

CALIFORNIA LEGISLATURE
1999-2000 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 9, 2000

TWO HUNDRED NINTH SESSION DAY

SIX HUNDRED THIRTEENTH 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
Wednesday, August 9, 2000

The Assembly met at 7 a.m.

Hon. Howard Wayne, Assembly Member, 78th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Darci King reading.

ROLL CALL

The following were placed upon the morning roll call—73:

Aanestad	Davis	Longville	Shelley
Ackerman	Dickerson	Lowenthal	Steinberg
Alquist	Ducheny	Machado	Strom-Martin
Aroner	Dutra	Maddox	Thompson
Ashburn	Firebaugh	Margett	Thomson
Bates	Florez	Mazzoni	Torlakson
Battin	Floyd	McClintock	Villaraigosa
Baugh	Gallegos	Migden	Vincent
Bock	Granlund	Nakano	Washington
Brewer	Havice	Olberg	Wayne
Briggs	Honda	Oller	Wesson
Calderon	House	Pacheco, Robert	Wiggins
Campbell	Jackson	Pacheco, Rod	Wildman
Cardenas	Kaloogian	Papan	Wright
Cardoza	Keeley	Pescetti	Zettel
Cedillo	Kuehl	Reyes	Mr. Speaker
Corbett	Leach	Romero	
Correa	Lempert	Runner	
Cox	Leonard	Scott	

Quorum present.

At 11:40 a.m., Hon. Scott Wildman, 43rd District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

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 Baldwin and Strickland.

On personal business, and waiving per diem: Assembly Members Cunneen, Knox, and Maldonado.

Because of illness: Assembly Member Frusetta.

EXPLANATIONS OF ABSENCE

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

August 4, 2000

The Honorable Robert Hertzberg
Speaker, State Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Hertzberg: I respectfully request approval to be excused from check-in session on Wednesday, August 9, 2000, as I will be travelling to my district office for legislative meetings, leaving the afternoon of Tuesday, August 8, 2000 and returning to the capitol the night of Wednesday, August 9, 2000. Should you have any questions, please feel free to contact Donny Churchman at 319-2037.

Thank you for your attention to this matter.

Sincerely,

TONY STICKLAND, Assembly Member
Thirty-seventh District

(NOTE: For letter explaining the absence of Assembly Member Baldwin on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for August 7, 2000.)

COMMUNICATIONS

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

August 9, 2000

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

Dear Dotson: Please be advised that I have appointed Assemblymember Robert Pacheco as Vice Chair to the Judiciary Committee in place of Assemblymember Dick Ackerman. Mr. Ackerman will remain on the committee as a regular member.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

The following qualified initiatives were received by the Chief Clerk from:

Bill Jones, Secretary of State, transmitting a copy of the following initiatives, which have qualified for the November 7, 2000, General Election:

Drug Treatment Diversion Program

Referred pursuant to the Elections Code, Section 9034, to the Committees on Health and Elections, Reapportionment and Constitutional Amendments.

**Fees, Taxes. New Definitions, Vote Requirements.
Initiative Constitutional Amendment.**

Referred pursuant to the Elections Code, Section 9034, to the Committees on Revenue and Taxation and Elections, Reapportionment and Constitutional Amendments.

**School Facilities. 55% Local Vote. Bonds, Taxes.
Accountability Requirements.
Initiative Constitutional Amendment and Statute.**

Referred pursuant to the Elections Code, Section 9034, to the Committees on Education and Elections, Reapportionment and Constitutional Amendments.

**School Vouchers. State-Funded Private and Religious Education.
Public School Funding.
Initiative Constitutional Amendment.**

Referred pursuant to the Elections Code, Section 9034, to the Committees on Education and Elections, Reapportionment and Constitutional Amendments.

SPECIAL COMMITTEE MEETINGS

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

Committee on Water, Parks and Wildlife, on August 10, 2000;
Committee on Revenue and Taxation, on August 10, 2000.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 9, 2000

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Joint Resolution No. 60
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, August 9, 2000

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 170
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

REQUEST TO SUSPEND JOINT RULES

The following requests were received, and read:

Assembly Chamber, August 9, 2000

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12) as it relates to Senate Bills Nos. 1510, 1957, and 2070.

HERB WESSON

Assembly Chamber, August 9, 2000

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12) as it relates to Senate Bill No. 1830.

DION ARONER

Assembly Chamber, August 9, 2000

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12) as it relates to Senate Bill No. 607.

WALLY KNOX

Above requests ordered transmitted to the Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 178—Torlakson. Relative to the Senator Daniel E. Boatwright Highway.

ASSEMBLY CONCURRENT RESOLUTION NO. 179—Torlakson. Relative to postsecondary education.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Date of Hearing: August 8, 2000

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 2082

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

KUEHL, Chairwoman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: August 8, 2000

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1261

With the recommendation: Do pass.

KUEHL, Chairwoman

Above bill ordered to second reading.

Date of Hearing: August 8, 2000

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1782

Senate Bill No. 1915

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

KUEHL, Chairwoman

Above bills ordered to second reading.

Committee on Banking and Finance

Date of Hearing: August 8, 2000

Mr. Speaker: Your Committee on Banking and Finance reports:

Senate Bill No. 1837

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PAPAN, Chairman

Above bill ordered to second reading.

Date of Hearing: August 8, 2000

Mr. Speaker: Your Committee on Banking and Finance reports:

Senate Bill No. 1700

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

PAPAN, Chairman

Above bill re-referred to the Committee on Appropriations.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: August 9, 2000

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 1435
Senate Bill No. 1505
Senate Bill No. 1763

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CORREA, Chairman

Above bills re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing: August 8, 2000

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 1310

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

WASHINGTON, Chairman

Above bill ordered to second reading.

Committee on Health

Date of Hearing: August 8, 2000

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 1748
Senate Bill No. 1858

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

GALLEGOS, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: August 8, 2000

Mr. Speaker: Your Committee on Health reports:

Senate Joint Resolution No. 30

With the recommendation: Be adopted.

GALLEGOS, Chairman

Above resolution ordered on file.

Committee on Utilities and Commerce

Date of Hearing: August 7, 2000

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 1299

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

WRIGHT, Chairman

Above bill ordered to second reading.

Committee on Aging and Long-Term Care

Date of Hearing: August 8, 2000

Mr. Speaker: Your Committee on Aging and Long-Term Care reports:

Assembly Bill No. 1199

Without recommendation.

ALQUIST, Chairwoman

Above bill ordered to unfinished business.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 2165—An act to amend Section 10754 of, and to repeal Section 10754.2 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time; amendments proposed by the Committee on Revenue and Taxation read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 1410, 1959, 2081, 1766, and 1792, ordered to third reading.

(NOTE: Later this day Senate Bill No. 1959 was re-referred to the Committee on Appropriations.)

Senate Bills Nos. 1339, 1736, 1739, 1603, and 1943, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 2178—An act to add Section 14035.56 to, and to add and repeal Section 14035.57 of, the Government Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Transportation read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 2108—An act to amend Section 84602 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1939—An act to amend Section 385 of, and to add Section 9607 to, the Public Utilities Code, and to amend Section 21100 of, and to add Section 21100.7 to, the Water Code, relating to public utilities.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted, bill ordered reprinted and to be re-referred to the Committee on Local Government.

SENATE BILL NO. 2060—An act to amend Sections 11614 and 11713.1 of the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Transportation read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 1718—An act to amend Section 1793.22 of the Civil Code, relating to warranties.

Bill read second time, and ordered to third reading.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of Joint Rule 10.5, the following bill was ordered re-referred to the Committee on Appropriations:

Senate Bill No. 1959.

APPOINTMENT OF COMMITTEE ON CONFERENCE

The Speaker appointed the following Assembly Members as a Committee on Conference concerning Senate Bill No. 1862:

Shelley, Alquist, and Bates.

MESSAGES FROM THE SENATE

Senate Chamber, August 9, 2000

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Escutia, Dunn and Morrow as a Committee on Conference concerning:

Assembly Bill No. 2112.

GREG P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

ADJOURNMENT

At 4:10 p.m., the Assembly adjourned until 8:30 a.m., Thursday, August 10, 2000.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 9, 2000**

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

AB RN
2165 0016257

SB RN
1939 0016355
2060 0016007
2178 0015977

Daily Total: 4
Cumulative Total: 6495

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