

CALIFORNIA LEGISLATURE
2001–02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, June 6, 2002

**TWO HUNDRED NINTH SESSION DAY
FIVE HUNDRED FIFTIETH 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
Thursday, June 6, 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 Alquist moved a quorum call of the Assembly.

Motion carried. Time, 8:31 a.m.

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

Quorum Present

At 8:42 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—76:

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

PRAYER

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Member John Dutra, of the 20th Assembly District:

Eternal Are Your Mercies, Your grace sustains us throughout every difficulty and supplies our needy hearts with encouragement. Give us wisdom for the work that is before us. Calm our attitudes; bless us with strength to do the work of this new day.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Members Alquist, Daucher, and Leach 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 Papan, 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 legislative business: Assembly Members Bates, Corbett, and Hertzberg.

Because of illness in his family: Assembly Member Cedillo.

EXPLANATIONS OF ABSENCE

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

June 4, 2002

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am writing to request that I be excused from session on Thursday, June 6th, to attend to legislative business within my district. If you have any questions, please contact Martha Nicholas in my office at (916) 319-2073.

Sincerely,

PATRICIA BATES, Assembly Member
Seventy-third District

June 6, 2002

The Honorable Herb J. Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I would like to request permission to be excused from Session on Thursday, June 6, 2002. I have legislative business to attend to in my district.

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

Sincerely,

ELLEN M. CORBETT, Assembly Member
Eighteenth District

June 6, 2002

The Honorable Herb Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Wesson: Please accept this request to be excused from Session on Thursday, June 6. I will be attending the State Legislative Leaders Conference in New York City, NY.

Should you have any questions, please feel free to have your staff contact Toni Nakashima in my Capitol Office.

Thank you in advance for your consideration of this request.

Very truly yours,

ROBERT M. HERTZBERG
Speaker Emeritus

REPORTS

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

California State Auditor

2001-129
May 22, 2002

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the Department of Health Services' (department) management of its Medi-Cal provider enrollment process. This report concludes that the department's Provider Enrollment Branch (branch), which is responsible for the enrollment process, lacks reliable data to determine the number of applications that are pending at any given time and thus cannot accurately determine the size of its backlog. In addition, the actions the branch has taken to streamline its process did not always result in an improved ability to review applications promptly, equitably, and effectively. For example, the branch did not always comply with state regulations that require it to approve applications within 180 days and could not substantiate decisions to designate certain providers as being at high risk for fraud, whose applications are subject to greater scrutiny. Furthermore, the branch did not always review disclosure statements required by the federal Health and Human Services Agency, aimed at identifying applicants with a history of defrauding or abusing the Medicaid system, increasing the risk of enrolling dishonest providers.

Finally, the branch has not developed a strategic plan that would help it address its performance deficiencies and has not fully implemented the Provider Enrollment Tracking System, which would assist its efforts to better manage its workload. Until the branch addresses these issues, it will continue to have difficulty meeting its regulatory timelines, securing additional staff, and effectively managing its operations.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Health.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 6, 2002

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

Assembly Concurrent Resolution No. 210

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

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>
3060 -----	B. & P.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
215 -----	Higher Ed.
216 -----	Agri.
217 -----	Rls.

House

<i>Resolution No.</i>	<i>Committee</i>
49 -----	Rls.
50 -----	Rls.

Senate

<i>Bill No.</i>	<i>Committee</i>
1234 -----	V.A.
1260 -----	Health
1264 -----	Hum. S.
1278 -----	Health
1281 -----	V.A.
1310 -----	Ed.
1312 -----	Pub. S.
1313 -----	L. Gov.
1314 -----	G.O.
1315 -----	Health
1320 -----	Pub. S.
1331 -----	Trans.
1339 -----	Higher Ed.
1345 -----	Agri.
1346 -----	Nat. Res.
1349 -----	Trans.
1357 -----	B. & P.
1367 -----	Ed.
1381 -----	Nat. Res.
1383 -----	J.,E.D. & E. and Jud.
1391 -----	Pub. S.
1395 -----	Ins.
1396 -----	Jud.
1408 -----	Ed.
1410 -----	H. & C.D.
1412 -----	E.,R. & C.A. and Higher Ed.
1413 -----	Health
1416 -----	Ed.
1418 -----	Health
1420 -----	Trans.
1423 -----	Pub. S.
1426 -----	Health
1427 -----	Ins.
1432 -----	Trans.
1439 -----	Rev. & Tax.
1444 -----	L. Gov. and E.S. & T.M.

1447	-----	Pub. S. and Health
1449	-----	Pub. S.
1453	-----	Ed.
1457	-----	V.A.
1475	-----	Health
1476	-----	Ed.
1478	-----	Ed.
1482	-----	Pub. S.
1488	-----	Trans.
1489	-----	Trans.
1493	-----	Higher Ed.
1497	-----	Pub. S.
1507	-----	Trans.
1509	-----	L. Gov.
1513	-----	Nat. Res.
1514	-----	Nat. Res.
1521	-----	L. Gov.
1523	-----	Nat. Res.
1524	-----	U. & C. and Nat. Res.
1525	-----	W.,P. & W.
1533	-----	Trans.
1537	-----	Pub. S.
1541	-----	Pub. S.
1542	-----	Nat. Res.
1543	-----	Ed.
1548	-----	Ed. and A.,E.,S.,T. & I.M.
1551	-----	V.A.
1555	-----	Trans.
1563	-----	U. & C.
1564	-----	H. & C.D.
1566	-----	Higher Ed.
1568	-----	Nat. Res.
1573	-----	W.,P. & W.
1580	-----	P.E.,R. & S.S.
1582	-----	Trans.
1590	-----	Trans.
1591	-----	L. & E.
1595	-----	Ed.
1596	-----	Hum. S.
1602	-----	Rev. & Tax.
1609	-----	P.E.,R. & S.S. and Ins.
1610	-----	Health
1617	-----	B. & F. and B. & P.
1618	-----	Jud.
1619	-----	Nat. Res.
1620	-----	E.,R. & C.A.
1622	-----	Nat. Res.
1624	-----	Higher Ed.
1629	-----	G.O.
1635	-----	Trans.
1636	-----	Trans. and L. Gov.
1642	-----	B. & P. and Health
1645	-----	W.,P. & W.
1648	-----	Ins.

1651	-----	Jud.
1654	-----	H. & C.D.
1657	-----	J., E.D. & E.
1665	-----	Ed.
1667	-----	Ed.
1671	-----	Ed.
1677	-----	Ed. and Jud.
1683	-----	J., E.D. & E.
1685	-----	Trans.
1690	-----	Pub. S.
1695	-----	Health
1697	-----	B. & P.
1703	-----	Trans. and L. Gov.
1712	-----	Pub. S.
1714	-----	L. Gov.
1716	-----	B. & P. and Health
1724	-----	Rev. & Tax.
1726	-----	H. & C.D.
1732	-----	Jud.
1733	-----	Nat. Res.
1735	-----	Pub. S.
1736	-----	L. & E.
1743	-----	Trans.
1750	-----	Health
1753	-----	U. & C. and G.O.
1755	-----	L. Gov. and U. & C.
1757	-----	Pub. S.
1758	-----	Health
1759	-----	L. Gov.
1763	-----	Ins.
1764	-----	G.O.
1767	-----	Health
1771	-----	Higher Ed.
1777	-----	W.,P. & W.
1778	-----	H. & C.D.
1785	-----	Health and Pub. S.
1789	-----	L. Gov.
1790	-----	U. & C.
1791	-----	Pub. S.
1793	-----	Pub. S.
1796	-----	Higher Ed.
1798	-----	Pub. S.
1799	-----	Trans.
1805	-----	Rev. & Tax.
1808	-----	L. Gov.
1809	-----	B. & P. and Health
1813	-----	Ed.
1828	-----	Nat. Res.
1854	-----	Nat. Res.
1857	-----	Nat. Res.
1861	-----	Ins.
1867	-----	Pub. S.
1868	-----	Ed.
1870	-----	L. Gov. and W.,P. & W.

1871	-----	L. Gov. and U. & C.
1873	-----	Pub. S.
1876	-----	U. & C.
1879	-----	Jud.
1882	-----	Nat. Res.
1884	-----	Health
1885	-----	U. & C.
1891	-----	Trans.
1895	-----	Pub. S.
1896	-----	Trans. and L. Gov.
1898	-----	Hum. S.
1901	-----	Rev. & Tax.
1903	-----	U. & C.
1911	-----	Health
1914	-----	Health
1915	-----	Ed.
1916	-----	Nat. Res.
1919	-----	B. & P.
1921	-----	Ed.
1925	-----	Nat. Res.
1926	-----	B. & F.
1934	-----	Ed.
1945	-----	L. & E.
1948	-----	Health
1951	-----	B. & P. and Health
1952	-----	B. & P.
1953	-----	B. & P.
1954	-----	B. & P. and Health
1955	-----	B. & P. and Health
1956	-----	Jud.
1961	-----	L. Gov.
1962	-----	Nat. Res.
1970	-----	Nat. Res.
1971	-----	Health
1977	-----	Rev. & Tax.
1978	-----	E.,R. & C.A.
1980	-----	Pub. S.
1983	-----	P.E.,R. & S.S.
1984	-----	P.E.,R. & S.S.
1989	-----	L. Gov.
1992	-----	H. & C.D.
1993	-----	W.,P. & W.
1996	-----	Trans.
2002	-----	Pub. S.
2008	-----	Higher Ed.
2009	-----	Jud.
2012	-----	Ed.
2017	-----	Ed.
2018	-----	B. & P. and Health
2025	-----	B. & P. and Health
2028	-----	Higher Ed.
2031	-----	Trans.
2033	-----	Health
2036	-----	L. Gov.

2039	-----	Ed.
2040	-----	Health
2049	-----	Nat. Res.
2051	-----	Rev. & Tax. and Jud.
2053	-----	E.S. & T.M.
2057	-----	Pub. S.
2064	-----	P.E., R. & S.S.
2065	-----	E.S. & T.M.
2073	-----	Trans.
2076	-----	Trans.
2081	-----	B. & F.
2083	-----	Ed.
2091	-----	W., P. & W.
2093	-----	Ins.
2095	-----	E., R. & C.A.
2096	-----	E.S. & T.M.
2097	-----	Health

*Senate Constitutional**Amendment No.**Committee*

9	-----	Rev. & Tax.
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*Senate Concurrent**Resolution No.**Committee*

81	-----	Jud.
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83	-----	Rls.
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AUTHOR'S AMENDMENTS**Committee on Elections, Reapportionment and Constitutional Amendments**

June 6, 2002

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

Senate Bill No. 1436

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

LONGVILLE, Chairman

SENATE BILL NO. 1436—An act to add Section 7403.5 to the Elections Code, relating to Republican county central committees.

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

AUTHOR'S AMENDMENTS**Committee on Judiciary**

June 6, 2002

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

Senate Bill No. 1386

Senate Bill No. 1704

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

CORBETT, Chairwoman

SENATE BILL NO. 1386—An act to amend Section 11019.9 of the Government Code, relating to 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.

SENATE BILL NO. 1704—An act to amend Section 3118 of the Family Code and to amend Section 827 of the Welfare and Institutions Code, relating to child custody.

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

June 6, 2002

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

Senate Bill No. 569

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

HAVICE, Chairwoman

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

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 Business and Professions

June 6, 2002

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Senate Bill No. 1558

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

CORREA, Chairman

SENATE BILL NO. 1558—An act to amend Section 4061 of the Business and Professions Code, relating to healing arts, 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 Judiciary

June 6, 2002

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

Senate Bill No. 1779

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

CORBETT, Chairwoman

SENATE BILL NO. 1779—An act to amend Section 340.1 of the Code of Civil Procedure, relating to damages.

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

June 6, 2002

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Senate Bill No. 1670

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

WASHINGTON, Chairman

SENATE BILL NO. 1670—An act to amend Section 12088 of, to amend and repeal Section 12088.1 of, and to add Sections 12087.6 and 12088.15 to, the Penal Code, relating to firearm safety devices.

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 Rules

Date of Hearing: June 6, 2002

Mr. Speaker: Your Committee on Rules reports:
Senate Concurrent Resolution No. 83

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.

NATION, Chairman

Above resolution ordered to Consent Calendar.

Date of Hearing: June 6, 2002

Mr. Speaker: Your Committee on Rules reports:
Assembly Joint Resolution No. 48

With the recommendation: Be adopted.

NATION, Chairman

Above resolution ordered to third reading.

Date of Hearing: June 6, 2002

Mr. Speaker: Your Committee on Rules reports:
House Resolution No. 50

With the recommendation: Be adopted.

NATION, Chairman

Above resolution ordered to third reading.

Date of Hearing: June 6, 2002

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 217

With the recommendation: Be adopted.

NATION, Chairman

Above resolution ordered to third reading.

Committee on Local Government

Date of Hearing: June 5, 2002

Mr. Speaker: Your Committee on Local Government reports:
Senate Bill No. 1643

With the recommendation: Do pass, and be re-referred to the Committee on Governmental Organization with recommendation: To Consent Calendar.

WIGGINS, Chairwoman

Above bill re-referred to the Committee on Governmental Organization.

Date of Hearing: June 5, 2002

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1352

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: June 5, 2002

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1268

Senate Bill No. 1579

Senate Bill No. 1323

Senate Bill No. 1815

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: June 5, 2002

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1515

Senate Bill No. 1561

With the recommendation: Do pass.

WIGGINS, Chairwoman

Above bills ordered to second reading.

Date of Hearing: June 5, 2002

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1920

With the recommendation: Do pass, and be referred to the Committee on Natural Resources with recommendation: To Consent Calendar.

WIGGINS, Chairwoman

Above bill re-referred to the Committee on Natural Resources.

Date of Hearing: June 5, 2002

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1019

With the recommendation: Do pass, and be referred to the Committee on Elections, Reapportionment and Constitutional Amendments with recommendation: To Consent Calendar.

WIGGINS, Chairwoman

Above bill re-referred to the Committee on Elections, Reapportionment and Constitutional Amendments.

Date of Hearing: June 5, 2002

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 910

With the recommendation: Do pass, and be referred to the Committee on Housing and Community Development.

WIGGINS, Chairwoman

Above bill re-referred to the Committee on Housing and Community Development.

Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

Date of Hearing: June 4, 2002

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Joint Resolution No. 47

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

COHN, Chairwoman

Above resolution ordered to second reading.

Committee on Agriculture

Date of Hearing: June 5, 2002

Mr. Speaker: Your Committee on Agriculture reports:

Senate Concurrent Resolution No. 74

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.

MATTHEWS, Chairwoman

Above resolution ordered to Consent Calendar.

REQUEST FOR PHOTOGRAPHER

Assembly Members Cohn, Strickland, Richman, and Pavley were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ADJOURN IN MEMORY

Assembly Member Goldberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lew R. Wasserman, of Los Angeles.

(Assembly Rule 45.5 suspended.)

Assembly Members Papan and Kelley were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles Henry Olsen, of Pacific Palisades.

(Assembly Rule 45.5 suspended.)

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

(Assembly Rule 45.5 suspended.)

RECESS

By unanimous consent, at 8:53 a.m., Speaker pro Tempore Keeley declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Strickland introduced Robert P. Hasen, of Camarillo. Mr. Hasen fought in all five battles in Europe with General Patton's 3rd Army and helped liberate Ohrdruf, the first concentration camp ever seen by Western Allies. Assembly Member Strickland presented a resolution to Mr. Hasen, expressing heartfelt thanks for his heroic service in the armed services during World War II, and commending his ongoing efforts to share his experiences to keep the memory of the Holocaust alive; whereupon Mr. Hasen addressed the assemblage.

Assembly Member Strickland then introduced Mrs. Miriam Hasen, whereupon she was invited to address the assemblage.

RECONVENED

At 9:01 a.m., the Assembly reconvened.

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

RE-REFERENCE OF BILLS

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

Senate Bill No. 256 from the Committee on Education, to the Committee on Business and Professions;

Senate Bill No. 1500 from the Committee on Natural Resources, to the Committee on Housing and Community Development;

Senate Bill No. 1647 from the Committee on Governmental Organization, to the Committee on Jobs, Economic Development and the Economy;

Senate Bill No. 1982 from the Committee on Human Services, to the Committee on Aging and Long-Term Care.

BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE

Assembly Member Firebaugh was granted unanimous consent that Assembly Bill No. 1734, be withdrawn from the Committee on Utilities and Commerce and placed on the unfinished business file.

BILLS PLACED ON INACTIVE FILE

The following bills were placed upon the inactive file:

Assembly Bill No. 2951, on request of Assembly Member Aroner;

Assembly Bill No. 2852, on request of Assembly Member Wayne;

Assembly Bill No. 2160, on request of Assembly Member Goldberg.

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****MOTIONS TO RECONSIDER BILLS WAIVED**

Assembly Member Wayne waived his motion to reconsider the vote whereby Assembly Bill No. 2019 was refused passage.

Assembly Member Goldberg waived her motion to reconsider the vote whereby Assembly Bill No. 2115 was refused passage.

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

Pursuant to Assembly Rule 78, Assembly Member Firebaugh announced his intention to request that Senate Bill No. 510 be removed from the inactive file.

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

SENATE BILL NO. 1935—An act to amend Sections 18001.8 and 18012.5 of, and to add Section 18015.1 to, the Health and Safety Code, relating to commercial coaches.

Bill read second time, and ordered to Consent Calendar.

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

ASSEMBLY BILL NO. 1285 (Reyes)—An act to add and repeal Section 37252.1 of the Education Code, relating to pupil instruction, and declaring the urgency thereof, to take effect immediately.

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

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

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

AYES—68

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

NOES—None

Above bill ordered enrolled.

RECESS

By unanimous consent, at 9:07 a.m., Speaker pro Tempore Keeley declared the Assembly recessed to permit the introduction of a special guest.

Assembly Members Thomson and Richman introduced Phil Swimley, Head Baseball Coach for the University of California, Davis, and presented a resolution expressing appreciation for his dedication and contributions to men's baseball, and expressing best wishes on the occasion of his retirement.

Phil Swimley then addressed the assemblage.

RECONVENED

At 9:11 a.m., the Assembly reconvened.

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

ADJOURN IN MEMORY

Assembly Member Wright was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Percy Pinkney, Jr., of Sacramento.

(Assembly Rule 45.5 suspended.)

SPECIAL RECOGNITION

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

ADJOURN IN MEMORY

Assembly Member Washington was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Pastor Nathaniel Tyner, of Los Angeles.

(Assembly Rule 45.5 suspended.)

RECESS

By unanimous consent, at 9:27 a.m., Speaker pro Tempore Keeley declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Cohn introduced representatives of the Santa Clara County Central Fire Protection District and presented a resolution commending their creation of the Special Operations Task Force, and recognizing their outstanding public service efforts.

* * *

Assembly Members Pavley and Strickland introduced Creig Knicks, Linda Hussey, Marion Buxton, and Mindy Yaras, representing Chaparral Middle School and presented a resolution recognizing Chaparral Middle School upon its selection as a state nominee for the 2001–02 National Blue Ribbon Schools Program.

RECONVENED

At 9:33 a.m., the Assembly reconvened.

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

ADJOURN IN MEMORY**Moment of Silence**

Assembly Member Dutra was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of longtime Capitol employee Alice Livingston, of Rancho Cordova, and that the Assembly observe a moment of silence in her honor.

(Assembly Rule 45.5 suspended.)

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Senate Bill No. 773 and Assembly Bill No. 2079 were continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 2996 (Committee on Budget)—An act relating to state administration, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 2997 (Committee on Budget)—An act relating to resource conservation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 2998 (Committee on Budget)—An act relating to health, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 2999 (Committee on Budget)—An act relating to environmental protection, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3000 (Committee on Budget)—An act relating to health, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3001 (Committee on Budget)—An act relating to social services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3002 (Committee on Budget)—An act relating to health, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3003 (Committee on Budget)—An act relating to general government, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3004 (Committee on Budget)—An act relating to general government, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3006 (Committee on Budget)—An act relating to education, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3007 (Committee on Budget)—An act relating to social services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3008 (Committee on Budget)—An act relating to social services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3009 (Committee on Budget)—An act relating to education, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3010 (Committee on Budget)—An act relating to social services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3011 (Committee on Budget)—An act relating to health, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3012 (Committee on Budget)—An act relating to general government, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3013 (Committee on Budget)—An act relating to education, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3014 (Committee on Budget)—An act relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3015 (Committee on Budget)—An act relating to local government, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3016 (Committee on Budget)—An act relating to state administration, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3017 (Committee on Budget)—An act relating to education, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3018 (Committee on Budget)—An act relating to education, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3020 (Committee on Budget)—An act relating to environmental resources, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3021 (Committee on Budget)—An act relating to general government, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

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

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 87
BY UNANIMOUS CONSENT**

Upon request of Assembly Member Firebaugh, Assembly Member Wesson was granted unanimous consent to take up Senate Concurrent Resolution No. 87 without reference to file, for purpose of consideration.

SENATE CONCURRENT RESOLUTION NO. 87 (Burton)—Relative to the selection of the Legislative Counsel of California.

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

AYES—73

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

NOES—1

Harman

Resolution ordered transmitted to the Senate.

CONGRATULATIONS EXTENDED TO DIANE F. BOYER-VINE

Speaker Wesson and Assembly Member Steinberg extended congratulations to Diane F. Boyer-Vine upon her selection as the first woman Legislative Counsel for the State of California.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Select Committee on Juvenile Justice, on Tuesday, June 11, 2002, at 5:30 p.m.

ADJOURN IN MEMORY

Assembly Members Bill Campbell and Daucher were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Thomas and Kimberly Hunsaker, of Placentia.

Assembly Member Jackson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ken Gjemre, of Ojai.

Assembly Member Leonard was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Adolph "Sox" Wysocki, of Norco.

Assembly Member Migden was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Emanuel Otis Hepburn Sr., of San Francisco.

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 Alice Mary Conaty, of Arcadia.

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 Sotirios D. Chalios, of San Francisco.

Assembly Member Reyes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joel Popejoy, of Fresno.

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 Emily Hofmeister, of Quartz Hill and Ray Monti, of Lancaster.

Assembly Members Salinas and Keeley were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of California Highway Patrol Officer John Pedro, of Aptos.

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 Judge William A. Ingram, of Palo Alto.

Assembly Member Wayne was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Danielle Greenberg, of La Jolla.

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. 1285, Concurrence: Briggs, Correa, Frommer, Leslie, Maddox, Migden, Richman, Runner, Shelley, Washington, Wiggins, Wyland, and Zettel—Aye.

Senate Concurrent Resolution No. 87: Briggs, Migden, Pavley, Shelley, and Wyland—Aye.

MOTION TO ADJOURN

At 9:50 a.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

INTRODUCTION OF GUESTS

Assembly Member Nakano, of the 53rd Assembly District, introduced the following dignitaries, visiting from Japan: Hon. Hiroshi Takagi, Assembly Member, Aichi Prefecture; Hon. Akio Tomita, Assembly Member, Aichi Prefecture; Hon. Makoto Igeta, Assembly Member, Aichi Prefecture; Hon. Takahiro Tanaka, Assembly Member, Aichi Prefecture; Hon. Yoshiyuki Sakurai, Assembly Member, Mie Prefecture; Hon. Keiichi Fukuta, Assembly Member, Mie Prefecture; and Hon. Kenji Miyaishi, Public Affairs Section, Nagoya American Center, U.S. Department of State.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned until 11 a.m., Monday, June 10, 2002, out of respect to the memory of Lew R. Wasserman, on motion of Assembly Member Goldberg; out of respect to the memory of Sivan Hanberger, on motion of Assembly Member Koretz; out of respect to the memory of Charles Henry Olsen, on motion of Assembly Members Papan and Kelley; out of respect to the memory of Percy Pinkney, Jr., on motion of Assembly Member Wright; out of respect to the memory of Pastor Nathaniel Tyner, on motion of Assembly Member Washington; out of respect to the memory of Alice Livingston, on motion of Assembly Member Dutra; out of respect to the memory of Thomas and Kimberly Hunsaker, on motion of Assembly Members Bill Campbell and Daucher; out of respect to the memory of Ken Gjemre, on motion of Assembly Member Jackson; out of respect to the memory of Adolph "Sox" Wysocki, on motion of Assembly Member Leonard; out of respect to the memory of Emanuel Otis Hepburn Sr., on motion of Assembly Member Migden; out of respect to the memory of Alice Mary Conaty, on motion of Assembly Member Mountjoy; out of respect to the memory of Sotirios D. Chaliros, on motion of Assembly Member Papan; out of respect to the memory of Joel Popejoy, on motion of Assembly Member Reyes; out of respect to the memory of Emily Hofmeister and Ray Monti, on motion of Assembly Member Runner; out of respect to the memory of CHP Officer John Pedro, on motion of Assembly Members Salinas and Keeley; out of respect to the memory of Judge William A. Ingram, on motion of Assembly Member Simitian; and out of respect to the memory of Danielle Greenberg, on motion of Assembly Member Wayne.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JUNE 6, 2002

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

AB	RN
2996	0211466
2997	0211462
2998	0211472
2999	0211455
3000	0211464
3001	0211452
3002	0211460
3003	0211474
3004	0211451
3006	0211475
3007	0211481
3008	0211483
3009	0211473
3010	0211479
3011	0211480
3012	0211454
3013	0211470
3014	0211485
3015	0211449
3016	0211463
3017	0211468
3018	0211467
3020	0211471
3021	0211456

SB	RN
569	0211643
1386	0211373
1436	0211549
1558	0211631
1670	0211611
1704	0211758
1779	0211584

Daily Total:	31
Cumulative Total:	5238