

CALIFORNIA LEGISLATURE  
2001-02 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, March 21, 2002**

**ONE HUNDRED SIXTY-NINTH SESSION DAY  
FOUR HUNDRED SEVENTY-THIRD 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

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, March 21, 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 La Suer 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 9 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—80:

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

**PRAYER**

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

The inheritance of every American is a desire to live free. It is also our lot to contemplate what that means. Goethe, the 19th century German writer offered this observation. He wrote:

“None are more hopelessly enslaved than those who falsely believe they are free.”

He reminds us that freedom is more than a physical state, it is an approach to life.

No person is fully free, free of responsibility to others or to themselves. But it is how we live with those responsibilities that determines how free we are.

When we embrace those obligations, learn from them, grow from them, and find meaning from them, *then* freedom is within our grasp.

But when we believe we are not beholden to anyone, what we embrace is not freedom but apathy and self-indulgence.

True freedom can only exist in a society in which each of us recognizes that freedom is synonymous with responsibility—responsibility to self and to others.

May it be the will of the Creator that each of us embrace the responsibilities we have been given, and may we find a sense of freedom and blessings in each of them. May this be God’s will.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Keeley, Assembly Member Matthews 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 Firebaugh, seconded by Assembly Member Cogdill.

**COMMUNICATIONS**

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

March 21, 2002

*E. Dotson Wilson*

*Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Re: Assembly Health Committee

Dear Dotson: This is to advise you that I have appointed Assemblymember Robert Pacheco to replace Assemblymember Sam Aanestad as Vice Chair of the Assembly Health Committee. Assemblymember Aanestad remains as a member of the committee.

Sincerely,

HERB J. WESSON, JR.  
Speaker of the Assembly

March 21, 2002

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

Dear Dotson: Please be advised that I have appointed the following members to the following Democratic Leadership positions:

Assemblymember Jackie Goldberg, Assistant Whip  
 Assemblymember Alan Lowenthal, Assistant Whip  
 Assemblymember Gloria Negrete McLeod, Assistant Whip  
 Assemblymember Fran Pavley, Assistant Whip  
 Assemblymember Sarah Reyes, Assistant Whip  
 Assemblymember Howard Wayne, Parliamentarian

Sincerely,

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

#### **COMMUNICATIONS**

##### **Proposed Initiatives**

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

##### **Minimum Wage.**

##### **Initiative Statute. SA 2002RF0001, Amdt. #1-NS**

Referred by the Speaker to the Committee on Labor and Employment.

##### **Local Funds and Revenues for Local Government Services.**

##### **Initiative Constitutional Amendment. SA 2002RF0004**

Referred by the Speaker to the Committee on Local Government.

##### **Local Public Health and Safety Financing.**

##### **Local Funds and Revenues**

##### **Initiative Constitutional Amendment. SA 2002RF0005**

Referred by the Speaker to the Committee on Local Government.

#### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 21, 2002

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
 Assembly Bill No. 1805

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, March 21, 2002

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

Assembly Bill No. 1769

Assembly Bill No. 1968

Assembly Bill No. 1890

Assembly Bill No. 1983

Assembly Bill No. 1916

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 21, 2002

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

Assembly Bill No. 1773

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

**SPECIAL COMMITTEE MEETINGS**

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

Select Committee on River Park Restoration to meet on Friday, April 5, 2002, at 10 a.m. in San Diego;

Labor and Employment to meet on Wednesday, April 10, 2002, at 1:30 p.m. in Room 447;

Environmental Safety and Toxic Materials Committee to meet on Tuesday, April 16, 2002, at 1:30 p.m.;

Judiciary Committee to meet April 9, April 23, and May 7, 2002, at 9 a.m. in Room 4202.

**AUTHOR'S AMENDMENTS**

**Committee on Environmental Safety and Toxic Materials**

March 21, 2002

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1925

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

JACKSON, Chairwoman

**ASSEMBLY BILL NO. 1925**—An act relating to water.

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 Natural Resources**

March 21, 2002

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 1913

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

WAYNE, Chairman

**ASSEMBLY BILL NO. 1913**—An act to add Section 30812 to the Public Resources Code, relating to coastal development.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Insurance**

March 21, 2002

Mr. Speaker: The Chair of your Committee on Insurance reports:  
Assembly Bill No. 2008

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

CALDERON, Chairman

**ASSEMBLY BILL NO. 2008**—An act to amend Section 4703.6 of the Labor Code, relating to workers' compensation, 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 Governmental Organization**

March 21, 2002

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:  
Assembly Bill No. 2002

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

HORTON, Chairman

**ASSEMBLY BILL NO. 2002**—An act to amend Sections 68130 and 68131 of, to amend and renumber Sections 32320, 68120, 68123, and 68124 of, to add Section 66026 to, to add a title heading immediately preceding Section 66025 of Chapter 2 of Part 40 of, and to repeal the headings of Article 3 (commencing with Section 32320) of Chapter 3 of Part 19 of, and Article 10 (commencing with Section 68120) of Chapter 1 of Part 41 of, the Education Code, relating to public postsecondary education.

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 Insurance**

March 21, 2002

Mr. Speaker: The Chair of your Committee on Insurance reports:  
Assembly Bill No. 2012

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

CALDERON, Chairman

**ASSEMBLY BILL NO. 2012**—An act to add Section 116.6 to the Insurance Code, relating to insurance.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Insurance**

March 21, 2002

Mr. Speaker: The Chair of your Committee on Insurance reports:  
Assembly Bill No. 1902

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

CALDERON, Chairman

**ASSEMBLY BILL NO. 1902**—An act to amend Section 11580.011 of the Insurance Code, relating to insurance.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHORIZATION TO INTRODUCE BILLS PURSUANT TO JOINT RULE 54**

Pursuant to the provisions of Joint Rule 54, the following communication was presented permitting the introduction of Assembly bills:

*Dear Mr. Clerk:* Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Anthony Pescetti to introduce a bill relating to sales and use taxes.

Request No. 205660.

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

*Dear Mr. Clerk:* Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Lou Papan to introduce a bill relating to campaign advertisements independent expenditure committees.

Request No. 0206543.

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

**REQUEST TO SUSPEND THE LIMIT ON THE INTRODUCTION OF BILLS**

To the Committee on Rules:

Pursuant to Assembly Rule 49, I request permission to suspend the bill introduction limitation with respect to the following bill:

RN 205660.

ANTHONY PES CETTI

**Permission of Rules Committee**

Assembly Chamber, March 21, 2002

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0205660.

DENNIS CARDOZA, Chairman

**REQUEST TO SUSPEND THE LIMIT ON THE INTRODUCTION OF BILLS**

To the Committee on Rules:

Pursuant to Assembly Rule 49, I request permission to suspend the bill introduction limitation with respect to the following bill:

RN 0206543.

LOUIS J. PAPAN

**Permission of Rules Committee**

Assembly Chamber, March 21, 2002

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0206543.

DENNIS CARDOZA, Chairman

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 3051—Papan (Coauthor: Calderon).** An act to amend Section 84506 of, and to add Section 84506.3 to, the Government Code, relating to the Political Reform Act of 1974.

**ASSEMBLY BILL NO. 3052—Pescetti.** An act to add and repeal Section 6356.4 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 3053—Committee on Environmental Safety and Toxic Materials (Jackson (Chair), Chu, Lowenthal, Maddox, Pavley, Pescetti, and Strom-Martin).** An act to add Article 7.9 (commencing with Section 25391) to Chapter 6.8 of Division 20 of the Health and Safety Code, relating to hazardous substances, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 178—Diaz and Firebaugh (Coauthors: Chan, Horton, Negrete McLeod, Oropeza, and Steinberg) (Coauthors: Senators Alarcon and Polanco).** Relative to the University of California.

**ASSEMBLY JOINT RESOLUTION NO. 43—Robert Pacheco.** Relative to federal Medicaid Assistance Percentages.

**HOUSE RESOLUTION NO. 42—Wesson.** Relative to Safety Seat Checkup Week.

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly*

<i>Bill No.</i>	<i>Committee</i>
<b>1815</b> -----	G.O.
<b>1925</b> -----	E.S. & T.M.
<b>1942</b> -----	Pub. S.
<b>1958</b> -----	Jud.
<b>2334</b> -----	G.O.
<b>2421</b> -----	Pub. S. and B. & P.
<b>2427</b> -----	Trans. and B. & P.
<b>2456</b> -----	B. & P.
<b>2473</b> -----	B. & P.
<b>2485</b> -----	E.S. & T.M. and H. & C.D.
<b>2488</b> -----	Pub. S.
<b>2589</b> -----	E.S. & T.M. and Pub. S.
<b>2682</b> -----	E.S. & T.M.
<b>2685</b> -----	Jud.
<b>2758</b> -----	Rev. & Tax.
<b>2855</b> -----	L. Gov.
<b>2866</b> -----	H. & C.D.
<b>2903</b> -----	E.,R. & C.A.
<b>2917</b> -----	Health
<b>2929</b> -----	L. & E.
<b>3047</b> -----	Hum. S.
<b>3048</b> -----	Health
<b>3049</b> -----	Health
<b>3050</b> -----	Health



*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>172</b> -----	Health
<b>173</b> -----	Rls.

*House*

<i>Resolution No.</i>	<i>Committee</i>
<b>41</b> -----	Rls.

*Senate*

<i>Bill No.</i>	<i>Committee</i>
<b>180</b> -----	Trans.
<b>569</b> -----	P.E.,R. & S.S. and V.A.
<b>701</b> -----	H.& C.D. and L. Gov.
<b>1019</b> -----	L. Gov.
<b>1096</b> -----	Health

**REQUEST FOR PHOTOGRAPHER**

Assembly Members Ashburn, Florez, and Goldberg were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

**RECESS**

By unanimous consent, at 9:03 a.m., Speaker pro Tempore Keeley declared the Assembly recessed to permit the introduction of a special guest.

Assembly Members Goldberg and Strom-Martin introduced John Barry Mockler, who is concluding his work for the State of California as Executive Director of the State Board of Education, after a 40 year career of public service in public education. Assembly Members Goldberg and Strom-Martin presented a resolution to John Mockler and extended best wishes in future endeavors.

John Barry Mockler then addressed the assemblage.

**RECONVENED**

At 9:10 a.m., the Assembly reconvened.

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

**REQUEST TO CONSIDER AND ACT ON BILLS  
WITHIN 30 CALENDAR DAYS**

The following request was submitted:

Assembly Chamber, March 18, 2002

Mr. Speaker: I request permission to introduce a resolution providing that Senate Bill No. 1987 may be considered and acted upon within 30 days after introduction and prior to being in print for 30 days.

JOHN BURTON

**Recommendation of Rules Committee**

March 18, 2002

Mr. Speaker: Your Committee on Rules recommends:

That the request by Senator Burton for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution and suspending Joint Rule 55 as they pertain to Senate Bill No. 1987 be granted.

DENNIS CARDOZA, Chair

**Resolution to Dispense with Article IV, Sec. 8(a) of the Constitution  
and Suspend Joint Rule 55**

*Resolved*, That, pursuant to Article IV, Section 8(a) of the Constitution, Senate Bill No. 1987 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed since introduction and that Joint Rule 55 be suspended to permit such hearing and action prior to being in print for 30 days.

Resolution read, and adopted by the following vote:

**AYES—72**

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

**NOES—None**

**Vote Changes**

By unanimous consent, the following vote change was permitted on the motion to Invoke Constitution: Assembly Member Wayne, from “Aye” to “Not Voting”.

Article IV, Section 8(a) of the Constitution was declared dispensed with, and Joint Rule 55 suspended.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Cohn.

*Resolved*, That Senate Bill No. 1987 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read, and adopted by the following vote:

**AYES—72**

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

**NOES—None**

Article IV, Section 8(b) of the Constitution was declared dispensed with.

**SPECIAL COMMITTEE MEETINGS**

Assembly Member Steinberg was granted unanimous consent that the Committee on Appropriations be permitted to hold a special meeting today, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 1987 for hearing.

**RE-REFERENCE OF BILLS**

Assembly Member Steinberg was granted unanimous consent that Senate Bill No. 246 be re-referred from the Committee on Appropriations to the Committee on Transportation.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 9:12 a.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.

**RE-REFERENCE OF BILLS**

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

Assembly Bill No. 1805 from the Committee on Judiciary, to the Committee on Banking and Finance, and return to Judiciary;

Assembly Bill No. 2455 from the Committee on Health, to the Committee on Housing and Community Development;

Assembly Bill No. 2892 from the Committee on Public Employees, Retirement and Social Security, to the Committee on Judiciary.

**REQUEST TO CONSIDER AND ACT ON BILLS  
WITHIN 30 CALENDAR DAYS**

The following request was submitted:

Assembly Chamber, March 20, 2002

Mr. Speaker: I request permission to introduce a resolution providing that Assembly Bills Nos. 3048, 3049, and 3050 may be considered and acted upon within 30 days after introduction and prior to being in print for 30 days.

HELEN THOMSON

**Recommendation of Rules Committee**

March 21, 2002

Mr. Speaker: Your Committee on Rules recommends:

That the request by Assembly Member Thomson for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution and suspending Joint Rule 55 as they pertain to Assembly Bills Nos. 3048, 3049, and 3050 be granted.

CARDOZA, Chair

**Resolution to Dispense with Article IV, Sec. 8(a) of the Constitution  
and Suspend Joint Rule 55**

*Resolved*, That, pursuant to Article IV, Section 8(a) of the Constitution, Assembly Bills Nos. 3048, 3049, and 3050 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed since introduction and that Joint Rule 55 be suspended to permit such hearing and action prior to being in print for 30 days.

Resolution read.

Resolution read, and adopted by the following vote:

**AYES—73**

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

**NOES—None**

Article IV, Section 8(a) of the Constitution was declared dispensed with, and Joint Rule 55 suspended.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

Date of Hearing: March 21, 2002

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 41

With the recommendation: Be adopted.

CARDOZA, Chairman

Above resolution ordered to third reading.

**HOUSE RESOLUTION NO. 41 TAKEN UP BY UNANIMOUS CONSENT**

Assembly Member Matthews was granted unanimous consent to take up House Resolution No. 41, without reference to file.

**HOUSE RESOLUTION NO. 41**—Relative to National Agriculture Week.

Resolution read.

**Members Made Coauthors of House Resolution No. 41**

Assembly Member Matthews was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 41.

**Request for Unanimous Consent**

Assembly Member Matthews was granted unanimous consent that Assembly Member Maldonado be shown as a Joint Author on House Resolution No. 41.

**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, Dutra, Firebaugh, Florez, Frommer, Harman, Havice, Hollingsworth, Horton, Jackson, Keeley, Kehoe, Kelley, Koretz, La Suer, Leach, Leonard, Leslie, Liu, Longville, Lowenthal, Maddox, Maldonado, Migden, Nakano, Nation, Negrete McLeod, Oropeza, Robert Pacheco, Rod Pacheco, Papan, 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 Matthews was granted unanimous consent to take up House Resolution No. 41, as amended, without reference to print or file.

**Consideration of House Resolution No. 41, as Amended**

**HOUSE RESOLUTION NO. 41**—Relative to National Agriculture Week.

Resolution read, as amended, and adopted.

**SPECIAL RECOGNITION**

The Members of the Assembly joined in extending best wishes to Assembly Member Ashburn on the occasion of his birthday.

**MESSAGES FROM THE SENATE**

Senate Chamber, March 21, 2002

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

Assembly Bill No. 1242

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Assembly Bill No. 1242 to the Committee on Agriculture.

**SPECIAL COMMITTEE MEETINGS**

Assembly Member Firebaugh was granted unanimous consent that the Committee on Agriculture be permitted to hold a special meeting today, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 1242 for hearing.

**RECESS**

By unanimous consent, at 9:21 a.m., Speaker pro Tempore Keeley declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Ashburn introduced Bakersfield High School Wrestling Team members Darrel Vasquez, Nathan Morgan, Drew East and Josh Sherley and their Coach David East.

He then presented a resolution to the team congratulating them for winning the State Wrestling Championship.

**RECONVENED**

At 9:23 a.m., the Assembly reconvened.

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

**RECESS**

By unanimous consent, at 9:24 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

**RECONVENED**

At 9:25 a.m., the Assembly reconvened.

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

**REPORTS OF STANDING COMMITTEES**

**Committee on Appropriations**

Date of Hearing: March 21, 2002

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1987

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

STEINBERG, Chairman

Above bill ordered to second reading.

**SENATE BILL NO. 1987 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.

**SENATE BILL NO. 1987**—An act relating to public contracts.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted.

**Consideration of Senate Bill No. 1987 by Unanimous Consent**

Assembly Member Cohn was granted unanimous consent to take up Senate Bill No. 1987 without reference to file, for purpose of consideration.

**SENATE BILL NO. 1987 (Burton)**—An act relating to public contracts, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Cohn.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—66**

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

**NOES—10**

Aanestad	Hollingsworth	Matthews	Wyman
Ashburn	La Suer	Mountjoy	
Havice	Maddox	Pacheco, Rod	

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—66**

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

**NOES—10**

Aanestad	Hollingsworth	Matthews	Wyman
Ashburn	La Suer	Mountjoy	
Havice	Maddox	Pacheco, Rod	

Bill ordered transmitted to the Senate immediately.



**CAUCUS ANNOUNCEMENTS**

At 9:45 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 9:45 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

**RECONVENED**

At 11:43 a.m., the Assembly reconvened.  
Hon. Fred Keeley, Speaker pro Tempore of the Assembly, presiding.

**MESSAGES FROM THE SENATE**

Senate Chamber, March 21, 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. 469  
Senate Bill No. 823  
Senate Bill No. 1987

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

Senate Chamber, March 21, 2002

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

Assembly Concurrent Resolution No. 160  
Assembly Concurrent Resolution No. 164

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

Above resolutions ordered enrolled.

Senate Chamber, March 21, 2002

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

Senate Concurrent Resolution No. 62

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

**FIRST READING OF SENATE BILLS**

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 62**—Relative to the United States Military Academy.

**MOTION TO SUSPEND JOINT RULE 30 AND ASSEMBLY RULE 68.8**

Assembly Member Firebaugh moved that Joint Rule 30 and Assembly Rule 68.8 be suspended, as they relate to the Conference Committee Report on Assembly Bill No. 16 for the purpose of permitting consideration of the report prior to its being in print and being noticed in the Daily File for not less than one legislative day.

Assembly Member Aroner seconded the motion.

Motion carried by the following vote:

**AYES—65**

Alquist	Daucher	Leonard	Runner
Aroner	Diaz	Leslie	Salinas
Bates	Dickerson	Liu	Shelley
Calderon	Dutra	Longville	Simitian
Campbell, Bill	Firebaugh	Lowenthal	Steinberg
Campbell, John	Florez	Maddox	Strickland
Canciamilla	Frommer	Matthews	Strom-Martin
Cardenas	Goldberg	Migden	Thomson
Cardoza	Harman	Nakano	Vargas
Cedillo	Havice	Nation	Washington
Chan	Hertzberg	Negrete McLeod	Wayne
Chavez	Horton	Oropeza	Wiggins
Chu	Jackson	Pacheco, Robert	Wright
Cohn	Keeley	Papan	Mr. Speaker
Corbett	Kehoe	Pavley	
Correa	Kelley	Reyes	
Cox	Koretz	Richman	

**NOES—13**

Ashburn	Hollingsworth	Pacheco, Rod	Zettel
Bogh	Leach	Pescetti	
Briggs	Maldonado	Wyland	
Cogdill	Mountjoy	Wyman	

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT ON  
ASSEMBLY BILL NO. 16 WITHOUT REFERENCE TO FILE**

**ASSEMBLY BILL NO. 16 (As proposed by the Conference Committee)**—An act to amend Sections 17070.15, 17070.35, 17070.40, 17070.43, 17070.51, 17070.65, 17070.70, 17071.33, 17071.75, 17072.10, 17072.25, 17074.10, 17074.15, 17075.10, 17075.15, 17076.10, 17088.2, 17262, and 17280 of, to add Sections 17070.95, 17074.16, 17074.26, 17077.35, 17251.5, and 17280.5 to, to amend and renumber Section 17077.10 of, to amend and renumber the heading of Article 10 (commencing with Section 17077.10) of Chapter 12.5 of Part 10 of, to add Article 10.6 (commencing with Section 17077.40) to Chapter 12.5 of Part 10 of, to add Article 11 (commencing with Section 17078.10) to Chapter 12.5 of Part 10 of, and to add Part 68.1 (commencing with Section 100600) and Part 68.2 (commencing with Section 100800) to, the Education Code, to amend Sections 15490 and 65995.7 of the Government Code, and to amend Section 51455 of, and to add Sections 51451.5 and 51453 to, the Health and Safety Code, relating to education facilities, and by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Conference Committee Report presented by Assembly Member Hertzberg.

**Demand for Previous Question**

Assembly Members Leslie, Reyes, Aroner, Maldonado, and Koretz demanded the previous question. Demand sustained.

The question being on the adoption of the Conference Report.

Report adopted by the following vote:

**AYES—71**

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

**NOES—8**

Aanestad	Campbell, John	Mountjoy	Wyman
Bogh	Hollingsworth	Pacheco, Rod	Zettel

**COMMITTEE MEETING ANNOUNCEMENTS**

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

**BILLS PLACED ON INACTIVE FILE**

The following measures in Conference were placed upon the inactive file:

**Assembly Bills Nos. 993, 994, 995, and 996;** and **Senate Bills Nos. 804, 807, 879, 880, and 881,** on request of Assembly Member Firebaugh.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 12:16 p.m., by unanimous consent, the members of the Committee on Agriculture 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 DAILY FILE  
THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 332 (Sher)**—An act to amend Sections 18944.30, 18944.31, 18944.33, 18944.35, and 18944.40 of, and to add Section 18944.41 to, the Health and Safety Code, relating to building standards.

Bill read third time.

**Motion to Amend**

Assembly Member Thomson moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 1912 (Kehoe)**—An act to amend Section 99314.5 of the Public Utilities Code, relating to transportation.

Bill read third time.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 12:18 p.m.

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

**UNFINISHED BUSINESS (RESUMED)**  
**MOTION TO RECONSIDER ASSEMBLY BILL NO. 1543**  
**Request for Reconsideration**

In compliance with a motion given on a previous day, Assembly Member Firebaugh requested unanimous consent that the vote be reconsidered whereby Senate amendments to Assembly Bill No. 1543 were refused concurrence.

Assembly Member Cogdill withheld unanimous consent.

**Motion**

Assembly Member Firebaugh moved that the vote be reconsidered whereby Senate amendments to Assembly Bill No. 1543 were refused concurrence.

Assembly Bill No. 1543 reconsidered by the following vote:

**AYES—47**

Alquist	Corbett	Horton	Negrete McLeod
Aroner	Correa	Jackson	Oropeza
Calderon	Daucher	Keeley	Pavley
Campbell, John	Diaz	Kehoe	Reyes
Canciamilla	Dutra	Koretz	Shelley
Cardenas	Firebaugh	Liu	Simitian
Cardoza	Florez	Longville	Steinberg
Cedillo	Frommer	Lowenthal	Strom-Martin
Chan	Goldberg	Matthews	Vargas
Chavez	Harman	Migden	Washington
Chu	Havice	Nakano	Mr. Speaker
Cohn	Hertzberg	Nation	

**NOES—20**

Aanestad	Cogdill	Leslie	Runner
Ashburn	Cox	Mountjoy	Strickland
Bates	Hollingsworth	Pacheco, Robert	Wyland
Bogh	La Suer	Pacheco, Rod	Wyman
Campbell, Bill	Leach	Pescetti	Zettel

**Further Consideration of Senate Amendments to  
Assembly Bill No. 1543**

**ASSEMBLY BILL NO. 1543 (Firebaugh)**—An act to add Section 68130.7 to the Education Code, and to amend Section 1 of Chapter 814 of the Statutes of 2001, relating to public postsecondary education, 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.)*

**Urgency Clause**

Urgency clause read.

**Point of Order**

Assembly Member Firebaugh arose to the following point of order: Assembly Member Cox is not speaking to the merits of the bill.

**Ruling by Speaker pro Tempore Keeley**

The Speaker pro Tempore ruled the point of order not well-taken. The question being on the adoption of the urgency clause.

Urgency clause adopted by the following vote:

**AYES—55**

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

**NOES—24**

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

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

**AYES—55**

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

**NOES—24**

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

Above bill ordered enrolled immediately.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1912**

At 12:27 p.m., on motion of Assembly Member Kehoe, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1912 passed by the following vote:

**AYES—49**

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

**NOES—29**

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

Bill ordered transmitted to the Senate.

**REPORTS OF STANDING COMMITTEES  
Committee on Agriculture**

Date of Hearing: March 21, 2002

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 1242

With the recommendation: That Senate amendments be concurred in.

MATTHEWS, Chairwoman

**CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT  
AND ASSEMBLY RULE 77 SUSPENDED**

Assembly Member Wiggins was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 1242, without reference to file.

**ASSEMBLY BILL NO. 1242 (Wiggins)**—An act relating to the glassy-winged sharpshooter, making an appropriation therefor, 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.)*

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—80**

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

**NOES—None**

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

**AYES—80**

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

**NOES—None**

Above bill ordered enrolled.



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

**SENATE BILL NO. 33 (Soto)**—An act to amend Sections 51121 and 51122 of, and to add Section 51124 to, the Education Code, relating to parental involvement, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Rod Pacheco.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—61**

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

**NOES—14**

Aanestad	Campbell, John	Leonard	Strickland
Ashburn	Cogdill	Maddox	Zettel
Briggs	Hollingsworth	Mountjoy	
Campbell, Bill	Leach	Runner	

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—61**

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

**NOES—14**

Aanestad	Campbell, John	Leonard	Strickland
Ashburn	Cogdill	Maddox	Zettel
Briggs	Hollingsworth	Mountjoy	
Campbell, Bill	Leach	Runner	

Bill ordered transmitted to the Senate.

**SENATE CONCURRENT RESOLUTION NO. 72 TAKEN UP  
BY UNANIMOUS CONSENT**

Assembly Member Jackson was granted unanimous consent to take up Senate Concurrent Resolution No. 72, without reference to committee or file.

**SENATE CONCURRENT RESOLUTION NO. 72**—Relative to Women's History Month.

**Members Made Coauthors of Senate Concurrent Resolution No. 72**

Assembly Member Jackson was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 72.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Aanestad, Bogh, Briggs, Calderon, John Campbell, Canciamilla, Cardenas, Cardoza, Cedillo, Chavez, Cogdill, Cohn, Correa, Cox, Daucher, Diaz, Dickerson, Dutra, Firebaugh, Florez, Frommer, Harman, Hertzberg, Horton, Keeley, Kelley, Koretz, La Suer, Leach, Leonard, Liu, Longville, Lowenthal, Maddox, Maldonado, Nakano, Nation, Negrete McLeod, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Richman, Runner, Salinas, Shelley, Simitian, Steinberg, Strickland, Vargas, Washington, Wayne, Wesson, Wright, Wyland, Wyman, and Zettel.

**Request for Unanimous Consent**

Assembly Member Jackson was granted unanimous consent to take up Senate Concurrent Resolution No. 72, as amended, without reference to print or file.

**Consideration of Senate Concurrent Resolution No. 72, as Amended**

**SENATE CONCURRENT RESOLUTION NO. 72**—Relative to Women's History Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

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

**SENATE CONCURRENT RESOLUTION NO. 71 (Haynes)**—Relative to California Wildland Firefighters Memorial Highway.

Resolution read, presented by Assembly Member Hollingsworth, and adopted by the following vote:

**AYES—72**

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

**NOES—None  
Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Concurrent Resolution No. 71: Assembly Members Goldberg, and Migden, from “No” to “Aye”.

Resolution ordered transmitted to the Senate.

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Senate Resolution**

**SENATE CONCURRENT RESOLUTION NO. 60 (Murray)**—Relative to arts education.

Resolution read and adopted by the following vote:

**AYES—80**

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

**NOES—None**

Resolution ordered transmitted to the Senate.

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

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

**Assembly Bill No. 1773**, ordered to third reading.

**UNFINISHED BUSINESS (RESUMED)****MOTION TO RECONSIDER SENATE BILL NO. 773 CONTINUED**

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 773 was continued until the next legislative day.

**VOTE ADDS**

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

**Resolution to Invoke Constitution:** Bogh, Chavez, Frommer, Havice, Horton, Maddox, Maldonado, Migden, Rod Pacheco, Washington, Wright, Wyland, and Zettel—Aye.

**Resolution to Invoke Constitution:** Bogh, Frommer, Havice, Horton, Koretz, Longville, Maddox, Migden, Rod Pacheco, Washington, Wyland, Wyman, and Zettel—Aye.

**Senate Bill No. 1987 and Urgency:** Cedillo, Frommer, Migden, Washington, and Zettel—Aye; Matthews, Rod Pacheco, and Wyman—No.

**Firebaugh Motion to Suspend Joint Rules 30 and 68.8:** Bogh—No.

**Assembly Bill No. 16, Conference Report:** Bogh and Zettel—No.

**Assembly Bill No. 1543, Motion to Reconsider:** Canciamilla and Shelley—Aye; Hollingsworth, Mountjoy, and Zettel—No.

**Assembly Bill No. 1543, Urgency and Concurrence:** Zettel—No.

**Assembly Bill No. 1912:** Canciamilla, Matthews, and Wright—Aye; Mountjoy and Rod Pacheco—No.

**Senate Bill No. 33 and Urgency:** Hollingsworth, Maddox, and Mountjoy—No.

**Senate Concurrent Resolution No. 71:** Washington—Aye.

#### ADJOURN IN MEMORY

Speaker Wesson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Ernest E. Debs, of Indian Wells, who was a former Los Angeles County Supervisor and former Member of the Assembly, representing Los Angeles County, 1945–47.

Assembly Member Aroner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Bowers and Alveree Swayne, of Oakland.

Assembly Member Correa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Josie Montoya, of Anaheim.

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Caldecott, of Bradbury.

Assembly Member Oropeza was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mr. Jun Kawamura, of Lodi.

Assembly Member Papan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Despina “Despo” Fotos, of Sacramento.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Merle Franklin Blanchard, of Newhall.

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 Dr. David Zlotnick, of Palo Alto.

Assembly Member Thomson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Nicholas D. Belenis, of Woodland; Louise K. Conn, of Davis; and Max Rossi, of Fairfield.

#### MOTION TO ADJOURN

At 12:41 p.m., Assembly Member Pescetti moved that the Assembly do now adjourn.

Assembly Member Vargas seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 12:41 p.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

**REFERENCE OF BILLS TO COMMITTEE**

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

<i>Assembly</i>	
<i>Bill No.</i>	<i>Committee</i>
<b>1775</b> -----	B. & F. and Jud.

**AUTHOR'S AMENDMENTS  
Committee on Appropriations**

March 21, 2002

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Senate Bill No. 857

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

STEINBERG, Chairman

**SENATE BILL NO. 857**—An act to amend Section 15379.2 of the Government Code, relating to economic development.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS  
Committee on Public Safety**

March 21, 2002

Mr. Speaker: The Chair of your Committee on Public Safety reports:  
Assembly Bill No. 1944

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

WASHINGTON, Chairman

**ASSEMBLY BILL NO. 1944**—An act to amend Sections 853.5 and 853.6 of the Penal Code, and to amend Sections 40500 and 40504 of the Vehicle Code, relating to identification.

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 Governmental Organization**

March 21, 2002

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:  
Assembly Bill No. 1815

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

HORTON, Chairman

**ASSEMBLY BILL NO. 1815**—An act relating to state bonds.

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 Education**

March 21, 2002

Mr. Speaker: The Chair of your Committee on Education reports:  
Assembly Bill No. 1930  
Assembly Bill No. 2003

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

STROM-MARTIN, Chairwoman

**ASSEMBLY BILL NO. 1930**—An act to amend Section 47607 of the Education Code, relating to charter schools.

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. 2003**—An act to amend Section 51226.3 of, and to add Chapter 3.64 (commencing with Section 44775.10) to Part 25 of, the Education Code, relating to public schools.

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 Elections, Reapportionment and Constitutional Amendments**

March 21, 2002

Mr. Speaker: The Chair of your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Assembly Bill No. 1791

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

LONGVILLE, Chairman

**ASSEMBLY BILL NO. 1791**—An act to amend Section 87302 of, and to add Sections 87300.5 and 87302.5 to, and to add Article 6 (commencing with Section 87600) to Chapter 7 of Title 9 of, the Government Code, relating to the Political Reform Act of 1974, and making an appropriation therefor.

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**

March 21, 2002

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

Assembly Joint Resolution No. 30

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

HAVICE, Chairwoman

**ASSEMBLY JOINT RESOLUTION NO. 30**—Relative to firefighters.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Transportation**

March 21, 2002

Mr. Speaker: The Chair of your Committee on Transportation reports:  
Assembly Bill No. 1782

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

DUTRA, Chairman

**ASSEMBLY BILL NO. 1782**—An act to add Part 3 (commencing with Section 3800) to Division 6 of the Harbors and Navigation Code, relating to financing a harbor and port protection program by providing the funds necessary therefor through an election for, and the issuance and sale of, bonds of the State of California and by providing for the handling and disposition of those funds, 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 Education**

March 21, 2002

Mr. Speaker: The Chair of your Committee on Education reports:  
Assembly Bill No. 1781

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

STROM-MARTIN, Chairwoman

**ASSEMBLY BILL NO. 1781**—An act to amend Sections 60451.5, 60452.5, and 60453 of the Education Code, relating to instructional materials, making an appropriation therefor, 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 Banking and Finance**

March 21, 2002

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:  
Assembly Bill No. 1775

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

PAPAN, Chairman

**ASSEMBLY BILL NO. 1775**—An act relating to financial privacy.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Agriculture**

Date of Hearing: March 20, 2002

Mr. Speaker: Your Committee on Agriculture reports:  
Assembly Bill No. 1880

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

MATTHEWS, Chairwoman

Above bill re-referred to the Committee on Appropriations.



**Committee on Rules**

Date of Hearing: March 21, 2002

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 157

Assembly Concurrent Resolution No. 166

With the recommendation: Be adopted.

CARDOZA, Chairman

Above resolutions ordered to third reading.

Date of Hearing: March 21, 2002

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 151

With the recommendation: Be adopted.

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

CARDOZA, Chairman

Above resolution ordered to Consent Calendar.

**Committee on Education**

Date of Hearing: March 20, 2002

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1789

Assembly Bill No. 1794

Assembly Bill No. 1793

Assembly Bill No. 1859

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

STROM-MARTIN, Chairwoman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 20, 2002

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1907

Assembly Bill No. 1973

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

STROM-MARTIN, Chairwoman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 20, 2002

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1848

With the recommendation: Do pass.

STROM-MARTIN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: March 20, 2002

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1905

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

STROM-MARTIN, Chairwoman

Above bill re-referred to the Committee on Health.

**Committee on Local Government**

Date of Hearing: March 20, 2002

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1865

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

WIGGINS, Chairwoman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 20, 2002

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1760

Assembly Bill No. 1785

With the recommendation: Do pass.

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

WIGGINS, Chairwoman

Above bills ordered to second reading.

Date of Hearing: March 20, 2002

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1892

With the recommendation: Do pass.

WIGGINS, Chairwoman

Above bill ordered to second reading.

Date of Hearing: March 20, 2002

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1836

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

WIGGINS, Chairwoman

Above bill ordered to second reading.

**Committee on Water, Parks and Wildlife**

Date of Hearing: March 19, 2002

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 1864

With the recommendation: Do pass.

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

CANCIAMILLA, Chairman

Above bill ordered to second reading.

Date of Hearing: March 19, 2002

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 550

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

CANCIAMILLA, Chairman

Above bill ordered to second reading.

**Committee on Transportation**

Date of Hearing: March 18, 2002

Mr. Speaker: Your Committee on Transportation reports:

Senate Joint Resolution No. 36

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

DUTRA, Chairman

Above resolution ordered to second reading.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Pescetti, the Assembly adjourned until 11 a.m., Monday, April 1, 2002, out of respect to the memory of Hon. Ernest E. Debs, on motion of Speaker Wesson; out of respect to the memory of John Bowers and Alveree Swayne, on motion of Assembly Member Aroner; out of respect to the memory of Josie Montoya, on motion of Assembly Member Correa; out of respect to the memory of John Caldecott, on motion of Assembly Member Mountjoy; out of respect to the memory of Jun Kawamura, on motion of Assembly Member Oropeza; out of respect to the memory of Despina "Despo" Fotos, on motion of Assembly Member Papan; out of respect to the memory of Dr. David Zlotnick, on motion of Assembly Member Simitian; out of respect to the memory of Nicholas D. Belenis, Louise K. Conn, and Max Rossi, on motion of Assembly Member Thomson; and out of respect to the memory of Merle Franklin Blanchard, on motion of Assembly Member Runner.

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HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 21, 2002**

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

<b>AB</b>	<b>RN</b>
1775	0206589
1781	0206503
1782	0206415
1791	0206262
1815	0206261
1902	0205843
1913	0206591
1925	0206203
1930	0206149
1944	0206564
2002	0205932
2003	0206699
2008	0205512
2012	0206330

<b>AJR</b>	<b>RN</b>
30	0205129

<b>SB</b>	<b>RN</b>
332	0206108
857	0206641
1987	0206618

<b>Daily Total:</b>	<b>18</b>
<b>Cumulative Total:</b>	<b>3554</b>

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