

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Saturday, June 30, 2001

**NINETY-EIGHTH SESSION DAY
TWO HUNDRED NINTH 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
Saturday, June 30, 2001

The Assembly met at 9 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 Pescetti moved a quorum call of the Assembly.

Motion carried. Time, 9:10 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 9:24 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—78:

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

PRAYER

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Member David Cogdill, of the 25th Assembly District:

Dear Heavenly Father, We ask You to guide us this day that we might fill our hearts and minds with wisdom and courage: The courage to do what we know is right and the wisdom to know when we are wrong.

Help us find peace of mind and give us a contented heart. Grant this we pray . . . AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member John Campbell and his son Logan Campbell 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 Strickland.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 30, 2001

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

House Resolution No. 23

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

REPORTS OF STANDING COMMITTEES**Committee on Environmental Safety and Toxic Materials**

Date of Hearing: June 26, 2001

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Senate Bill No. 633

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

JACKSON, Chairwoman

Above bill ordered to second reading.

PRIVILEGES OF THE FLOOR

Upon request of Speaker pro Tempore Keeley, Assembly Member John Campbell was granted unanimous consent that the privileges of the Floor be granted to his son, Logan Campbell, during today's Floor Session.

Assembly Member Jackson was granted unanimous consent that the privileges of the Floor be granted to her daughter, Jennie Jackson, during today's Floor Session.

Speaker pro Tempore Keeley was granted unanimous consent that the privileges of the Floor be granted to his wife, Maria Rodriguez-Keeley, during today's Floor Session.

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

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

Senate Bill No. 517, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 920—An act to add Section 798.43.1 to the Civil Code, relating to mobilehomes.

Bill read second time; amendments proposed by the Committee on Housing and Community Development read and adopted, bill ordered reprinted and to be re-referred to the Committee on Utilities and Commerce.

SENATE BILL NO. 339—An act to amend Section 18610.5 of, and to add Sections 18407 and 18408 to, the Health and Safety Code, relating to mobilehome parks.

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

SENATE BILL NO. 459—An act to amend Section 50052.5 of, to amend, repeal, and add Section 33334.2 of, and to add and repeal Section 33334.22 of, the Health and Safety Code, relating to housing.

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

SENATE BILL NO. 442—An act to add Section 12019 to the Government Code, and to amend Section 50451 of, and to add Section 50455.6 to, the Health and Safety Code, relating to housing, and making an appropriation therefor.

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

SENATE BILL NO. 350—An act to add Section 125.5 to the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to water.

Bill read second time; amendments proposed by the Committee on Local Government read and adopted, bill ordered reprinted and to be re-referred to the Committee on Water, Parks and Wildlife.

SENATE BILL NO. 140—An act to amend Sections 2330 and 2620.2 of, to repeal Section 2629 of, and to add Sections 2320.1 and 2320.2 to, the Probate Code, relating to guardianship and conservatorship.

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

SENATE BILL NO. 766—An act to amend Sections 12815 and 13000 of the Vehicle Code, relating to the Department of Motor Vehicles.

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

SENATE BILL NO. 345—An act to add Chapter 2 (commencing with Section 20050) to Division 10 of the Vehicle Code, relating to vehicles.

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

SENATE BILL NO. 209—An act to amend Sections 8420, 8422, 8423, 8428, and 8429 of, and to repeal and add Section 8425 of, the Fish and Game Code, relating to commercial fishing, and making an appropriation therefor.

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

SENATE BILL NO. 759—An act to amend Section 14556.26 of the Government Code, and to amend Sections 182.6, 182.7, and 182.8 of the Streets and Highways Code, relating to transportation.

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

JOINT RULE 62(a) WAIVED

Assembly Member Aroner was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 738 for hearing in the Committee on Budget on Monday, July 2, 2001.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

SENATE BILL NO. 34 (Burton)—An act to amend Sections 84204, 84215, 84511, 85301, 85303, 85306, 85309, 85311, 85312, 85317, 85318, 85400, 85500, 85501, 85600, 85601, 85700, and 89510 of, and to add Section 85321 to, the Government Code, and to amend Section 83 of Proposition 34, as approved by the voters at the November 7, 2000, general election, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Migden moved the adoption of amendments.

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

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 379 (Papan)—An act to repeal Section 62000.8 of the Education Code, relating to special 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.)

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

AYES—71

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

NOES—None

Above bill ordered enrolled.

CAUCUS ANNOUNCEMENTS

At 9:30 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 9:30 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 10:39 p.m., the Assembly reconvened.

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

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****URGENCY CLAUSE TO SENATE BILL NO. 347 RECONSIDERED
BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Shelley was granted unanimous consent that the vote be reconsidered whereby the urgency clause to Senate Bill No. 347 was refused adoption.

**URGENCY CLAUSE AND CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 75
RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Shelley 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.

Urgency Clause

Urgency clause read.

Point of Order

Assembly Member Robert Pacheco arose to the following point of order:

Assembly Rule 66.7(b)(1) states that no Budget Bill may be voted on the Floor of the Assembly unless it balances expenditures with anticipated revenues and it is his opinion that the expenditures in Senate Bill No. 75 exceed the anticipated revenues.

Ruling by Speaker pro Tempore Keeley

The Speaker pro Tempore ruled the point of order not well taken; that it is his opinion that Senate Bill No. 75 meets the criteria set forth in Assembly Rule 66.7(b)(1); anticipated revenues to the State would include balances carried forward in the current fiscal year into the upcoming fiscal year, and when that is added to the revenues set forth in the Budget Act, the Legislature would be sending a balanced Budget to the Governor.

Motion to Appeal from the Decision of the Chair

Assembly Member Robert Pacheco moved to appeal from the decision of the Chair.

Assembly Member Strickland seconded the motion.

The question being: Shall the decision of the Chair that Senate Bill No. 75 meets the criteria set forth in Assembly Rule 66.7(b)(1) be overruled?

The roll was opened and the decision of the Chair sustained by the following vote:

AYES—26

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

NOES—48

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

Parliamentary Inquiry

Assembly Member Richman arose to the following parliamentary inquiry:

Assembly Rule 66.7(b)(2) states that no Budget Bill may be voted upon on the floor of the Assembly unless it provides for a General Fund reserve of not less than 3 percent of the total of all General Fund appropriations made in the Budget Bill for the fiscal year, or provides for a reserve of not less than 1 percent and a specific plan to phase in a reserve of at least 3 percent within three years. Is such a reserve contained in this Budget Bill?

Reply by Speaker pro Tempore Keeley

Speaker pro Tempore Keeley replied that Assembly Rule 66.7(b)(2) further states that the percentage of General Fund reserve shall be calculated by dividing the reserve of the General Fund by estimated revenues of the General Fund for the fiscal year. The proposed Conference Committee Report on Senate Bill No. 75 estimates General Fund revenues at \$75.158 billion and that amount multiplied by 3 percent is the determination as to whether the criteria set forth in Assembly Rule 66.7(b)(2) are met. The reserve contained in the Conference Committee Report on Senate Bill No. 75 is \$2.2 billion plus a \$100 million litigation reserve for a total of \$2.3 billion and it is therefore the opinion of the Chair that the criteria set forth in the Assembly Rules are met.

Point of Order

Assembly Member Richman arose to the following point of order:

The reserve in the Budget would need to be \$2.27 billion to meet the criteria set forth in Assembly Rule 66.7(b)(2) and it is his opinion that this Budget does not contain a reserve for litigation.

Ruling by Speaker pro Tempore Keeley

The Speaker pro Tempore ruled that the proposed Conference Committee Report on Senate Bill No. 75 contains the following reserves: \$701 million liquidation of encumbrances; \$100 million set aside for legal contingencies; \$2.203 billion estimated economic uncertainties. Therefore a 3 percent reserve is constituted meeting the criteria of Assembly Rule 66.7(b)(2).

Motion to Appeal from the Decision of the Chair

Assembly Member Richman moved to appeal from the decision of the Chair.

Assembly Member Strickland seconded the motion.

The question being: Shall the decision of the Chair that Senate Bill No. 75 meets the criteria set forth in Assembly Rule 66.7(b)(2) be overruled?

The roll was opened and the decision of the Chair sustained by the following vote:

AYES—26

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

NOES—50

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

Point of Order

Assembly Member John Campbell arose to the following point of order:

The Chair defined revenues as including the prior year's reserves in ruling on the point of order raised by Assembly Member Robert Pacheco.

Point of Order

Assembly Member Reyes arose to the following point of order:

The Chair has already ruled upon the point of order raised by Assembly Member Robert Pacheco.

Point of Order

Assembly Member John Campbell arose to the following point of order:

In the Chair's ruling upon the point of order raised by Assembly Member Robert Pacheco, reserves from a prior year were used as an element of revenues to the General Fund; in the Chair's ruling upon the point of order raised by Assembly Member Richman the same reserves were excluded in the calculation, and such calculations should be consistent.

Point of Order

Assembly Member Wayne arose to the following point of order:

Mason's Manual, Sec. 180 refers to dilatory motions. The Chair has ruled on two points of order, and the Chair was sustained on appeal of two rulings.

Point of Order

Assembly Member Vargas arose to the following point of order:

The Chair has ruled on the points of order referenced by Assembly Member John Campbell, and the Body has voted on appeal from the rulings of the Chair.

Ruling by Speaker pro Tempore Keeley

The Speaker pro Tempore ruled the point of order by Assembly Member Vargas well-taken.

Demand for Previous Question

Assembly Members Vargas, Washington, Jackson, Frommer, and Negrete McLeod demanded the previous question. Demand sustained.

Request for Unanimous Consent

Assembly Member Runner requested unanimous consent to ask a question of Assembly Member Cardenas on his closing time for debate.

Assembly Member Simitian withheld unanimous consent.

Motion to Suspend the Rules

Assembly Member Leonard moved that the Rules be temporarily suspended for the purpose of permitting Assembly Member Runner to ask a question on Assembly Member Cardenas' closing time for debate.

Assembly Member Strickland seconded the motion.

Objection Withdrawn

Assembly Member Simitian withdrew his objection to the request by Assembly Member Runner.

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 Rod Pacheco moved a call of the Assembly.

Motion carried. Time, 11:59 p.m.

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

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

At 11:59 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 roll was opened.

Call of the Assembly Continued

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

Motion carried. Time, 11:59 p.m.

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

**TWO HUNDRED TENTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, July 1, 2001

At 12 midnight.

Speaker pro Tempore Fred Keeley, presiding.

FURTHER CONSIDERATION OF SENATE BILL NO. 347

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.

Demand for Previous Question

Assembly Members Vargas, Washington, Alquist, Reyes, and Wiggins demanded the previous question. Demand sustained.

The question being on the adoption of the urgency clause.

Urgency clause refused adoption by the following vote:

AYES—50

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

NOES—None

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. 347.

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

Assembly Member Cardoza 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.

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

At 12:29 p.m., on motion of Assembly Member Rod Pacheco, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause and Conference Committee Report on Senate Bill No. 75 refused adoption by the following vote:

AYES—50

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

NOES—27

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

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 Cardenas 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.

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. 129 (Burton)—An act to amend Section 3605 of the Penal Code, relating to death penalty executions.

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 CONCURRENT RESOLUTION NO. 12 (Chesbro)—Relative to highways.

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

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

SENATE CONCURRENT RESOLUTION NO. 13 (Morrow)—Relative to the California Law Revision Commission.

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

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

SENATE CONCURRENT RESOLUTION NO. 14 (Oller)—Relative to the National Purple Heart Trail.

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

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

SENATE CONCURRENT RESOLUTION NO. 18 (Chesbro)—Relative to the Earle W. Wrieden Memorial Highway.

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

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

Consent Calendar Roll Call

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

AYES—78

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

NOES—None**ADJOURN IN MEMORY**

Assembly Member Longville was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Chet Atkins, of Nashville, TN.

(Assembly Rule 45.5 suspended.)

COMMITTEE MEETING CANCELED

Assembly Member Vargas announced that the meeting of the Committee on Governmental Organization scheduled for Monday, July 2, 2001 has been canceled.

ADJOURN IN MEMORY

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 Celia Russo Wetherbee, of San Diego.

Assembly Member Bill Campbell was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Eleanor Viau Archambault, of Orange.

SPECIAL COMMITTEE MEETINGS

Assembly Member Cardenas was granted unanimous consent that the Committee on Budget be permitted to hold a special meeting on Monday, July 2, 2001 off the Floor.

Point of Personal Privilege

Assembly Member Cox arose to a point of personal privilege.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items:

Assembly Bill No. 379, Concurrence: Ashburn, Bates, Bogh, Bill Campbell, Correa, Harman, Maddox, Nation, Runner, Wright, and Zettel—Aye.

Senate Bill No. 75, Robert Pacheco Motion to Appeal from Decision of the Chair: Bates, Bogh, and Maddox—Aye.

Senate Bill No. 75, Richman Motion to Appeal from Decision of the Chair: Bates, Bogh, Maddox, and Zettel—Aye.

MOTION TO ADJOURN

At 12:34 a.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member John Campbell seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:34 a.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 12:34 a.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned to reconvene upon Call of the Speaker, out of respect to the memory of Celia Russo Wetherbee, on motion of Assembly Member Wayne; out of respect to the memory of Eleanor Viau Archambault, on motion of Assembly Member Bill Campbell; and out of respect to the memory of Chet Atkins, on motion of Assembly Member Longville.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 30, 2001**

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

| SB | RN |
|-----------|-----------|
| 34 | 0117062 |
| 140 | 0116754 |
| 209 | 0116769 |
| 339 | 0116860 |
| 345 | 0116680 |
| 350 | 0117015 |
| 442 | 0116977 |
| 459 | 0116876 |
| 759 | 0116716 |
| 766 | 0116685 |
| 920 | 0116902 |

| | |
|--------------------------|-------------|
| Daily Total: | 11 |
| Cumulative Total: | 2330 |

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