

CALIFORNIA LEGISLATURE  
1999-2000 REGULAR SESSION

---

---

# ASSEMBLY DAILY JOURNAL

---

---

**Monday, August 14, 2000**

**TWO HUNDRED TWELFTH SESSION DAY  
SIX HUNDRED EIGHTEENTH 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  
Monday, August 14, 2000

The Assembly met at 7 a.m.

Hon. George House, Assembly Member, 25th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

#### ROLL CALL

The following were placed upon the morning roll call—48:

Aanestad	Correa	Leach	Papan
Ackerman	Cox	Leonard	Pescetti
Alquist	Cunneen	Longville	Romero
Aroner	Dickerson	Machado	Runner
Ashburn	Ducheny	Maddox	Scott
Battin	Florez	Maldonado	Steinberg
Bock	Floyd	Margett	Strom-Martin
Brewer	Gallegos	Mazzoni	Torlakson
Briggs	Granlund	McClintock	Vincent
Calderon	Havice	Olberg	Wayne
Campbell	House	Pacheco, Robert	Wiggins
Cardenas	Keeley	Pacheco, Rod	Wildman

Quorum present.

**At 2:34 p.m., Hon. Ken Maddox, 68th 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 Bates, Baugh, Kaloogian, Oller, Strickland, Thompson, and Zettel.*

*On personal business, and waiving per diem: Assembly Members Cardoza, Cedillo, Corbett, Davis, Dutra, Firebaugh, Hertzberg, Honda, Jackson, Knox, Kuehl, Lempert, Lowenthal, Migden, Nakano, Reyes, Shelley, Thomson, Washington, Wesson, and Wright.*

*Because of illness: Assembly Member Frusetta.*

*Because of illness in his family: Assembly Member Baldwin.*

*The following Assembly Member was excused for the day, and his per diem was waived: Villaraigosa.*

**EXPLANATIONS OF ABSENCE**

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

August 10, 2000

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

Dear Mr. Speaker: I respectfully request to be excused from check-in session, Monday, August 14, 2000, to attend to legislative business in my district. If you have any questions, please contact Trent Smith in my office at (916) 319-2073.

Sincerely,

PATRICIA BATES, Assembly Member  
Seventy-third District

August 10, 2000

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

Dear Mr. Speaker: I respectfully request to be excused from Check-In Session on Monday, August 14th. This letter replaces my original letter requesting to be excused on Tuesday, August 15th. I will be attending to legislative business in Orange County.

Thank you for your consideration of this request. If you have any questions, please call Diana Knoles in my office at 319-2067.

Sincerely,

SCOTT R. BAUGH, Assembly Member  
Sixty-seventh District

August 14, 2000

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

Dear Mr. Speaker,

I am requesting to be excused from check-in session today, August 14, 2000. I will be in the district on legislative business. Should you have any questions regarding this request, please feel free to contact me. Thank you for your consideration.

Respectfully,

HOWARD KALOOGLIAN, Assembly Member  
Seventy-fourth District

August 11, 2000

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

Dear Mr. Speaker: I will be on legislative business in my district on Monday, August 14, 2000, and am requesting to be excused from check-in session.

Thank you for your consideration.

Sincerely,

THOMAS "RICO" OLLER, Assembly Member  
Fourth District

August 10, 2000

*The Honorable Robert Hertzberg*  
*Speaker, California State Assembly*  
*State Capitol*  
*Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Check-In Session on Monday August 14, 2000, due to legislative business in the district.

If you have any questions, please contact my office at 319-2037. Thank you for your consideration of this request.

Sincerely,

TONY STRICKLAND, Assembly Member  
Thirty-seventh District

August 14, 2000

*The Honorable Robert M. Hertzberg*  
*Speaker of the Assembly*  
*California State Assembly*  
*State Capitol*  
*Sacramento, California*

Dear Mr. Speaker: This letter respectfully requests that I be excused from check-in session on Monday August 14, 2000. I will be conducting official business in my district.

Thank you for your assistance.

Sincerely,

CHARLENE ZETTEL, Assembly Member  
Seventy-fifth District

(NOTE: For letter explaining the absence of Assembly Member Thompson on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for August 11, 2000.)

**COMMUNICATIONS**

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

**Explanation of Vote  
Education Committee—June 21, 2000**

August 10, 2000

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

Dear Mr. Wilson: I respectfully request that you record my support for the Education Committee consent calendar that was presented at the committee's hearing on June 21, 2000. I was absent for a brief period while attending to business in another committee and was unable to participate in the vote.

Thank you very much for your assistance.

Sincerely,

CHARLENE ZETTEL, Assembly Member  
Seventy-fifth District

**Explanation of Absence—August 11, 2000**

August 11, 2000

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

Dear Speaker Hertzberg: I would like to request that the record be corrected to reflect my absence on Friday, August 11, 2000, due to a family illness.

Your consideration of this request is appreciated.

Sincerely,

CARL WASHINGTON, Assembly Member  
Fifty-second District

**REQUEST FOR UNANIMOUS CONSENT—  
SENATE BILL NO. 1514**

Unanimous consent was granted to correct the Journal record whereby on June 29, 2000 (Assembly Journal, page 7447), amendments to Senate Bill No. 1514 were adopted as author's amendments rather than committee amendments; and that, without objection, the Report of the Committee on Education for June 29, 2000 be read, amendments proposed by the committee be read a second time and adopted; and the bill ordered reprinted and re-referred to the Committee on Appropriations.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 182—Aanestad.** Relative to 14 Mile House Historical Monument.

**ASSEMBLY JOINT RESOLUTION NO. 71—Calderon.** Relative to the California Gnatcatcher and the Southwestern Arroyo Toad.

**HOUSE RESOLUTION NO. 71—Hertzberg and Baugh.** Relative to commending the Honorable Peter C. Frusetta.

**HOUSE RESOLUTION NO. 72—Hertzberg and Baugh.** Relative to commending the Honorable Marilyn C. Brewer.

**HOUSE RESOLUTION NO. 73—Hertzberg and Baugh.** Relative to commending the Honorable Scott Wildman.

**HOUSE RESOLUTION NO. 74—Hertzberg and Baugh.** Relative to commending the Honorable Tom Torlakson.

**HOUSE RESOLUTION NO. 75—Hertzberg and Baugh.** Relative to commending the Honorable Kerry Mazzoni.

**HOUSE RESOLUTION NO. 76—Hertzberg and Baugh.** Relative to commending the Honorable Michael J. Machado.

**HOUSE RESOLUTION NO. 77—Hertzberg and Baugh.** Relative to commending the Honorable Keith Olberg.

**HOUSE RESOLUTION NO. 78—Hertzberg and Baugh.** Relative to commending the Honorable Richard E. Floyd.

**HOUSE RESOLUTION NO. 79—Hertzberg and Baugh.** Relative to commending the Honorable Brett Granlund.

**HOUSE RESOLUTION NO. 80—Hertzberg and Baugh.** Relative to commending the Honorable Sheila James Kuehl.

**HOUSE RESOLUTION NO. 81—Hertzberg and Baugh.** Relative to commending the Honorable Wally Knox.

#### **AUTHOR'S AMENDMENTS**

##### **Committee on Governmental Organization**

August 14, 2000

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Senate Bill No. 1293

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

WESSON, Chairman

**SENATE BILL NO. 1293**—An act to add Section 25241 to the Business and Professions Code, relating to alcoholic beverages.

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**

August 14, 2000

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

Senate Bill No. 31

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

MIGDEN, Chairwoman

**SENATE BILL NO. 31**—An act to amend Section 6389 of the Family Code, and to amend Sections 11106, 12001, 12021, 12026.2, 12030, 12070, 12071, 12072, 12073, 12076, 12078, and 12084 of, the Penal Code, relating to firearms.

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**

August 14, 2000

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Senate Bill No. 1342

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

MIGDEN, Chairwoman

**SENATE BILL NO. 1342**—An act to add Sections 1405 and 1417.9 to the Penal Code, relating to forensic testing.

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 Rules**

August 14, 2000

Mr. Speaker: The Chair of your Committee on Rules reports:  
Assembly Concurrent Resolution No. 177

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

CARDOZA, Chairman

**ASSEMBLY CONCURRENT RESOLUTION NO. 177**—Relative to Confucius Day.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 14, 2000

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Concurrent Resolution No. 98  
Assembly Concurrent Resolution No. 133

And reports the same correctly enrolled, and presented to the Secretary of State on the 14th day of August, 2000, at 11:45 a.m.

E. DOTSON WILSON, Chief Clerk

**REPORTS OF STANDING COMMITTEES**  
**Committee on Local Government**

Date of Hearing: August 9, 2000

Mr. Speaker: Your Committee on Local Government reports:  
Senate Bill No. 165  
Senate Bill No. 1447

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

LONGVILLE, Chairman

Above bills ordered to second reading.

Date of Hearing: August 9, 2000

Mr. Speaker: Your Committee on Local Government reports:  
Senate Bill No. 1142

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

LONGVILLE, Chairman

Above bill ordered to second reading.

**Committee on International Trade and Development**

Date of Hearing: August 9, 2000

Mr. Speaker: Your Committee on International Trade and Development reports:  
Senate Bill No. 1516

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

HAVICE, Chairwoman

Above bill ordered to second reading.

**Committee on Judiciary**

Date of Hearing: August 8, 2000

Mr. Speaker: Your Committee on Judiciary reports:  
Senate Bill No. 1045

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

KUEHL, Chairwoman

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. 1192

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

GALLEGOS, Chairman

Above bill ordered to second reading.

Date of Hearing: August 8, 2000

Mr. Speaker: Your Committee on Health reports:  
Senate Joint Resolution No. 31

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

GALLEGOS, Chairman

Above resolution ordered to second reading.

**Committee on Consumer Protection, Governmental Efficiency and Economic Development**

Date of Hearing: August 8, 2000

Mr. Speaker: Your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Senate Bill No. 1136

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

DAVIS, Chairwoman

Above bill 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. 2148

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

PAPAN, Chairman

Above bill ordered to second reading.



**Committee on Natural Resources**

Date of Hearing: August 7, 2000

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 2204

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

WAYNE, Chairman

Above bill ordered to second reading.

**Committee on Appropriations**

Date of Hearing: August 9, 2000

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1769

Senate Bill No. 1877

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: August 9, 2000

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1522

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.

MIGDEN, Chairwoman

Above bill ordered to second reading.

**Committee on Public Safety**

Date of Hearing: August 8, 2000

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 499

Senate Bill No. 1485

Senate Bill No. 2026

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

WASHINGTON, Chairman

Above bills ordered to second reading.

**Committee on Appropriations**

Date of Hearing: August 9, 2000

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1807

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

**SECOND READING OF BILLS BY UNANIMOUS CONSENT**

Pursuant to unanimous consent granted on August 10, 2000, the following bills were taken up, without reference to file, for purpose of second reading and adoption of committee amendments:

**SENATE BILL NO. 165**—An act to add Sections 50075.1, 50075.3, and 50075.5 to, and to add Article 1.5 (commencing with Section 53410) to Chapter 3 of Part 1 of Division 2 of Title 5 of, the Government Code, relating to local agency finance.

Bill read second time; amendments proposed by the Committee on Local Government read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 1447**—An act to amend Section 53227 of the Government Code, relating to local agencies.

Bill read second time; amendments proposed by the Committee on Local Government read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 1142**—An act to add Section 50057 to the Government Code, relating to tobacco litigation funds.

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

**SENATE BILL NO. 1516**—An act to add Section 12805.1 to, and to add Chapter 10 (commencing with Section 11850) to Part 1 of Division 3 of Title 2 of, the Government Code, relating to international trade.

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

**SENATE BILL NO. 1045**—An act to amend Sections 2229 and 2234 of, to amend, repeal, and add Section 2435 of, and to add, repeal, and add Section 2227.5 of, the Business and Professions Code, relating to healing arts, and making an appropriation therefor.

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

**SENATE BILL NO. 1192**—An act to add Sections 14085.54 and 14085.56 to the Welfare and Institutions Code, relating to health facilities.

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

**SENATE JOINT RESOLUTION NO. 31**—Relative to blood centers.

Resolution read; amendments proposed by the Committee on Health read and adopted, resolution ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 1136**—An act to amend Sections 11710, 11712, 12800, 12804, 15310, 15311, 15313, and 15363.6 of, to add Sections 12804.6, 15310.1, 15329, 15333.10, and 15333.11 to, and to repeal Sections 11785, 15333.6, and 15346.3 of, the Government Code, relating to technology.

Bill read second time; amendments proposed by the Committee on Consumer Protection, Governmental Efficiency and Economic Development read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 2148**—An act to amend Sections 100, 102, 103, 105, 107, 109, 116, 276, 600, and 18003 of, to add Sections 105.3, 105.5, and 105.7 to, to add Chapter 11 (commencing with Section 1400) to Division 1 of, and to repeal Section 139.6 of, the Financial Code, relating to financial institutions, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 2204**—An act to amend Section 51256.2 of the Government Code, relating to land use.

Bill read second time; amendments proposed by the Committee on Natural Resources read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 1769**—An act to amend Section 6045.6 of, and to add Section 6045.3 to, the Penal Code, relating to mental health courts.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 1877**—An act to add Chapter 4.5 (commencing with Section 1060) to Part 3 of Division 2 of the Labor Code, relating to employment.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 1522**—An act to add Section 13952.1 to the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

**SENATE BILL NO. 499**—An act to amend Section 3046 of the Penal Code, relating to imprisonment.

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

**SENATE BILL NO. 1485**—An act to add and repeal Title 9.5 (commencing with Section 14108) of Part 4 of the Penal Code, relating to forensic laboratories, and making an appropriation therefor.

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

**SENATE BILL NO. 2026**—An act to amend Section 193 of the Penal Code, relating to crimes against minors.

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

**CONSIDERATION OF DAILY FILE  
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. 221, 338, 1318, 1562, 1845, 1854, 1881, 1944, 1952, 1216, 1242, 1606, 244, 1326, 1439, 1619, and 1819**, ordered to third reading.

**Senate Bills Nos. 1411, 1716, 1801, 1828, 1841, 1996, 2105, 2186, 1571, 1724, 1451, 1452, and 1554**, ordered to the Consent Calendar.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 1807**—An act to add Section 11877.2 to, and to add Chapter 9.8 (commencing with Section 11545) to Division 10 of, the Health and Safety Code, and to add Section 1000.8 to the Penal Code, relating to addiction.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

**ADJOURNMENT**

At 8:30 p.m., the Assembly adjourned until 10 a.m., Friday, August 18, 2000.

---

FRED KEELEY, Speaker pro Tempore

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 14, 2000**

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

**ACR RN**  
177 0016728

**SB RN**  
31 0016459  
165 0016673  
499 0016540  
1045 0016551  
1136 0016532  
1142 0016678  
1192 0016589  
1293 0016984  
1342 0016686  
1447 0016667  
1485 0016535  
1516 0016603  
1522 0016559  
1769 0016608  
1807 0016615  
1877 0016605  
2026 0016434  
2148 0016556  
2204 0016416

**SJR RN**  
31 0016656

**Daily Total: 21**  
**Cumulative Total: 6587**