

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, August 27, 2002

**TWO HUNDRED FIFTY-SEVENTH SESSION DAY
SIX HUNDRED THIRTY-SECOND 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
Tuesday, August 27, 2002

The Assembly met at 10 a.m.
Hon. Fred Keeley, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Ryan Adame reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Cohn moved a quorum call of the Assembly.
Motion carried. Time, 10:01 a.m.

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

Quorum Present

At 10:13 a.m., Speaker pro Tempore Keeley declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—80:

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

PRAYER

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Alternate Chaplain Rev. Constantine C. Pappademos:

O God of Our Salvation, All things are Yours. We offer our whole heart and all our mind when we worship You. Yet we do not serve You as we should, and the world is racked by all the tensions and conflicts that come from the worship of other gods. If our faith is not set firmly in You, then even our goodwill towards men has no foundation and we try to heal deep wounds with superficial cures. Father, when we stray from You, forgive us. And help us to love one another as You have loved us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member Dickerson then led the Assembly in the pledge of allegiance to the Flag.

At 10:15 a.m., Hon. Bill Leonard, 63rd District, presiding

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Firebaugh, seconded by Assembly Member Cogdill.

COMMUNICATIONS

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

August 27, 2002

E. Dotson Wilson

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

Dear Dotson: This is to advise you that I have appointed Assemblymember Dion Aroner to fill the vacancy on the Assembly Judiciary Committee for the hearings on Tuesday, August 27 and Wednesday, August 28, only.

Sincerely,

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

MESSAGES FROM THE SENATE

Senate Chamber, August 21, 2002

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Burton, Alarcón and Brulte as a Committee on Conference concerning:

Assembly Bill No. 716.

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

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

Pursuant to Assembly Rule 77.2, Acting Speaker Leonard re-referred the following Assembly bills to committees as noted:

Assembly Bill No. 791, to the Committee on Environmental Safety and Toxic Materials;

Assembly Bill No. 1227, to the Committee on Education.

**CONSIDERATION OF DAILY 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. 192, 1453, 1464, 1828, 1714, 1653, 1695, 1478, and 1934, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 1551—An act relating to the state militia, and making an appropriation therefor.

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.

SENATE BILL NO. 2083—An act to add Article 2.5 (commencing with Section 44441) to Chapter 3 of Part 25 of, Article 2.2 (commencing with Section 51215) to Chapter 2 of Part 28 of, and Chapter 6 (commencing with Section 430) to Part 1 of, the Education Code, relating to public schools, and making an appropriation therefor.

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.

SENATE BILL NO. 371—An act to add Chapter 7.5 (commencing with Section 71800) to Title 8 of the Government Code, relating to courts.

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.

SENATE BILL NO. 2064—An act to amend Section 3546 of, and to add Section 3546.7 to, the Government Code, relating to public school employment.

Bill read second time; amendments proposed by the Committee on Public Employees, Retirement and Social Security read and adopted, bill ordered reprinted and to be returned to the second reading file.

SENATE BILL NO. 953—An act to add Sections 2915.5, 2915.7, 4980.39, 4980.395, 4996.25, and 4996.26 to, and to add Article 14 (commencing with Section 860) to Chapter 1 of Division 2 of, the Business and Professions Code, to add Article 6 (commencing with Section 51280) to Chapter 2 of Part 28 of Division 4 of Title 2 of, and to add Article 9 (commencing with Section 66085) to Chapter 2 of Part 40 of Division 5 of Title 3 of, the Education Code, to add Article 6 (commencing with Section 9910) to Chapter 2 of Part 1 of Division 3 of the Unemployment Insurance Code, to add Article 3 (commencing with Section 9118) to Chapter 2 of Division 8.5 of, to add Article 4 (commencing with Section 9120) to Chapter 2 of Division 8.5 of, to add Article 4 (commencing with Section 9685) to Chapter 10.5 of Division 8.5 of, to add Article 5 (commencing with Section 9687) to Chapter 10.5 of Division 8.5 of, and to add Chapter 3.5 (commencing with Section 9250) to Division 8.5 of, the Welfare and Instructions Code, relating to aging.

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.

SENATE BILL NO. 842—An act to amend Sections 1367.215, 1367.24, 1367.25, 1367.45, 1367.51, and 1374.72 of, and to add Section 1342.7 to, the Health and Safety Code, relating to health care.

Bill read second time; amendments proposed by the Committee on Health read and adopted, bill ordered reprinted and to be returned to the second reading file.

CONSIDERATION OF SENATE BILL NO. 1911 BY UNANIMOUS CONSENT

Assembly Member Goldberg was granted unanimous consent to take up Senate Bill No. 1911 out of order, for purpose of amendment.

SENATE BILL NO. 1911 (Ortiz)—An act relating to mental health.

Bill read third time.

Motion to Amend

Assembly Member Goldberg moved the adoption of amendments.

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

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

SENATE BILL NO. 1896 (Peace)—An act to amend Sections 170004, 170010, 170012, 170016 170018, 170024, 170026, 170038, 170048, 170052, 170056, 170058, 170062, 170064, 170068, 170070, 170072, 170076, 170078, 170082, and 170084 of, to repeal Sections 170058.5, 170059, and 170080 of, and to repeal and add Sections 170060 and 170066 of, the Public Utilities Code, relating to airports, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Wayne moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members Cogdill, Wayne, and Dickerson, demanded a roll call.

The roll was called, and the Wayne amendments adopted by the following vote:

AYES—52

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

NOES—23

Aanestad	Campbell, John	Leach	Pacheco, Rod
Ashburn	Cogdill	Leonard	Pescetti
Bates	Cox	Leslie	Richman
Bogh	Dickerson	Maddox	Strickland
Briggs	Harman	Mountjoy	Wyman
Campbell, Bill	Hollingsworth	Pacheco, Robert	

Vote Changes

By unanimous consent, the following vote change was permitted on amendments offered by Assembly Member Wayne to Senate Bill No. 1896: Assembly Member La Suer, from “No” to “Aye”.

Bill ordered reprinted and to be returned to the third reading file.

SENATE BILL NO. 460 (Ortiz)—An act to amend Section 1941.1 of the Civil Code, and to amend Sections 17961, 17980, and 124130 of, and to add Sections 17920.10, 105251, 105252, 105253, 105254, 105255, 105256, and 105257 to, the Health and Safety Code, relating to lead abatement.

Bill read third time.

Motion to Amend

Assembly Member Lowenthal moved the adoption of amendments.

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

SENATE BILL NO. 1590 (Karnette)—An act to amend Sections 1656.2, 12517.1, 13369, 16000, 16000.1, 16075, 16251, 16377, 16430, and 16434 of the Vehicle Code, relating to motor vehicles.

Bill read third time.

Motion to Amend

Assembly Member Dutra moved the adoption of amendments.

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

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 1590 was read a third time, amendments to the bill read and adopted; and the bill ordered reprinted and returned to the third reading file. See page 8220.)

SENATE BILL NO. 1730 (Bowen)—An act to amend Sections 1785.11.1, 1785.11.2, 1785.11.6, and 1798.85 of the Civil Code, relating to personal information.

Bill read third time.

Motion to Amend

Assembly Member Wayne moved the adoption of amendments.

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

At 10:29 a.m., Hon. Richard Dickerson, 2nd District, presiding

SENATE BILL NO. 1970 (Romero)—An act to amend Sections 114710, 114990, and 115060 of, to add Sections 25203.5 and 25203.6 to, and to add Chapter 10 (commencing with Section 115300) to Part 9 of Division 104 of, the Health and Safety Code, and to add Section 43022.5 to the Public Resources Code, relating to radiation.

Bill read third time.

Motion to Amend

Assembly Member Keeley moved the adoption of amendments.

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

SENATE BILL NO. 1536 (Soto)—An act to amend Sections 22778, 22810, 22825.7, 22832, 22840.2, 22842, 22852, 22854, 22856, 22859, and 22891 of, to add Sections 20090.1, 22780, and 22791.5 to, and to repeal and add Sections 22794 and 22840 of, the Government Code, relating to public employees' medical benefits, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Assembly Member Keeley moved the adoption of amendments.

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

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 1536 was read a third time, amendments to the bill read and adopted; and the bill ordered reprinted. See page 8237.)

**At 10:32 a.m., Assistant Speaker pro Tempore Kehoe,
76th District, presiding**

SENATE BILL NO. 489 (Romero)—An act to amend Section 25112.5 of, and to add Article 6.6 (commencing with Section 25169.5) to Chapter 6.5 of Division 20 of, the Health and Safety Code, relating to hazardous waste.

Bill read third time.

Motion to Amend

Assembly Member Jackson moved the adoption of amendments.

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

SENATE BILL NO. 1413 (Chesbro)—An act to amend Section 14087.325 of, and to add Section 14132.100 to, the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time.

Motion to Amend

Assembly Member Chu moved the adoption of amendments.

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

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

ASSEMBLY BILL NO. 666 (Dutra)—An act to add and repeal Section 14038.4 to the Government 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—74

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

NOES—3

Briggs	Mountjoy	Pacheco, Rod
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Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 666: Assembly Member La Suer, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 879 (Keeley)—An act to amend and repeal Section 9250.19 of the Vehicle Code, relating to vehicle registration fees, and making an appropriation therefor.

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

NOES—6

Briggs	Hollingsworth	Mountjoy
Campbell, John	Leonard	Wyman

Above bill ordered enrolled.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 2594

Assembly Member Longville was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 2594; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on August 16, 2002 (Assembly Journal, page 7705); and that the bill be held at the Desk.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 2010 (Alpert)—An act relating to discount health programs.
Bill read third time.

Motion to Amend

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

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

Pursuant to Assembly Rule 77.2, Assistant Speaker pro Tempore Kehoe re-referred Senate Bill No. 2010 to the Committee on Housing and Community Development.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bills were withdrawn from the inactive file, and placed upon the third reading file.

Senate Bill No. 646, on request of Assembly Member Aroner;
Senate Bill No. 523, on request of Assembly Member Wayne.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY JOINT RESOLUTION NO. 60 (Goldberg)—Relative to the Kumeyaay Nation.

Resolution read, and adopted by the following vote:

AYES—64

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

NOES—11

Aanestad	Campbell, John	Leach	Wyland
Ashburn	Cox	Mountjoy	Wyman
Campbell, Bill	La Suer	Runner	

Resolution ordered transmitted to the Senate immediately.

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

ASSEMBLY BILL NO. 1825 (Nakano)—An act to add Sections 89519.5 and 92611.5 to the Education Code, and to add Section 19991.11 to the Government Code, relating to public employment.

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—66

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

NOES—9

Aanestad	Hollingsworth	Mountjoy
Ashburn	La Suer	Pacheco, Rod
Campbell, Bill	Leach	Pescetti

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 1241 (Figueroa)—An act to amend Sections 7583.2, 7583.3, 7583.8, 7583.9, and 7583.17 of, and to repeal Sections 7583.11 and 7583.43 of, the Business and Professions Code, relating to private security services.

Bill read third time.

Motion to Amend

Assembly Member Correa 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:

Senate Bill No. 1916, on request of Assembly Member Wayne.

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

ASSEMBLY BILL NO. 381 (Salinas)—An act 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.

Call of the Assembly

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

Motion carried. Time, 11 a.m.

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

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 1755 (Soto)—An act to add Sections 31149.7 and 71663.5 to the Water Code, relating to electric power.

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

Bill passed by the following vote:

AYES—79

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

NOES—1

Canciamilla

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1164 (Sher)—An act to amend Section 30353 of the Public Resources Code, relating to local coastal programs.

Bill read third time.

Motion to Amend

Assembly Member Nation moved the adoption of amendments.

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

REQUEST TO RE-REFER ASSEMBLY JOINT RESOLUTION NO. 51

Assembly Member Richman requested unanimous consent to re-refer Assembly Joint Resolution No. 51 from the Committee on Public Safety to the Committee on Rules.

Assembly Member Vargas withheld unanimous consent.

Motion by Assembly Member Richman

Assembly Member Richman moved that Assembly Joint Resolution No. 51 be re-referred from the Committee on Public Safety to the Committee on Rules.

Assembly Member Maldonado seconded the motion.

Point of Order

Assembly Member Firebaugh arose to the following point of order: Assembly Member Richman is not limiting debate to the propriety of the motion.

Ruling by Assistant Speaker pro Tempore Kehoe

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

Point of Order

Assembly Member Firebaugh arose to the following point of order: Assembly Member La Suer is not limiting debate to the propriety of the motion.

Ruling by Assistant Speaker pro Tempore Kehoe

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

Parliamentary Inquiry

Assembly Member Runner arose to the following parliamentary inquiry:

What is the possibility of introducing a resolution at this stage of the legislative session, and if so, would rule waivers be required to set a resolution for hearing?

Reply by Assistant Speaker pro Tempore Kehoe

Speaker pro Tempore Keeley replied that a resolution is not subject to the same limitations and 30-day print requirement as a bill; however, the limitation of committee deadlines would still apply.

Parliamentary Inquiry

Assembly Member Runner arose to the following parliamentary inquiry:

Would Rules suspensions be required to take up the resolution on the Floor?

Reply by Assistant Speaker pro Tempore Kehoe

Assistant Speaker pro Tempore Kehoe replied that a resolution could be introduced and would then be subject to the Rules Committee process for referring bills.

Further Consideration of Richman Motion

The question being on the Richman motion to re-refer Assembly Joint Resolution No. 51 from the Committee on Public Safety to the Committee on Rules.

Richman motion lost by the following vote:

AYES—34

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

NOES—27

Alquist	Dutra	Longville	Steinberg
Calderon	Firebaugh	Mathews	Strom-Martin
Cardenas	Goldberg	Migden	Washington
Cedillo	Havice	Nation	Wiggins
Chan	Hertzberg	Negrete McLeod	Wright
Chavez	Keeley	Oropeza	Mr. Speaker
Chu	Liu	Salinas	

Vote Changes

By unanimous consent, the following vote change was permitted on the motion to Motion to Re-refer: Assembly Member Pavley, from “No” to “Not Voting”.

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

SENATE BILL NO. 796 (Costa)—An act to amend Sections 185020 and 185034 of, and to add Section 185038 to, the Public Utilities Code, relating to transportation.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:32 p.m.

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

SENATE BILL NO. 1093 (Costa)—An act to amend Section 10631 of the Water Code, relating to water supply.

Bill read third time.

Motion to Amend

Assembly Member Florez moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

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

Pursuant to Assembly Rule 77.2, the Assistant Speaker pro Tempore re-referred Senate Bill No. 1093 to the Committee on Environmental Safety and Toxic Materials.

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

SENATE BILL NO. 1427 (Escutia)—An act to amend Sections 11629.71, 11629.72, 11629.73, 11629.76, 11629.84, 11629.91, 11629.92, 11629.93, 11629.96, and 11629.995 of, and to add Sections 11629.745, 11629.85, 11629.945, and 11629.999 to, the Insurance Code, and to amend Section 16056.1 of the Vehicle Code, relating to insurance.

Bill read third time.

Motion to Amend

Assembly Member Vargas moved the adoption of amendments.

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

At 11:34 a.m., Speaker pro Tempore Keeley, 27th District, presiding

SENATE BILL NO. 827 (Perata)—An act to add Chapter 3.31 (commencing with Section 1596.51) to Division 2 of the Health and Safety Code, relating to health.

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

Bill passed by the following vote:

AYES—76

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

NOES—4

Ashburn	Campbell, John	Hollingsworth	Pacheco, Rod
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Bill ordered transmitted to the Senate.

SENATE BILL NO. 1384 (Costa)—An act to add Section 21100.7 to the Water Code, relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—80

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

NOES—None

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

AYES—80

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

NOES—None

Bill ordered transmitted to the Senate.

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 1384 was read a third time, the urgency clause read and adopted, and the bill passed, and ordered transmitted to the Senate. See page 8220.)

SENATE BILL NO. 1951 (Figueroa)—An act to amend Sections 4928, 4929, 4933, 4934, 4935, 4955, and 4977.2 of, and to add Sections 4934.1, 4934.2, 4955.1, 4955.2, and 4960.2 to, the Business and Professions Code, relating to professional boards, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—80

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 398 (Chesbro)—An act to add Section 1375.3 to the Health and Safety Code, relating to health care service plans.

Bill read third time.

Motion to Amend

Assembly Member Wiggins moved the adoption of amendments.

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

SENATE BILL NO. 1954 (Figueroa)—An act to amend Section 473.15 of the Business and Professions Code, relating to healing arts.

Bill read third time.

Motion to Amend

Assembly Member Wiggins moved the adoption of amendments.

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

SENATE BILL NO. 1654 (Burton)—An act to add Article 5 (commencing with Section 12050) to Division 3 of Title 2 of the Government Code, relating to the Governor.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:42 a.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. 381**

At 11:42 a.m., on motion of Assembly Member Salinas, 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. 381 by the following vote:

AYES—53

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

NOES—27

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

Above bill ordered enrolled.

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

SENATE BILL NO. 1350 (McPherson)—An act to add Sections 8588.10 and 8588.11 to the Government Code, to add Sections 1797.116 and 13159.1 to the Health and Safety Code, and to add Section 13519.12 to the Penal Code, relating to emergency services, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—80

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

NOES—None

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

AYES—80

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1135 (Polanco)—An act to amend add Section 1639.01 to the Health and Safety Code, relating to tissue banks.

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

Bill passed by the following vote:

AYES—56

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

NOES—24

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 2008 (Speier)—An act to add and repeal Article 8.3 (commencing with Section 69660) of Chapter 2 of Part 42 of the Education Code, relating to nursing.

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

Bill passed by the following vote:

AYES—71

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

NOES—7

Ashburn	Hollingsworth	Mountjoy	Runner
Campbell, John	La Suer	Pacheco, Rod	

Bill ordered transmitted to the Senate.

CAUCUS ANNOUNCEMENTS

At 11:49 a.m., by unanimous consent, the Democratic Caucus was permitted to meet in the Assembly Lounge, and the Republican Caucus was permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 11:50 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 1:20 p.m., the Assembly reconvened.

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

MESSAGES FROM THE SENATE

August 27, 2002

Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber

Dear Dotson: By direction of the Senate I am returning Senate Bill No. 2028 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

August 27, 2002

Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber

Dear Dotson: By direction of the Senate I am returning Senate Bill No. 1957 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

August 27, 2002

Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber

Dear Dotson: The Senate this day rescinded the action whereby it concurred in Assembly amendments to Senate Bill No. 1944. The Senate then ordered the bill returned to the Assembly.

Sincerely,

GREGORY SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

MESSAGES FROM THE GOVERNOR

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

Governor's Office, Sacramento
August 27, 2002

To the Members of the Assembly:

AB 57, 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 57 as an emergency measure.

Sincerely,

GRAY DAVIS

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 27, 2002

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 57

And reports the same correctly enrolled, and presented to the Governor on the 27th day of August, 2002, at 11:45 a.m.

E. DOTSON WILSON, Chief Clerk

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: August 27, 2002

Mr. Speaker: Your Committee on Rules reports:
House Resolution No. 93

With the recommendation: Be adopted, as amended.

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: August 27, 2002

Mr. Speaker: Your Committee on Rules reports:
House Resolution No. 90

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: August 27, 2002

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 250

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: August 27, 2002

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 249

Assembly Concurrent Resolution No. 251

With the recommendation: Be adopted.

NATION, Chairman

Above resolutions ordered to third reading.

Date of Hearing: August 27, 2002

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 92

With the recommendation: Be adopted.

NATION, Chairman

Above resolution ordered to third reading.

Date of Hearing: August 27, 2002

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 246

Assembly Concurrent Resolution No. 247

Assembly Concurrent Resolution No. 248

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 resolutions be placed on the Consent Calendar.

NATION, Chairman

Above resolutions ordered to Consent Calendar.

Date of Hearing: August 27, 2002

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 104

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: August 27, 2002

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 99

Senate Concurrent Resolution No. 103

With the recommendation: Be adopted.

NATION, Chairman

Above resolutions ordered to third reading.

Date of Hearing: August 27, 2002

Mr. Speaker: Your Committee on Rules reports:

Senate Joint Resolution No. 51

With the recommendation: Be adopted.

NATION, Chairman

Above resolution ordered to third reading.

Committee on Water, Parks and Wildlife

Date of Hearing: August 27, 2002

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

Senate Bill No. 482

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

CANCIAMILLA, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: August 27, 2002

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:
Senate Bill No. 1622

With the recommendation: Do pass.

CANCIAMILLA, Chairman

Above bill ordered to second reading.

Committee on Insurance

Date of Hearing: August 26, 2002

Mr. Speaker: Your Committee on Insurance reports:
Senate Bill No. 689

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

CALDERON, Chairman

Above bill re-referred to the Committee on Appropriations.

Committee on Health

Date of Hearing: August 22, 2002

Mr. Speaker: Your Committee on Health reports:
Senate Bill No. 1278

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

THOMSON, Chairwoman

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: August 22, 2002

Mr. Speaker: Your Committee on Appropriations reports:
Senate Bill No. 240
Senate Bill No. 737
Senate Bill No. 1868

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

STEINBERG, Chairman

Above bills ordered to second reading.

Committee on Higher Education

Date of Hearing: August 26, 2002

Mr. Speaker: Your Committee on Higher Education reports:
Assembly Bill No. 1342

With the recommendation: That the Senate amendments be concurred in.

ALQUIST, Chairwoman

Above bill ordered to unfinished business.

Committee on Education

Date of Hearing: August 26, 2002

Mr. Speaker: Your Committee on Education reports:
Assembly Bill No. 320
Assembly Bill No. 1795

With the recommendation: That the Senate amendments be concurred in.

STROM-MARTIN, Chairwoman

Above bills ordered to unfinished business.

Committee on Local Government

Date of Hearing: August 27, 2002

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1163

With the recommendation: That the Senate amendments be concurred in.

WIGGINS, Chairwoman

Above bill ordered to unfinished business.

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

Pursuant to Assembly Rule 77.2, Assistant Speaker pro Tempore Kehoe re-referred Assembly Bill No. 791 to the Committee on Agriculture.

(NOTE: Also re-referred to Committee on Environmental Safety and Toxic Materials earlier this day.)

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of Joint Rule 10.5, and Assembly Rule 77.2, the following bills were ordered re-referred to the Committee on Appropriations:

Senate Bill No. 1858 and **Senate Concurrent Resolution No. 89.**

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 1:21 p.m., by unanimous consent, the members of the Committee on Natural Resources were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continued in Floor session.

REQUEST FOR PHOTOGRAPHER

Assembly Member Leslie was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

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

SENATE BILL NO. 1665 (Polanco)—An act to amend Sections 52052, 52054, 60605, 60640, 60810, and 60811 of, and to add Chapter 6 (commencing with Section 450) to Part 1 of, the Education Code, relating to pupils.

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

Request to Read Paper

Assembly Member Bill Campbell was granted unanimous consent to read a paper on the Floor.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—49

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	Wiggins
Chavez	Jackson	Papan	Wright
Chu	Keeley	Pavley	Mr. Speaker
Cohn	Kehoe	Reyes	
Corbett	Koretz	Salinas	
Correa	Liu	Shelley	

NOES—30

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 533 (Chesbro)—An act to add Section 4418.4 to the Welfare and Institutions Code, relating to regional centers for the developmentally disabled.

Bill read third time.

Motion to Amend

Assembly Member Aroner moved the adoption of amendments.

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

SENATE BILL NO. 1614 (Speier)—An act to amend Section 102230 of, and to add Sections 102231 and 102232 to, the Health and Safety Code, relating to public records.

Bill read third time.

Motion to Amend

Assembly Member Aroner moved the adoption of amendments.

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

SENATE BILL NO. 336 (Ortiz)—An act to add Section 12693.705 to the Insurance Code, and to amend Section 14008.85 of, and to amend, repeal, and add Section 14011 of, of the Welfare and Institutions Code, relating to health care.

Bill read third time.

Motion to Amend

Assembly Member Aroner moved the adoption of amendments.

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

SENATE BILL NO. 1630 (Chesbro)—An act to amend Section 11019 of the Government Code, and to amend Sections 4433.5, 4474.1, 4520, 4521, 4521.5, 4522, 4523, 4525, 4530, 4535, 4540, 4550, 4551, 4552, 4561, 4564, 4565, 4567, 4568, 4691, and 4712 of, to amend the heading of Article 7 (commencing with Section 4550) of Chapter 2 of Division 4.5 of, to add Sections 4521.6, 4552.5, and 4555 to, to add Article 6 (commencing with Section 4543) to Chapter 2 of, to repeal Sections 4542 and 4554 of, to repeal and add Sections 4553, 4562, and 4563 of, and to repeal and add Chapter 4 (commencing with Section 4570) of, Division 4.5 of, the Welfare and Institutions Code, relating to services for the developmentally disabled, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—80

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1175 (Soto)—An act to add Section 3563.4 to the Government Code, relating to higher education labor relations.

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

Bill passed by the following vote:

AYES—47

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

NOES—30

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 390 (Escutia)—An act to amend Section 8206.1 of the Education Code, relating to child care and development programs.

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

Bill passed by the following vote:

AYES—49

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

NOES—30

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1447 (Chesbro)—An act to amend Sections 11218, 11219, 11758.42, and 11758.46 of the Health and Safety Code, relating to controlled substances.

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

Bill passed by the following vote:

AYES—54

Aanestad	Daucher	Leonard	Salinas
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
Cedillo	Havice	Nation	Washington
Chan	Hertzberg	Negrete McLeod	Wayne
Chavez	Horton	Oropeza	Wiggins
Chu	Jackson	Papan	Wright
Cogdill	Keeley	Pavley	Mr. Speaker
Cohn	Kehoe	Reyes	
Corbett	Koretz	Richman	

NOES—25

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 92 (Torlakson)—An act to add Section 42238.75 to the Education Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—79

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

NOES—1

Pacheco, Rod

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—79

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

NOES—1

Pacheco, Rod

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1677 (Alpert)—An act to amend Section 56028 of the Education Code, to amend Section 7579.5 of the Government Code, and to amend Sections 358.1, 366, 366.1, 366.3, 706.5, and 727.2 of the Welfare and Institutions Code, relating to children.

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

Bill passed by the following vote:

AYES—80

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1287 (Alarcon)—An act to amend Sections 11417, 11418.5, and 11419 of the Penal Code, relating to weapons of mass destruction, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—80

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—80

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 339 (Ortiz)—An act to amend Section 1336.2 of the Health and Safety Code, relating to care facilities.

Bill read third time.

Motion to Amend

Assembly Member Robert Pacheco moved the adoption of amendments.

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

SENATE BILL NO. 174 (Kuehl)—An act to amend Sections 3176, 3183, and 3184 of, and to add Section 3188 to, the Family Code, relating to mediation.

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

Bill passed by the following vote:

AYES—79

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

NOES—1

Pacheco, Rod

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 2783 (Strom-Martin)—An act to amend Sections 7380 and 7381 of, to add Section 7382 to, and to repeal Article 6 (commencing with Section 7380) of Chapter 2 of Division 6 of, the Fish and Game Code, and to add Article 5 (commencing with Section 18741) to Chapter 3 of Part 10.2 of the Revenue and Taxation Code, relating to fish and game.

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—79

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

NOES—1

Leonard

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 1656 (Scott)—An act to amend Sections 44346, 44425, and 44940 of, and to add Section 44242.6 to, the Education Code, relating to teacher credentialing, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—80

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—80

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1078 (Sher)—An act to add Sections 387, 390.1, and 399.25 to, and to add Article 16 (commencing with Section 399.11 to Chapter 2.3 of Part 1 of Division 1 of, the Public Utilities Code, relating to renewable energy.

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

Bill passed by the following vote:

AYES—58

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

NOES—21

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

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 1078: Assembly Member Bill Campbell, from “No” to “Aye”.

Bill ordered transmitted to the Senate:

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 1078 was passed, and whereby the bill was ordered transmitted to the Senate. See page 8244.)

SENATE BILL NO. 783 (Escutia)—An act to amend Sections 1102.5 and 1106 of, and to add Sections 1102.6, 1102.7, and 1102.8 to, the Labor Code, relating to whistleblowers.

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

Bill passed by the following vote:

AYES—47

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

NOES—27

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1778 (Dunn)—An act to amend Sections 18021.7, 18029.3, 18029.6, and 18035.2 of the Health and Safety Code, relating to mobilehomes and manufactured homes, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—60

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

NOES—19

Aanestad	Campbell, John	Leonard	Pescetti
Ashburn	Cox	Leslie	Runner
Bogh	Hollingsworth	Mountjoy	Strickland
Briggs	La Suer	Pacheco, Robert	Wyman
Campbell, Bill	Leach	Pacheco, Rod	

Bill ordered transmitted to the Senate.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Koretz announced that the Committee on Labor and Employment would meet today at 3 p.m.

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

SENATE BILL NO. 1955 (Figueroa)—An act to amend Sections 800, 1648.20, 2460, 2475, 2486, 2496, 2499.5, 2602, 2607.5, 2620.7, 2660, 2684, 3010, 3013, 3014.5, 3710, 3716, 3717, 3718, 3735.3, 3740, 3750.5, 3753.1, 3758.6, 3761, 3770, 3774, 3777, 6710, 6714, 8710, and 22253 of, to add Sections 450.2, 453, 2660.2, 2661.6, 3010.1, 3014.6, 3025.6, 3751.1, 3766, 3767, 3768, and 22253.2 to, and to repeal Sections 3712.5, 3750.6, and 3775.1 of, the Business and Professions Code, and to amend Section 123105 of the Health and Safety Code, relating to professions and vocations, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Assembly Member Correa moved the adoption of amendments.

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

SENATE BILL NO. 898 (Perata)—An act to amend and repeal Section 1789.33 of, and to amend, repeal, and add Sections 1789.31 and 1789.35 of, the Civil Code, to amend Section 25604 of the Corporations Code, and to amend, repeal, and add Section 22050 of, and to add Division 10 (commencing with Section 23000) to, the Financial Code, relating to deferred deposit transactions.

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

Bill passed by the following vote:

AYES—52

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

NOES—25

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

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 3 p.m., by unanimous consent, the members of the Committee on Labor and Employment were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

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

Pursuant to Assembly Rule 78, Assembly Member Chan announced her intention to request that Senate Bill No. 1592 be removed from the inactive file.

ACTION RESCINDED ON SENATE BILL NO. 1384

Assembly Member Chan was granted unanimous consent to rescind the action whereby the Assembly, earlier this day (Assembly Journal, page 8199), passed Senate Bill No. 1384, and whereby the bill was ordered transmitted to the Senate.

SPECIAL COMMITTEE MEETINGS

Assembly Member Chan was granted unanimous consent that the Committee on Health be permitted to hold a special meeting today, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 807 for hearing.

ACTION RESCINDED ON SENATE BILL NO. 1590

Assembly Member Chan was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 8189), Senate Bill No. 1590 was read a third time, amendments to the bill read and adopted, and the bill ordered reprinted and to be returned to the third reading file.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 2247

Upon request of Assembly Member Chan, Assembly Member Salinas was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 2247; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on August 26, 2002 (Assembly Journal, page 8100); and that the bill be placed upon the inactive file.

BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE

Assembly Member Steinberg was granted unanimous consent that Senate Bills Nos. 1479 and 689, be withdrawn from the Committee on Appropriations and placed on the second reading file.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Corbett announced that the Committee on Judiciary would meet today at 3:45 p.m., in Room 4202.

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

SENATE BILL NO. 2066 (Burton)—An act to add Section 3572.6 to the Government Code, relating to higher education labor relations.

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

Bill passed by the following vote:

AYES—48

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

NOES—30

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

Bill ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION NO. 55 (Ortiz)—Relative to stem cell research.

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

AYES—50

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

NOES—28

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

Resolution ordered transmitted to the Senate.

SENATE JOINT RESOLUTION NO. 38 (Ortiz)—Relative to stem cell research.

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

AYES—48

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

NOES—27

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

Resolution ordered transmitted to the Senate.

SENATE BILL NO. 1298 (Ortiz)—An act to amend Section 101230 of the Health and Safety Code, relating to public health.

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

Bill passed by the following vote:

AYES—80

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

NOES—None

Bill ordered transmitted to the Senate.

COMMITTEE MEETING ANNOUNCEMENTS

Assistant Speaker pro Tempore Kehoe announced that the Committee on Health would meet today at 3:45 p.m., in Room 437.

RECESS

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

RECONVENED

At 6:10 p.m., the Assembly reconvened.

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

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 63—Richman and Chavez. Relative to the extradition of criminals.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 27, 2002

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 7 | Assembly Bill No. 1883 |
| Assembly Bill No. 105 | Assembly Bill No. 1908 |
| Assembly Bill No. 627 | Assembly Bill No. 1939 |
| Assembly Bill No. 1026 | Assembly Bill No. 1948 |
| Assembly Bill No. 1482 | Assembly Bill No. 1988 |
| Assembly Bill No. 1561 | Assembly Bill No. 2037 |
| Assembly Bill No. 1748 | Assembly Bill No. 2060 |
| Assembly Bill No. 1769 | Assembly Bill No. 2068 |
| Assembly Bill No. 1820 | Assembly Bill No. 2126 |
| Assembly Bill No. 1821 | Assembly Bill No. 2283 |

And reports the same correctly enrolled, and presented to the Governor on the 27th day of August, 2002, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 27, 2002

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2320 | Assembly Bill No. 2778 |
| Assembly Bill No. 2606 | Assembly Bill No. 2931 |
| Assembly Bill No. 2766 | |

And reports the same correctly enrolled, and presented to the Governor on the 27th day of August, 2002, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Labor and Employment

Date of Hearing: August 27, 2002

Mr. Speaker: Your Committee on Labor and Employment reports:

- Senate Bill No. 1422
- Senate Bill No. 1591

With the recommendation: Do pass.

KORETZ, Chairman

Above bills ordered to second reading.

Date of Hearing: August 27, 2002

Mr. Speaker: Your Committee on Labor and Employment reports:

- Assembly Joint Resolution No. 37

With the recommendation: Be adopted.

KORETZ, Chairman

Above resolution ordered to third reading.

Committee on Natural Resources

Date of Hearing: August 27, 2002

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 234

With the recommendation: Do pass.

WAYNE, Chairman

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)****SENATE BILL NO. 1879 (Poochigian)**—An act to amend Section 1102.6b of the Civil Code, relating to real property, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—76

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

NOES—1

Pacheco, Rod

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—76

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

NOES—1

Pacheco, Rod

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1244 (Figueroa)—An act to amend Sections 5094, 8022, 8028, and 8028.2 of, to add Sections 153.5, 2570, 2570.27, 2570.28, 2570.29, 2570.30, 2570.31, and 2570.32 to, to amend and repeal Section 805.2 and 8020 of, and to repeal Section 2570.17 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 third time, and presented by Assembly Member Correa.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—76

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—76

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1367 (Karnette)—An act to add Section 60605.05 to the Education Code, relating to public schools.

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

Bill passed by the following vote:

AYES—58

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

NOES—21

Aanestad	Campbell, John	Leonard	Strickland
Ashburn	Cogdill	Leslie	Wyman
Bates	Cox	Maddox	Zettel
Bogh	Hollingsworth	Mountjoy	
Briggs	Kelley	Pacheco, Rod	
Campbell, Bill	La Suer	Runner	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 2019 (Speier)—An act to add Section 685 to the Business and Professions Code, relating to student loans, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—62

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

NOES—16

Aanestad	Dickerson	Leslie	Richman
Ashburn	Hollingsworth	Maddox	Runner
Briggs	Leach	Mountjoy	Wyland
Cogdill	Leonard	Pescetti	Zettel

Bill ordered transmitted to the Senate.

At 6:28 p.m., Hon. Sarah Reyes, 31st District, presiding

SENATE BILL NO. 1793 (Burton)—An act to amend Sections 779 and 1719 of, and to add Section 730.1 to, the Welfare and Institutions Code, relating to juvenile offenders, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—72

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

NOES—1

Pacheco, Rod

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1661 (Kuehl)—An act to amend Sections 984, 2116, 2601, 2613, 2708, and 3254 of, and to add Chapter 7 (commencing with Section 3300) to Part 2 of Division 1 of, the Unemployment Insurance Code, relating to disability compensation, and making an appropriation therefor.

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

At 7:07 p.m., Speaker pro Tempore Keeley, 27th District, presiding
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, 7:07 p.m.

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

SPECIAL COMMITTEE MEETINGS

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

Health, on Tuesday, August 27, 2002, upon the Call of the Chair, in the Rules Committee Room;

Housing and Community Development, on Thursday, August 29, at 9 a.m. or 1 hour prior to Floor session, in Room 126;

Environmental Safety and Toxic Materials, on Thursday, August 29.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Koretz requested unanimous consent that statements of legislative intent relative to Assembly Bill No. 496 and Senate Bill No. 682 be printed in the Journal.

Assembly Member Cogdill withheld unanimous consent.

Motion to Print in Journal

Assembly Member Koretz moved to print statements of legislative intent relative to Assembly Bill No. 496 and Senate Bill No. 682 in the Journal.

Assembly Member Wright seconded the motion.

PARLIAMENTARY INQUIRY

Assembly Member Briggs arose to the following parliamentary inquiry:

What is the appropriateness of printing a letter in the Journal record stating legislative intent after the vote was taken on the measure?

Reply by Speaker pro Tempore Keeley

Speaker pro Tempore Keeley replied that the letter of legislative intent was appropriately presented by Assembly Member Koretz, and the request appropriately objected to by Assembly Member Cogdill. The House will decide the ultimate disposition of the request by a majority of those present and voting.

Point of Information

Assembly Member Wyman arose to the following point of information.

Would it be appropriate to share copies of a Legislative Counsel opinion with the membership that states that a letter addressing intent, entered in the record after the bill is passed, would not be considered by the courts?

Point of Order

Assembly Member Wayne arose to the following point of order:

The value a court may, or may not, give a letter for its meaning of intent is a question for the court to decide, as opposed to the propriety of the printing of the letter in the Journal.

Ruling by Speaker pro Tempore Keeley

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

Motion Temporarily Withdrawn

Assembly Member Koretz, with consent of the second to the motion, temporarily withdrew his motion to print statements of legislative intent in the Journal.

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Keeley was granted unanimous consent that Assembly Members Wesson, Keeley, Canciamilla, Oropeza, Steinberg, Cox, Runner, Bates, Strickland, and John Campbell are permitted to add to rollcall votes today and that their votes not be recorded separately in this day's Journal.

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

SENATE BILL NO. 987 (Escutia)—An act to amend Sections 7294, 7295.4, 7296.2, 7297, 7299, 7299.1, 7299.2, 7299.4, 7299.5, and 7299.6 of the Government Code, relating to bilingual services.

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

Bill passed by the following vote:

AYES—49

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

NOES—28

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1657 (Scott)—An act to amend the heading of Chapter 1.7 (commencing with Section 15364.71) of Part 6.7 of Division 3 of Title 2 of, to add and repeal Section 15364.80 of, and to repeal the heading of Chapter 1.8 (commencing with Section 15364.80) of Part 6.7 of Division 3 of Title 2 of, the Government Code, relating to international trade.

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

Bill passed by the following vote:

AYES—73

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

NOES—4

Aanestad	Campbell, Bill	Campbell, John	Hollingsworth
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Bill ordered transmitted to the Senate.

SENATE BILL NO. 1210 (Romero)—An act to amend Section 25989.1 of the Health and Safety Code, relating to live animals.

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

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Chavez 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.

KORETZ MOTION TO PRINT IN JOURNAL

Assembly Member Koretz moved that statements of legislative intent relative to Assembly Bill No. 496 and Senate Bill No. 682 be printed in the Journal.

Assembly Member Chan seconded the motion.

Request for Division of the Question

Assembly Member Briggs requested that the question be divided to permit consideration of the requests to print statements of legislative intent in the Journal, separately.

Ruling by Speaker pro Tempore Keeley

Speaker pro Tempore Keeley ruled that the question is divisible as requested.

Question 1

Shall the statement of legislative intent relative to Assembly Bill No. 496 be printed in the Journal?

The roll was opened and the statement of legislative intent relative to Assembly Bill No. 496 ordered printed in the Journal by the following vote:

AYES—45

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

NOES—None**Question 2**

Shall the statement of legislative intent relative to Senate Bill No. 682 be printed in the Journal?

The roll was opened and the statement of legislative intent relative to Senate Bill No. 682 ordered printed in the Journal, by the following vote:

AYES—44

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

NOES—None

STATEMENTS OF LEGISLATIVE INTENT

The following statements were printed in the Journal:

Legislative Intent—Assembly Bill No. 496

August 27, 2002

*Mr. Dotson Wilson
Chief Clerk of the Assembly
State Capitol
Sacramento, California*

Dear Mr. Wilson: An issue has been raised as to what the effect is of the repeal of Civil Code section 1714.4 by my AB 496. In particular, a concern has been raised that the repeal of Section 1714.4 will open manufacturers and sellers of firearms and ammunition to liability solely because guns are capable, even when properly designed, manufactured, distributed and marketed, of causing serious injury or death.

Because of these concerns, I submit this letter as clarification of AB 496's intent—and that of the Legislature in enacting this measure, which is as follows:

First, that by repealing Section 1714.4, the Legislature *does not intend* to create a cause of action against manufacturers of firearms and ammunition based solely on the fact that the firearm or ammunition was capable of causing serious injury or death. Specifically, AB 496 is not intended to create a cause of action against manufacturers of firearms and ammunition based solely on the fact that that firearm or ammunition is capable of causing serious injury or death. For example, in the particular case of a products liability action based on defective design, a plaintiff must show with sufficient particularity that a design defect caused the injury.

Secondly, it is the intent of AB 496 to preserve those causes of action against manufacturers and sellers of firearms and ammunition including, but not limited to, negligence actions, product liability actions alleging manufacturing, marketing or design defects, public and private nuisance actions and statutorily based actions, which would exist had Section 1714.4 not been enacted in 1983.

Sincerely,

PAUL KORETZ
Forty-second Assembly District

Legislative Intent—Senate Bill No. 682

August 27, 2002

*Mr. Dotson Wilson
Chief Clerk of the Assembly
State Capitol
Sacramento, California*

Dear Mr. Wilson: An issue has been raised as to what the effect is of the repeal of Civil Code section 1714.4 by my SB 682. In particular, a concern has been raised that the repeal of Section 1714.4 will open manufacturers and sellers of firearms and ammunition to liability solely because guns are capable, even when properly designed, manufactured, distributed and marketed, of causing serious injury or death.

Because of these concerns, I submit this letter as clarification of SB 682's intent—and that of the Legislature in enacting this measure, which is as follows:

First, that by repealing Section 1714.4, the Legislature *does not intend* to create a cause of action against manufacturers of firearms and ammunition based solely on the fact that the firearm or ammunition was capable of causing serious injury or death. Specifically, SB 682 is not intended to create a cause of action against manufacturers of firearms and ammunition based solely on the fact that that firearm or ammunition is capable of causing serious injury or death. For example, in the particular case of a products liability action based on defective design, a plaintiff must show with sufficient particularity that a design defect caused the injury.

Secondly, it is the intent of SB 682 to preserve those causes of action against manufacturers and sellers of firearms and ammunition including, but not limited to, negligence actions, product liability actions alleging manufacturing, marketing or design defects, public and private nuisance actions and statutorily based actions, which would exist had Section 1714.4 not been enacted in 1983.

Sincerely,

DON PERATA
Senator, Ninth District

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

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Keeley re-referred Senate Bill No. 2011 to the Committee on Judiciary.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1210**

At 7:38 p.m., on motion of Assembly Member Chavez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1210 passed by the following vote:

AYES—41

Alquist	Dickerson	Lowenthal	Strom-Martin
Calderon	Dutra	Maddox	Thomson
Canciamilla	Firebaugh	Migden	Vargas
Cardenas	Florez	Nakano	Washington
Cedillo	Goldberg	Negrete McLeod	Wayne
Chan	Hertzberg	Oropeza	Wiggins
Chavez	Horton	Pavley	Wright
Chu	Keeley	Salinas	Mr. Speaker
Cohn	Kehoe	Shelley	
Corbett	Liu	Simitian	
Diaz	Longville	Steinberg	

NOES—32

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

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 1210: Assembly Members Aroner and Nation, from "Aye" to "No".

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 796**

At 7:38 p.m., on motion of Assembly Member Florez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 796 passed by the following vote:

AYES—49

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

NOES—21

Aanestad	Hollingsworth	Maddox	Wyland
Bogh	Kelley	Maldonado	Wyman
Campbell, Bill	La Suer	Mountjoy	Zettel
Campbell, John	Leach	Pacheco, Robert	
Cox	Leonard	Pacheco, Rod	
Harman	Leslie	Strickland	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1654**

At 7:38 p.m., on motion of Assembly Member Diaz, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1654 passed by the following vote:

AYES—47

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

NOES—30

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

Bill ordered transmitted to the Senate.

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

SENATE BILL NO. 1927 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given, Assembly Member Aroner was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 1927 was refused passage.

Further Consideration of Senate Bill No. 1927

SENATE BILL NO. 1927 (Soto)—An act to add Section 99165 to the Public Utilities Code, relating to transit.

Bill read third time.

Motion to Amend

Assembly Member Aroner moved the adoption of amendments.

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

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER ASSEMBLY BILL NO. 496**

Request for Reconsideration

In compliance with a motion given on a previous day, Assembly Member Koretz requested unanimous consent that the vote be reconsidered whereby Senate amendments to Assembly Bill No. 496 were refused concurrence.

Assembly Member Cogdill withheld unanimous consent.

Motion

Assembly Member Koretz moved that the vote be reconsidered whereby Senate amendments to Assembly Bill No. 496 were refused concurrence.

Assembly Bill No. 496 reconsidered by the following vote:

AYES—44

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

NOES—27

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

**FURTHER CONSIDERATION OF SENATE AMENDMENTS
TO ASSEMBLY BILL NO. 496**

ASSEMBLY BILL NO. 496 (Koretz)—An act to amend Section 1714 of, and to repeal Section 1714.4 of, the Civil Code, relating to firearms.

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.

Call of the Assembly

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

Motion carried. Time, 7:54 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
SENATE BILL NO. 1661**

At 7:56 p.m., on motion of Assembly Member Firebaugh, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1661 passed by the following vote:

AYES—46

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

NOES—31

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

Bill ordered transmitted to the Senate.

ACTION RESCINDED ON SENATE BILL NO. 1536

Assembly Member Firebaugh was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 8190), Senate Bill No. 1536 was read a third time, amendments to the bill read and adopted and the bill ordered reprinted and to be returned to the third reading file.

ACTION RESCINDED ON SENATE BILL NO. 2028

Assembly Member Firebaugh was granted unanimous consent to rescind the action whereby the Assembly, on August 26, 2002 (Assembly Journal, page 8163), passed Senate Bill No. 2028, and whereby the bill was ordered transmitted to the Senate.

ASSEMBLY RULE 77 SUSPENDED

Assembly Member Firebaugh was granted unanimous consent that Assembly Rule 77 be suspended to permit consideration of Assembly Bills Nos. 428, 1794, 1943, 2211, and 2989.

ASSEMBLY RULE 69(d) SUSPENDED

Assembly Member Firebaugh was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of the following amended bills:

Senate Bills Nos. 247, 1391, 1962, and 1731.

PARLIAMENTARY INQUIRY

Assembly Member Wyman arose to the following parliamentary inquiry:

Was it an inadvertence that his motion for a Call of the Assembly, as it relates to Senate Bill No. 1661, was dispensed with by another Member, subsequent to his (Mr. Wyman's) announcement that he requested the courtesy of additional time?

Reply by Speaker pro Tempore Keeley

Speaker pro Tempore Keeley replied that the Call of the Assembly was dispensed with by Assembly Member Firebaugh and that those Members who are not recorded may add on to the vote at the Assembly Desk.

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

SENATE BILL NO. 1011 (Sher)—An act to amend Sections 25218.1, 25218.5, 25358.6.1, 25395.12, 25395.15, 25570.2, and 25570.3 of, and to add Sections 25123.8 and 58004.5 to, the Health and Safety Code, and to amend Section 42175.1 of the Public Resources Code, relating to hazardous substances and waste.

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

Bill passed by the following vote:

AYES—78

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

NOES—1

Hollingsworth

Bill ordered transmitted to the Senate.

SENATE JOINT RESOLUTION NO. 49 (Ortiz)—Relative to human exposure to environmental chemicals.

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

AYES—52

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

NOES—21

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

Resolution ordered transmitted to the Senate.

SENATE BILL NO. 1391 (Burton)—An act to amend Section 1417.9 of, and to add Sections 1054.9 and 1473.6 to, the Penal Code, relating to criminal procedure.

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

Bill passed by the following vote:

AYES—42

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

NOES—31

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 496**

At 8:05 p.m., on motion of Assembly Member Firebaugh, 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 Cox moved to continue the call of the Assembly.

Motion carried. Time, 8:05 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)
MOTION TO RECONSIDER SENATE BILL NO. 682**

Request for Reconsideration

In compliance with a motion given on a previous day, Assembly Member Briggs requested unanimous consent that the vote be reconsidered whereby Senate Bill No. 682 was passed.

Assembly Member Koretz withheld unanimous consent.

Motion

Assembly Member Briggs moved that the vote be reconsidered whereby Senate Bill No. 682 was passed.

Senate Bill No. 682 refused reconsideration by the following vote:

AYES—31

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

NOES—43

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

Bill ordered transmitted to the Senate immediately.

At 8:35 p.m., Speaker pro Tempore Keeley, 27th District, presiding

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

Assembly Member Shelley was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 428.

ASSEMBLY BILL NO. 428 (Shelley)—An act to add Section 12201.05 to the Welfare and Institutions Code, relating to human services.

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—73

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

NOES—1

Campbell, Bill

Vote Changes

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 428: Assembly Members Hollingsworth, Pescetti, and Richman, from “No” to “Aye”.

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 496**

At 8:37 p.m., 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. 496 by the following vote:

AYES—41

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

NOES—33

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

Above bill ordered enrolled.

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

Assembly Member Horton was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 2211.

ASSEMBLY BILL NO. 2211 (Horton)—An act relating to community impact statements.

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—74

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

NOES—1

Hollingsworth

Above bill ordered enrolled.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Senate Bills

SENATE BILL NO. 1530 (Torlakson)—An act to amend Section 23114 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—78

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

NOES—1

Mountjoy

Bill ordered transmitted to the Senate.

ACTION RESCINDED ON SENATE BILL NO. 1078

Assembly Member Firebaugh was granted unanimous consent to rescind the action whereby the Assembly, earlier this day (Assembly Journal, page 8217), passed Senate Bill No. 1078, and whereby the bill was ordered transmitted to the Senate.

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

Pursuant to Assembly Rule 78, Assembly Member Firebaugh announced his intention to request that Senate Bill No. 426 be removed from the inactive file.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Upon request of Assembly Member Firebaugh, Assembly Member Oropeza was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—
Assembly Bill No. 3008 and Assembly Bill No. 3011**

August 22, 2002

*The Honorable Herb Wesson, Speaker
California State Assembly
State Capitol Building
Sacramento, California*

RE: Legislative Intent—AB 3008, Chapter 99/Statutes of 2002 and AB 3011, Chapter 101/Statutes of 2002

Dear Speaker Wesson: AB 3008 and AB 3011 were approved by the Legislature on June 30, 2002. It was the intent of the Legislature that by the actions taken in Chapters 99 and 101 of the Statutes of 2002 of deferring certain appropriations from fiscal year 2001–02 to 2002–03, the Legislature acknowledges that the appropriations are a postponement of payments owed to the local education agencies to the extent that the local education agencies operated the programs and incurred claimable costs during the time the original appropriations were in effect, and the appropriations may be used by local education agencies to fund eligible expenses incurred for authorized program activities during the 2001–02 fiscal year.

Further, it is the intent of the Legislature that local education agencies be permitted to accrue these appropriations for the 2001–02 fiscal year.

Sincerely,

JENNY OROPEZA
Chair, Assembly Budget Committee

ADJOURN IN MEMORY

Assembly Member Wiggins was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Norman A. Boyer, of Santa Rosa.

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 Debbie Warner, of Citrus Heights.

VOTE ADDS

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

Senate Bill No. 1896 Wayne Amendments: Alquist, Cardenas, Cardoza, Cohn, Corbett, Correa, Daucher, Havice, Horton, Kelley, Longville, Migden, Nakano, Papan, Pavley, Reyes, Shelley, Strom-Martin, Thomson, Wiggins, Wright, Wyland, and Zettel—Aye; Ashburn, Aanestad, Robert Pacheco, Rod Pacheco, and Pescetti—No.

Senate Bill No. 666, Concurrence: Aanestad, Alquist, Aroner, Ashburn, Bogh, Cardenas, Cardoza, Corbett, Correa, Daucher, Havice, Hollingsworth, Horton, Koretz, Leslie, Liu, Maddox, Migden, Nakano, Robert Pacheco, Pescetti, Shelley, Simitian, Strom-Martin, Thomson, Wyland, and Zettel—Aye; Briggs, Mountjoy, and Rod Pacheco—No.

Assembly Bill No. 879, Concurrence: Aanestad, Alquist, Aroner, Ashburn, Bogh, Cardenas, Cardoza, Corbett, Daucher, Havice, Horton, Leslie, Liu, Maddox, Migden, Nakano, Robert Pacheco, Rod Pacheco, Pescetti, Shelley, Simitian, Strom-Martin, Thomson, and Wyland—Aye; Briggs, Mountjoy, and Wyman—No.

Assembly Joint Resolution No. 60: Aroner, Bogh, Briggs, Cardenas, Cardoza, Cedillo, Corbett, Correa, Daucher, Havice, Horton, Koretz, Leslie, Liu, Maddox, Shelley, Strom-Martin, Thomson, and Zettel—Aye; Aanestad, La Suer, Mountjoy, Wyland, and Wyman—No.

Assembly Bill No. 1825, Concurrence: Aroner, Bogh, Cardenas, Cardoza, Cedillo, Corbett, Correa, Daucher, Havice, Koretz, Leslie, Liu, Maddox, Robert Pacheco, Shelley, Simitian, Strom-Martin, and Thomson—Aye; Aanestad, La Suer, Mountjoy, Rod Pacheco, and Pescetti—No.

Senate Bill No. 1755: Aanestad, Aroner, Ashburn, Bogh, Bill Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Havice, Koretz, Liu, Maddox, Rod Pacheco, Papan, Pescetti, Shelley, Simitian, Thomson, and Zettel—Aye.

Assembly Joint Resolution No. 51, Richman Motion to Re-refer: Aanestad, Aroner, Bogh, Horton, Rod Pacheco, Papan, and Pescetti—Aye; Havice—No.

Senate Bill No. 827: Aanestad, Aroner, Bogh, Briggs, Cardoza, Cedillo, Corbett, Correa, Dickerson, Havice, Jackson, Koretz, Leslie, Robert Pacheco, Papan, Pescetti, Richman, Simitian, Thomson, Wyland, and Zettel—Aye; Rod Pacheco—No.

Senate Bill No. 1384 and Urgency: Aanestad, Aroner, Bogh, Briggs, Cardoza, Cedillo, Corbett, Correa, Havice, Jackson, Koretz, Rod Pacheco, Papan, Pescetti, Simitian, Strom-Martin, Wiggins, Wright, and Wyland—Aye.

Senate Bill No. 1951: Aanestad, Aroner, Bogh, Cardoza, Cedillo, Chan, Corbett, Correa, Dickerson, Firebaugh, Havice, Jackson, Koretz, Papan, Pescetti, Shelley, Simitian, and Vargas—Aye.

Assembly Bill No. 381, Concurrence: Aroner, Cardenas, Cardoza, Cedillo, Corbett, Havice, Kelley, Liu, Shelley, and Simitian—Aye; Aanestad, Bogh, La Suer, Rod Pacheco, and Pescetti—No.

Senate Bill No. 1350 and Urgency: Aanestad, Aroner, Bogh, Cardoza, Cedillo, Corbett, Correa, Dutra, Firebaugh, Goldberg, Havice, Jackson, Koretz, Negrete McLeod, Pescetti, Salinas, Simitian, Strom-Martin, and Thomson—Aye.

Senate Bill No. 1135: Aanestad, Aroner, Cardoza, Cedillo, Corbett, Correa, Daucher, Havice, Koretz, Maddox, and Simitian—Aye; Bogh, Mountjoy, Robert Pacheco, Rod Pacheco, and Pescetti—No.

Senate Bill No. 2008: Aanestad, Aroner, Bogh, Cardoza, Cedillo, Corbett, Correa, Havice, Maddox, Robert Pacheco, Papan, Pescetti, Shelley, Simitian, and Wyland—Aye; La Suer, Mountjoy, and Rod Pacheco—No.

Senate Bill No. 1665: Correa, Havice, Jackson, Koretz, Nation, Papan, Simitian, and Wayne—Aye; Aanestad, Bogh, Daucher, Dickerson, Harman, Hollingsworth, La Suer, Maddox, Maldonado, Mountjoy, Rod Pacheco, Pescetti, Wyman, and Zettel—No.

Senate Bill No. 1630: Aanestad, Bogh, Daucher, Dickerson, Harman, Havice, Hollingsworth, Jackson, La Suer, Maddox, Mountjoy, Rod Pacheco, Pescetti, Simitian, Wayne, and Wyman—Aye.

Senate Bill No. 1175: Longville, Nation, Pavley, Simitian, and Wayne—Aye; Aanestad, Bogh, Daucher, Dickerson, Harman, Hollingsworth, La Suer, Mountjoy, Rod Pacheco, and Wyman—No.

Senate Bill No. 390: Horton, Papan, Simitian, and Wayne—Aye; Aanestad, Bogh, Daucher, Dickerson, Harman, Hollingsworth, La Suer, Maddox, Mountjoy, Rod Pacheco, Wyland, and Wyman—No.

Senate Bill No. 1447: Aanestad, Cedillo, Daucher, Shelley, Simitian, and Wayne—Aye; Bogh, Dickerson, Harman, Hollingsworth, Maddox, Mountjoy, Wyland, and Wyman—No.

Senate Bill No. 92 and Urgency: Aanestad, Bogh, Cedillo, Daucher, Dickerson, Harman, Havice, Hollingsworth, Maddox, Mountjoy, Papan, Simitian, Wayne, and Wyman—Aye; Rod Pacheco—No.

Senate Bill No. 1677: Aanestad, Bogh, Cedillo, Daucher, Dickerson, Harman, Havice, Hollingsworth, Maddox, Mountjoy, Papan, Simitian, Wayne, and Wyman—Aye.

Senate Bill No. 1287 and Urgency: Aanestad, Bogh, Cedillo, Daucher, Dickerson, Harman, Hollingsworth, La Suer, Maddox, Mountjoy, Papan, Simitian, Wayne, and Wyman—Aye.

Senate Bill No. 174: Aanestad, Bogh, Cedillo, Correa, Daucher, Dickerson, Harman, Hollingsworth, Koretz, Leslie, Maddox, Mountjoy, Papan, Pavley, Richman, Simitian, Wayne, and Wyman—Aye; Rod Pacheco—No.

Assembly Bill No. 2783, Concurrence: Aanestad, Bogh, Cedillo, Correa, Daucher, Dickerson, Harman, Hollingsworth, Koretz, Maddox, Mountjoy, Papan, Simitian, Wayne, and Wyman—Aye.

Senate Bill No. 1656 and Urgency: Aanestad, Bogh, Cedillo, Correa, Daucher, Dickerson, Harman, Hollingsworth, Koretz, Maddox, Mountjoy, Rod Pacheco, Papan, Simitian, Strom-Martin, Wayne, and Wyman—Aye.

Senate Bill No. 1078: Cardoza, Cedillo, Correa, Harman, Koretz, Papan, Simitian, and Wayne—Aye; Aanestad, Bogh, Dickerson, Hollingsworth, Robert Pacheco, Rod Pacheco, and Runner—No.

Senate Bill No. 783: Havice, Horton, and Rod Pacheco—Aye; Aanestad, Bogh, Dickerson, and Mountjoy—No.

Senate Bill No. 1778: Daucher, Simitian, Wyland, and Zettel—Aye; Aanestad, Bogh, Leach, Leslie, Robert Pacheco, Rod Pacheco, and Wyman—No.

Senate Bill No. 898: Alquist, Cardoza, Diaz, Frommer, Shelley, and Simitian—Aye; Aanestad, Briggs, Dickerson, Rod Pacheco, Wyland, and Zettel—No.

Senate Bill No. 2066: Alquist, Cedillo, Chu, Dutra, Havice, and Negrete McLeod—Aye; Rod Pacheco and Pescetti—No.

Senate Concurrent Resolution No. 55: Alquist, Cedillo, Daucher, Dutra, Horton, and Negrete McLeod—Aye; Briggs, Havice, Rod Pacheco, and Wyland—No.

Senate Joint Resolution No. 38: Alquist, Correa, Daucher, Wiggins, and Wright—Aye; Briggs, Havice, Rod Pacheco, and Wyland—No.

Senate Bill No. 1298: Alquist, Briggs, Daucher, Mountjoy, Shelley, and Wyland—Aye.

Senate Bill No. 1879 and Urgency: Aroner, Bogh, Briggs, Chavez, Daucher, Diaz, Dutra, Frommer, Hollingsworth, Longville, Maddox, Mountjoy, Nakano, Shelley, Wyland, Wyman, and Zettel—Aye; Rod Pacheco—No.

Senate Bill No. 1244 and Urgency: Bogh, Cedillo, Chavez, Cohn, Daucher, Diaz, Maddox, Mountjoy, Rod Pacheco, Shelley, Wyman, and Zettel—Aye.

Senate Bill No. 1367: Correa, Shelley, and Simitian—Aye; Maddox, Mountjoy, Rod Pacheco, and Zettel—No.

Senate Bill No. 2019: Bogh, Daucher, Rod Pacheco, Simitian, and Wright—Aye; Aanestad, Briggs, Maddox, Mountjoy, Wyland, and Zettel—No.

Senate Bill No. 1793: Ashburn, Bogh, Cedillo, Frommer, Maddox, Mountjoy, Shelley, Simitian, and Zettel—Aye; Rod Pacheco—No.

Senate Bill No. 987: Cedillo, Correa, and Havice—Aye; Dickerson, Maddox, Rod Pacheco, and Zettel—No.

Senate Bill No. 1657: Bogh, Correa, Firebaugh, Havice, Rod Pacheco, and Zettel—Aye.

Senate Bill No. 1210: Dickerson—Aye; Cardoza, Jackson, Rod Pacheco, and Zettel—No.

Senate Bill No. 796: Aroner, Cardoza, Corbett, Firebaugh, Havice, and Jackson—Aye; Bogh, Rod Pacheco, and Zettel—No.

Senate Bill No. 1654: Cardoza, Cedillo, Correa, Havice, and Jackson—Aye; Bogh, Daucher, and Rod Pacheco—No.

Assembly Bill No. 496, Koretz Motion to Reconsider: Dickerson, Maddox, Rod Pacheco, and Zettel—No.

Senate Bill No. 1661: Horton—Aye; Havice, Maddox, and Mountjoy—No.

Senate Bill No. 1011: Correa, Maddox, Rod Pacheco, and Zettel—Aye; Hollingsworth—No.

Senate Joint Resolution No. 49: Correa, and Havice—Aye; Briggs, Maddox, Rod Pacheco, and Wyland—No.

Senate Bill No. 682, Briggs Motion to Reconsider: Cardoza—Aye; Havice and Pavley—No.

Assembly Bill No. 428, Concurrence: Bogh, Havice, Nation, Pavley, Wyland, and Zettel—Aye.

Assembly Bill No. 2211, Concurrence: Bates, Bogh, Daucher, Firebaugh, and Havice—Aye.

Senate Bill No. 1530, Consent Calendar: Correa—Aye.

MOTION TO ADJOURN

At 8:55 p.m., Assembly Member La Suer moved that the Assembly do now adjourn.

Assembly Member Chavez seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 8:55 p.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Date of Hearing: August 27, 2002

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 688

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

CORBETT, Chairwoman

Above bill ordered to second reading.

Date of Hearing: August 27, 2002

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 800

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

CORBETT, Chairwoman

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

August 27, 2002

Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber

Dear Dotson: By direction of the Senate I am returning Senate Bill No. 2053 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

Senate Chamber, August 27, 2002

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 34 | Assembly Bill No. 1250 |
| Assembly Bill No. 65 | Assembly Bill No. 1316 |
| Assembly Bill No. 74 | Assembly Bill No. 1381 |
| Assembly Bill No. 164 | Assembly Bill No. 1408 |
| Assembly Bill No. 275 | Assembly Bill No. 1599 |
| Assembly Bill No. 323 | Assembly Bill No. 1634 |
| Assembly Bill No. 363 | Assembly Bill No. 1742 |
| Assembly Bill No. 498 | Assembly Bill No. 1773 |
| Assembly Bill No. 499 | Assembly Bill No. 1793 |
| Assembly Bill No. 625 | Assembly Bill No. 1823 |
| Assembly Bill No. 629 | Assembly Bill No. 1866 |
| Assembly Bill No. 630 | Assembly Bill No. 1881 |
| Assembly Bill No. 746 | Assembly Bill No. 1886 |
| Assembly Bill No. 787 | Assembly Bill No. 1891 |
| Assembly Bill No. 818 | Assembly Bill No. 1895 |
| Assembly Bill No. 878 | Assembly Bill No. 1901 |
| Assembly Bill No. 885 | Assembly Bill No. 1904 |
| Assembly Bill No. 982 | Assembly Bill No. 1907 |
| Assembly Bill No. 1045 | Assembly Bill No. 1923 |
| Assembly Bill No. 1080 | Assembly Bill No. 1942 |
| Assembly Bill No. 1170 | |

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 27, 2002

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1945 | Assembly Bill No. 2258 |
| Assembly Bill No. 1947 | Assembly Bill No. 2263 |
| Assembly Bill No. 1957 | Assembly Bill No. 2267 |
| Assembly Bill No. 1972 | Assembly Bill No. 2269 |
| Assembly Bill No. 1973 | Assembly Bill No. 2271 |
| Assembly Bill No. 1975 | Assembly Bill No. 2289 |
| Assembly Bill No. 1984 | Assembly Bill No. 2295 |
| Assembly Bill No. 2010 | Assembly Bill No. 2296 |
| Assembly Bill No. 2023 | Assembly Bill No. 2305 |
| Assembly Bill No. 2027 | Assembly Bill No. 2312 |
| Assembly Bill No. 2030 | Assembly Bill No. 2314 |
| Assembly Bill No. 2069 | Assembly Bill No. 2326 |
| Assembly Bill No. 2080 | Assembly Bill No. 2333 |
| Assembly Bill No. 2085 | Assembly Bill No. 2356 |
| Assembly Bill No. 2127 | Assembly Bill No. 2359 |
| Assembly Bill No. 2131 | Assembly Bill No. 2360 |
| Assembly Bill No. 2141 | Assembly Bill No. 2366 |
| Assembly Bill No. 2166 | Assembly Bill No. 2403 |
| Assembly Bill No. 2175 | Assembly Bill No. 2410 |
| Assembly Bill No. 2192 | Assembly Bill No. 2420 |
| Assembly Bill No. 2238 | Assembly Bill No. 2436 |

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 27, 2002

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

Assembly Bill No. 2442	Assembly Bill No. 2676
Assembly Bill No. 2444	Assembly Bill No. 2701
Assembly Bill No. 2451	Assembly Bill No. 2704
Assembly Bill No. 2473	Assembly Bill No. 2709
Assembly Bill No. 2474	Assembly Bill No. 2727
Assembly Bill No. 2477	Assembly Bill No. 2729
Assembly Bill No. 2486	Assembly Bill No. 2732
Assembly Bill No. 2496	Assembly Bill No. 2740
Assembly Bill No. 2521	Assembly Bill No. 2750
Assembly Bill No. 2531	Assembly Bill No. 2753
Assembly Bill No. 2532	Assembly Bill No. 2818
Assembly Bill No. 2549	Assembly Bill No. 2823
Assembly Bill No. 2580	Assembly Bill No. 2826
Assembly Bill No. 2604	Assembly Bill No. 2841
Assembly Bill No. 2619	Assembly Bill No. 2853
Assembly Bill No. 2637	Assembly Bill No. 2862
Assembly Bill No. 2645	Assembly Bill No. 2867
Assembly Bill No. 2650	Assembly Bill No. 2892
Assembly Bill No. 2659	Assembly Bill No. 2899
Assembly Bill No. 2669	Assembly Bill No. 2902
Assembly Bill No. 2670	Assembly Bill No. 2905
Assembly Bill No. 2673	

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 27, 2002

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

Assembly Bill No. 2922	Assembly Bill No. 3025
Assembly Bill No. 2965	Assembly Bill No. 3028
Assembly Bill No. 2981	Assembly Bill No. 3057
Assembly Bill No. 2985	

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 27, 2002

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 299 | Assembly Bill No. 2055 |
| Assembly Bill No. 410 | Assembly Bill No. 2067 |
| Assembly Bill No. 467 | Assembly Bill No. 2072 |
| Assembly Bill No. 748 | Assembly Bill No. 2128 |
| Assembly Bill No. 979 | Assembly Bill No. 2130 |
| Assembly Bill No. 1119 | Assembly Bill No. 2198 |
| Assembly Bill No. 1234 | Assembly Bill No. 2273 |
| Assembly Bill No. 1299 | Assembly Bill No. 2279 |
| Assembly Bill No. 1818 | Assembly Bill No. 2471 |
| Assembly Bill No. 1838 | Assembly Bill No. 2587 |
| Assembly Bill No. 1840 | Assembly Bill No. 2600 |
| Assembly Bill No. 1850 | Assembly Bill No. 2607 |
| Assembly Bill No. 1916 | Assembly Bill No. 2626 |
| Assembly Bill No. 1962 | Assembly Bill No. 2668 |
| Assembly Bill No. 1974 | Assembly Bill No. 2672 |
| Assembly Bill No. 1986 | Assembly Bill No. 2706 |
| Assembly Bill No. 2013 | Assembly Bill No. 2795 |
| Assembly Bill No. 2024 | Assembly Bill No. 2811 |
| Assembly Bill No. 2041 | |

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 27, 2002

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2817 | Assembly Bill No. 2930 |
| Assembly Bill No. 2842 | Assembly Bill No. 3054 |
| Assembly Bill No. 2855 | |

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 27, 2002

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

- Assembly Concurrent Resolution No. 189

And respectfully requests the Assembly to concur in said amendments.

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

Above resolution ordered to unfinished business file.

Senate Chamber, August 27, 2002

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1788 | Assembly Bill No. 2529 |
| Assembly Bill No. 1835 | Assembly Bill No. 2539 |
| Assembly Bill No. 1847 | Assembly Bill No. 2612 |
| Assembly Bill No. 1906 | Assembly Bill No. 2671 |
| Assembly Bill No. 2206 | Assembly Bill No. 2807 |
| Assembly Bill No. 2274 | Assembly Bill No. 2912 |
| Assembly Bill No. 2388 | Assembly Bill No. 2920 |
| Assembly Bill No. 2406 | Assembly Bill No. 2950 |
| Assembly Bill No. 2438 | Assembly Bill No. 3022 |
| Assembly Bill No. 2440 | |

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

Above bills ordered enrolled.

Senate Chamber, August 27, 2002

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

Assembly Concurrent Resolution No. 123
 Assembly Concurrent Resolution No. 154
 Assembly Concurrent Resolution No. 205
 Assembly Concurrent Resolution No. 213
 Assembly Concurrent Resolution No. 238

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

Above resolutions ordered enrolled.

Senate Chamber, August 27, 2002

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1416	Senate Bill No. 1770
Senate Bill No. 1463	Senate Bill No. 1900
Senate Bill No. 1468	Senate Bill No. 1980
Senate Bill No. 1566	Senate Bill No. 1982
Senate Bill No. 1589	Senate Bill No. 2012
Senate Bill No. 1607	

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

BILLS PLACED ON SPECIAL CONSENT CALENDAR

The following bills were placed on the Special Consent Calendar, subsequent to one calendar day on the Unfinished Business file:

Assembly Bills Nos. 34, 1408, 1773, 2030, 2131, 2271, 2326, 2442, 2670, 2701, 2818, 299, 748, 979, 1234, 1299, 1818, 1838, 1840, 1850, 1916, 1962, 1974, 2013, 2024, 2041, 2055, 2067, 2128, 2273, 2279, 2406, 2471, 2587, 2600, 2607, 2626, 2668, 2706, 2795, 2811, 2817, 2842, 2855, and 3054.

CONFERENCE COMMITTEE REPORTS RECEIVED

Assembly Chamber, August 26, 2002

Mr. Speaker: The Committee on Conference has met concerning:

Senate Bill No. 905, as amended in Assembly on June 30, 2002, and agreed to recommend that the amendments of the Assembly be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

DON PERATA	PAUL KORETZ
KEVIN MURRAY	GLORIA NEGRETE McLEOD

Senate Committee on Conference Assembly Committee on Conference

The undersigned Members dissenting to the report:

ROSS JOHNSON	ANTHONY PESCETTI
Senate Committee on Conference	Assembly Committee on Conference

Assembly Chamber, Received at Desk: August 27, 2002

Mr. Speaker: The Committee on Conference has met concerning:

Assembly Bill No. 58, as amended in Senate August 6, 2002, and agreed to recommend that the amendments of the Senate be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

BILL MORROW

FRED KEELEY

DEBRA BOWEN

ANTHONY PES CETTI

RICHARD ALARCÓN

RODERICK WRIGHT

Senate Committee on Conference

Assembly Committee on Conference

Above bill ordered reprinted, as proposed by the Conference Committee.

Assembly Chamber, Received at Desk: August 27, 2002

Mr. Speaker: The Committee on Conference has met concerning:

Assembly Bill No. 716, as amended in Senate August 15, 2002, and agreed to recommend that the amendments of the Senate be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

RICHARD ALARCÓN

DAVE KELLEY

JOHN L. BURTON

HERB WESSON

MARCO A. FIREBAUGH

Senate Committee on Conference

Assembly Committee on Conference

Above bill ordered reprinted, as proposed by the Conference Committee.

CONFERENCE COMMITTEE REPORTS RECEIVED

Assembly Chamber, Received at Desk: August 27, 2002

Mr. Speaker: The Committee on Conference has met concerning:

Assembly Bill No. 14, as amended in Senate August 23, 2001, and agreed to recommend that the amendments of the Senate be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

DEIRDRE W. ALPERT

VIRGINIA STROM-MARTIN

WES CHESBRO

JACKIE GOLDBERG

Senate Committee on Conference

Assembly Committee on Conference

The undersigned Member dissenting to the report:

BILL LEONARD

Assembly Committee on Conference

Above bill ordered reprinted, as proposed by the Conference Committee.

Assembly Chamber, Received at Desk: August 27, 2002

Mr. Speaker: The Committee on Conference has met concerning:

Assembly Bill No. 312, as amended in Senate July 5, 2001, and agreed to recommend that the amendments of the Senate be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

JOHN VASCONCELLOS

MARK WYLAND

DEBORAH ORTIZ

MANNY DIAZ

CHARLES POOCHIGIAN

VIRGINIA STROM-MARTIN

Senate Committee on Conference

Assembly Committee on Conference

Above bill ordered reprinted, as proposed by the Conference Committee.

INTRODUCTION OF GUESTS

Assembly Member Rod Pacheco, of the 64th Assembly District, introduced Hon. Keith Olberg, former Member of the Assembly.

Speaker pro Tempore Keeley introduced Hon. Fred Aguiar, former Member and Speaker pro Tempore of the Assembly.

ADJOURNMENT

At 10:45 p.m., pursuant to the motion by Assembly Member La Suer, the Assembly adjourned until 11 a.m., Wednesday, August 28, 2002, out of respect to the memory of Norman A. Boyer, on motion of Assembly Member Wiggins; and out of respect to the memory of Debbie Warner, on motion of Assembly Member Thomson.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 27, 2002**

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

AB	RN	SB	RN
14	0218491 (Conf.)	1241	0218328
58	0218715	1413	0218348
312	0218422 (Conf.)	1427	0218358
716	0218532 (Conf.)	1536	0218344 *
		1551	0217761
		1590	0218265 *
SB	RN	1614	0218313
336	0218337	1730	0218127
339	0217933	1896	0218375
371	0217907	1911	0218312
398	0218052	1927	0218443
460	0218082	1954	0218371
489	0217460	1955	0218182
533	0218097	1970	0218418
842	0217983	2010	0218395
905	0218157 (Conf.)	2064	0218150
953	0218291	2083	0218198
1093	0218330		
1164	0217031		

* Adoption of amendments rescinded.

Daily Total: 26
Cumulative Total: 6362