

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 14, 2002

**TWO HUNDRED FORTY-SIXTH SESSION DAY
SIX HUNDRED NINETEENTH 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 14, 2002

The Assembly met at 7 a.m.

Hon. Anthony Pescetti, Assembly Member, 10th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—74:

Aanestad	Daucher	Leach	Pescetti
Alquist	Diaz	Leonard	Reyes
Aroner	Dickerson	Leslie	Richman
Ashburn	Dutra	Liu	Runner
Bates	Firebaugh	Longville	Salinas
Bogh	Florez	Lowenthal	Shelley
Briggs	Frommer	Maddox	Simitian
Calderon	Goldberg	Maldonado	Steinberg
Campbell, Bill	Harman	Matthews	Strickland
Canciamilla	Havice	Mountjoy	Strom-Martin
Cardoza	Hertzberg	Nakano	Thomson
Cedillo	Hollingsworth	Nation	Wayne
Chan	Horton	Negrete McLeod	Wiggins
Chavez	Jackson	Oropeza	Wright
Chu	Keeley	Pacheco, Robert	Wyland
Cohn	Kehoe	Pacheco, Rod	Wyman
Corbett	Kelley	Papan	Zettel
Correa	Koretz	Pavley	Mr. Speaker
Cox	La Suer		

Quorum present.

At 1:35 p.m., Hon. Helen Thomson, 8th 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 Cárdenas, Cogdill, Migden, Vargas, and Washington.

Because of illness: Assembly Member John Campbell.

EXPLANATIONS OF ABSENCE

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

August 13, 2002

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

Dear Mr. Speaker: I respectfully request permission to be excused from Check-In Session on Wednesday, August 14, 2002 to conduct legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

TONY CÁRDENAS, Assembly Member
Thirty-ninth District

August 13, 2002

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

Dear Mr. Speaker: I respectfully request to be excused from check in session on Wednesday, August 14th. I will be in my district on legislative business.

Thank you for your consideration of this request. If you have any questions, please contact me at 319-2025.

Sincerely,

DAVE COGDILL, Assembly Member
Twenty-fifth District

August 12, 2002

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

Dear Mr. Speaker: I am respectfully requesting to be excused from check in on August 14th, 2002 to conduct legislative business in my district.

Thank you for your consideration in this matter.

Sincerely,

CAROLE MIGDEN, Assembly Member
Thirteenth District

August 13, 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 Assembly check-in on Wednesday, August 14, 2002. I will be traveling to San Diego on that day for legislative business and will return to Sacramento the morning of August 15, 2002.

Thank you for your consideration of this request.

Sincerely,

JUAN VARGAS, Assembly Member
 Seventy-ninth District

(NOTE: For letter explaining the absence of Assembly Member Washington on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for August 13, 2002.)

COMMUNICATIONS

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

August 14, 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 Assemblymember Fred Keeley to replace Assemblymember Carl Washington on the Assembly Appropriations Committee for today's hearing only.

Sincerely,

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

August 14, 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 Assemblymember Wilma Chan to replace Assemblymember Carole Migden on the Assembly Labor and Employment Committee for today's hearing only.

Sincerely,

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

Special Committee Meetings

August 14, 2002

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

Dear Dotson: Please be advised that the following committees have been approved to meet on the following dates and times:

Agriculture Committee on Monday, August 19th at 10:00 a.m., in Room 437.

Arts, Entertainment, Sports, Tourism, and Internet Media Committee on Thursday, August 15th upon adjournment of Session in Room 4202.

Business and Professions Committee on Thursday, August 15th upon adjournment of Session in Room 444.

Governmental Organization Committee on Monday, August 19th at 9:00 a.m. in Room 4202.

Health Committee on Friday, August 16th at 10:00 a.m. in Room 4202.

Housing and Community Development Committee on Thursday, August 15th upon adjournment of the Natural Resources Committee in Room 126.

Human Services Committee on Monday, August 19th at 10:00 a.m. in Room 127.

Insurance Committee on Friday, August 16th upon adjournment of the Water, Parks and Wildlife Committee in Room 437.

Judiciary Committee on Friday, August 16th at 8:00 a.m., in Room 447.

Local Government Committee on Thursday, August 15th upon adjournment of the Business and Professions Committee in Room 444 and on Monday, August 19th at 9:30 a.m. in Room 126.

Natural Resources Committee on Thursday, August 15th upon adjournment of Session and Monday, August 19th at 1:30 p.m. in Room 447, if necessary.

Public Employees, Retirement and Social Security Committee on Thursday, August 15th upon adjournment of Session in Room 127.

Utilities and Commerce Committee on Thursday, August 15th upon adjournment of Session in Room 437.

Water, Parks and Wildlife Committee on Friday, August 16th at 8:00 a.m. in Room 437.

Sincerely,

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 14, 2002

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
 Assembly Concurrent Resolution No. 215
 And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, August 14, 2002

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

Assembly Bill No. 1803
 Assembly Bill No. 1913
 Assembly Bill No. 1950
 Assembly Bill No. 2133
 Assembly Bill No. 2200
 Assembly Bill No. 2203

Assembly Bill No. 2315
 Assembly Bill No. 2524
 Assembly Bill No. 2800
 Assembly Bill No. 2801
 Assembly Bill No. 2949

And reports the same correctly enrolled, and presented to the Governor on the
 14th day of August, 2002, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

RESOLUTIONS

The following resolutions were offered:

HOUSE RESOLUTION NO. 88—Frommer. Relative to Down's Syndrome Awareness Month.

HOUSE RESOLUTION NO. 89—Briggs. Relative to "The Grapes of Wrath."

SPECIAL COMMITTEE MEETINGS

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

Public Safety, on Thursday, August 15, 2002, upon adjournment of Session, in the Tom Bane Rules Committee Room;

Elections, Reapportionment and Constitutional Amendments, on Thursday, August 15, 2002;

Jobs, Economic Development and the Economy, on Thursday, August 14, 2002, upon adjournment of Floor Session.

AUTHOR'S AMENDMENTS**Committee on Insurance**

August 14, 2002

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

Senate Bill No. 1972

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

CALDERON, Chairman

SENATE BILL NO. 1972—An act to add Section 1780.68 to the Insurance Code, relating to insurance.

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 Human Services**

August 14, 2002

Mr. Speaker: The Chair of your Committee on Human Services reports:

Senate Bill No. 308

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

ARONER, Chairwoman

SENATE BILL NO. 308—An act to amend Sections 8202 and 8263 of, and to add Section 8263.2 to, the Education Code, relating to child care and development.

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**

August 14, 2002

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

Senate Bill No. 97

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

CORBETT, Chairwoman

SENATE BILL NO. 97—An act to amend Section 155 of the Family Code, relating to support orders.

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.

REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, August 14, 2002

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(14) as it relates to Senate Concurrent Resolution No. 89.

JOHN DUTRA

Above request ordered transmitted to the Committee on Rules.

**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. 849, 1365, 1264, 1278, 1411, 1785, 1912, 1247, 1471, and 1507, ordered to third reading.

Senate Bills Nos. 1982, 1949, and 2100, ordered to the Consent Calendar.

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Date of Hearing: August 14, 2002

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 2	Senate Bill No. 398
Senate Bill No. 29	Senate Bill No. 426
Senate Bill No. 94	Senate Bill No. 460
Senate Bill No. 120	Senate Bill No. 498
Senate Bill No. 199	Senate Bill No. 533
Senate Bill No. 248	Senate Bill No. 543
Senate Bill No. 253	Senate Bill No. 574
Senate Bill No. 306	Senate Bill No. 652
Senate Bill No. 339	

With the recommendation: Do pass.

STEINBERG, Chairman

Above bills ordered to second reading.

Date of Hearing: August 14, 2002

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 676	Senate Bill No. 800
Senate Bill No. 688	Senate Bill No. 864
Senate Bill No. 692	Senate Bill No. 1010
Senate Bill No. 772	Senate Bill No. 1038
Senate Bill No. 783	Senate Bill No. 1078
Senate Bill No. 789	Senate Bill No. 1093

With the recommendation: Do pass.

STEINBERG, Chairman

Above bills ordered to second reading.

ADJOURNMENT

At 5:35 p.m., the Assembly adjourned until 9 a.m., Thursday, August 15, 2002.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 14, 2002**

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

SB	RN
97	0216364
308	0216083
1972	0215404

Daily Total:	3
Cumulative Total:	6034

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