

CALIFORNIA LEGISLATURE  
2001-02 REGULAR SESSION

---

---

# ASSEMBLY DAILY JOURNAL

---

---

**Wednesday, January 30, 2002**

**ONE HUNDRED FORTY-THIRD SESSION DAY  
FOUR HUNDRED TWENTY-THIRD 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, January 30, 2002

The Assembly met at 9 a.m.  
Hon. Christine Kehoe, Assistant 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 Wayne moved a quorum call of the Assembly.  
Motion carried. Time, 9:01 a.m.  
The Assistant Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

#### Quorum Present

At 9:13 a.m., Assistant Speaker pro Tempore Kehoe declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—77:

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

**PRAYER**

Upon invitation of Assistant Speaker pro Tempore Kehoe, the following prayer was offered by Assembly Chaplain Rabbi Mona Alfi:

The English writer, Dorothy Sayers contemplated that: "Work is not, primarily, a thing one does to live, but the thing one lives to do. It is, or it should be, the full expression of the worker's faculties."

For some, work means nothing more than a job, a way to earn a livelihood before they escape into the weekend, or home at the end of the day.

But for those who invest each day's efforts with their deepest creativity and heart-felt passion, work can be transformed into a calling. A calling that offers far more than a paycheck. It can be a source of spiritual sustenance, satisfaction, and fulfillment. To discover one's calling is to discover one's self.

May the Holy One of Blessing grant us the ability to find meaning in our daily labors, and joy in how we spend our days. May this be God's will.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Assistant Speaker pro Tempore Kehoe, Assembly Member Pavley 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 Cogdill.

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

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

*Because of illness: Assembly Member Leslie.*

*Because of illness in her family: Assembly Member Liu.*

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

January 30, 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 Darrell Steinberg to replace Assemblymember Herb Wesson on the Assembly Appropriations Committee for today's hearing.

Sincerely,

ROBERT M. HERTZBERG  
Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, January 30, 2002

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

Assembly Bill No. 108  
 Assembly Bill No. 168  
 Assembly Bill No. 615  
 Assembly Bill No. 680

Assembly Bill No. 890  
 Assembly Bill No. 1454  
 Assembly Bill No. 1462

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, January 30, 2002

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

Assembly Bill No. 74  
 Assembly Bill No. 878

Assembly Bill No. 1170  
 Assembly Bill No. 1652

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 1857—Wayne.** An act to amend Section 202 of the Fish and Game Code, and to amend Sections 11340.85, 11343, 11346.2, 11346.5, and 11347.6 of the Government Code, relating to administrative rulemaking.

**ASSEMBLY BILL NO. 1858—La Suer.** An act to repeal and add Section 1203.047 of the Penal Code, relating to high technology crimes.

**ASSEMBLY BILL NO. 1859—Papan.** An act to amend Sections 48902, 56026, 56171, and 56381 of, to add Sections 48915.5.1, 48915.5.2, 48915.5.3, 48915.5.4, 48915.5.5.5, 48915.5.6, 48915.5.8, 48915.5.9, 48915.6.1, 56138, 56600.6, and 56601.5 to, to repeal Sections 56600.5 and 56603 of, and to repeal and add Sections 48915.5, 48915.6, 56500.2, and 56602 of, the Education Code, relating to pupils with special needs.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 143—Cardenas and Runner.** Relative to public safety officers.

**ASSEMBLY CONCURRENT RESOLUTION NO. 144—Wright (Coauthors: Horton, Longville, Washington, and Wesson) (Coauthors: Senators Murray and Vincent).** Relative to Black History Month.

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bill was referred to committee:

*Assembly Concurrent**Resolution No.**Committee***142** ----- Rls.**REQUEST TO SUSPEND JOINT RULES**

The following request was received, and read:

Assembly Chamber, January 30, 2002

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(2) as it relates to Assembly Bill No. 1381.

CAROLE MIGDEN

Above request ordered transmitted to the Committee on Rules.

**RULES TEMPORARILY SUSPENDED**

Assembly Member Vargas was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Assembly Bills Nos. 878, 1170, and 1652, as amended.

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Vargas was granted unanimous consent that Assembly Bill No. 886 on the First Legislative Day Consent Calendar be ordered to Second Legislative Day for purpose of consideration later this day.

**CONSIDERATION OF DAILY FILE  
ASSEMBLY BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

**Assembly Bills Nos. 108, 615, 680, 1454, and 1462**, ordered to third reading;

**Assembly Bills Nos. 168 and 890**, ordered to the Consent Calendar.

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

**ASSEMBLY BILL NO. 1317 (Liu)**—An act to add Section 48918.6 to the Education Code, relating to pupils.

Bill read third time, presented by Assembly Member Steinberg, and passed by the following vote:

**AYES—71**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1170 (Firebaugh)**—An act to add Chapter 14.5 (commencing with Section 50860) to Part 2 of Division 31 of the Health and Safety Code, relating to housing.

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

**AYES—57**

Alquist	Correa	Kelley	Reyes
Aroner	Daucher	Koretz	Salinas
Bogh	Diaz	Longville	Shelley
Briggs	Dutra	Lowenthal	Simitian
Calderon	Firebaugh	Maddox	Steinberg
Canciamilla	Florez	Maldonado	Strom-Martin
Cardenas	Frommer	Matthews	Vargas
Cardoza	Goldberg	Migden	Washington
Cedillo	Harman	Nakano	Wayne
Chan	Havice	Nation	Wiggins
Chavez	Hollingsworth	Negrete McLeod	Zettel
Chu	Horton	Oropeza	Mr. Speaker
Cogdill	Jackson	Pacheco, Robert	
Cohn	Keeley	Papan	
Corbett	Kehoe	Pavley	

**NOES—16**

Aanestad	Campbell, John	Mountjoy	Strickland
Ashburn	Cox	Pescetti	Wright
Bates	Dickerson	Richman	Wyland
Campbell, Bill	La Suer	Runner	Wyman

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1358 (Pescetti)**—An act to add Section 1596.8535 to the Health and Safety Code, relating to child care facilities.

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

**AYES—74**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 421 (Wayne)**—An act to amend Section 2025 of the Code of Civil Procedure, relating to discovery.

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

**AYES—72**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1652 (Goldberg)**—An act to add Section 11008.16 to the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor.

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

**AYES—47**

Alquist	Correa	Longville	Simitian
Aroner	Diaz	Lowenthal	Steinberg
Calderon	Dutra	Matthews	Strom-Martin
Canciamilla	Firebaugh	Migden	Thomson
Cardenas	Frommer	Nakano	Vargas
Cardoza	Goldberg	Nation	Washington
Cedillo	Havice	Negrete McLeod	Wayne
Chan	Horton	Oropeza	Wesson
Chavez	Jackson	Pavley	Wiggins
Chu	Keeley	Reyes	Wright
Cohn	Kehoe	Salinas	Mr. Speaker
Corbett	Koretz	Shelley	

**NOES—24**

Aanestad	Cox	La Suer	Pescetti
Bogh	Daucher	Maddox	Runner
Briggs	Dickerson	Maldonado	Strickland
Campbell, Bill	Harman	Mountjoy	Wyland
Campbell, John	Hollingsworth	Pacheco, Robert	Wyman
Cogdill	Kelley	Pacheco, Rod	Zettel

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1140 (Thomson)**—An act to add Section 2811.3 to the Business and Professions Code, relating to nursing, and making an appropriation therefor.

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

**AYES—75**

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

**NOES—None**

Bill ordered transmitted to the Senate.

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

Bill read third time, presented by Assembly Member John Campbell, and passed by the following vote:

**AYES—73**

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

**NOES—None**

Bill ordered transmitted to the Senate.



**ASSEMBLY BILL NO. 520 (Koretz)**—An act to amend Section 3543.2 of the Government Code, relating to public school employment.

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

**AYES—47**

Alquist	Diaz	Longville	Shelley
Aroner	Dutra	Lowenthal	Simitian
Bogh	Firebaugh	Matthews	Steinberg
Calderon	Florez	Migden	Strom-Martin
Cardenas	Frommer	Nakano	Vargas
Cardoza	Goldberg	Negrete McLeod	Washington
Cedillo	Havice	Oropeza	Wayne
Chan	Horton	Pacheco, Robert	Wesson
Chavez	Jackson	Pavley	Wiggins
Chu	Keeley	Reyes	Wright
Cohn	Kehoe	Richman	Mr. Speaker
Corbett	Koretz	Salinas	

**NOES—23**

Aanestad	Cogdill	La Suer	Runner
Ashburn	Cox	Maddox	Strickland
Bates	Daucher	Maldonado	Wyland
Briggs	Harman	Mountjoy	Wyman
Campbell, Bill	Hollingsworth	Pacheco, Rod	Zettel
Campbell, John	Kelley	Pescetti	

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 502 (Frommer)**—An act to add Chapter 1.15 (commencing with Section 15365.60) to Part 6.7 of Division 3 of Title 2 of the Government Code, relating to economic development, and making an appropriation therefor.

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

**AYES—56**

Alquist	Diaz	Lowenthal	Salinas
Briggs	Dutra	Maldonado	Simitian
Calderon	Firebaugh	Matthews	Steinberg
Canciamilla	Florez	Migden	Strickland
Cardenas	Frommer	Nakano	Strom-Martin
Cardoza	Goldberg	Nation	Thomson
Cedillo	Harman	Negrete McLeod	Vargas
Chan	Havice	Oropeza	Washington
Chavez	Horton	Pacheco, Robert	Wayne
Chu	Jackson	Papan	Wesson
Cohn	Keeley	Pavley	Wiggins
Corbett	Kehoe	Pescetti	Wright
Correa	Koretz	Reyes	Wyland
Daucher	Longville	Richman	Mr. Speaker

**NOES—17**

Aanestad	Campbell, John	La Suer	Wyman
Ashburn	Cogdill	Maddox	Zettel
Bates	Cox	Mountjoy	
Bogh	Hollingsworth	Pacheco, Rod	
Campbell, Bill	Kelley	Runner	

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 74 (Washington)**—An act to amend Sections 629.50, 629.51, 629.52, 629.54, 629.56, 629.58, 629.60, 629.62, 629.64, 629.68, 629.70, 629.72, 629.74, 629.76, 629.78, 629.80, 629.82, 629.86, 629.88, 629.89, 629.90, 629.94, and 629.98 of the Penal Code, relating to interception of communications.

Bill read third time.

The roll was opened.

#### **Call of the Assembly**

Pending the announcement of the vote, Assembly Member Cogdill moved a call of the Assembly.

Motion carried. Time, 10:03 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

#### **PRIVILEGES OF THE FLOOR**

Assembly Member Goldberg was granted unanimous consent that the privileges of the Floor be granted to Laura Chick, City Controller, City of Los Angeles.

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

**ASSEMBLY CONCURRENT RESOLUTION NO. 130 (Havice)**—Relative to Gold Star Mothers Week.

Resolution read.

#### **Members Made Coauthors of Assembly Concurrent Resolution No. 130**

Assembly Member Havice was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 130.

#### **Roll Call**

The following Assembly Members indicated a desire to become coauthors:

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

#### **Request for Unanimous Consent**

Assembly Member Havice was granted unanimous consent to take up Assembly Concurrent Resolution No. 130, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 130, as Amended**  
**ASSEMBLY CONCURRENT RESOLUTION NO. 130**—Relative to Gold Star Mothers Week.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**ASSEMBLY BILL NO. 630 (Oropeza)**—An act to amend Section 130051.12 of the Public Utilities Code, relating to transportation.

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

**AYES—65**

Aanestad	Daucher	Lowenthal	Simitian
Alquist	Diaz	Maddox	Steinberg
Aroner	Dickerson	Maldonado	Strickland
Bates	Dutra	Matthews	Strom-Martin
Bogh	Firebaugh	Migden	Thomson
Calderon	Florez	Mountjoy	Vargas
Canciamilla	Frommer	Nakano	Washington
Cardenas	Goldberg	Nation	Wayne
Cardoza	Harman	Negrete McLeod	Wesson
Cedillo	Havice	Oropeza	Wiggins
Chan	Horton	Pacheco, Robert	Wright
Chavez	Jackson	Papan	Wyland
Chu	Keeley	Pavley	Wyman
Cogdill	Kehoe	Reyes	Mr. Speaker
Cohn	Kelley	Runner	
Corbett	Koretz	Salinas	
Correa	Longville	Shelley	

**NOES—5**

Briggs	Pacheco, Rod	Zettel
Campbell, Bill	Pescetti	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 74**

At 10:10 a.m., on motion of Assembly Member Cogdill, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 74 passed by the following vote:

**AYES—45**

Alquist	Diaz	Matthews	Strom-Martin
Calderon	Dutra	Nakano	Thomson
Canciamilla	Firebaugh	Nation	Vargas
Cardenas	Florez	Negrete McLeod	Washington
Cardoza	Frommer	Oropeza	Wayne
Cedillo	Havice	Papan	Wesson
Chan	Horton	Pavley	Wiggins
Chavez	Jackson	Reyes	Wright
Chu	Keeley	Salinas	Mr. Speaker
Cohn	Kehoe	Shelley	
Corbett	Longville	Simitian	
Correa	Lowenthal	Steinberg	

**NOES—None**

Bill ordered transmitted to the Senate.

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Assembly Bill No. 74: Assembly Members Harman, and Wyman, from "Aye" to "Not Voting".

**ASSEMBLY BILL NO. 1146 (Chan)**—An act to amend Section 12965 of the Government Code, relating to employment.

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

**AYES—46**

Alquist	Correa	Lowenthal	Simitian
Aroner	Diaz	Matthews	Steinberg
Calderon	Dutra	Migden	Strom-Martin
Canciamilla	Firebaugh	Nakano	Thomson
Cardenas	Frommer	Nation	Vargas
Cardoza	Goldberg	Negrete McLeod	Washington
Cedillo	Horton	Oropeza	Wesson
Chan	Jackson	Papan	Wiggins
Chavez	Keeley	Pavley	Wright
Chu	Kehoe	Reyes	Mr. Speaker
Cohn	Koretz	Salinas	
Corbett	Longville	Shelley	

**NOES—28**

Aanestad	Cogdill	La Suer	Richman
Ashburn	Cox	Maddox	Runner
Bates	Daucher	Maldonado	Strickland
Bogh	Dickerson	Mountjoy	Wayne
Briggs	Harman	Pacheco, Robert	Wyland
Campbell, Bill	Hollingsworth	Pacheco, Rod	Wyman
Campbell, John	Kelley	Pescetti	Zettel

Bill ordered transmitted to the Senate.

**CONSIDERATION OF ASSEMBLY BILL NO. 680 BY UNANIMOUS CONSENT**

Upon request of Assembly Member Vargas, Assembly Member Steinberg was granted unanimous consent to take up Assembly Bill No. 680 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 680 (Steinberg)**—An act to add Article 10 (commencing with Section 65500) to Chapter 3 of Division 1 of Title 7 of the Government Code, and to add Chapter 1.5 (commencing with Section 7215) to Part 1.5 of Division 2 of the Revenue and Taxation Code, relating to land use.

Bill read third time.

**At 10:35 a.m., Speaker pro Tempore Keeley, 27th District, presiding**

**At 10:53 a.m., Hon. Sarah Reyes, 31st District, presiding**

**At 11:28 a.m., Assistant Speaker pro Tempore Kehoe, 76th District, presiding**

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Steinberg moved a call of the Assembly.

Motion carried. Time, 11:44 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF ASSEMBLY BILL NO. 615 BY UNANIMOUS CONSENT**

Upon request of Assembly Member Vargas, Assembly Member Calderon was granted unanimous consent to take up Assembly Bill No. 615 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 615 (Calderon)**—An act to amend Sections 52890, 54726, and 54734 of the Education Code, relating to pupil retention.

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

**AYES—50**

Alquist	Diaz	Longville	Shelley
Aroner	Dutra	Lowenthal	Steinberg
Calderon	Firebaugh	Maldonado	Strom-Martin
Canciamilla	Florez	Matthews	Thomson
Cardenas	Frommer	Migden	Vargas
Cardoza	Goldberg	Nakano	Washington
Cedillo	Havice	Nation	Wayne
Chan	Horton	Negrete McLeod	Wesson
Chavez	Jackson	Oropeza	Wiggins
Chu	Keeley	Papan	Wright
Cohn	Kehoe	Pavley	Mr. Speaker
Corbett	Kelley	Reyes	
Correa	Koretz	Salinas	

**NOES—18**

Aanestad	Cox	Maddox	Wyland
Bates	Daucher	Mountjoy	Wyman
Bogh	Dickerson	Richman	Zettel
Briggs	Hollingsworth	Runner	
Cogdill	La Suer	Strickland	

Bill ordered transmitted to the Senate.

**At 11:49 a.m., Speaker pro Tempore Keeley, 27th District, presiding**

**RECESS**

By unanimous consent, at 11:50 a.m., Speaker pro Tempore Keeley declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Firebaugh introduced Raul Yzaguirre, President, National Council of La Raza, whereupon he addressed the assemblage.

**RECONVENED**

At 11:51 a.m., the Assembly reconvened.

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

**CAUCUS ANNOUNCEMENTS**

At 11:54 a.m., by unanimous consent, the Democratic Caucus was permitted to meet in the Assembly Lounge, and the Republican Caucus was permitted to meet in the Tom Bane Rules Committee Room.

**RECESS**

By unanimous consent, at 11:54 a.m., Assistant Speaker pro Tempore Kehoe declared the Assembly recessed.

**RECONVENED**

At 1:52 p.m., the Assembly reconvened.

Hon. Christine Kehoe, Assistant Speaker pro Tempore of the Assembly, presiding.

**RECESS**

By unanimous consent, at 1:53 p.m., Assistant Speaker pro Tempore Kehoe declared the Assembly recessed.

**RECONVENED**

At 2:54 p.m., the Assembly reconvened.

Hon. Christine Kehoe, Assistant Speaker pro Tempore of the Assembly, presiding.

**MESSAGES FROM THE SENATE**

Senate Chamber, January 30, 2002

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 711

GREGORY P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Senate Chamber, January 30, 2002

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 1414

Assembly Bill No. 1531

Assembly Bill No. 1543

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, January 30, 2002

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Sher, Figueroa and McPherson as a Committee on Conference concerning:

**Senate Bill No. 741.**

GREGORY P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Senate Chamber, January 30, 2002

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 18

Senate Bill No. 59

Senate Bill No. 91

Senate Bill No. 97

Senate Bill No. 105

Senate Bill No. 145

Senate Bill No. 174

Senate Bill No. 180

Senate Bill No. 219

Senate Bill No. 247

Senate Bill No. 319

Senate Bill No. 355

Senate Bill No. 362

Senate Bill No. 369

Senate Bill No. 372

Senate Bill No. 444

Senate Bill No. 461

Senate Bill No. 467

Senate Bill No. 550

Senate Bill No. 564

Senate Bill No. 569

Senate Bill No. 580

Senate Bill No. 616

Senate Bill No. 657

Senate Bill No. 701

Senate Bill No. 811

Senate Bill No. 812

Senate Bill No. 820

Senate Bill No. 821

Senate Bill No. 831

Senate Bill No. 850

Senate Bill No. 937

Senate Bill No. 976

Senate Bill No. 984

Senate Bill No. 994

Senate Bill No. 1088

Senate Bill No. 1095

Senate Bill No. 1096

Senate Bill No. 1162

Senate Bill No. 1175

Senate Bill No. 1210

GREGORY P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Senate Chamber, January 30, 2002

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 51

GREGORY P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

### FIRST READING OF SENATE BILLS

The following bills were read the first time:

**SENATE BILL NO. 18**—An act relating to transportation.

**SENATE BILL NO. 59**—An act to amend Section 12693.90 of the Insurance Code, relating to healthy families.

**SENATE BILL NO. 91**—An act to add Sections 11700.3, 11711.3, 11711.5, and 11740 to the Vehicle Code, relating to vehicles.

**SENATE BILL NO. 97**—An act to repeal and add Title 2.5 (commencing with Section 1633.1) of Part 2 of Division 3 of the Civil Code, relating to electronic transactions.

**SENATE BILL NO. 105**—An act to amend Section 11135 of the Government Code, to amend Sections 19050 and 19050.5 of, to add Section 19053 to, and to add Chapter 3 (commencing with Section 19095) to Part 1 of Division 10 of, the Welfare and Institutions Code, relating to human services.

**SENATE BILL NO. 145**—An act to amend Sections 6385 and 19136 of, and to add Section 19136.8 to, of the Revenue and Taxation Code, relating to taxation.

**SENATE BILL NO. 174**—An act to amend Section 17506 of the Family Code, relating to child support.

**SENATE BILL NO. 180**—An act to repeal Sections 16020.1 and 16020.2 of the Vehicle Code, relating to proof of insurance.

**SENATE BILL NO. 219**—An act to amend Sections 18572 and 19109 of the Revenue and Taxation Code, relating to taxation.

**SENATE BILL NO. 247**—An act to add Section 103526 to the Health and Safety Code, relating to vital statistics.

**SENATE BILL NO. 319**—An act to amend Section 44735 of the Education Code, relating to teachers.

**SENATE BILL NO. 355**—An act relating to construction defects.

**SENATE BILL NO. 362**—An act to amend Section 31621.11 of, and to add Section 31621.13 to, the Government Code, relating to county employees' retirement.

**SENATE BILL NO. 369**—An act to add Chapter 7 (commencing with Section 52075) to Part 5 of Division 31 of the Health and Safety Code, relating to housing, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 372**—An act to add Chapter 5 (commencing with Section 50600) to Part 2 of Division 31 of the Health and Safety Code, relating to housing, and making an appropriation therefor.

**SENATE BILL NO. 444**—An act to add Section 50662.8 to the Health and Safety Code, relating to housing assistance.

**SENATE BILL NO. 461**—An act to add Chapter 5 (commencing with Section 25960) to Part 13.5 of Division 1 of Title 1 of the Education Code, relating to retired teachers' health benefits.

**SENATE BILL NO. 467**—An act to amend Sections 2610, 3254, 3255, 3260, 3261, 3262, and 3263 of, and to add Section 3260.5 to, the Unemployment Insurance Code, relating to disability insurance.

**SENATE BILL NO. 550**—An act to repeal and add Section 2087 of the Fish and Game Code, relating to endangered species.

**SENATE BILL NO. 564**—An act to amend Sections 2914, 4980.41, and 4996.2 of, to amend, repeal, and add Sections 2915 and 4996.22 of, and to add Section 4980.57 to, the Business and Professions Code, relating to healing arts.

**SENATE BILL NO. 569**—An act to amend Sections 19775.1 and 19775.2 of the Government Code, relating to state employment.

**SENATE BILL NO. 580**—An act to amend Section 11160 of, and to add and repeal Section 11160.2 of, the Penal Code, relating to crime prevention.

**SENATE BILL NO. 616**—An act relating to laboratories.

**SENATE BILL NO. 657**—An act to amend Sections 17024.5, 17085, 17140, 17140.3, 17144, 17152, 17271, 17279, 17279.4, 17501, 17551, 17570, 17751, 17752, 17760.5, 23038.5, 23051.5, 23701s, 23705, 23711, 23712, 23800.5, 23801, 23802, 23806, 23811, 24307, 24343.7, 24349, 24355.5, 24369.4, 24443, 24710, and 24872.4 of, and to add Sections 17144.5, 17205, 17207.6, and 24347.6 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**SENATE BILL NO. 701**—An act to amend Section 33333.10 of the Health and Safety Code, relating to redevelopment.

**SENATE BILL NO. 811**—An act to amend Section 51226.3 of the Education Code, relating to curriculum.

**SENATE BILL NO. 812**—An act to amend Sections 42801.1, 42823, 42840, and 42841 of the Health and Safety Code, relating to air pollution.

**SENATE BILL NO. 820**—An act relating to local government finance.

**SENATE BILL NO. 821**—An act to amend Section 11011 of the Government Code, relating to surplus state land.

**SENATE BILL NO. 831**—An act to add Section 19582.5 to the Revenue and Taxation Code, relating to taxation.

**SENATE BILL NO. 850**—An act to amend Sections 44510, 44511, 44512, 44514, and 44516 of, to amend the heading of Article 4.6 (commencing with Section 44510) of Chapter 3 of Part 25 of, and to add Section 44515.5 to, the Education Code relating to school financial officers.

**SENATE BILL NO. 937**—An act to amend Section 4104.5 of the Public Contract Code, relating to public contracts.

**SENATE BILL NO. 976**—An act to add Chapter 1.5 (commencing with Section 14025) to Division 14 of the Elections Code, relating to voting rights.

**SENATE BILL NO. 984**—An act to add Division 10.4 (commencing with Section 10330) to the Public Resources Code, relating to grazing land.

**SENATE BILL NO. 994**—An act to amend and repeal Section 115800 of the Health and Safety Code, relating to liability.

**SENATE BILL NO. 1088**—An act relating to parks and recreation.

**SENATE BILL NO. 1095**—An act to amend Sections 1506.5, 1520, 1520.3, 1522.41, 1524, 1550, 1558, 1558.1, 1562.3, 1562.4, 1566.7, 1568.061, 1568.065, 1568.082, 1568.092, 1568.093, 1569.15, 1569.16, 1569.171, 1569.19, 1569.50, 1569.58, 1569.59, 1569.613, 1569.616, 1596.603, 1596.605, 1596.607, 1596.608, 1596.67, 1596.81, 1596.851, 1596.858, 1596.885, 1596.8897, 1596.8898, 1596.95, 1596.96, 1597.21, 1597.54, and 1597.59 of, to add Chapter 3.96 (commencing with Section 1599.90) to Division 2 of, and to repeal Sections 1522, 1522.02, 1522.03, 1522.04, 1522.07, 1522.5, 1522.6, 1568.09, 1569.17, 1569.172, 1596.871, and 1596.8713 of, the Health and Safety Code, and to amend Section 361.4 of, and to add Section 362.8 to, the Welfare and Institutions Code, relating to human services.

**SENATE BILL NO. 1096**—An act relating to health.

**SENATE BILL NO. 1162**—An act to add Article 1.5 (commencing with Section 92605) to Chapter 6 of Part 57 of the Education Code, relating to the University of California.

**SENATE BILL NO. 1175**—An act to add Section 3563.4 to the Government Code, relating to higher education labor relations.

**SENATE BILL NO. 1210**—An act to amend Section 25989.1 of the Health and Safety Code, relating to live animals.

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 51**—Relative to California Fitness Month.



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

**ASSEMBLY BILL NO. 1058 (Pavley)**—An act to add Section 43018.5 to the Health and Safety Code, relating to air quality.

Bill read third time.

**Demand for Previous Question**

Assembly Members Chan, Alquist, Cohn, Aanestad, and Firebaugh demanded the previous question. Demand sustained.

The question being on the passage of the bill.

**At 3:16 p.m., Speaker pro Tempore Keeley, 27th District, presiding**

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Pavley moved a call of the Assembly.

Motion carried. Time, 3:17 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 680**

At 3:18 p.m., on motion of Assembly Member Steinberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 680 passed by the following vote:

**AYES—41**

Alquist	Diaz	Lowenthal	Thomson
Aroner	Dutra	Migden	Vargas
Calderon	Firebaugh	Nation	Washington
Cardenas	Florez	Oropeza	Wayne
Cardoza	Frommer	Pavley	Wesson
Cedillo	Goldberg	Reyes	Wiggins
Chan	Horton	Salinas	Wright
Chu	Jackson	Shelley	Mr. Speaker
Cohn	Keeley	Simitian	
Corbett	Kehoe	Steinberg	
Correa	Koretz	Strom-Martin	

**NOES—29**

Aanestad	Cox	Maddox	Runner
Ashburn	Daucher	Maldonado	Strickland
Bates	Dickerson	Mountjoy	Wyland
Bogh	Harman	Nakano	Wyman
Briggs	Havice	Pacheco, Robert	Zettel
Campbell, Bill	Hollingsworth	Pacheco, Rod	
Campbell, John	Kelley	Pescetti	
Cogdill	La Suer	Richman	

Bill ordered transmitted to the Senate.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 3:19 p.m., by unanimous consent, the members of the Committee on Appropriations were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF ASSEMBLY BILL NO. 1454 BY UNANIMOUS CONSENT**

Upon request of Assembly Member Vargas, Assembly Member Thomson was granted unanimous consent to take up Assembly Bill No. 1454 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 1454 (Thomson)**—An act to amend Section 5777 of, and to add Section 5405 to, the Welfare and Institutions Code, relating to mental health.

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

**AYES—71**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**CONSIDERATION OF ASSEMBLY BILL NO. 1462 BY UNANIMOUS CONSENT**

Upon request of Assembly Member Vargas, Assembly Member Nakano was granted unanimous consent to take up Assembly Bill No. 1462 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 1462 (Nakano)**—An act relating to teachers.

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

**AYES—73**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 168 REMOVED FROM CONSENT  
CALENDAR AND TAKEN UP**

Assembly Member Nation was granted unanimous consent that Assembly Bill No. 168 be removed from the Consent Calendar, and to take the bill up at this time, without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 168 (Nation)**—An act to amend, repeal, and add Section 47612 of the Education Code, relating to charter schools, and making an appropriation therefor.

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

**AYES—73**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 890 REMOVED FROM CONSENT  
CALENDAR AND TAKEN UP**

Assembly Member Cedillo was granted unanimous consent that Assembly Bill No. 890 be removed from the Consent Calendar, and to take the bill up at this time, without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 890 (Cedillo)**—An act to amend Sections 5914, 5917, 5919, 5920, 5921, 5923, and 5924 of the Corporations Code, relating to health facilities.

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

**AYES—74**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**REPORTS OF STANDING COMMITTEES**

**Committee on Appropriations**

Date of Hearing: January 30, 2002

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 954

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

**ASSEMBLY BILL NO. 954 TAKEN UP BY UNANIMOUS CONSENT  
FOR SECOND READING**

By unanimous consent, the following bill was taken up, without reference to file, for purpose of second reading and adoption of committee amendments.

**ASSEMBLY BILL NO. 954**—An act to add Division 28 (commencing with Section 80400) to the Water Code, relating to financing a water protection and storage 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; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted.

**CONSIDERATION OF ASSEMBLY BILL NO. 954 BY UNANIMOUS CONSENT**

Assembly Member Kelley was granted unanimous consent to take up Assembly Bill No. 954 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 954 (Kelley)**—An act to add Division 28 (commencing with Section 80400) to the Water Code, relating to water.

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

**AYES—65**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 3:43 p.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**REPORTS OF STANDING COMMITTEES**

**Committee on Appropriations**

Date of Hearing: January 30, 2002

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1529

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

**ASSEMBLY BILL NO. 1529 TAKEN UP BY UNANIMOUS CONSENT FOR SECOND READING**

By unanimous consent, the following bill was taken up, without reference to file, for purpose of second reading and adoption of committee amendments.

**ASSEMBLY BILL NO. 1529**—An act to add Section 1001.1 to the Public Utilities Code, relating to energy.

Bill read second time, and ordered to third reading.

**CONSIDERATION OF ASSEMBLY BILL NO. 1529 BY UNANIMOUS CONSENT**

Assembly Member Wyman was granted unanimous consent to take up Assembly Bill No. 1529 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 1529 (Wyman)**—An act to add Section 1001.1 to the Public Utilities Code, relating to energy.

Bill read third time.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Wyman moved a call of the Assembly.

Motion carried. Time, 3:55 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

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

January 30, 2002

Mr. Speaker: Your Committee on Rules recommends that the request to suspend Joint Rule 61(b)(2), as it relates to the following bill be granted:

Assembly Bill No. 1381.

CARDOZA, Chairman

Date of Hearing: January 30, 2002

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 142

With the recommendation: Be adopted.

CARDOZA, Chairman

Above resolution ordered to third reading.

**RESOLUTIONS**

The following resolution was offered:

**Resolutions to Suspend Joint Rules**

By Assembly Member Migden:

*Resolved*, That Joint Rule 61(b)(2) be suspended to permit the Committee on Appropriations to meet, consider, and report Assembly Bill No. 1381 for further action.

Resolution read, and adopted by the following vote:

**AYES—75**

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

**NOES—None**

**REPORTS OF STANDING COMMITTEES**

**Committee on Appropriations**

Date of Hearing: January 24, 2002

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1381

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Assembly Bills**

**ASSEMBLY BILL NO. 886 (Simitian)**—An act to add Section 2662 to the Probate Code, and to amend Sections 361 and 726 of the Welfare and Institutions Code, relating to minors.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 887 (Daucher)**—An act to amend Section 390 of the Streets and Highways Code, relating to highways, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

*(For the vote on the above bill and urgency clause, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 1282 (Cardoza)**—An act to add Section 1366.1 to the Health and Safety Code, relating to health care service plans.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY CONCURRENT RESOLUTION NO. 111 (Cardoza)**—Relative to the California Highway Patrol Officer James J. Schumacher, Jr., Memorial Highway.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**Consent Calendar Roll Call**

The roll was called, and the above bills on the Consent Calendar passed, and any urgency clauses to the bills adopted, by the following vote:

**AYES—74**

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

**NOES—None**



**CONSIDERATION OF ASSEMBLY BILL NO. 1381 BY UNANIMOUS CONSENT**

Assembly Member Florez was granted unanimous consent to take up Assembly Bill No. 1381 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 1381 (Florez)**—An act to amend Section 69995 of the Education Code, relating to postsecondary education.

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

**AYES—55**

Alquist	Daucher	Longville	Salinas
Aroner	Diaz	Lowenthal	Shelley
Ashburn	Dutra	Maddox	Simitian
Bogh	Firebaugh	Maldonado	Steinberg
Calderon	Florez	Matthews	Strom-Martin
Canciamilla	Frommer	Migden	Thomson
Cardenas	Goldberg	Nakano	Vargas
Cardoza	Havice	Nation	Washington
Cedillo	Horton	Negrete McLeod	Wayne
Chan	Jackson	Oropeza	Wesson
Chavez	Keeley	Pacheco, Rod	Wiggins
Chu	Kehoe	Papan	Wright
Corbett	Kelley	Pavley	Mr. Speaker
Correa	Koretz	Reyes	

**NOES—11**

Bates	Campbell, John	Hollingsworth	Wyland
Briggs	Cogdill	Pescetti	Zettel
Campbell, Bill	Cox	Strickland	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1058**

At 4:03 p.m., on motion of Assembly Member Pavley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Pavley moved to continue the call of the Assembly.

Motion carried. Time, 4:04 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1529**

At 4:05 p.m., on motion of Assembly Member Wyman, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1529 passed by the following vote:

**AYES—44**

Aanestad	Cox	Koretz	Richman
Ashburn	Daucher	La Suer	Runner
Bates	Dickerson	Maddox	Salinas
Briggs	Dutra	Maldonado	Strickland
Campbell, Bill	Firebaugh	Matthews	Thomson
Campbell, John	Florez	Nakano	Wayne
Canciamilla	Frommer	Negrete McLeod	Wiggins
Cardoza	Harman	Pacheco, Robert	Wright
Cedillo	Havice	Papan	Wyland
Cogdill	Keeley	Pescetti	Wyman
Correa	Kelley	Reyes	Mr. Speaker

**NOES—3**

Goldberg	Jackson	Migden
----------	---------	--------

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1058**

At 4:19 p.m., on motion of Assembly Member Pavley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No.1058 passed by the following vote:

**AYES—42**

Alquist	Dutra	Lowenthal	Steinberg
Aroner	Firebaugh	Migden	Strom-Martin
Calderon	Frommer	Nakano	Thomson
Canciamilla	Goldberg	Nation	Washington
Cedillo	Harman	Negrete McLeod	Wayne
Chan	Jackson	Oropeza	Wesson
Chavez	Keeley	Pavley	Wiggins
Chu	Kehoe	Reyes	Wright
Cohn	Kelley	Salinas	Mr. Speaker
Corbett	Koretz	Shelley	
Diaz	Longville	Simitian	

**NOES—24**

Aanestad	Campbell, John	La Suer	Richman
Ashburn	Cogdill	Leonard	Runner
Bates	Cox	Mountjoy	Strickland
Bogh	Daucher	Pacheco, Robert	Wyland
Briggs	Dickerson	Pacheco, Rod	Wyman
Campbell, Bill	Hollingsworth	Pescetti	Zettel

Bill ordered transmitted to the Senate.

**At 4:20 p.m., Speaker Hertzberg, 40th District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Senate Bills Nos. 1211, 773, and 510 were continued until Monday, February 4, 2002.

**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. 1317:** Aanestad, Aroner, Cardenas, Cardoza, Cedillo, Corbett, Daucher, Havice, Horton, Kelley, Longville, Maddox, Maldonado, Migden, Rod Pacheco, Runner, Shelley, Wright, Wyland, Wyman, and Zettel—Aye.

**Assembly Bill No. 1170:** Aroner, Briggs, Cardoza, Cedillo, Corbett, Daucher, Havice, Horton, Kelley, Longville, Maddox, Migden, Shelley, and Zettel—Aye; Aanestad, John Campbell, Mountjoy, Runner, Wright, Wyland, and Wyman—No.

**Assembly Bill No. 1358:** Aanestad, Aroner, Cardoza, Cedillo, Chu, Corbett, Correa, Daucher, Havice, Horton, Koretz, Longville, Maddox, Rod Pacheco, Runner, Shelley, Wright, Wyland, Wyman, and Zettel—Aye.

**Assembly Bill No. 421:** Aanestad, Aroner, Cardoza, Cedillo, Correa, Daucher, Havice, Horton, Koretz, Longville, Migden, Rod Pacheco, Runner, Shelley, Simitian, Wright, Wyman, and Zettel—Aye.

**Assembly Bill No. 1652:** Correa, Havice, Koretz, Shelley, Simitian, and Wright—Aye; Aanestad, Daucher, Maddox, Rod Pacheco, Runner, Wyland, and Wyman—No.

**Assembly Bill No. 1140:** Aanestad, Correa, Daucher, Havice, Rod Pacheco, Runner, Wright, Wyland, Wyman, and Zettel—Aye.

**Assembly Bill No. 878:** Aanestad, Cardenas, Correa, Havice, Mountjoy, Rod Pacheco, Runner, Wright, Wyland, and Wyman—Aye.

**Assembly Bill No. 520:** Alquist, Bogh, and Firebaugh—Aye; Aanestad, Briggs, Rod Pacheco, Runner, Wyland, and Wyman—No.

**Assembly Bill No. 502:** Correa, Daucher, Firebaugh, and Simitian—Aye; Aanestad, Bogh, Mountjoy, Rod Pacheco, Runner, and Wyman—No.

**Assembly Bill No. 630:** Aanestad, Bogh, Daucher, Firebaugh, Maddox, Nation, and Runner—Aye; Briggs, Bill Campbell, Rod Pacheco, and Zettel—No.

**Assembly Bill No. 74:** Cedillo, Frommer, Nation, and Wright—Aye.

**Assembly Bill No. 1146:** Cardenas, Correa, Firebaugh, and Nation—Aye; Aanestad, Briggs, La Suer, Rod Pacheco, and Runner—No.

**Assembly Bill No. 615:** Cardenas, Papan, Salinas, and Thomson—Aye; Aanestad, Bates Briggs, Hollingsworth, Maddox, Runner, and Zettel—No.

**Assembly Bill No. 680:** Havice and Runner—No.

**Assembly Bill No. 1454:** Bates, Bogh, Briggs, Correa, Daucher, Mountjoy, Rod Pacheco, Runner, Simitian, Steinberg, and Zettel—Aye.

**Assembly Bill No. 1462:** Bates, Briggs, Correa, Daucher, Firebaugh, Maldonado, and Simitian—Aye.

**Assembly Bill No. 168:** Bates, Briggs, Corbett, Correa, Daucher, Maldonado, Simitian, Strom-Martin, and Washington—Aye.

**Assembly Bill No. 890:** Briggs, Cardenas, Correa, Firebaugh, Nation, Washington, and Wyland—Aye.

**Assembly Bill No. 954:** Briggs, Correa, Firebaugh, Nation, Steinberg, and Wyland—Aye.

**Assembly Bill No. 1381:** Bogh, Jackson, and Nation—Aye; Briggs and Zettel—No.

**Assembly Bill No. 1529:** Cedillo—Aye.

#### **ADJOURN IN MEMORY**

Assembly Member Simitian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alice Foster, of Aptos.

Assembly Member Shelley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Leonard Victor Martin, of Ross; and Anthony Percival “Tony Kilroy”, of San Francisco.

#### **MOTION TO ADJOURN**

At 4:22 p.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 4:22 p.m., Speaker Hertzberg declared the quorum call of the Assembly dispensed with.

#### **ADJOURNMENT**

At 4:22 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 6 a.m., Thursday, January 31, 2002, out of respect to the memory of Alice Foster, on motion of Assembly Member Simitian; and out of respect to the memory of Leonard Victor Martin and Anthony Percival “Tony Kilroy”, on motion of Assembly Member Shelley.

---

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JANUARY 30, 2002**

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

**AB RN**  
954 0205053

**Daily Total: 1**  
**Cumulative Total: 3421**

O