

CALIFORNIA LEGISLATURE  
2001-02 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, January 18, 2002**

**ONE HUNDRED THIRTY-SEVENTH SESSION DAY  
FOUR HUNDRED ELEVENTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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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

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### IN ASSEMBLY

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Assembly Chamber, Sacramento  
Friday, January 18, 2002

The Assembly met at 8:30 a.m.  
Hon. Fred Keeley, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Cogdill moved a quorum call of the Assembly.  
Motion carried. Time, 8:31 a.m.  
The Speaker pro Tempore directed the Sergeant at Arms to close the  
doors, and to bring in the absent Members.

#### Quorum Present

At 8:52 a.m., Speaker pro Tempore Keeley declared a quorum of the  
Assembly present.

The roll call was completed, and the following answered to their  
names—66:

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

**PRAYER**

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Member Rod Wright, of the 48th Assembly District:

*Heavenly Father,*

In our daily living give us  
A sense of the world’s beauty,  
A sense of truth and justice,  
A sense of dignity and destiny,  
A sense of honor and service,  
And with all, a sense of humor.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Keeley, Assembly Member Longville then led the Assembly in the pledge of allegiance to the Flag.

**MOTION TO DISPENSE WITH READING OF THE JOURNAL**

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Vargas, seconded by Assembly Member Leonard.

**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 Briggs, Calderon, Corbett, Leslie, Maddox, Maldonado, Simitian, Strickland, and Wesson.*

*On legislative business, and waiving per diem: Assembly Member Cardenas.*

*On personal business, and waiving per diem: Assembly Member Wyland.*

*Because of illness: Assembly Members Shelley and Wiggins.*

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

**EXPLANATIONS OF ABSENCE**

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

January 17, 2002

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

Dear Mr. Speaker: I respectfully request permission to be excused from Session tomorrow, January 18, 2002, waiving per diem, in order to conduct legislative business in my district. If approved, I will be returning to Sacramento for Session on Tuesday, January 22, 2002.

Thank you for your consideration of this request.

Sincerely,

TONY CÁRDENAS, Assembly Member  
Thirty-ninth District

January 16, 2002

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

Dear Mr. Speaker: I would like to request permission to be excused from Session on Friday, January 18, 2002. I have district business to attend to.

Thank you for your consideration of this matter. If you have any questions or concerns please feel free to call me at (916) 319-2018.

Sincerely,

ELLEN M. CORBETT, Assembly Member  
Eighteenth District

December 12, 2001

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

Dear Mr. Speaker: This letter is to respectfully request to be excused from floor session on Friday, January 18th, 2002. I am also requesting travel and per diem, as I will be conducting legislative business at the California Forestry Association's 2002 Annual Meeting in San Francisco, California on January 18.

If you have any questions, please contact my office at 319-2004.

Sincerely,

TIM LESLIE, Assembly Member  
Fourth District

January 15, 2002

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

RE: Session Excuse

Dear Mr. Speaker: I am respectfully requesting authorization to be absent from session on Friday, January 18, 2002. I will be traveling to my district on legislative business.

Thank you for your consideration of my request.

Sincerely,

KEN MADDUX, Assembly Member  
Sixty-eighth District

January 17, 2002

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

Dear Speaker Hertzberg: I write to ask that I be excused from Friday, January 18 session in order to attend to legislative business in my district.

Thank you. If you or your staff have any questions, please feel free to call Julia King in my office at 319-2033.

Sincerely,

ABEL MALDONADO, Assembly Member  
Thirty-third District

January 8, 2002

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

Dear Speaker Hertzberg,

This is a request to be excused from Session on Friday, January 18, 2002. I have legislative business in the District.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member  
Twenty-first District

January 14, 2002

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

Dear Mr. Speaker: I respectfully request permission to be excused from floor session for legislative business in my district on Friday, January 18, 2002.

Thank you for your consideration of this request.

Sincerely,

HERB J. WESSON, JR., Assembly Member  
Forty-seventh District

(NOTE: For letter explaining the absence of Assembly Members Briggs, Calderon, and Strickland on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 17, 2002.)

**COMMUNICATIONS**

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

**Further Explanation of Absence—January 17, 2002**

January 17, 2002

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

Dear Mr. Speaker: I am writing to request permission to be excused from Check-in Session on Thursday, January 17, 2002. I was in Sacramento on legislative business, but did not check-in during check-in session hours prior to traveling to San Francisco for a presentation as a legislative panelist for the California Forestry Association.

Thank you in advance for your consideration. Should you have any questions or comments, I can be reached at (916) 319-2050.

Sincerely,

MARCO ANTONIO FIREBAUGH, Assembly Member  
Fiftieth District

January 18, 2002

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

Re: Assembly Public Safety Committee

Dear Dotson: This is to advise you that I have appointed Assemblymember Carole Migden to replace Assemblymember Gil Cedillo on the Assembly Public Safety Committee for today's hearing only.

Sincerely,

ROBERT M. HERTZBERG  
Speaker of the Assembly

January 18, 2002

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

Dear Dotson: Please be advised that on January 17, 2002, the Joint Committee on Rules met and approved the following item:

Press Credentials for the 2001–02 Legislative Session

Please ensure that this action is printed in the Assembly Journal.

Sincerely,

DENNIS CARDOZA  
Chair, Joint Rules Committee

**Capitol Correspondents Association of California**

November 7, 2001

*La Opinion*

Vicky Keith

January 9, 2002

*The Capitol Pulse, Inc.*

Ross Bell

#### REPORTS

The following reports were presented by the Chief Clerk:

**Contracting Report:  
Disabled Veteran Business Enterprise Participation  
(Pursuant to Public Contract Code Section 10115.5)**

Above transmitted report, together with letter of transmittal from Gloria Merk, Deputy Director, Administration Division, Department of Social Services, dated September 29, 2001, referred by the Speaker to the Committee on Utilities and Commerce.

**Director's Financial Integrity and State Manager's  
Accountability Certification (FISMA)  
(Pursuant to Government Code Section 13405)**

Above transmitted report, together with letter of transmittal from Sailaja Cherukuri, Deputy Director, Division of Legislative and Regulatory Review, Department of Consumer Affairs, dated January 7, 2002, referred by the Speaker to the Committee on Budget.

**Property Tax Assessment Surveys  
(Pursuant to Government Code Sections 9795 and 15646)**

Above transmitted report, together with letter of transmittal from James E. Speed, Executive Director, Board of Equalization, dated January 9, 2002, referred by the Speaker to the Committee on Revenue and Taxation.

**Five Year Plan for the Waste Tire Recycling Management Program:  
Fiscal Years 01/02–05/06  
(Pursuant to Public Resources Code Section 42885.5)**

Above transmitted report, together with letter of transmittal from Linda Moulton-Patterson, Chair, Environmental Protection Agency, dated January 10, 2002, referred by the Speaker to the Committee on Natural Resources.

**Annual Operations Report for  
Processed Strawberry Price Filing and Posting provisions  
(Pursuant to Food and Agriculture Code Sections 63125 and 63126)**

Above transmitted report, together with letter of transmittal from John Moffatt, Legislative Analyst, Department of Food and Agriculture, dated January 11, 2002, referred by the Speaker to the Committee on Agriculture.

**Human Cloning of Californians  
(Pursuant to Senate Bill 1344, Ch. 688/97)**

Above transmitted report, together with letter of transmittal from Tameron Mitchell, R.D., M.P.H., Deputy Director Primary Care and Family Health, Department of Health Services, dated January 14, 2002, referred by the Speaker to the Committee on Health.

**Annual Program Evaluation Plan and Overview:  
Fiscal Years 2002–2003 and 2003–2004  
(Pursuant to Supplemental Language of the Budget Act of 1998)**

Above transmitted report, together with letter of transmittal from Frank Grimes, Executive Director, Office of Criminal Justice Planning, dated January 15, 2002, referred by the Speaker to the Committee on Budget.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, January 18, 2002

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

Assembly Bill No. 499

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, January 18, 2002

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

Assembly Bill No. 627

Assembly Bill No. 1348

Assembly Bill No. 1010

Assembly Bill No. 1625

Assembly Bill No. 1124

Assembly Bill No. 1729

Assembly Bill No. 1257

Assembly Bill No. 1740

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 1823—Papan and Simitian (Coauthor: Dutra).** An act to add Division 20.5 (commencing with Section 73500) to the Water Code, relating to regional water systems.

**ASSEMBLY BILL NO. 1824—Chavez.** An act to amend Section 13376 of the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 1825—Nakano.** An act to add Section 19991.11 to the Government Code, relating to civil service.



**RESOLUTIONS**

The resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 135—Strickland (Coauthors: Pavley and Richman) (Coauthor: Senator McClintock).** Relative to the Ventura County Vietnam Veterans Memorial Highway.

**ASSEMBLY CONCURRENT RESOLUTION NO. 136—Florez.** Relative to the Rosa Parks Highway.

**HOUSE RESOLUTION NO. 34—Bill Campbell.** Relative to “Ronald Reagan Day.”

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

Date of Hearing: January 18, 2002

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 33

With the recommendation: Be adopted.

CARDOZA, Chairman

Above resolution ordered to third reading.

**Committee on Elections, Reapportionment and Constitutional Amendments**

Date of Hearing: January 15, 2002

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 585

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.

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred to committee:

*Assembly*

*Bill No.*

*Committee*

<b>1584</b>	-----	E.,R. & C.A.
<b>1699</b>	-----	Jud.
<b>1701</b>	-----	Jud.
<b>1703</b>	-----	Jud.
<b>1769</b>	-----	B. & P.
<b>1777</b>	-----	Budget
<b>1779</b>	-----	L. Gov.
<b>1780</b>	-----	Trans.
<b>1781</b>	-----	Ed.
<b>1783</b>	-----	Trans.
<b>1784</b>	-----	Jud.
<b>1786</b>	-----	Health
<b>1787</b>	-----	Health
<b>1788</b>	-----	Health
<b>1789</b>	-----	Ed.
<b>1790</b>	-----	Pub. S.
<b>1791</b>	-----	E.,R. & C.A.

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>129</b> -----	Rls.
<b>130</b> -----	Rls.
<b>131</b> -----	Rls.
<b>132</b> -----	Rls.
<b>133</b> -----	Rls.
<b>134</b> -----	Rls.

*House*

<i>Resolution No.</i>	<i>Committee</i>
<b>31</b> -----	Trans.
<b>32</b> -----	G.O.
<b>33</b> -----	Rls.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

January 18, 2002

Mr. Speaker: Your Committee on Rules recommends that the requests to suspend Joint Rule 61(b)(1), as it relates to the following bills be granted:

Assembly Bills Nos. 954 and 1306.

CARDOZA, Chairman

**NOTICE OF INTENTION TO REMOVE BILL  
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Jackson announced her intention to request that Assembly Bill No. 1145 be removed from the inactive file.

**GOVERNOR'S VETO STRICKEN FROM FILE**

Assembly Member Richman was granted unanimous consent that the Governor's veto of Assembly Bill No. 142 be stricken from file.

**NOTICE OF INTENTION TO REMOVE BILL  
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Thomson announced her intention to request that Assembly Bill No. 776 be removed from the inactive file.

**REQUEST FOR PHOTOGRAPHER**

Assembly Members Washington and Wright were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

**RE-REFERENCE OF BILLS**

Assembly Member Vargas was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 499 from the Committee on Revenue and Taxation, to the Committee on Appropriations;

Assembly Bill No. 1458 from the Committee on Utilities and Commerce, to the Committee on Appropriations.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 523**, on request of Assembly Member Vargas.

**ASSEMBLY BILL NO. 1414 WITHDRAWN FROM ENROLLMENT**

Upon request of Assembly Member Vargas, Assembly Member Dickerson was granted unanimous consent that Assembly Bill No. 1414 be withdrawn from enrollment and that the action be rescinded whereby on January 14, 2002 (Assembly Journal, page 4439), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be returned to the Senate for further action.

**NOTICE OF INTENTION TO REMOVE BILL  
FROM INACTIVE FILE**

Upon request of Assembly Member Vargas, pursuant to Assembly Rule 78, Assembly Member Goldberg announced her intention to request that Assembly Bill No. 1652 be removed from the inactive file.

**CEREMONY SET FOR SPECIAL ORDER**

Assembly Member Vargas was granted unanimous consent that a special ceremony to honor Speaker Hertzberg be made a special order of business for Tuesday, January 22, 2002, at 11:30 a.m.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Date of Hearing: January 18, 2002

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 134

With amendments with the recommendation: Amend, and be adopted, as amended.

CARDOZA, Chairman

**ASSEMBLY CONCURRENT RESOLUTION NO. 134  
TAKEN UP BY UNANIMOUS CONSENT  
FOR SECOND READING**

Assembly Member Vargas was granted unanimous consent to take up Assembly Concurrent Resolution No. 134 without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

**ASSEMBLY CONCURRENT RESOLUTION NO. 134**—Relative to the Rosa Parks Exit.

Resolution read; amendments proposed by the Committee on Rules read and adopted; resolution ordered reprinted and ordered to the third reading file.

**CONSIDERATION OF DAILY FILE  
UNFINISHED BUSINESS****SENATE BILL NO. 75 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Vargas was granted unanimous consent that the vote be reconsidered whereby the urgency clause and Conference Committee Report on Senate Bill No. 75 was refused adoption; and that the bill be placed upon the inactive file.

**URGENCY CLAUSE TO SENATE BILL NO. 767 RECONSIDERED  
BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Vargas was granted unanimous consent that the vote be reconsidered whereby the urgency clause to Senate Bill No. 767 was refused adoption; and that the bill be placed upon the inactive file.

**URGENCY CLAUSE TO SENATE BILL NO. 79 RECONSIDERED  
BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Vargas was granted unanimous consent that the vote be reconsidered whereby the urgency clause to Senate Bill No. 79 was refused adoption; and that the bill be placed upon the inactive file.

**ADJOURN IN MEMORY**

Assembly Members Koretz and Goldberg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Donald Baer, of Woodland Hills.

(Assembly Rule 45.5 suspended.)

Assembly Member Bogh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of James “Tater” Crates, of Yucaipa.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY  
Moment of Silence**

Assembly Member Wyman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of William J. “Bill” Hanlon, of San Diego, and that the Assembly observe a moment of silence in his honor.

(Assembly Rule 45.5 suspended.)

**At 9:11 a.m., Hon. Rod Wright, 48th District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY CONCURRENT RESOLUTION NO. 128 (Horton)**—Relative to Dr. Martin Luther King, Jr. Day.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 128**

Assembly Member Horton was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 128.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Aanestad, Alquist, Aroner, Ashburn, Bates, Bogh, Bill Campbell, John Campbell, Canciamilla, Cardoza, Chan, Chavez, Chu, Cogdill, Cohn, Correa, Cox, Daucher, Diaz, Dutra, Firebaugh, Florez, Frommer, Goldberg, Harman, Havice, Hertzberg, Hollingsworth, Jackson, Keeley, Kehoe, Kelley, Koretz, La Suer, Leach, Leonard, Liu, Longville, Lowenthal, Matthews, Migden, Mountjoy, Nakano, Nation, Negrete McLeod, Oropeza, Robert Pacheco, Rod Pacheco, Papan, Pavley, Pescetti, Reyes, Richman, Runner, Salinas, Shelley,\* Steinberg, Strom-Martin, Thomson, Vargas, Washington, Wayne, Wright, Wyman and Zettel.

\*(NOTE: Assembly Rule 69(a) invoked permitting Assembly Member Shelley’s name to be added to the coauthor amendment.)

**Request for Unanimous Consent**

Assembly Member Horton was granted unanimous consent to take up Assembly Concurrent Resolution No. 128, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 128, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 128**—Relative to Dr. Martin Luther King, Jr., Day

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**RECESS FOR CEREMONY IN OBSERVATION OF DR. MARTIN LUTHER KING, JR. DAY**

By unanimous consent, at 9:31 a.m., Acting Speaker Wright declared the Assembly recessed to permit the introduction of special guests.

Acting Speaker Wright introduced the Lee Family, of Sacramento, who performed for the Members of the Assembly in honor and celebration of Dr. Martin Luther King’s birthday.

**RECONVENED**

At 9:44 a.m., the Assembly reconvened.

Hon. Fred Keeley, Speaker pro Tempore of the Assembly, presiding.

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

**ASSEMBLY BILL NO. 410**—An act relating to rural programs.

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

**ASSEMBLY BILL NO. 625**—An act to add Section 15364.72 to the Government Code, relating to overseas trade offices.

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

**ASSEMBLY BILL NO. 626**—An act to add Section 15365.14 to the Government Code, relating to trade and commerce.

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

**ASSEMBLY BILL NO. 693**—An act to amend Section 15340 of the Education Code and Section 1003 of the Elections Code, and to add Sections 15101 and 15341 to the Education Code, relating to school facilities improvement districts.

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

**ASSEMBLY BILL NO. 1462**—An act to add Article 15 (commencing with Section 44406) to Chapter 2 of Part 25 of the Education Code, relating to teachers.

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

**ASSEMBLY BILL NO. 878**—An act to amend Section 48901.5 of the Education Code, relating to pupils.

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

**ASSEMBLY BILL NO. 269**—An act to add Sections 1601.2, 1742.1, 2001.1, 2450.1, 2460.1, 2531.02, 2570.25, 2602.1, 2708.1, 2841.1, 2920.1, 3010.1, 3320.1, 3504.1, 3710.1, 4001.1, 4800.1, 4928.1, 4990.125, 5000.1, 5510.15, 5620.1, 6710.1, 7000.6, 7200.1, 7303.1, 7501.05, 7601.1, 7810.1, 8005.1, 8520.1, 9810.1, and 18602.1, to the Business and Professions Code, relating to professional and vocational licensing boards.

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

**ASSEMBLY BILL NO. 1379**—An act to amend Section 3010 of the Business and Professions Code, relating to optometry.

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

**ASSEMBLY BILL NO. 610**—An act to amend Sections 113823 and 114332.1 of the Health and Safety Code, relating to food.

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.

**ASSEMBLY BILL NO. 1599**—An act to amend Section 12940 of, to amend and renumber Section 12941.1 of, and to repeal Section 12941 of, the Government Code, relating to employment.

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.

**ASSEMBLY BILL NO. 1698**—An act to add Section 69616 to the Government Code, relating to judges.

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.

**ASSEMBLY BILL NO. 979**—An act to add Sections 45164 and 88035.5 to the Education Code, relating to school employees.

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

**ASSEMBLY BILL NO. 1759**—An act to add Article 22 (commencing with Section 70050) to Chapter 2 of Part 42 of Division 1 of the Education Code, and to add Section 5066 to the Vehicle Code, relating to license plates, and declaring the urgency thereof, to take effect immediately.

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

**ASSEMBLY JOINT RESOLUTION NO. 28**—Relative to pancreatic cancer.

Resolution read; amendments proposed by the Committee on Health read and adopted, resolution ordered reprinted and to be placed upon the Consent Calendar.

**ASSEMBLY BILL NO. 275**—An act to amend Section 14133.9 of the Welfare and Institutions Code, relating to Medi-Cal.

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.

**ASSEMBLY BILL NO. 516**—An act relating to redevelopment.

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.

**ASSEMBLY BILL NO. 1742**—An act to amend Section 35401 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.

**ASSEMBLY BILL NO. 498**—An act to add Chapter 6 (commencing with Section 12400) to Part 2 of Division 2 of the Public Contract Code, relating to public contracts.

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

#### **SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 469**—An act to amend Section 13246 of, and to add Section 13191.3 to, the Water Code, relating to water.

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

**SENATE BILL NO. 492**—An act to add Article 5 (commencing with Section 128040) to Chapter 2 of Part 3 of Division 107 of the Health and Safety Code, relating to physicians.

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.

#### **RE-REFERENCE OF BILLS**

Assembly Member Migden was granted unanimous consent that Assembly Bill No. 1248 be re-referred from the Committee on Appropriations to the Committee on Utilities and Commerce.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 217 (Pavley)**—An act to amend Section 1203.097 of the Penal Code, relating to batterer's treatment programs, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—64**

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

**NOES—None**

Above bill ordered enrolled.

**MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Senate Bills Nos. 1211 and 773 were continued until the next legislative day.



**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**ASSEMBLY BILL NO. 1336 (Koretz)**—An act to add Section 122137 to the Health and Safety Code, relating to pet dealers.

Bill read third time, and passed by the following vote:

**AYES—46**

Alquist	Dutra	Liu	Richman
Aroner	Firebaugh	Longville	Salinas
Campbell, John	Frommer	Lowenthal	Steinberg
Canciamilla	Goldberg	Matthews	Strom-Martin
Cardoza	Havice	Migden	Thomson
Chan	Horton	Nakano	Vargas
Chavez	Jackson	Nation	Washington
Chu	Keeley	Negrete McLeod	Wayne
Cohn	Kehoe	Oropeza	Wright
Correa	Kelley	Papan	Mr. Speaker
Daucher	Koretz	Pavley	
Diaz	Leach	Reyes	

**NOES—15**

Aanestad	Campbell, Bill	La Suer	Pescetti
Ashburn	Cogdill	Leonard	Wyman
Bates	Cox	Mountjoy	Zettel
Bogh	Hollingsworth	Pacheco, Rod	

Bill ordered transmitted to the Senate.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 510 (Scott)**—An act to add Article 4.7 (commencing with Section 12089) to Chapter 1 of Title 2 of Part 4 of the Penal Code, relating to firearms.

Bill read third time.

**Motion to Amend**

Assembly Member Aroner moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 510 to the Committee on Public Safety.

**SPECIAL COMMITTEE MEETINGS**

Assembly Member Vargas was granted unanimous consent that the Committee on Public Safety be permitted to hold a special meeting, upon adjournment of Floor session, in the Tom Bane Rules Committee Room, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 510 for hearing.

**CONSIDERATION OF CONSENT CALENDAR**

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

**Consent Calendar—Assembly Resolution**

**ASSEMBLY JOINT RESOLUTION NO. 27 (Oropeza)**—Relative to social health maintenance organizations.

Resolution read, and adopted by the following vote:

**AYES—65**

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

**NOES—None**

Resolution ordered transmitted to the Senate.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Suspend Joint Rules**

By Assembly Member Florez:

*Resolved*, That Joint Rule 61(b)(1) be suspended to permit the Committee on Water, Parks and Wildlife to meet, consider, and report Assembly Bills Nos. 954 and 1306 for further action.

Resolution read, and adopted by the following vote:

**AYES—63**

Alquist	Daucher	Leach	Pescetti
Aroner	Diaz	Leonard	Reyes
Ashburn	Dutra	Liu	Richman
Bates	Firebaugh	Longville	Runner
Bogh	Florez	Lowenthal	Salinas
Campbell, Bill	Frommer	Matthews	Steinberg
Campbell, John	Goldberg	Migden	Strom-Martin
Canciamilla	Harman	Mountjoy	Thomson
Cardoza	Havice	Nakano	Vargas
Chan	Hollingsworth	Nation	Washington
Chavez	Horton	Negrete McLeod	Wayne
Chu	Jackson	Oropeza	Wright
Cogdill	Keeley	Pacheco, Robert	Wyman
Cohn	Kehoe	Pacheco, Rod	Zettel
Correa	Kelley	Papan	Mr. Speaker
Cox	Koretz	Pavley	

**NOES—None**

**ADJOURN IN MEMORY**

Assembly Member Wright was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ron Johnson, of Los Angeles.

(Assembly Rule 45.5 suspended.)

**JOINT RULE 62(a) WAIVED**

Assembly Member Vargas was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bills Nos. 954 and 1306 for hearing in the Committee on Water, Parks and Wildlife on Tuesday, January 22, 2002, upon adjournment of Floor session; and for the purpose of setting the following bills for hearing in the Committee on Judiciary on Wednesday, January 23, 2002:

Assembly Bills Nos. 1699, 1701, 1703, 421, 746, 881, 886, 1146, and 1317.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Washington announced that the Committee on Public Safety would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

**ADJOURN IN MEMORY**

Assembly Member Florez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of philanthropist Millie Ablin, of Bakersfield.

Assembly Member Migden was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert M. Tibbits, of San Francisco.

Assembly Member Reyes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Paul Bartlett, of Fresno and James “Jemad” Nichols, of Fresno.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

**Assembly Bill No. 217, Concurrence:** Bates, Horton, Nation, and Strom-Martin—Aye.

**Assembly Bill No. 1336:** Horton and Kehoe—Aye; Cox and Zettel—No.

**MOTION TO ADJOURN**

At 10:02 a.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Cox seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 10:03 a.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

**AUTHOR'S AMENDMENTS**  
**Committee on Judiciary**

January 18, 2002

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

Assembly Bill No. 1699

Assembly Bill No. 1701

Assembly Bill No. 1703

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

STEINBERG, Chairman

**ASSEMBLY BILL NO. 1699**—An act to add Section 1280.5 to the Code of Civil Procedure, relating to alternative dispute resolution.

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.

**ASSEMBLY BILL NO. 1701**—An act to amend Section 51 of the Civil Code relating to civil rights.

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.

**ASSEMBLY BILL NO. 1703**—An act to amend Section 581c of the Code of Civil Procedure, relating to civil actions.

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**

January 18, 2002

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

Assembly Bill No. 1458

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

MIGDEN, Chairwoman

**ASSEMBLY BILL NO. 1458**—An act to add Sections 7093.6, 9278, 50156.18, and 55046.5 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.

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

January 18, 2002

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

Senate Bill No. 711

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

MIGDEN, Chairwoman

**SENATE BILL NO. 711**—An act to amend Section 19775.17 of, and to add Section 19775.18 to, the Government Code, relating to state employees, and declaring the urgency thereof, to take effect immediately.

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 Public Employees, Retirement and Social Security**

January 18, 2002

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 728

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

HAVICE, Chairwoman

**SENATE BILL NO. 728**—An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

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 Housing and Community Development**

January 18, 2002

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Senate Bill No. 1227

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

LOWENTHAL, Chairman

**SENATE BILL NO. 1227**—An act to amend Sections 51479 and 53130 of, and to add Part 11 (commencing with Section 53500) to Division 31 of, the Health and Safety Code, relating to financing housing programs 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.

**Committee on Public Safety**

Date of Hearing: January 18, 2002

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 510

With the recommendation: Do pass.

WASHINGTON, Chairman

Above bill ordered to second reading.

**Committee on Health**

Date of Hearing: January 15, 2002

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1282

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

THOMSON, Chairwoman

Above bill ordered to second reading.

**Committee on Public Safety**

Date of Hearing: January 15, 2002

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1344

Assembly Bill No. 1416

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 Human Services**

Date of Hearing: January 15, 2002

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 1358

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

ARONER, Chairwoman

Above bill ordered to second reading.

**Committee on Higher Education**

Date of Hearing: January 15, 2002

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 907

Assembly Bill No. 1059

Assembly Bill No. 1381

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

ALQUIST, Chairwoman

Above bills ordered to second reading.

**Committee on Public Safety**

Date of Hearing: January 15, 2002

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 299

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

WASHINGTON, Chairman

Above bill ordered to second reading.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 11 a.m., Tuesday, January 22, 2002, out of respect to the memory of Donald Baer, on motion of Assembly Members Koretz and Goldberg; out of respect to the memory of James "Tater" Crates, on motion of Assembly Member Bogh; out of respect to the memory of William J. "Bill" Hanlon, on motion of Assembly Member Wyman; out of respect to the memory of Ron Johnson, on motion of Assembly Member Wright; out of respect to the memory of Millie Ablin, on motion of Assembly Member Florez; out of respect to the memory of Robert M. Tibbits, on motion of Assembly Member Migden; and out of respect to the memory of Paul Bartlett and James "Jemad" Nichols, on motion of Assembly Member Reyes.

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ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JANUARY 18, 2002

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

<b>AB</b>	<b>RN</b>		<b>AB</b>	<b>RN</b>
269	0200836		1701	0200692
275	0200893		1703	0200680
410	0200810		1742	0200869
498	0201053		1759	0200917
516	0201113			
610	0200774		<b>ACR</b>	<b>RN</b>
625	0200789		134	0200970
626	0200790			
693	0200894		<b>AJR</b>	<b>RN</b>
878	0200460		28	0200771
979	0201083			
1248	0200419		<b>SB</b>	<b>RN</b>
1379	0200903		469	0200794
1458	0201118		492	0200905
1462	0200654		510	0200925
1599	0201087		711	0201193
1698	0200923		728	0201171
1699	0200682		1227	0201123
			<b>Daily Total:</b>	<b>30</b>
			<b>Cumulative Total:</b>	<b>3355</b>

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