

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, July 1, 2002

**TWO HUNDRED TWENTY-FOURTH SESSION DAY
FIVE HUNDRED SEVENTY-FIFTH 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
Monday, July 1, 2002

The Assembly met at 11 a.m.
Hon. Christine Kehoe, Assistant Speaker pro Tempore of the
Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Pavley moved a quorum call of the Assembly.
Motion carried. Time, 11:01 a.m.
The Assistant Speaker pro Tempore directed the Sergeant at Arms to
close the doors, and to bring in the absent Members.

Quorum Present

At 11:14 a.m., Assistant Speaker pro Tempore Kehoe declared a
quorum of the Assembly present.

The roll call was completed, and the following answered to their
names—78:

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

PRAYER

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

The social activist and founder of the Children's Defense Fund, Marian Wright Edelman said: "If you don't like the way the world is, you change it. You have an obligation to change it."

However, it is not so easy to simply change the world. It takes courage, and persistence, and fortitude, and sometimes taking risks. While changing the world is *not* easy, it is a moral imperative to do so, if what we see around us is unjust. And if we have the power or ability to create positive change in the communities in which we live and we do not, then we will be held accountable, by our peers, by our communities, and ultimately, by our Creator.

May it be the will of the Creator that we have the courage to act on our convictions and may we be judged with compassion in all that we do.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Kehoe, Assembly Member Pavley then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Firebaugh, 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:

Because of deaths in their families: Assembly Members Cedillo and Harman.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 1, 2002

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

Assembly Bill No. 3059

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

RESOLUTIONS

The following resolutions were offered:

HOUSE RESOLUTION NO. 53—Wesson. Relative to commending the Honorable Sam Aanestad.

HOUSE RESOLUTION NO. 54—Hollingsworth. Relative to Freedom Week.

REFERENCE OF BILLS TO COMMITTEE

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

<i>Senate</i>	
<i>Bill No.</i>	<i>Committee</i>
1727 -----	Health
2100 -----	P.E.,R. & S.S.
<i>Senate Concurrent</i>	
<i>Resolution No.</i>	<i>Committee</i>
88 -----	Rls.
<i>Senate Joint</i>	
<i>Resolution No.</i>	<i>Committee</i>
46 -----	P.E.,R. & S.S.
48 -----	G.O.

AUTHOR'S AMENDMENTS
Committee on Appropriations

July 1, 2002

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

Senate Bill No. 1809

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

STEINBERG, Chairman

SENATE BILL NO. 1809—An act to amend Section 1300 of, and to add Section 1260.3 to, 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 Appropriations

July 1, 2002

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

Senate Bill No. 1773

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

STEINBERG, Chairman

SENATE BILL NO. 1773—An act to add Section 1104.2 to the Military and Veterans Code, relating to veterans, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

AUTHOR'S AMENDMENTS
Committee on Health

July 1, 2002

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

Senate Bill No. 1727

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

THOMSON, Chairwoman

SENATE BILL NO. 1727—An act relating to prescription drugs.

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 Appropriations

July 1, 2002

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

Senate Bill No. 1736

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

STEINBERG, Chairman

SENATE BILL NO. 1736—An act to add Section 1164 to the Labor Code, relating to agricultural labor relations.

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 Natural Resources

Date of Hearing: June 24, 2002

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 1916

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

WAYNE, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: June 25, 2002

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1658

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

CORBETT, Chairwoman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Date of Hearing: June 24, 2002

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Senate Bill No. 1724

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

CHAVEZ, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: June 25, 2002

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1936

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

CORBETT, Chairwoman

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: June 25, 2002

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 510

Senate Bill No. 1449

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

WASHINGTON, Chairman

Above bills ordered to second reading.

Committee on Rules

Date of Hearing: July 1, 2002

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 226

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: July 1, 2002

Mr. Speaker: Your Committee on Rules reports:

Assembly Joint Resolution No. 52

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.

Committee on Health

Date of Hearing: June 25, 2002

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 564

Senate Bill No. 1750

Senate Bill No. 1379

Senate Bill No. 1948

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

THOMSON, Chairwoman

Above bills ordered to second reading.

Date of Hearing: June 25, 2002

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 1951

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

THOMSON, Chairwoman

Above bill ordered to second reading.

Date of Hearing: June 25, 2002

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 1244

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

THOMSON, Chairwoman

Above bill ordered to second reading.

Committee on Business and Professions

Date of Hearing: June 27, 2002

Mr. Speaker: Your Committee on Business and Professions reports:

Senate Bill No. 1368

With the recommendation: That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

CORREA, Chairman

Subject matter of the above bill referred to the Committee on Rules.

Committee on Education

Date of Hearing: June 26, 2002

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 1405

Senate Bill No. 1478

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

STROM-MARTIN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: June 26, 2002

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 1250

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

STROM-MARTIN, Chairwoman

Above bill ordered to second reading.

Committee on Local Government

Date of Hearing: June 26, 2002

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 2055

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

WIGGINS, Chairwoman

Above bill ordered to second reading.

Committee on Education

Date of Hearing: June 26, 2002

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 240

Senate Bill No. 1813

Senate Bill No. 1554

Senate Bill No. 1868

Senate Bill No. 1595

Senate Bill No. 2039

Senate Bill No. 1665

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

STROM-MARTIN, Chairwoman

Above bills ordered to second reading.

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

Date of Hearing: June 26, 2002

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

Senate Bill No. 1738

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

COHN, Chairwoman

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: June 25, 2002

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 1980

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

WASHINGTON, Chairman

Above bill ordered to second reading.

Date of Hearing: June 25, 2002

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 1785

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

WASHINGTON, Chairman

Above bill ordered to second reading.

Committee on Local Government

Date of Hearing: June 26, 2002

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1703

Senate Bill No. 1896

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

WIGGINS, Chairwoman

Above bills ordered to second reading.

Committee on Appropriations

Date of Hearing: June 26, 2002

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1514

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

STEINBERG, Chairman

Above bill ordered to second reading.

REQUEST FOR PHOTOGRAPHER

Assembly Members Wesson and Maldonado were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

PRIVILEGES OF THE FLOOR

Assembly Member Keeley was granted unanimous consent that the privileges of the Floor be granted to Maria Rodriguez-Keeley.

Assembly Member Negrete McLeod was granted unanimous consent that the privileges of the Floor be granted to Gilbert McLeod.

Assembly Member Aanestad was granted unanimous consent that the privileges of the Floor be granted to Susan Aanestad.

BILLS REMOVED FROM CONSENT CALENDAR

The following bills were removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Senate Bills Nos. 2063 and 246, on request of Assembly Member Firebaugh.

RECESS

By unanimous consent, at 11:29 a.m., Assistant Speaker pro Tempore Kehoe, declared the Assembly recessed to permit the introduction of a special guest.

Assembly Members Strickland, Robert Pacheco, and Maldonado introduced Jockey Victor Espinoza and presented a resolution to him applauding his extraordinary success in Thoroughbred racing.

Victor Espinoza then addressed the assemblage.

RECONVENED

At 11:36 a.m., the Assembly reconvened.

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

ADJOURN IN MEMORY

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jeanne Bently, of Glendale.

(Assembly Rule 45.5 suspended.)

Assembly Member Briggs was granted unanimous consent that when the Assembly adjourns on this day it do so in honor of the 10-year anniversary of the death of Kimber Reynolds.

(Assembly Rule 45.5 suspended.)

POINT OF ORDER

Assembly Member Firebaugh arose to the following point of order:

Remarks by Assembly Member Wyman would be appropriately offered under condition of the file.

Ruling by Assistant Speaker Pro Tempore Kehoe

The Assistant Speaker pro Tempore ruled the point of order well-taken.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 1891, on request of Assembly Member Aroner.

At 11:48, Speaker Wesson, 47th District, presiding

SPECIAL CEREMONY HONORING RETIRING MEMBERS

At 11:48 a.m., a special ceremony was convened to honor Members retiring from the California State Assembly.

The following resolution was read:

House Resolution No. 52

By Assembly Member Wesson

Relative to commending the Honorable Fred Keeley.

WHEREAS, The tenure of the Honorable Fred Keeley with the California State Assembly is drawing to a close following six years of exemplary service, and it is appropriate at this time to highlight some of the many achievements of his illustrious tenure and to extend to him the highest commendations of the people of the state; and

WHEREAS, Most noted for his commitment to protecting the environment, raising standards for higher education, and working to promote social justice, Fred Keeley was first elected to the California

State Assembly in November 1996, to represent the 27th District, the Monterey Bay area, and was reelected in 1998 and 2000; and

WHEREAS, Upon the convening of the 1999–2000 session of the Legislature, Mr. Keeley was appointed Speaker pro Tempore of the Assembly, and was reappointed to this leadership position for the 2001–02 session, and as Speaker pro Tempore, Mr. Keeley serves as presiding officer of the 80-member Assembly, leading the body through the daily agenda of business on the Assembly floor, which includes debate and votes on legislation; and

WHEREAS, Speaker pro Tempore Keeley is the highest-ranking member of the Speaker’s leadership team, which is responsible for the development of major policy and strategic initiatives for the Assembly’s Democratic majority; Mr. Keeley previously served on the Speaker’s leadership team as the Democratic Caucus Chair, a position he held from March 1998 until he was designated Speaker pro Tempore; and

WHEREAS, In addition to his role in Leadership, Mr. Keeley has served on various committees, including Budget, Budget Subcommittee on Resources, Natural Resources, Insurance, Public Safety, Public Employees, Retirement, and Social Security, and Elections, Reapportionment, and Constitutional Amendments; and

WHEREAS, Mr. Keeley’s legislation and local accomplishments consistently reflect his commitment to energy conservation, the environment, education, and economic and social justice issues, and some notable accomplishments include taking the lead in the Assembly’s response to California’s energy crisis; and

WHEREAS, Mr. Keeley is recognized for his authorship of the two largest park and environmental bonds in the nation’s history, and for his authorship of the landmark Marine Life Management Act; and

WHEREAS, Mr. Keeley was widely commended for his leadership in managing the oversight hearings that led to the resignation of Insurance Commissioner Chuck Quackenbush; and

WHEREAS, Mr. Keeley is a 1974 honors graduate of San Jose State University and he is married to Maria Rodriguez-Keeley, who is a human resources manager in the high technology industry in Silicon Valley; and

WHEREAS, Through his public service activities he had made a significant impact on the people of the 27th Assembly District and throughout the state, and he will be greatly missed by those individuals with whom he has been associated; now, therefore, be it

Resolved by the Assembly the State of California, That the Members express their commendations and appreciation to their colleague, the Honorable Fred Keeley, for his outstanding record of dedicated service to his constituents and to all of the people of California, and convey to him best wishes for every success in his future endeavors.

Consideration of House Resolution No. 52 by Unanimous Consent

Without objection, House Resolution No. 52 was taken up, without reference to committee or file.

HOUSE RESOLUTION NO. 52—Relative to commending the Honorable Fred Keeley.

Resolution read and adopted unanimously.

Best Wishes Expressed

Farewell remarks and best wishes were offered by Assembly Members Hertzberg, Reyes, and Leonard.

Select Committee on Escort Appointed

Speaker Wesson appointed Assembly Members Aroner, Dickerson, Jackson, Kehoe, Salinas, and Steinberg as a Select Committee on Escort to escort Assembly Member Keeley and his wife Maria Rodriguez-Keeley to the Rostrum, whereupon a resolution and special plaque was presented by Speaker Wesson expressing the best wishes of all Members of the Assembly as he departs the California State Assembly.

Assembly Member Keeley then addressed the assemblage.

* * *

The following resolution was read:

House Resolution No. 53

By Assembly Member Wesson

Relative to commending the Honorable Sam Aanestad.

WHEREAS, The tenure of the Honorable Sam Aanestad with the California State Assembly is drawing to a close following four years of exemplary service, and it is appropriate at this time to highlight the many achievements of his illustrious tenure and to extend to him the highest commendations of the people of the state; and

WHEREAS, Sam Aanestad is an oral and maxillofacial surgeon who was elected to the California State Assembly in 1998 to represent the 3rd Assembly District, and Dr. Aanestad and his wife, Susan, have lived in the 3rd Assembly District since 1980 and have three grown children, Kaesa, Erik, and Kirstin, and Kaesa and her husband, Darren Moore, are the proud parents of Rhiannan, the Aanestads' first grandchild; and

WHEREAS, Dr. Aanestad has practiced oral and maxillofacial surgery full-time in Grass Valley and has served as the Vice-Chief of Surgery at Sierra Nevada Memorial Hospital; and

WHEREAS, Dr. Aanestad served 11 years on the Grass Valley School District Board of Trustees, and he is very involved with his local community as a member of the Rotary Club of Grass Valley, a youth soccer, football, and baseball coach, and as a member of the KNCO radio broadcast team for Nevada Union High School football; and

WHEREAS, Assembly Member Aanestad received both his Bachelor of Arts and Doctor of Dental Surgery degrees from the University of California, Los Angeles, completed a four-year Oral and Maxillofacial Surgery residency at Highland Hospital in Oakland, received a Master in Public Administration degree from Golden Gate University in 1991, and was honored by the UCLA School of Dentistry as their Alumnus of the Year in November 1998; and

WHEREAS, In the California State Assembly, Dr. Aanestad served as the Vice-Chairman of the Committee on Health, and served on the following committees: Agriculture; Budget; Elections, Reapportionment and Constitutional Amendments; Natural Resources; Rules; and Water, Parks and Wildlife, and his top priority is to serve the needs of the 3rd Assembly District, which includes Lassen, Modoc, Nevada, Plumas, Sierra, Yuba, and most of Butte counties; and

WHEREAS, Assembly Member Aanestad has spent four years working to improve health care in California, focusing especially on rural areas, and he introduced several bills to ease the delivery of health care, increase the number of providers, and to help maintain the network of hospitals throughout rural California; and

WHEREAS, Additionally, Assembly Member Aanestad has worked to improve relations for landowners who continue to live and work in rural areas; and

WHEREAS, Assembly Member Aanestad is staffed by Brett Michelin, Chief of Staff; Lisa Zea, District Director; Bill Ritz, Capitol Scheduler/Legislative Assistant; Cheri Fry, District Scheduler; Rosalie Thompson, Legislative Director; Marta Woodward, Constituent Services; Georgeanna Borrayo, Constituent Services; and Reuben Williams, Field Representative; and

WHEREAS, Through his public service activities he has made a significant impact on the people of the 3rd Assembly District and throughout the state, and he will be greatly missed by those individuals with whom he has been associated; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members express their commendations and appreciation to their colleague, the Honorable Sam Aanestad, for his outstanding record of dedicated service to his constituents and to all of the people of California, and convey to him best wishes for every success in his future endeavors.

Consideration of House Resolution No. 53 by Unanimous Consent

Without objection, House Resolution No. 53 was taken up, without reference to committee or file.

HOUSE RESOLUTION NO. 53—Relative to commending the Honorable Sam Aanestad.

Resolution read and adopted unanimously.

Best Wishes Expressed

Farewell remarks and best wishes were offered by Assembly Members Rod Pacheco, Leslie, and Leonard.

Select Committee on Escort Appointed

Speaker Wesson appointed Assembly Members Thomson and La Suer as a Select Committee on Escort to escort Assembly Member Aanestad and his wife Susan Aanestad to the Rostrum, whereupon a resolution and special plaque was presented by Speaker Wesson expressing the best wishes of all Members of the Assembly as he departs the California State Assembly.

Assembly Member Aanestad then addressed the assemblage.

At 1:19 p.m., Speaker pro Tempore Keeley, 27th District, presiding

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

Pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 1330 to the Committee on Public Employees, Retirement and Social Security and Assembly Bill No. 1493 to the Committee on Transportation.

SPECIAL COMMITTEE MEETINGS

Assembly Member Firebaugh was granted unanimous consent that the Committee on Transportation be permitted to hold a special meeting today, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 1493 for hearing.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Aroner announced that the Committee on Human Services would meet today, upon adjournment of Floor session.

Assembly Member Wright announced that the Committee on Utilities and Commerce would meet today, on adjournment of Floor session, in Room 437.

**CONSIDERATION OF DAILY FILE
SENATE BILL 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. 905, 1403, 1617, 1337, and 1248 ordered to third reading.

(NOTE: Later this day Senate Bill No. 1248 was re-referred to the Committee on Appropriations.)

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of Joint Rule 10.5, the following bill was ordered re-referred to the Committee on Appropriations:

Senate Bill No. 1248.

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

ASSEMBLY BILL NO. 1964 (Diaz)—An act to amend Section 36933 of the Government Code, relating to ordinances.

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—70

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

NOES—1

Hollingsworth

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1964: Assembly Member Matthews, from “Aye” to “Not Voting”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2846 (Frommer)—An act to add Section 3312 to the Government Code, relating to public safety officers.

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—72

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

NOES—None

Above bill ordered enrolled.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Senate Bills Nos. 773 and 1830, and Assembly Bills Nos. 2079 and 425 were continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 3011 (Committee on Budget)—An act relating to appropriations for the support of the government of the State of California for the 2002–03 fiscal year, to take effect immediately as an appropriation for the usual current expenses of the state.

Bill presented by Assembly Member Oropeza.

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—51

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2182 (John Campbell)—An act to add and repeal Section 53601.7 of the Government Code, relating to local government.

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—70

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

NOES—None

Above bill ordered enrolled.

ADJOURN IN MEMORY

Assembly Member Bogh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Knute Dahlstrom, of Beaumont.

(Assembly Rule 45.5 suspended.)

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 1:21 p.m., by unanimous consent, the members of the Committee on Transportation were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room.

At 1:30 p.m., Hon. Wilma Chan, 16th District, presiding

RECESS

By unanimous consent, at 1:34 p.m., Acting Speaker Chan declared the Assembly recessed.

At 2:30 p.m., Hon. Sarah Reyes, 31st District, presiding

RECONVENED

At 2:41 p.m., the Assembly reconvened.

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

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1753 (Migden)—An act to add Chapter 20.5 (commencing with Section 22475) to Division 8 of the Business and Professions Code, relating to magazine distributors.

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

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

NOES—7

Ashburn	Campbell, Bill	Mountjoy	Wyman
Bogh	Hollingsworth	Pacheco, Rod	

Above bill ordered enrolled.

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

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—49

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

NOES—25

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

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 1421 (Romero)—An act to amend Sections 243.4, 261, 286, 288a, and 289 of the Penal Code, relating to crimes.

Bill read third time.

Motion to Amend

Assembly Member Chavez moved the adoption of amendments.

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

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1889, on request of Assembly Member Horton.

REPORTS OF STANDING COMMITTEES**Committee on Transportation**

Date of Hearing: July 1, 2002

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1493

With the recommendation: That Senate amendments be concurred in.

DUTRA, Chairman

Above bill ordered to unfinished business file.

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND
ASSEMBLY RULE 77**

On behalf of Assembly Member Pavley, Assembly Member Firebaugh requested unanimous consent to suspend Assembly Rule 77, to permit consideration of Senate amendments to Assembly Bill No. 1493, without reference to file.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Assembly Rule 77

Assembly Member Firebaugh moved that Assembly Rule 77 be suspended to permit consideration of Senate amendments to Assembly Bill No. 1493, without reference to file.

Parliamentary Inquiry

Assembly Member Bates arose to the following parliamentary inquiry:

Would it not be appropriate to re-refer Assembly Bill No. 1493 to Appropriations Committee for fiscal review?

Reply by Speaker pro Tempore Keeley

The Speaker pro Tempore replied that it is the opinion of the Presiding Officer that the fiscal issues contained in Assembly Bill No. 1493 have been reviewed by the Appropriations Committees of both Houses; the bill was appropriately re-referred to the policy committee for review of amendments added by the Senate; and, that the bill is appropriately before the Body at this time.

Parliamentary Inquiry

Assembly Member Runner arose to the following parliamentary inquiry:

Is it the understanding of the Presiding Officer that Assembly Bill No. 1493 has been heard by the Appropriations Committee?

Reply by Speaker pro Tempore Keeley

The Speaker pro Tempore replied that Assembly Bill No. 1493 is substantially similar to Assembly Bill No. 1058 and such fiscal issues were heard by the Appropriations Committees of both Houses; and further, that Assembly Bill No. 1493 was re-referred to policy committee for review of additional policy amendments added by the Senate.

Parliamentary Inquiry

Assembly Member Bogh arose to the following parliamentary inquiry:

Is the motion before the Body debatable?

Reply by Speaker pro Tempore Keeley

The Speaker pro Tempore replied in the negative.

Further Consideration of Firebaugh Motion

The question being on the Firebaugh motion to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 1493, without reference to file.

Motion for suspension of the rules carried by the following vote:

AYES—42

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

NOES—27

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

Consideration of Senate Amendments to Assembly Bill No. 1493

ASSEMBLY BILL NO. 1493 (Pavley)—An act to amend Section 42823 of, and to add Section 43018.5 to, the Health and Safety Code, relating to air quality.

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.

Motion to Re-refer to Committee

Assembly Member Wyman moved that Assembly Bill No. 1493 be re-referred to the Committee on Natural Resources.

Assembly Member Strickland seconded the motion.

Point of Order

Assembly Member Wayne arose to the following point of order:

The Committee on Natural Resources does not have jurisdiction over matters relative to mobile sources.

Ruling by Speaker pro Tempore Keeley

Speaker pro Tempore Keeley ruled the motion to re-refer out of order inasmuch as the Committee on Natural Resources does not have jurisdiction over the subject matter.

Parliamentary Inquiry

Assembly Member Leonard arose to the following parliamentary inquiry:

Does not the House determine the jurisdiction of the committees, and is not the effect of Assembly Member Wyman's motion to give such jurisdiction to the Committee on Natural Resources?

Reply by Speaker pro Tempore Keeley

The Speaker pro Tempore replied that jurisdiction of the standing committees is determined at the beginning of the legislative session by the Committee on Rules, and that Assembly Member Wyman's motion is not consistent with the adopted guidelines that are established by the Rules Committee with respect to assignment of bills to policy committees.

Point of Order

Assembly Member Leonard arose to the following point of order:

The House has control of the jurisdiction of a committee for a particular bill, and it is in order if the House wishes to override the jurisdiction established by the Rules Committee.

Ruling by Speaker pro Tempore Keeley

The Speaker pro Tempore ruled the point of order well-taken.

Point of Order

Assembly Member Reyes arose to the following point of order:

Assembly Member Mountjoy is not debating the motion before the Body.

Ruling by Speaker pro Tempore Keeley

Speaker pro Tempore Keeley ruled the point of order well-taken.

CAUCUS ANNOUNCEMENTS

At 3:23 p.m., Assembly Member Strickland was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Banes Rules Committee Room.

RECESS

By unanimous consent, at 3:23 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 4:10 p.m., the Assembly reconvened.

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

PARLIAMENTARY INQUIRY

Assembly Member Pescetti arose to the following parliamentary inquiry:

Was the California Climate Registry, referenced in Assembly Bill No. 1493, enacted by legislation by this Body, and is the Registry required to report back to the Natural Resources Committee?

Reply by Speaker pro Tempore Keeley

The Speaker pro Tempore replied that the original bill establishing the California Climate Registry, established the Registry for purposes of reviewing issues relating to stationary sources. Stationary sources are within the purview of the Natural Resources Committee. Mobile sources, which are regulated by the California Air Resources Board, are the purview of the Transportation Committee. The amendments contained in Assembly Bill No. 1493 are relative to expanding the role of the Registry relative to mobile sources, which is exclusively the purview of the Transportation Committee.

Parliamentary Inquiry

Assembly Member Pescetti arose to the following parliamentary inquiry:

Have previous measures dealing with mobile sources as relates to the California Climate Registry been referred to the Committee on Natural Resources; and further, how many bills relating to mobile or stationary sources have not been referred to the Committee on Natural Resources?

Reply by Speaker pro Tempore Keeley

The Speaker pro Tempore replied that it is not the custom and practice of the Presiding Officer to research decades of referrals to committees. The question before the Body is whether or not to re-refer Assembly Bill No. 1493 to the Committee on Natural Resources.

The question being on the Wyman motion to re-refer Assembly Bill No. 1493 to the Committee on Natural Resources.

Wyman motion to re-refer lost by the following vote:

AYES—27

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

NOES—35

Alquist	Correa	Kehoe	Shelley
Aroner	Diaz	Koretz	Steinberg
Calderon	Dutra	Longville	Strom-Martin
Cardoza	Firebaugh	Lowenthal	Thomson
Chan	Goldberg	Migden	Vargas
Chavez	Havice	Nation	Wayne
Chu	Hertzberg	Oropeza	Wiggins
Cohn	Jackson	Pavley	Mr. Speaker
Corbett	Keeley	Salinas	

**Further Consideration of Assembly Bill No. 1493
Request to Read a Paper on the Floor**

Assembly Member Cardoza was granted unanimous consent to read a paper on the Floor of the Assembly.

Point of Order

Assembly Member Cox arose to the following point of order:
There is no order.

Ruling by Speaker pro Tempore Keeley

The Speaker pro Tempore ruled the point of order well-taken.
The question being on concurrence in Senate amendments.
The roll was opened.

Call of the Assembly

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

Motion carried. Time, 5:25 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 CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1493**

At 5:28 p.m., on motion of Assembly Member Briggs, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1493 by the following vote:

AYES—41

Aalquist	Firebaugh	Lowenthal	Steinberg
Aroner	Frommer	Migden	Strom-Martin
Calderon	Goldberg	Nakano	Thomson
Cardenas	Havice	Nation	Vargas
Cardoza	Hertzberg	Negrete McLeod	Washington
Chan	Jackson	Oropeza	Wayne
Chavez	Keeley	Papan	Wiggins
Chu	Kehoe	Pavley	Mr. Speaker
Cohn	Koretz	Salinas	
Corbett	Liu	Shelley	
Diaz	Longville	Simitian	

NOES—30

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

**Motion to Reconsider Assembly Bill No. 1493
on Next Legislative Day**

Assembly Member Wyman moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Bill No. 1493 were this day concurred in.

Motion to Immediately Take Up Motion to Reconsider Vote

Assembly Member Firebaugh moved to immediately take up on this day the motion to reconsider the vote on Assembly Bill No. 1493.

Assembly Member Chan seconded the motion.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 5:41 p.m.

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

Parliamentary Inquiry

Assembly Member Wyman arose to the following parliamentary inquiry:

Is the vote before the body debatable?

Reply by Speaker pro Tempore Keeley

The House is in the process of Dispensing with the Call of the Assembly on the question of immediately taking up the motion to reconsider the vote whereby Senate amendments to Assembly Bill No. 1493 were concurred in. This is a procedural motion and is not debatable.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON FIREBAUGH MOTION TO IMMEDIATELY TAKE UP
MOTION TO RECONSIDER AS IT RELATES TO ASSEMBLY BILL NO. 1493**

At 5:42 p.m., in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Firebaugh motion to immediately take up the Wyman motion to reconsider the vote whereby Senate amendments to Assembly Bill No. 1493 were concurred in, carried by the following vote:

AYES—41

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

NOES—28

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

Motion to Reconsider Assembly Bill No. 1493

Assembly Member Wyman moved that the vote be reconsidered whereby Senate amendments to Assembly Bill No. 1493 were this day concurred in.

Motion to Continue Motion to Reconsider

Assembly Member Robert Pacheco moved to continue the Wyman motion to reconsider the vote as it relates to Assembly Bill No. 1493.

Motion Ruled Out of Order

Speaker pro Tempore Keeley ruled the motion out of order as the motion to reconsider is before the Body at this time, and is of a higher precedence.

Point of Information

Assembly Member Cardoza arose to the following point of information:

Is it not true that a measure pending concurrence in Senate amendments cannot be amended?

Reply by Speaker pro Tempore Keeley

Speaker pro Tempore Keeley replied in the affirmative.

Point of Information

Assembly Member Wright arose to the following point of information:

A measure pending concurrence in Senate amendments may be returned to the Senate and may be amended.

Reply by Speaker pro Tempore Keeley

Speaker pro Tempore Keeley replied that a measure pending concurrence in Senate amendments may not be amended; if the measure is returned to the Senate, it ceases to be a concurrence item, and may be amended on the Senate third reading file.

Point of Order

Assembly Member Kehoe arose to the following point of order:
Assembly Member Wyman is not debating the motion before the Body.

Ruling by Speaker pro Tempore Keeley

Speaker pro Tempore Keeley ruled the point of order well-taken.

**Further Consideration of Wyman Motion to Reconsider
Assembly Bill No. 1493**

The question being on the Wyman motion to reconsider the vote whereby Senate amendments to Assembly Bill No. 1493 were this day concurred in.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 6:08 p.m.

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

Motion to Dispense with Call of the Assembly

Assembly Member Rod Pacheco moved that the Call of the Assembly be dispensed with.

**Call of the Assembly Dispensed with on
Wyman Motion to Reconsider Assembly Bill No. 1493**

In the absence of objection, further proceedings under the call of the Assembly were dispensed with.

The Wyman motion to reconsider the vote whereby Senate amendments to Assembly Bill No. 1943 were concurred in, lost by the following vote:

AYES—26

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

NOES—31

Alquist	Firebaugh	Longville	Steinberg
Aroner	Frommer	Migden	Strom-Martin
Cardenas	Goldberg	Nakano	Vargas
Cardoza	Hertzberg	Nation	Washington
Chan	Horton	Negrete McLeod	Wayne
Chu	Keeley	Oropeza	Wiggins
Cohn	Kehoe	Pavley	Mr. Speaker
Dutra	Koretz	Shelley	

Above bill ordered transmitted to Engrossing and Enrolling immediately.

ASSEMBLY BILL NO. 2926 WITHDRAWN FROM ENROLLMENT

On behalf of Assembly Member Longville, Assembly Member Firebaugh was granted unanimous consent that Assembly Bill No. 2926 be withdrawn from enrollment.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Wiggins announced that the Committee on Local Government would meet on Tuesday, July 2, 2002 at 1:30 p.m.

Assembly Member Longville announced that the Committee on Elections, Reapportionment and Constitutional Amendments would meet on Tuesday, July 2, 2002, at 1 p.m.

ADJOURN IN MEMORY

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 Jay Buchbinder, of Huntington Beach.

Assembly Member Cárdenas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jessie Lizarraga, of Pacoima.

Assembly Member Daucher was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joe Drlik, of Orange County.

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Roy Russell Talamantez, of San Diego.

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 Gregory Matthew Visokey, of Lake Forrest.

Assembly Member Strickland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Voja Vujicic, of Redondo Beach.

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. 1964, Concurrence: Briggs, Cardenas, Dickerson, Frommer, Horton, Jackson, Mountjoy, Nakano, Rod Pacheco, Papan, Shelley, and Wright—Aye; Hollingsworth—No.

Assembly Bill No. 2846, Concurrence: Cardenas, Florez, Horton, Rod Pacheco, Papan, Shelley, and Wright—Aye.

Assembly Bill No. 3011, Concurrence: Bates, Cardenas, Horton, and Rod Pacheco—Aye.

Assembly Bill No. 2182, Concurrence: Aanestad, Bates, Cardenas, Chu, Corbett, Hollingsworth, Horton, Koretz, Mountjoy, Rod Pacheco, and Salinas—Aye.

Assembly Bill No. 1753, Concurrence: Bates, Briggs, Correa, Daucher, Dickerson, Kelley, Koretz, Nation, Papan, Washington, and Wyland—Aye.

Assembly Bill No. 1912, Concurrence: Correa, Frommer, Koretz, Nakano, and Papan—Aye; Briggs, Dickerson, Kelley, and Wyland—No.

Assembly Bill No. 1493, Firebaugh Motion to Suspend Rules: Papan—Aye.

MOTION TO ADJOURN

At 6:14 p.m., Assembly Member Wyman moved that the Assembly do now adjourn.

Assembly Member Wayne seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 6:14 p.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

Governor's Office, Sacramento
July 1, 2002

To the Members of the Assembly:

AB 3011, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of AB 3011 as an emergency measure.

Sincerely, GRAY DAVIS

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 1, 2002

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

Assembly Bill No. 3011

And reports the same correctly enrolled, and presented to the Governor on the 1st day of July, 2002, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 6:14 p.m., pursuant to the motion by Assembly Member Wyman, the Assembly adjourned until 7 a.m., Tuesday, July 2, 2002, out of respect to the memory of Jeanne Bently, on motion of Assembly Member Frommer; out of respect to the memory of Kimber Reynolds, on motion of Assembly Member Briggs; out of respect to the memory of Jay Buchbinder, on motion of Assembly Member Bill Campbell; out of respect to the memory of Gregory Matthew Visokey, on motion of Assembly Member Runner; out of respect to the memory of Joe Drlik, on motion of Assembly Member Daucher; out of respect to the memory of Voja Vujicic, on motion of Assembly Member Strickland; out of respect to the memory of Knute Dahlstrom, on motion of Assembly Member Bogh; out of respect to the memory of Roy Russell Talamantez, on motion of Assembly Member Frommer; and out of respect to the memory of Jessie Lizarraga, on motion of Assembly Member Cárdenas.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 1, 2002**

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

SB	RN	
1421	0213845	
1727	0213777	
1736	0214025	
1773	0214141	
1809	0213807	
Daily Total:		5
Cumulative Total:		5692

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