

CALIFORNIA LEGISLATURE

1999–2000 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 16

FINAL RECESS

Assembly Chamber, Sacramento
October 18, 2000

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1999–2000 Regular Session was printed while the Assembly was in Final Recess:

COMMUNICATIONS

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

August 31, 2000

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

Dear Dotson: Please be advised that I have made the following changes to the following Assembly committees effective September 1, 2000:

Assemblymember Alquist replaces Assemblymember Lempert as chair of the Committee on Higher Education. Assemblymember Lempert remains on the committee replacing Assemblymember Scott.

Assemblymember Calderon replaces Assemblymember Scott as chair of the Committee on Insurance. Assemblymember Scott remains on the committee.

Assemblymember Corbett replaces Assemblymember Knox as chair of the Committee on Revenue and Taxation. Assemblymember Knox remains on the committee replacing Assemblymember Kuehl.

Assemblymember Dutra replaces Assemblymember Torlakson as chair of the Committee on Transportation. Assemblymember Torlakson remains on the committee.

Assemblymember Havice replaces Assemblymember Correa as chair of the Committee on Public Employees, Retirement and Social Security. Assemblymember Correa remains on the committee replacing Assemblymember Honda.

Assemblymember Longville replaces Assemblymember Vincent as chair of the Committee on Elections, Reapportionment and Constitutional Amendments. Assemblymember Vincent remains on the committee.

Assemblymember Reyes replaces Assemblymember Davis as chair of the Committee on Consumer Protection, Governmental Efficiency and Economic Development. Assemblymember Davis remains on the committee replacing Assemblymember Machado.

Assemblymember Romero replaces Assemblymember Steinberg as chair of the Committee on Labor and Employment. Assemblymember Steinberg remains on the committee.

Assemblymember Steinberg replaces Assemblymember Kuehl as chair of the Committee on Judiciary. Assemblymember Kuehl replaces Assemblymember Knox as a member of the committee.

Assemblymember Strom-Martin replaces Assemblymember Mazzoni as chair of the Committee on Education. Assemblymember Mazzoni remains on the committee.

Assemblymember Thomson replaces Assemblymember Gallegos as chair of the Committee on Health. Assemblymember Gallegos remains on the committee.

Assemblymember Wiggins replaces Assemblymember Longville as chair of the Committee on Local Government. Assemblymember Longville remains on the committee.

Assemblymember Aroner replaces Assemblymember Cardenas as Democratic Caucus Chair.

In addition, I have created the Business and Professions Subcommittee of the Committee on Consumer Protection, Governmental Efficiency and Economic Development and named Assemblymember Correa as chair of the subcommittee.

In addition, this letter will serve to confirm that the Joint Legislative Audit Committee has elected Assemblymember Fred Keeley as Chair of the Committee effective September 1, 2000.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

August 31, 2000

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

Dear Dotson: Please be advised that I am making the following changes to the Assembly Rules Committee effective September 1, 2000:

Speaker Hertzberg will replace Assemblymember Calderon
Assemblymember Shelley will replace Assemblymember Wiggins
Assemblymember Keeley will replace
Assemblymember Thomson
Assemblymember Nakano will replace Assemblymember Corbett
Assemblymember Thomson will replace
Assemblymember Strom-Martin as Democratic Alternate.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

October 13, 2000

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

Dear Dotson: Please be advised that I have appointed the following members to the Select Committee on Health Access:

Speaker Robert M. Hertzberg
Assemblymember Helen Thomson
Assemblymember Patricia C. Bates
Assemblymember Sam Aanestad
Assemblymember Gil Cedillo

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

October 13, 2000

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

Dear Dotson: Please be advised that I have removed Assemblymember Martin Gallegos from the Select Committee on Los Angeles County Health Care.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

The following communication was presented by the Chief Clerk and ordered printed in the Journal:

August 31, 2000

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

Dear Mr. Wilson: Due to the hectic nature of the final week of session, on Tuesday, August 29, 2000, my vote on Senate Bill 1354 was inadvertently recorded. I respectfully request that the journal reflect my support of this measure.

Thank you very much for your assistance.

Sincerely,

CHARLENE ZETTEL, Assembly Member
Seventy-fifth District

REPORTS

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

California State Auditor

2000-010
September 28, 2000

*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 required by Chapter 310, Statutes of 1995, the Bureau of State Audits presents its audit report concerning the Department of Transportation's (department) revenues and expenditures authorized by the Seismic Retrofit Bond Act of 1996 (Bond Act). This report concludes that the department has ensured that seismic retrofit projects funded with bond proceeds are consistent with the purpose of the Bond Act. However, the department has yet to reimburse the State Highway Account and the Consolidated Toll Bridge Fund for expenditures incurred during fiscal years 1994-95 and 1995-96, as required by the Bond Act. The department recently prepared a reimbursement plan, which will take effect in fiscal year 2000-01.

Respectfully submitted,

ELAINE HOWLE
State Auditor

Above report referred to the Committee on Transportation.

California State Auditor

2000-122
October 11, 2000

*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 Fresno district office of the Department of Health Services' Licensing and Certification Program's oversight of skilled nursing facilities.

This report concludes that inadequate oversight of skilled nursing facilities by the Fresno district office was not caused by a perceived conflict of interest its administrator had with the facilities owned by Mission Medical Enterprises, Inc. However, the Fresno district office did not always adequately safeguard the welfare of residents at skilled nursing facilities it oversees. Specifically, the Fresno district office did not properly prioritize three complaints or initiate the complete investigations of complaints in a timely manner. In addition, in 4 of 19 citations we reviewed, the Fresno district office issued citations that were at a lower level than was appropriate given the seriousness of the violation. In one of these instances, a resident's death was involved, but the Fresno district office staff did not exercise prudence by seeking opinions from medical consultants or other experts who likely would have issued a higher-level citation.

Respectfully submitted,

ELAINE HOWLE
State Auditor

Above report referred to the Committee on Health.

California State Auditor

2000-103
October 12, 2000

*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 whether the California Community Colleges Chancellor's Office (Chancellor's Office) provides appropriate direction to community college districts (districts) on how to calculate their compliance with the requirement to spend 50 percent of their current educational expenses on salaries of classroom instructors and whether

districts are accurately reporting their compliance. This report concludes that poor oversight by the Chancellor's Office allows districts to incorrectly report their level of spending on salaries of classroom instructors.

Respectfully submitted,

STEVEN M. HENDRICKSON

for

ELAINE M. HOWLE

State Auditor

Above report referred to the Committee on Higher Education.

REPORTS

The following reports were presented by the Chief Clerk:

**Report on Repayment of the State's General Fund Loan for
Start-up Costs Related to the CalVoter Project
(Pursuant to Chapter 913, Statutes of 1995)**

Above transmitted report, together with letter of transmittal from Bill Jones, Secretary of State, dated October 6, 2000, referred by the Speaker to the Committee on Elections, Reapportionment and Constitutional Amendments.

**Report on the Continuing Education Program
(Pursuant to Chapter 839, Statutes of 1995)**

Above transmitted report, together with letter of transmittal from Sherry Mehl, Executive Officer, Board of Behavioral Sciences, dated September 26, 2000, referred by the Speaker to the Committee on Health.

**AB 970 Funding Allocation Plan
(Pursuant to Chapter 329, Statutes of 2000)**

Above transmitted report, together with letter of transmittal from B. Timothy Gage, Director, Department of Finance, dated September 28, 2000, referred by the Speaker to the Committee on Utilities and Commerce.

**An Analysis of the Child Care and Development
1997-1999 Prototype Pilot Project
(Pursuant to Education Code Section 8451(e))**

Above transmitted report, together with letter of transmittal from B. Teri Burns, Deputy Superintendent, Government Affairs Branch, Department of Education, dated October 4, 2000, referred by the Speaker to the Committee on Budget.

**Workers' Compensation Insurance Fraud Program Report
(Pursuant to Insurance Code Section 1872.83(h))**

Above transmitted report, together with letter of transmittal from Harry W. Low, Commissioner, Department of Insurance, dated October 3, 2000, referred by the Speaker to the Committee on Insurance.

**Performance Measure Results on
California's Community Mental Health Performance Outcome Systems
(Pursuant to Welfare and Institutions Code Section 5613)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, California Department of Mental Health, dated October 12, 2000, referred by the Speaker to the Committee on Health.

**Report on Effectiveness of
Caregiver Resource Centers for Services to Brain-Impaired Adults
(Pursuant to Welfare and Institutions Code Section 4365.5)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, California Department of Mental Health, dated October 13, 2000, referred by the Speaker to the Committee on Human Services.

**Golden State ScholarShare College Savings Trust,
Financial Statements Including Supplemental Information
(Pursuant to Education Code Section 69989)**

Above transmitted report, together with letter of transmittal from Carrie Douglas Fong, ScholarShare Investment Board, dated September 27, 2000, referred by the Speaker to the Committee on Budget.

**Department of Toxic Substances Control,
Hazardous Waste Management Program,
Progress Report on Permitting and Closure Activities for
Backlog and Interim Status Units/Facilities September 1, 2000 Update**

Above transmitted report, together with letter of transmittal from Edwin F. Lowry, Director, Department of Toxic Substances Control, dated September 27, 2000, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Commission on Teacher Credentialing:
Progress Toward Implementing Management Reforms,
Preliminary Report
(Pursuant to Supplemental Report of the 2000–01 Budget Act)**

Above transmitted report, together with letter of transmittal from Elizabeth G. Hill, Legislative Analyst, dated October 4, 2000, referred by the Speaker to the Committee on Budget.

**California Department of Child Support Services (DCSS)
Franchise Tax Board (FTB)
Supplemental Report to the Legislature
(Pursuant to Supplemental Report of the 2000 Budget Act
2000–01 Fiscal Year
Items 5175-001-0001 and 1730-001-0001)**

Above transmitted report, together with letter of transmittal from Curtis L. Child, Director, Department of Child Support Services and Gerald H. Goldberg, Executive Officer, Franchise Tax Board, dated September 28, 2000, referred by the Speaker to the Committee on Budget.

**Taxpayers' Bill of Rights, Annual Report to the Legislature
(Pursuant to Chapter 1573, Statutes of 1988)**

Above transmitted report, together with letter of transmittal from Gerald H. Goldberg, Executive Officer, Franchise Tax Board, dated October 1, 2000, referred by the Speaker to the Committee on Revenue and Taxation.

**Notice of Public Meeting/Public Hearing/Business Meeting of
the Occupational Safety and Health Standards Board and
Notice of Proposed Changes to Title 8 of the California Code of Regulations
(Pursuant to State Administrative Manual Section 6050 et seq.)**

Above transmitted report, together with letter of transmittal from John D. MacLeod, Executive Officer, Occupational Safety and Health Standards Board, dated September 29, 2000, referred by the Speaker to the Committee on Labor and Employment.

**A Report to the Legislature on
the Status of Board Licensing
[Examination Validation and Occupational Analysis]
(Pursuant to Business and Professions Code Section 139)**

Above transmitted report, together with letter of transmittal from Kathleen Hamilton, Director, Department of Consumer Affairs, dated September 25, 2000, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**Energy Savings Benefits Report
(Pursuant to Public Resources Code Section 25008.5)**

Above transmitted report, together with letter of transmittal from Barry D. Keene, Director, Department of General Services, dated September 26, 2000, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**A Report to the Legislature and the San Diego City Attorney's Office
on Peace Officer Feasibility Study
(Pursuant to Penal Code Section 13542)**

Above transmitted report, together with letter of transmittal from Kenneth J. O'Brien, Executive Director, Commission on Peace Officer Standards and Training, dated September 27, 2000, referred by the Speaker to the Committee on Public Safety.

**Achievement, Progress and Promise—
A 10-Year Status Report on the Integrated Waste Management Act
(Pursuant to Supplemental Report of the 1999 Budget Act:
Item 3910-001-387, #2)**

Above transmitted report, together with letter of transmittal from Winston H. Hickox, Agency Secretary, California Environmental Protection Agency, dated September 12, 2000, referred by the Speaker to the Committee on Budget.

**Governor's Office of Criminal Justice Planning
Quarterly Progress Report on Program Evaluations
(Pursuant to Fiscal Year 1998-99 Supplemental Budget Language
(Item 8100-001-001))**

Above transmitted report, together with letter of transmittal from Frank Grimes, Executive Director, Office of Criminal Justice Planning, dated September 29, 2000, referred by the Speaker to the Committee on Budget.

**Summary Report of
Transition to Outcomes-Based Evaluation: Rape Crisis**

Above transmitted report, together with letter of transmittal from Frank Grimes, Executive Director, Office of Criminal Justice Planning, dated September 29, 2000, referred by the Speaker to the Committee on Public Safety.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

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