code, to amend Section 11165.7 of the Penal Code, and to amend Sections 4514, 5256.1, 5751, 5751.2, and 15610.37 of the Welfare and Institutions Code, relating to professions and vocations.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Public Safety

July 25, 2002

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Senate Bill No. 1541

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WASHINGTON, Chairman

SENATE BILL NO. 1541—An act to amend Section 853.5 of the Penal Code, and to amend Sections 40302, 40303, 40305, 40305.5, and 40500 of the Vehicle Code, relating to arrests.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Business and Professions

July 25, 2002

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Senate Bill No. 1386

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORREA, Chairman

SENATE BILL NO. 1386—An act to amend, renumber, and add Section 1798.82 of, and to add Section 1798.29 to, the Civil Code, relating to personal information, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

July 25, 2002

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Senate Bill No. 586
Senate Bill No. 1735
Senate Bill No. 2019

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chairman

SENATE BILL NO. 586—An act to add Section 5004.5 to the Public Resources Code, relating to parks and recreation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 1735—An act to add Section 1037.8 to the Evidence Code, and to amend Sections 13960, 13962, and 13964 of the Government Code, relating to victims of crime, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 2019—An act to add Section 685 to the Business and Professions Code, relating to student loans.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

July 25, 2002

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 3059

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chairman

ASSEMBLY BILL NO. 3059—An act to amend Sections 2155 and 2156 of the Elections Code, relating to voter registration, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Judiciary

July 25, 2002

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Senate Bill No. 1479

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORBETT, Chairwoman

SENATE BILL NO. 1479—An act to amend Section 26840 of, and to add Section 26840.5 to, the Government Code, relating to counties.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

July 25, 2002

Mr. Speaker: The Chair of your Committee on Health reports:
Senate Bill No. 1461

With author's amendments with the recommendation: Amend, and re-refer to the committee.

THOMSON, Chairwoman

SENATE BILL NO. 1461—An act to add and repeal Title 2.97 (commencing with Section 1812.700) to Part 4 of Division 3 of the Civil Code, relating to medical discount clubs.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

July 25, 2002

Mr. Speaker: The Chair of your Committee on Health reports:
Senate Bill No. 2027

With author's amendments with the recommendation: Amend, and re-refer to the committee.

THOMSON, Chairwoman

SENATE BILL NO. 2027—An act to add Section 1255.4 to the Health and Safety Code, relating to hospitals.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Date of Hearing: July 25, 2002

Mr. Speaker: Your Committee on Appropriations reports:
Senate Bill No. 222
Senate Bill No. 1736

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chairman

Above bills ordered to second reading.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Appropriations, on Thursday, July 25, 2002, at 8:30 a.m., in Room 4202;

Select Committee on Underground Water Quality, on Wednesday, July 31, 2002, at 10 a.m.;

Select Committee on California Children's School Readiness and Health, on Thursday, September 19, 2002, at 9 a.m., in Room 4202.

REQUEST FOR PHOTOGRAPHER

Assembly Members Strickland, Dickerson, and Pescetti were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ACTION RESCINDED ON ASSEMBLY BILL NO. 2126

Upon request of Assembly Member Firebaugh, Assembly Member Robert Pacheco was granted unanimous consent to rescind the action whereby on July 3, 2002 (Assembly Journal, page 7189), Assembly Bill No. 2126 was enrolled and presented to the Governor, and that the bill be returned to the Senate for further action.

RECESS

By unanimous consent, at 9:25 a.m., Assistant Speaker pro Tempore Kehoe declared the Assembly recessed to permit the introduction of a special guest. Assembly Member Reyes introduced Gloria Allred whereupon she presented a resolution.

RECONVENED

At 9:27 a.m., the Assembly reconvened.

Hon. Christine Kehoe, Assistant Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 2079 and 425; and Senate Bills Nos. 773 and 1830 were continued until the next legislative day.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 1897 (Kuehl)—An act to amend Sections 6016, 6019, 6021, 6031.5, 6079.5, and 6145 of, and to add Section 6032 to, the Business and Professions Code, relating to attorneys.

Bill read third time.

Motion to Amend

Assembly Member Corbett moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 701 (Torlakson)—An act to amend Sections 33333.4, 33333.6, 33333.8, 33333.10, 33333.11, 33334.2, 33334.3, 33334.4, 33334.14, 33334.22, 33411.3, 33413, 33487, 33490, 33492.13, 50052.5, 50053, 50079.5, and 50105 of, to amend and renumber Section 33413.5 of, to add and repeal Sections 33334.28 and 33413.8 of, and to repeal Sections 33333.13 and 33411.5 of, the Health and Safety Code, relating to redevelopment.

Bill read third time.

Motion to Amend

Assembly Member Lowenthal moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

At 9:33 a.m., Speaker Wesson, 47th District, presiding

SPECIAL CEREMONY HONORING RETIRING MEMBERS

At 9:33 a.m., a special ceremony was convened to honor Members retiring from the California State Assembly.

Without objection, family members and special guests of honorees were permitted on the Floor of the Assembly.

The following resolution was read:

House Resolution No. 62

By Assembly Member Wesson

Relative to commending the Honorable Anthony Pescetti.

WHEREAS, The tenure of the Honorable Anthony Pescetti with the California State Assembly is drawing to a close following four years of exemplary service, and it is appropriate at this time to highlight the many achievements of his illustrious tenure and to extend to him the highest commendations of the people of the state; and

WHEREAS, Elected to the California State Assembly in 1998 and re-elected to office in 2000, Assembly Member Pescetti represents the 10th Assembly District, which covers portions of Sacramento and San Joaquin counties, and includes the cities and communities of Sacramento, Elk Grove, Rancho Cordova, Gold River, Galt, Rancho Murieta, and Lodi; and

WHEREAS, Known for his tireless work in representing his district, Assembly Member Pescetti is credited with hosting a special hearing of the Utilities and Commerce Committee in Elk Grove, and later introducing Assembly Bill 2198 to encourage local phone service providers to improve their infrastructure, bringing about a pay raise for state workers in 1999, securing millions for transportation projects and a new senior center in the Sacramento area and police stations in Galt and Lodi, and introducing three measures to support cityhood efforts in Elk Grove and Rancho Cordova; and

WHEREAS, A strong advocate of education, Assembly Member Pescetti visited all 104 public K–12 schools in his district during his tenure and introduced legislation in 2000 to increase education funding by means of block grants to school districts—a key feature of the final budget agreement that year; and

WHEREAS, He was an effective leader in the height of the energy crisis, helping craft numerous measures that became key components of the Legislature's response to that crisis, and he became the first lawmaker to propose a broad solution to the energy crisis when he proposed amendments to Assembly Bill 2198 to shore up utility finances; and

WHEREAS, Assembly Member's Pescetti's vast experience in the energy industry earned him a leadership role in the Legislature with respect to energy issues, and he brought distinction to himself as Vice Chairman of the Assembly Utilities and Commerce Committee and the Special Committee on Energy, Costs, and Reliability; and

WHEREAS, He also served as a member of the Public Employees, Retirement and Social Security Committee, Labor and Employment Committee, Committee on Environmental Safety and Toxic Materials, and Committee on Arts, Entertainment, Sports, Tourism, and Internet Media, and he was a member of the Joint Committee on Preparing

California for the 21st Century and the Assembly Select Committee on Privacy; and

WHEREAS, Prior to his election to the Assembly, Anthony Pescetti was elected to two consecutive four-year terms on the Board of Directors of the Sacramento Municipal Utility District (SMUD), and he was chosen by his colleagues at SMUD to serve two terms as Board President; and

WHEREAS, In addition to his experience at SMUD, he was Chief of Staff for the Division of the State Architect, a position to which he was appointed by Governor George Deukmejian and re-appointed by Governor Pete Wilson; and

WHEREAS, Assembly Member Pescetti has been active in the community as a member of the San Juan Fair Oaks Lions Club, Folsom Area Economic Development Committee, Rancho Cordova Chamber of Commerce, Elk Grove Chamber of Commerce, Galt Economic Development Task Force and Emerging Technology Institute, and he has been a member of the board of directors for the nonprofit organization Women Escaping a Violent Environment (W.E.A.V.E.); and

WHEREAS, Assembly Member Pescetti and his wife, Kathy, are residents of Rancho Cordova, and they are the proud parents of two children, Sarina and Anthony, Jr.; and

WHEREAS, Through his public service activities he has made a significant impact on the people of the 10th Assembly District and throughout the state, and he will be greatly missed by those individuals with whom he has been associated; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members express their commendations and appreciation to their colleague, the Honorable Anthony Pescetti, for his outstanding record of dedicated service to his constituents and to all of the people of California, and convey to him best wishes for every success in his future endeavors.

Consideration of House Resolution No. 62 by Unanimous Consent

Without objection, House Resolution No. 62 was taken up, without reference to committee or file.

HOUSE RESOLUTION NO. 62—Relative to commending the Honorable Anthony Pescetti.

Resolution read and adopted unanimously.

Best Wishes Expressed

Farewell remarks and best wishes were offered by Assembly Members Reyes, Bill Campbell, and Ashburn.

Select Committee on Escort Appointed

Speaker Wesson appointed Assembly Members Hollingsworth, Bates, Rod Pacheco, Steinberg, Cox, Reyes, and Lowenthal as a Select Committee on Escort to escort Assembly Member Anthony Pescetti, his wife Kathleen, and daughter Sarina Marie, to the Rostrum, whereupon a resolution and special plaque was presented by Speaker Wesson expressing the best wishes of all Members of the Assembly as he departs the California State Assembly.

Assembly Member Pescetti then addressed the assemblage.

The following resolution was read:

House Resolution No. 80

By Assembly Member Wesson

Relative to commending the Honorable Dick Dickerson.

WHEREAS, The tenure of the Honorable Dick Dickerson with the California State Assembly is drawing to a close following four years of exemplary service, and it is appropriate at this time to highlight the many achievements of his illustrious tenure and to extend to him the highest commendations of the people of the state; and

WHEREAS, Dick Dickerson was elected to the California State Assembly in 1998 to represent the 2nd District, which includes the Northern California counties of Colusa, Glenn, Shasta, Siskiyou, Sutter, Tehama, Trinity, and parts of Butte and Yolo; and

WHEREAS, A former 30-year law enforcement officer, Dick Dickerson brought common sense experience to office and became a voice for crime victims during his first term as Vice Chairman of the Assembly Committee on Public Safety; and

WHEREAS, Dick Dickerson served as Vice Chair of the Assembly Committee on Water, Parks & Wildlife during both of his terms in the Assembly, and in negotiations with the Governor during his first term, Assembly Member Dickerson secured \$20 million to complete studies on above-ground water storage as a major concession for the legislative passage of the Water Bond; and

WHEREAS, Dick Dickerson has been a staunch supporter of the proposed Sites Reservoir within Colusa County and raised awareness among the Members of the Legislature that additional storage is needed to meet the water supply needs of a growing state, and along with the Northern California Water Association, he was successful in pushing forward the audit of California's land acquisition policies; and

WHEREAS, During his two consecutive terms in the Assembly, Dick Dickerson retained a seat on the Assembly Committee on Natural Resources, one that is so essential to the region's way of life, and he has authored legislation to remove vegetation that has become hazardous fuel so it can be used as energy-producing biomass; and

WHEREAS, As a member of the Assembly Committee on Budget specializing in the resources area, Assembly Member Dickerson obtained \$4.58 million in the budget act for the California Department of Forestry and the Department of Corrections to pay for the reactivation of fire crews with nonviolent inmates at 17 Conservation Camps throughout California, and these inmates have been utilized for assistance with fighting fires, energy flood work, and environmental restoration, with seven of these camps in Northern California and five located within Assembly Member Dickerson's district; and

WHEREAS, Sitting on the most committees of any other Republican member, Dick Dickerson's committee assignments throughout his term in office include Chairman of the Assembly Committee on Veterans Affairs, Vice Chair of the Committee on Water, Parks & Wildlife, and

member of the Natural Resources, Public Safety, Budget, Governmental Organization, Insurance, Health, and Energy Costs & Availability committees; and

WHEREAS, In the wake of the September 11 tragedy, he was appointed to the Task Force on Terrorism; and

WHEREAS, Dick Dickerson has served on nine select committees, including CALFED, Juvenile Justice, Air & Water Quality, California Indian Nations, California Wine, Protection of Inland Waterways, Rural Economic Development, Department of Motor Vehicles, and Gun Violence; and

WHEREAS, A total of 20 bills authored by Dick Dickerson have been enacted during his term, and the 2001 legislative year was particularly successful, with seven bills signed into law by Governor Gray Davis, including legislation to increase the presence of deputies and firefighters on our streets and in our communities, to enhance the protection of children from molesters, and to provide assistance for olive growers in their battle against the olive fruit fly; and also pursuant to legislation authored by Assembly Member Dickerson a rice industry certification system was created that is allowing California farmers to compete globally, and local transportation dollars are now being returned to counties that incur savings on their construction projects; and

WHEREAS, Dick Dickerson proved to be an effective negotiator in the 2001 budget discussions, securing \$8 million for the economic recovery in the Klamath Basin, a permanent sales tax exemption on agriculture and forestry equipment and parts, a permanent tax exemption on propane and ag diesel, \$500,000 of ongoing funding for rural county sheriff's departments, \$70 million in tax relief for senior citizens, and \$40 million in school equalization funding; and

WHEREAS, The numerous awards and commendations he has received throughout his tenure in the Assembly attest to his stellar record of public service, the most recent being Awards of Appreciation from the Far West Equipment Dealers Association, Klamath Basin Water Users Association, and Rice Producers of California; and

WHEREAS, Dick Dickerson has been married for 22 years to his wife, Betty, and their blended family includes four children, Laurie Steele, Scott Dickerson, Scott Smithson, and Karrie Haynes, his niece, Julie McClean, and 8 grandchildren; and

WHEREAS, Through his public service activities Dick Dickerson has made a significant impact on the people of the 2nd Assembly District and throughout the state, and he will be greatly missed by those individuals with whom he has been associated; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members express their commendations and appreciation to their colleague, the Honorable Dick Dickerson, for his outstanding record of dedicated service to his constituents and to all of the people of California, and convey to him best wishes for every success in his future endeavors.

Consideration of House Resolution No. 80 by Unanimous Consent

Without objection, House Resolution No. 80 was taken up, without reference to committee or file.

HOUSE RESOLUTION NO. 80—Relative to commending the Honorable Dick Dickerson.

Resolution read and adopted unanimously.

Best Wishes Expressed

Farewell remarks and best wishes were offered by Assembly Members Keeley, Pescetti, and Firebaugh.

Select Committee on Escort Appointed

Speaker Wesson appointed Assembly Members Zettel, Kelley, Bogh, Washington, Kehoe, and Cardoza as a Select Committee on Escort to escort Assembly Member Dick Dickerson and his wife, Betty Dickerson, to the Rostrum, whereupon a resolution and special plaque was presented by Speaker Wesson expressing the best wishes of all Members of the Assembly as he departs the California State Assembly.

Assembly Member Dickerson then addressed the assemblage.

* * *

At 10:43 a.m., Speaker pro Tempore Keeley, 27th District, presiding

ADJOURN IN MEMORY

Assembly Members Bill Campbell, John Campbell, and Bates were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Donna O'Neill, of San Juan Capistrano.

Assembly Member Jackson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles "Rudy" Longo, of Ventura.

Assembly Member Matthews was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Margaret M. Rishwain, of Stockton.

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of James C. Heasley, Jr., of Sierra Madre.

Assembly Member Reyes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marcello Salado, of Fresno.

Assembly Member Liu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ginny Schoning, of Sacramento.

ANNOUNCEMENTS

Speaker pro Tempore Keeley announced the following schedule:

Friday, July 26—Floor Session upon Call of the Speaker;
Saturday, July 27—Floor Session upon Call of the Speaker;
Sunday, July 28—Floor Session upon Call of the Speaker;
Monday, July 29—Floor Session, 11 a.m.

MOTION TO ADJOURN

At 10:44 a.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Cohn seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Member Hollingsworth arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Firebaugh that the Assembly adjourn.

Motion carried

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:45 a.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

INTRODUCTION OF GUESTS

Assembly Member Strickland, of the 37th Assembly District, introduced his wife Audra Strickland.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned until 11 a.m., Monday, July 29, 2002, or upon the Call of the Speaker, out of respect to the memory of Donna O'Neill, on motion of Assembly Members Bill Campbell, John Campbell, and Bates; out of respect to the memory of Charles "Rudy" Longo, on motion of Assembly Member Jackson; out of respect to the memory of Margaret M. Rishwain, on motion of Assembly Member Matthews; out of respect to the memory of James C. Heasley, Jr., on motion of Assembly Member Mountjoy; out of respect to the memory of Marcello Salado, on motion of Assembly Member Reyes; and out of respect to the memory of Ginny Schoning, on motion of Assembly Member Liu.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JULY 25, 2002

The following measures were amended in the Assembly on this day:

AB	RN
3059	0214867

SB	RN
68	0213995
586	0214562
701	0214417
900	0214833
1326	0214267
1344	0214779
1385	0214502
1386	0214764
1461	0215033
1467	0214561
1479	0214860
1531	0214756
1541	0214707
1714	0214015
1735	0212744
1867	0214726
1895	0214778
1897	0214259
1927	0214129
1942	0214753
2019	0214915
2026	0214536
2027	0214920
2047	0214853
2050	0214632
2076	0214554

Daily Total:	27
Cumulative Total:	5850