

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 22, 2001

**ONE HUNDRED FIFTEENTH SESSION DAY
TWO HUNDRED SIXTY-SECOND 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 22, 2001

The Assembly met at 7 a.m.

Hon. Tony Strickland, Assembly Member, 37th 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—77:

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

Quorum present.

At 1:55 p.m., Hon. Juan Vargas, 79th 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 Hollingsworth and Maddox.

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

EXPLANATIONS OF ABSENCE

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

August 20, 2001

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

Dear Mr. Speaker: I respectfully request an excused absence from check-in on Wednesday, August 22, 2001. I have legislative business in my district. Thank you.

Sincerely,

DENNIS HOLLINGSWORTH, Assembly Member
Sixty-sixth District

August 22, 2001

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

Dear Mr. Speaker: I am respectfully requesting authorization to be absent from check-in session on Wednesday, August 22, 2001. I will be traveling to my district on legislative business.

Thank you for your consideration of my request.

Sincerely,

KEN MADDOX, Assembly Member
Sixty-eighth District

COMMUNICATIONS

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

August 21, 2001

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

RE: Appointment of Bruce D. Hotchkiss
to Smog Check Inspection
and Maintenance Review Committee

Dear Mr. Wilson: Please be advised I have appointed Mr. Bruce D. Hotchkiss to the Smog Check Inspection and Maintenance Review Committee. This is a term appointment starting August 21, 2001 and the expiration date is August 21, 2005. Mr. Hotchkiss will be replacing Mr. Bob Gannon.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

August 21, 2001

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

RE: Appointment of Lawrence Guidi
to California State World Trade Commission

Dear Mr. Wilson: Please be advised I have appointed Mr. Lawrence M. Guidi to the California State World Trade Commission. This is a term appointment starting August 21, 2001 and the expiration date is December 31, 2001. Mr. Guidi will be replacing Mr. Luis Valenzuela.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

August 21, 2001

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

RE: Appointment of Marcia F. Volpert
to State Bar Examining Committee

Dear Mr. Wilson: Please be advised I have appointed Ms. Marcia F. Volpert to the State Bar Examining Committee. This is a term appointment starting October 1, 2001 and the expiration date is October 1, 2005. Ms. Volpert will be replacing Ms. Patricia Murakawa.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

August 21, 2001

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

RE: Appointment of Ms. Martha L. Welborne
to State Board of Architectural Examiners

Dear Mr. Wilson: Please be advised I have appointed Ms. Martha L. Welborne to the State Board of Architectural Examiners. This is a term appointment starting August 21, 2001 and the expiration date is June 1, 2003. Ms. Welborne will be replacing Mr. Jerold Neuman.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

August 21, 2001

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

RE: Appointment of Felice L. Thompson
to California Council on Criminal Justice

Dear Mr. Wilson: Please be advised I have appointed Ms. Felice L. Thompson to the California Council on Criminal Justice. This is a pleasure appointment starting August 21, 2001. Ms. Thompson will be replacing Ms. Stacy Miyamura.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

August 22, 2001

*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 Carl Washington to replace Assemblymember Herb Wesson on the Assembly Appropriations Committee for today's hearing only.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

- Revenue and Taxation, on August 27, 2001;
- Select Committee on Air and Water Quality, on August 25, 2001, at 9:30 a.m., in Woodland Hills;
- Transportation, on August 27, 2001, at 1:30 p.m., in Room 4202.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 13—Leonard. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (b) of Section 14 of Article II thereof, by amending subdivision (1) of Section 8 of Article III thereof, by amending subdivision (b) of Section 18 of Article IV thereof, by amending subdivision (b) of Section 5 of, and by amending subdivision (f) of Section 14 of, Article V thereof, by amending subdivision (a) of Section 10 of Article VII thereof, by amending subdivision (j) of Section 3 of, by amending subdivision (g) of Section 11 of, by amending Sections 17, 18, and 19 of, by amending subdivision (h) of Section 28 of, and by adding Section 17.5 to, Article XIII thereof, by amending the ninth paragraph of subdivision (d) of Section 22 of Article XX thereof, and by amending the heading of, and by amending Section 1 of, Article XXI thereof, relating to taxation.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 22, 2001

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1722

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, August 22, 2001

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 95

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

REQUEST TO SUSPEND JOINT RULES

The following requests were received, and read:

Assembly Chamber, August 22, 2001

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(9) as it relates to Senate Bill No. 955.

VIRGINIA STROM-MARTIN

Assembly Chamber, August 22, 2001

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(9) as it relates to Senate Bill No. 214.

VIRGINIA STROM-MARTIN

Assembly Chamber, August 22, 2001

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(9) as it relates to Senate Bill No. 532.

HOWARD WAYNE

Above requests ordered transmitted to the Committee on Rules.

AUTHOR'S AMENDMENTS**Committee on Health**

August 22, 2001

Mr. Speaker: The Chair of your Committee on Health reports:
Senate Bill No. 414

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

THOMSON, Chairwoman

SENATE BILL NO. 414—An act to add Part 3.5 (commencing with Section 5820) to Division 5 of the Welfare and Institutions Code, relating to mental health.

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 22, 2001

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 940

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

STEINBERG, Chairman

SENATE BILL NO. 940—An act to amend Section 40513 of the Vehicle Code, and to amend Sections 202, 241.1, 257, and 727.3 of, and to repeal and add Section 828 of, the Welfare and Institutions Code, relating to juveniles.

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 22, 2001

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

Senate Bill No. 255
Senate Bill No. 284

Senate Bill No. 717
Senate Bill No. 1154

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

MIGDEN, Chairwoman

SENATE BILL NO. 255—An act to add Division 6.7 (commencing with Section 15600) to 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.

SENATE BILL NO. 284—An act to amend Section 87885 of the Education Code, relating to community colleges.

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. 717—An act to add and repeal Chapter 12.49 (commencing with Section 8879.20) of Division 1 of Title 2 of the Government Code, relating to financing a seismic safety retrofit program, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

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. 1154—An act to amend Section 6217.1 of the Public Resources Code, relating to fish.

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 Revenue and Taxation

August 22, 2001

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Senate Bill No. 1185

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

CORBETT, Chairwoman

SENATE BILL NO. 1185—An act to amend Sections 17037, 17062, 17276, 18417, 18633.5, 19104, 19191, 19192, 19306, 19311, 19378, 19443, 19604, 19607, 19705, 21006, 21027, 23001, 23040.1, 23051.7, 23055, 23182, 23608.2, 23609, 23610.5, 23622.8, 23630, 23645, 23649, 23772, 24416, 24453, and 24472 of, to amend the heading of Part 11 (commencing with Section 23001) of Division 2 of, and to amend the heading of Chapter 2 (commencing with Section 23101) of Part 11 of Division 2 of, the Revenue and Taxation Code, relating to taxation.

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 Revenue and Taxation

August 22, 2001

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Senate Bill No. 366

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

CORBETT, Chairwoman

SENATE BILL NO. 366—An act to add Section 21015.6 to the Revenue and Taxation Code, relating to taxation.

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 Health

Date of Hearing: August 21, 2001

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 103
Senate Bill No. 587

Senate Bill No. 891
Senate Bill No. 961

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

THOMSON, Chairwoman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: August 21, 2001

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 341

With the recommendation: Do pass.

THOMSON, Chairwoman

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: August 21, 2001

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 475

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

STEINBERG, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: August 21, 2001

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Joint Resolution No. 18

With the recommendation: Be adopted.

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

STEINBERG, Chairman

Above resolution ordered to second reading.

Date of Hearing: August 21, 2001

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Joint Resolution No. 8

With the recommendation: Be adopted.

STEINBERG, Chairman

Above resolution ordered to second reading.

Date of Hearing: August 21, 2001

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 773

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

STEINBERG, Chairman

Above bill ordered to second reading.

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 Bill No. 985, ordered to third reading;

Senate Bill No. 670, ordered to the Consent Calendar.

ADJOURNMENT

At 5:08 p.m., the Assembly adjourned until 8:30 a.m., Thursday, August 23, 2001.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 22, 2001**

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

SB	RN	
255	0120029	
284	0120025	
366	0120003	
414	0119231	
717	0119803	
940	0118542	
1154	0119432	
1185	0119841	
Daily Total:		8
Cumulative Total:		2774

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