

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, June 29, 2001

**NINETY-SEVENTH SESSION DAY
TWO HUNDRED EIGHTH 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
Friday, June 29, 2001

The Assembly met at 3:28 p.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 Strickland moved a quorum call of the Assembly.
Motion carried. Time, 3:28 p.m.

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

Quorum Present

At 3:29 p.m., Speaker pro Tempore Keeley declared a quorum of the
Assembly present.

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

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

PRAYER

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Member Ken Maddox, of the 68th Assembly District:

Eternal Are Your Mercies, O Lord, 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 Member Chu 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 Chan, seconded by Assembly Member Cox.

LEAVES OF ABSENCE FOR THE DAY

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

The following Assembly Members were excused for the day, and their per diem was waived: Bill Campbell, Papan, and Wyman.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 29, 2001

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

Assembly Concurrent Resolution No. 91

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, June 29, 2001

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(9) as it relates to Senate Bill No. 80.

THOMAS M. CALDERON

Above request ordered transmitted to the Committee on Rules.

AUTHOR'S AMENDMENTS**Committee on Natural Resources**

June 29, 2001

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

Senate Bill No. 540

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

WAYNE, Chairman

SENATE BILL NO. 540—An act to add Section 4582.76 to the Public Resources Code, relating to forest resources.

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 Transportation

June 29, 2001

Mr. Speaker: The Chair of your Committee on Transportation reports:
Senate Bill No. 481

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

DUTRA, Chairman

SENATE BILL NO. 481—An act to amend Section 11713.1 of, and to add Section 11709.3 to, the Vehicle Code, relating to vehicles.

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

June 29, 2001

Mr. Speaker: The Chair of your Committee on Education reports:
Senate Bill No. 192
Senate Bill No. 391

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

STROM-MARTIN, Chairwoman

SENATE BILL NO. 192—An act to amend Sections 52616.17 and 52616.19 of, to repeal Section 52616.23 of, and to add Section 52616.26 to, the Education Code, relating to adult 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.

SENATE BILL NO. 391—An act to add Sections 49428 and 49429 to the Education Code, relating to school nurse consultants, 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 Education

June 29, 2001

Mr. Speaker: The Chair of your Committee on Education reports:
Senate Bill No. 709

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

STROM-MARTIN, Chairwoman

SENATE BILL NO. 709—An act to amend Section 17285 of the Education Code, relating to school facilities.

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 29, 2001

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

Senate Bill No. 695

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

HAVICE, Chairwoman

SENATE BILL NO. 695—An act to amend Section 31469.3 of, and to add Sections 20423.7 and 31470.14 to, the Government Code, relating to public employees' retirement, 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 Judiciary**

June 29, 2001

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

Senate Bill No. 32

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

STEINBERG, Chairman

SENATE BILL NO. 32—An act to add Section 57008 to, and to add Chapter 6.10 (commencing with Section 25401) to Division 20 of, the Health and Safety Code, relating to hazardous materials.

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 Transportation**

June 29, 2001

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

Senate Bill No. 521

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

DUTRA, Chairman

SENATE BILL NO. 521—An act to add Section 120354 to, and to repeal Section 120265 of, the Public Utilities Code, relating to transportation.

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 29, 2001

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

Senate Bill No. 353

Senate Bill No. 1007

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

CORREA, Chairman

SENATE BILL NO. 353—An act to add and repeal Section 14669.15 of the Government Code, relating to public works, 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.

SENATE BILL NO. 1007—An act to amend Sections 6162 and 6163 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 Natural Resources

June 29, 2001

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

Senate Bill No. 483

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

WAYNE, Chairman

SENATE BILL NO. 483—An act to amend Sections 2795 and 2796.5 of the Public Resources Code, relating to mining.

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

June 29, 2001

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Senate Bill No. 773

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

PAPAN, Chairman

SENATE BILL NO. 773—An act to add Division 1.2 (commencing with Section 4050) to the Financial Code, 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.

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

June 29, 2001

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Senate Bill No. 1181

Senate Bill No. 1182

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

CORBETT, Chairwoman

SENATE BILL NO. 1181—An act to amend Section 51142 of the Government Code, and to amend Sections 75.11, 170, 205.5, 532, 830, 830.1, 1606, 5814, 11338, and 11339 of the Revenue and Taxation Code, relating to taxation.

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

SENATE BILL NO. 1182—An act to amend Section 51296.3 of the Government Code, and to amend Sections 75.31, 534, 749, and 1605 of the Revenue and Taxation Code, relating to taxation.

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

AUTHOR'S AMENDMENTS

Committee on Business and Professions

June 29, 2001

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Senate Bill No. 916

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

CORREA, Chairman

SENATE BILL NO. 916—An act to amend Section 1812.101 of the Civil Code, relating to discount buying organizations.

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 Housing and Community Development

Date of Hearing: June 27, 2001

Mr. Speaker: Your Committee on Housing and Community Development reports:
Senate Bill No. 920

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

LOWENTHAL, Chairman

Above bill ordered to second reading.

Date of Hearing: June 27, 2001

Mr. Speaker: Your Committee on Housing and Community Development reports:
Senate Bill No. 339
Senate Bill No. 459

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

LOWENTHAL, Chairman

Above bills ordered to second reading.

Date of Hearing: June 27, 2001

Mr. Speaker: Your Committee on Housing and Community Development reports:
Senate Bill No. 442

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

LOWENTHAL, Chairman

Above bill ordered to second reading.

Committee on Local Government

Date of Hearing: June 27, 2001

Mr. Speaker: Your Committee on Local Government reports:
Senate Bill No. 350

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

WIGGINS, Chairwoman

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: June 26, 2001

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 140

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

STEINBERG, Chairman

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing: June 25, 2001

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 766

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

DUTRA, Chairman

Above bill ordered to second reading.

Date of Hearing: June 25, 2001

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 345

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

DUTRA, Chairman

Above bill ordered to second reading.

Committee on Water, Parks and Wildlife

Date of Hearing: June 26, 2001

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

Senate Bill No. 209

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

FLOREZ, Chairman

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing: June 25, 2001

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 759

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

DUTRA, Chairman

Above bill ordered to second reading.

SPECIAL COMMITTEE MEETINGS

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

Governmental Organization and the Select Committee on California Horse Racing Industry, on July 18, 2001, in Del Mar;

Education, on July 10, 2001, in Room 127;

Insurance, on July 5, 2001;

Judiciary, on July 10, 2001, at 9 a.m., in Room 4202;

Water, Parks and Wildlife, on July 6, 2001, in Fresno.

ADJOURN IN MEMORY

Assembly Member Cox was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jim Wolf, of Fair Oaks.

(Assembly Rule 45.5 suspended.)

CAUCUS ANNOUNCEMENTS

At 3:35 p.m., Assembly Member Strickland was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 3:36 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 5:35 p.m., the Assembly reconvened.

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 29, 2001

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

Assembly Bill No. 147

Assembly Bill No. 1103

Assembly Bill No. 1437

And reports the same correctly enrolled, and presented to the Governor on the 29th day of June, 2001, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

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

HOUSE RESOLUTION NO. 23—Relative to Freedom Week.

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

**SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

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

Senate Bills Nos. 429 and 34, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 26—An act to amend Sections 101, 1601, 1616.5, 3750.51, 6704.1, 7011, 7092, and 8027 of, to add Sections 1601.1, 1616.6, 1620.1, 8011, and 8027.5 to, to add and repeal Section 1601.3 of, and to repeal and add Section 2475 of, the Business and Professions Code, relating to professions and vocations, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 46—An act to amend Sections 3071 and 3072 of the Civil Code, and to amend Sections 2430.3, 2432, 21211, and 22851 of, to add Section 1685 to, and to add and repeal Section 2425 of, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 58—An act to repeal Section 6600 of the Fish and Game Code, relating to ocean fishery research.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 106—An act to amend Sections 9250.7 and 22710 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 190—An act to amend Section 5440, and to add Section 5442.10 to, the Business and Professions Code, relating to outdoor advertising, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 313—An act to amend Section 149.1 of the Streets and Highways Code, relating to highways.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 637—An act to amend Sections 1100, 1101, 1105, 1110, 1112, 1114, 1114.5, 1125, 1126, 1127, 1128, 1130, 1132, 1133, 1140, 1141, 1150, 1170.3, 1177, 1192, and 6084 of, to amend the heading of Division 5 (commencing with Section 1100) of, and to add Section 1190.1 to, the Harbors and Navigation Code, relating to pilots, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 725—An act to amend Section 101 of, and to add Sections 336.7 and 363 to, the Elections Code, relating to ballot measures.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 767—An act to amend Section 9250.15 of, and to add Sections 4004.7, 8058, 9259.3, and 9259.5 to, the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 778—An act to amend Sections 3003, 3041, and 5075 of the Penal Code, relating to the Board of Prison Terms, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1156—An act to add Article 2.7 (commencing with Section 92615) to Chapter 6 of Part 57 of the Education Code, relating to the University of California.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1218—An act to repeal Section 6034 of the Business and Professions Code, and to amend Section 384 of the Code of Civil Procedure, relating to class action lawsuits.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 7—An act to amend Sections 3006, 3205, and 13102 of the Elections Code, relating to voting, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 12—An act to add Sections 195.86, 195.87, and 195.88 to the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 28—An act to amend Sections 16722, 16731, 16733, 16753, 16754.3, 16771, and 16774 of, and to add Section 16724.7 to, the Government Code, relating to state bonds, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 50—An act to amend Sections 2538.1 and 2538.3 of the Business and Professions Code, relating to speech-language pathology, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 99—An act to amend Section 12519 of the Government Code, relating to the Attorney General.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 165—An act to amend Section 22508 of the Education Code and to amend Section 20309 of the Government Code, relating to retirement.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 216—An act relating to higher education, and making an appropriation therefor.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 288—An act to amend Section 15432 of the Government Code, relating to health.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 386—An act to add Section 84612 to the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 428—An act to amend Section 33 of the El Dorado County Water Agency Act (Chapter 2139 of the Statutes of 1959), relating to water.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1081—An act to amend Sections 27150.1, 27150.2, 27150.7, and 27151 of, and to repeal Sections 23130, 23130.5, 27150.3, 27150.4, 25170.6 and 27150.8 of, the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1100—An act to amend Section 11704.5 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1131—An act to amend Section 1246.5 of the Business and Professions Code, relating to clinical laboratory technology.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1173—An act to amend Section 4161 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1225—An act to amend Section 1411 of the Financial Code, relating to banks.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 210—An act to amend Section 1360.5 of the Civil Code, to amend Sections 15232 and 15233 of the Education Code, to amend Sections 6387 and 17406 of the Family Code, to amend Sections 3105, 12419.8, 25350.51, 26905, 27282, 51286, 53410, 53631, 53635.7, 53892, 54205, 56132, 61103, 66426.5, 66428, 66434, 66434.1, 66445, 66449, 66464, 66469, 66470, 66472, 66472.1, and 66499.2 of, to add Sections 53060.7 and 66442.5 to, and to repeal Section 66474.5 of, the Government Code, to amend Sections 13815, 13818, 13872, and 13938 of the Health and Safety Code, to amend Section 1269b of the Penal Code, to amend Sections 2340, 2342, 2342.5, 2343, and 2850 of the Probate Code, to amend Sections 20813, 22032, and 22034 of the Public Contract Code, to amend Section 5784.1 of, the Public Resources Code, to amend Section 2110 of the Streets and Highways Code, to add Section 30500.3 to the Water Code, to amend Sections 6513 and 15657.03 of the Welfare and Institutions Code, and to amend Section 30 of Chapter 303 of the Statutes of 1951, relating to local government.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 449—An act to amend Sections 4, 5, 31, and 33 of the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951), and to repeal Section 5 of Chapter 29 of the Statutes of 1987, relating to the Santa Clara Valley Water District.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 932—An act to amend Section 65588 of the Government Code, relating to housing, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1136—An act to amend Sections 703.1 and 1773 of, and to amend and repeal Sections 703 and 1760.5 of, the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 517—An act to amend Section 66903 of the Education Code, relating to postsecondary education.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

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

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 77 (Havice)—An act to amend Section 868.8 of the Penal Code, relating to criminal proceedings.

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—76

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

NOES—None

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 359 (Cardoza)—An act to add Section 115928 to the Health and Safety Code, relating to water safety.

Bill read third time.

Motion to Amend

Assembly Member Cardoza moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading 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. 359 to the Committee on Housing and Community Development.

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

SENATE BILL NO. 662 (Committee on Judiciary)—An act to amend Sections 27, 113, 130, 144, 350, 1647.11, 2570.6, 2570.8, 2570.19, 2995, 3059, 3364, 3403, 4059, 4312, 4980.80, 4980.90, 4996.6, 5111, 5536, 6403, 6716, 6730.2, 6756, 7092, 7583.11, 8027, 8773.4, 10167.2, and 21702 of the Business and Professions Code, to amend Sections 1748.10, 1748.11, 1810.21, 2954.4, 2954.5, and 3097 of, and to amend and renumber Section 1834.8 of, the Civil Code, to amend Sections 403.020, 645.1, 674, and 699.510 of the Code of Civil Procedure, to amend Sections 9323, 9331, and 9408 of the Commercial Code, to amend Sections 2200, 6810, 17540.3, 25102, 25103, and 25120 of the Corporations Code, to amend Sections 313, 406, 426, 427, 11700, 17071.46, 17210, 17317, 17610.5, 22660, 22950, 25933, 33126.1, 37252, 37252.2, 37619, 41329.1, 42239, 44114, 45023.1, 48664, 52054, 52270, 52485, 54749, 56045, 56845, 69432.7, 69434.5, 69437.6, 69439, 69613.1, 87164, and 92901 of, and to amend and renumber Sections 45005.25 and 45005.30 of, the Education Code, to amend Sections 1405, 8040, 9118, and 15375 of the Elections Code, to amend Section 17504 of the Family Code, to amend Sections 761.5, 4827, 16024, 16501, and 18586 of the Financial Code, to amend Sections 1506, 2921, and 8276.3 of the Fish and Game Code, to amend Sections 492, 6046, and 75131 of the Food and Agricultural Code, to amend Sections 3543.4, 3562.2, 3583.5, 6524, 6516.6, 6599.2, 7074, 18935, 20028, 20300, 20392, 21006, 21547.7, 30064.1, 31461.3, 31681.55, 31835.02, 38773.6, 55720, 65584, 65585.1, and 75059.1 of the Government Code, to amend Sections 444.21, 1358.11, 11836, 11877.2, 17922, 25358.6.1, 39619.6, 104170, 105112, 111656.5, 111656.13, 114145, 123111, and 124900 of, to amend and renumber Section 104320 of, and to amend and renumber the heading of Article 10.5 (commencing with Section 1399.801) of Chapter 2.2 of Division 2 of, the Health and Safety Code, to amend Sections 789.8, 1215.1, 1871, 1872.83, 10123.135, 10178.3, 10192.11, 10231.2, 10236, 10506.5, 11621.2, 11784, 11786, 11787, and 12698 of the Insurance Code, to amend Sections 90.5, 129, 230.1, 4455, and 4609 of the Labor Code, to amend Section 1048 of the Military and Veterans Code, to amend Sections 272, 417.2, 646.94, and 3058.65 of the Penal Code, to amend Sections 1813 and 16062 of the Probate Code, to amend Sections 10129 and 20209.7 of the Public Contract Code, to amend Sections 5090.51, 14581, 36710, and 42923 of the Public Resources Code, to amend Sections 383.5, 2881.2, 7943, 9608, 9610, and 12702.5 of, and to amend and renumber Section 399.15 of, the Public Utilities Code, to amend Sections 75.11, 75.21, 97.3, 214, 23622.8, 23646, 44006, and 45153 of the Revenue and Taxation Code, to amend Section 1110 of the Unemployment Insurance Code, to amend Section 4000.37 of the Vehicle Code, to amend Sections 1789.5, 4098.1, 5614, 8102, 10082, 14005.28, 14005.35, 14008.6, 14087.32, and 14105.26 of the Welfare and Institutions Code, and to amend Section 511 of the San Gabriel Basin Water Quality Authority Act (Chapter 776 of the Statutes of 1992), Section 1 of Chapter 352 of the Statutes of 2000, Section 1 of Chapter 661 of the Statutes of 2000, Section 2 of Chapter 693 of the Statutes of 2000, Sections 5 and 6 of the Naval Training Center San Diego Public Trust Exchange Act (Chapter 714 of the Statutes of 2000), Section 228 of Chapter 862 of the Statutes of 2000, and Sections 2 and 3 of Chapter 975 of the Statutes of 2000, relating to maintenance of the codes.

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

Bill passed by the following vote:

AYES—77

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

NOES—None

Bill 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 Bills

SENATE BILL NO. 364 (Alpert)—An act to amend Section 2948.5 of the Civil Code, relating to mortgages and deeds of trust.

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

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

SENATE BILL NO. 400 (Ackerman)—An act to amend Section 25102 of the Corporations Code, relating to securities.

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

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

SENATE BILL NO. 561 (Morrow)—An act to amend Sections 11340.85 and 11342.595 of, and to repeal Section 11340.8 of, the Government Code, relating to administrative procedures.

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

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

SENATE BILL NO. 941 (Costa)—An act to amend Section 21600 of the Business and Professions Code, relating to junk.

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

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

Consent Calendar Roll Call

The roll was called, and the above bills on the Consent Calendar passed, by the following vote:

AYES—77

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

NOES—None**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 5:54 p.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 5:57 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 6:03 p.m., the Assembly reconvened.

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

ADJOURN IN MEMORY**Moment of Silence Observed**

Assembly Member Cardenas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ruben De Alba, of Sylmar, and that the Assembly observe a moment of silence in his honor.

(Assembly Rule 45.5 suspended.)

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

SENATE BILL NO. 347 (Peace)—An act to make an appropriation in augmentation of Items 9840-001-0001, 9840-001-0494, 9840-001-0988, and 9840-011-0001 of Section 2.00 of the Budget Act of 2000, relating to contingencies or emergencies, to take effect immediately as an appropriation for the usual current expenses of the state.

Assembly Rule 69(b) Suspended

Upon request of Assembly Member Shelley, Assembly Member Cardoza was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 347.

Bill read third time.

Motion to Amend

Assembly Member Cardoza moved the adoption of amendments.
Amendments read and adopted; bill ordered reprinted.

Assembly Rule 69(d) Suspended

Upon request of Assembly Member Shelley, Assembly Member Cardoza was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 347, as amended, without reference to file.

SENATE BILL NO. 347 (Johannessen)—An act to add Section 58750 to the Food and Agricultural Code, to amend Section 6353 of, to add Section 6358.5 to, and to add and repeal Sections 6356.5 and 6357.1 of, the Revenue and Taxation Code, relating to agricultural products, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

Point of Order

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

Point of Order

Assembly Member Leonard arose to the following point of order:
Assembly Member Strickland's debate is limited to the propriety of the bill.

Ruling by Speaker pro Tempore Keeley

The Speaker pro Tempore ruled the point of order well-taken.
The question being on the adoption of the urgency clause.
The roll was opened.

Call of the Assembly

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

Motion carried. Time, 6:51 p.m.

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

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
URGENCY CLAUSE AND CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 75
RECONSIDERED BY UNANIMOUS CONSENT**

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

**Further Consideration of Conference Committee Report on
Senate Bill No. 75**

SENATE BILL NO. 75 (As proposed by the Conference Committee)—An act for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California.

Conference Committee report presented by Assembly Member Cardenas.

Request for Use of Visual Aids

Assembly Member Cox was granted unanimous consent to use visual aids on the Floor to assist in debate.

Demand for Previous Question

Assembly Members Leslie, Vargas, Wayne, Bates, and Dickerson demanded the previous question. Demand sustained.

The question being on the adoption of the urgency clause.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 7:15 p.m.

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

CAUCUS ANNOUNCEMENTS

At 7:15 p.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 7:15 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 7:43 p.m., the Assembly reconvened.

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

**CALL OF THE ASSEMBLY DISPENSED WITH
ON URGENCY CLAUSE AND CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 75**

At 7:44 p.m., on motion of Assembly Member Shelley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 75 refused adoption by the following vote:

AYES—49

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

NOES—27

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

Assembly Rule 100(d) Suspended

Assembly Member Shelley was granted unanimous consent that Assembly Rule 100(d) be suspended to permit a second motion to reconsider as it relates to Senate Bill No. 75.

**Motion to Reconsider
Urgency Clause and Conference Committee Report on Senate Bill No. 75
on Next Legislative Day**

Assembly Member Shelley moved to reconsider on the next legislative day the vote whereby the urgency clause and Conference Committee Report on Senate Bill No. 75 was this day refused adoption.

Senate Bill No. 75 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO SENATE BILL NO. 347**

At 7:45 p.m., on motion of Assembly Member Shelley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 347 refused adoption by the following vote:

AYES—52

Aanestad	Daucher	Leonard	Reyes
Ashburn	Diaz	Leslie	Richman
Bates	Dickerson	Maddox	Runner
Bogh	Florez	Maldonado	Salinas
Briggs	Goldberg	Matthews	Shelley
Campbell, John	Harman	Mountjoy	Simitian
Canciamilla	Havice	Nakano	Strickland
Cardenas	Hollingsworth	Negrete McLeod	Strom-Martin
Cardoza	Jackson	Oropeza	Thomson
Cedillo	Keeley	Pacheco, Robert	Wiggins
Cogdill	Kelley	Pacheco, Rod	Wyland
Correa	La Suer	Pavley	Zettel
Cox	Leach	Pescetti	Mr. Speaker

NOES—None

**Motion to Reconsider Senate Bill No. 347
on Next Legislative Day**

Assembly Member Shelley moved to reconsider on the next legislative day the vote whereby the urgency clause to Senate Bill No. 347 was this day refused adoption.

Senate Bill No. 347 ordered to the unfinished business file.

ADJOURN IN MEMORY

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 John Mendez, of Wilmington.

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 Wallace McCormack, of Rio Vista.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER SENATE BILL NO. 1187 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 1187 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:

Assembly Bill No. 77, Concurrence: Aanestad, Mountjoy, Washington, and Wyland—Aye.

Senate Bill No. 662: Mountjoy, Simitian, and Wyland—Aye.

Consent Calendar: Mountjoy and Wyland—Aye.

MOTION TO ADJOURN

At 7:48 p.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Oropeza seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 7:48 p.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 7:48 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 9 p.m., Saturday, June 30, 2001, out of respect to the memory of Jim Wolf, on motion of Assembly Member Cox; out of respect to the memory of John Mendez, on motion of Assembly Member Oropeza; out of respect to the memory of Wallace McCormack, on motion of Assembly Member Thomson; and out of respect to the memory of Ruben De Alba on motion of Assembly Member Cardenas.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 29, 2001**

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

AB RN

359 0116665

HR RN

23 0116936

SB RN

32 0116687

192 0116545

347 0117122

353 0116906

391 0115891

481 0116851

483 0116405

517 0116818

521 0116060

540 0116953

695 0115930

709 0115707

773 0117074

916 0116891

1007 0116857

1181 0116593

1182 0116588

Daily Total:	19
Cumulative Total:	2319