

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 3, 1996

ONE HUNDRED FORTY-FIFTH SESSION DAY

THREE HUNDRED NINETY-FIFTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 3, 1996

The Assembly met at 11 a.m.

Hon. Brian Setencich, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The roll was called.

QUORUM PRESENT

At 11:25 a.m., Speaker Setencich declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—79:

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Sher
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Callegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McDonald	Vasconcellos
Brown	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker
Caldera	Hoge	Murray, Kevin	

PRAYER

Upon invitation of Speaker Setencich, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O Lord Our God, Who have placed times and seasons under Your own authority; Who in Your infinite compassion and goodness, have counted us worthy to enter a New Year of Your loving kindness, bless it and keep us in peace.

Enlighten the Members of this Assembly with the light of Your truth and Your divine commandments. Establish in our souls, Your holy will; and guide us to every work that is good and pleasing to You.

Overshadow this great state with Your might, and grant it gentle rain and abundance of the fruits of the earth.

Let Your kingdom come upon us, O Lord; the kingdom of love, goodness, peace and justice; and make us worthy to praise and glorify, with one mouth and one heart, Your most honorable and majestic name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Setencich, Assembly Member Cunneen then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

ASSEMBLY BILL NO. 318—VOTE CORRECTION

ASSEMBLY BILL NO. 318 (Katz)—An act to add Sections 113 and 114 to the Water Code, relating to water.

Due to a printer's error, the vote in the Assembly Daily Journal for June 1, 1995, page 1739, relative to Assembly Bill No. 318 is being corrected to reflect Assembly Member Villaraigosa as an "Aye" vote and Assembly Member Vasconcellos as "Not Voting".

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 3, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1202

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered on file.

Assembly Chamber, January 3, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Constitutional Amendment No. 29

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

January 3, 1996

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 1190

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

MCDONALD, Chairwoman

ASSEMBLY BILL NO. 1190—An act to amend Sections 6051 and 6201 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

AUTHOR'S AMENDMENTS
Committee on Transportation

January 3, 1996

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 735

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

KATZ, Chairman

ASSEMBLY BILL NO. 735—An act to add Section 5073 to the Vehicle Code, relating to vehicles.

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

AUTHOR'S AMENDMENTS
Committee on Health

January 3, 1996

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 944

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

GRANLUND, Chairman

ASSEMBLY BILL NO. 944—An act to amend Section 1316.5 of the Health and Safety Code, relating to health facilities.

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

AUTHOR'S AMENDMENTS
Committee on Local Government

January 3, 1996

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 1724

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

RAINEY, Chairman

ASSEMBLY BILL NO. 1724—An act to add Section 65302.6 to the Government Code, relating to general plans.

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

**AUTHOR'S AMENDMENTS
Committee on Health**

January 3, 1996

Mr. Speaker: The Chair of your Committee on Health reports:
Senate Bill No. 849

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

GRANLUND, Chairman

SENATE BILL NO. 849—An act to amend Section 1357.12 of the Health and Safety Code, and to amend Sections 10714, 10731, 12711, and 12720 of the Insurance Code, relating to health coverage.

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

**AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation**

January 3, 1996

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Senate Bill No. 875

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

MCDONALD, Chairwoman

SENATE BILL NO. 875—An act to amend Sections 19191 and 19192 of, and to add and repeal Sections 17053.44 and 23644 of, the Revenue and Taxation Code, and to amend Section 1088.5 of the Unemployment Insurance Code, relating to taxation.

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

**AUTHOR'S AMENDMENTS
Committee on Local Government**

January 3, 1996

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 52
Assembly Bill No. 1453

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

RAINEY, Chairman

ASSEMBLY BILL NO. 52—An act to add Chapter 6.6 (commencing with Section 6655) to Division 7 of Title 1 of the Government Code, relating to public entities.

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

ASSEMBLY BILL NO. 1453—An act to amend Section 65302 of the Government Code, relating to general plans.

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

AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife

January 3, 1996

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
 Assembly Bill No. 363
 Assembly Bill No. 1363

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

CORTESE, Chairman

ASSEMBLY BILL NO. 363—An act to add Section 13557 to the Water Code, relating to water.

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

ASSEMBLY BILL NO. 1363—An act to add Section 4191 to the Fish and Game Code, relating to mountain lions, and making an appropriation therefor.

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

AUTHOR'S AMENDMENTS
**Committee on Consumer Protection, Governmental Efficiency
 and Economic Development**

January 3, 1996

Mr. Speaker: The Chair of your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Bill No. 1368

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

SPEIER, Chairwoman

ASSEMBLY BILL NO. 1368—An act to add Section 926.19 to the Government Code, relating to claims against the state.

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

AUTHOR'S AMENDMENTS
Committee on Natural Resources

January 3, 1996

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

Assembly Bill No. 711

Assembly Bill No. 931

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

SHER, Chairman

ASSEMBLY BILL NO. 711—An act to amend Sections 4551.9, 4593, 4593.3, 4593.7, 4593.8, 4593.9, 4593.11, 4594, 4594.2, 4594.4, 4594.6, and 4594.7 of, to amend and renumber Section 4593.2 of, and to add Section 4593.2 to, the Public Resources Code, and to amend Sections 13 and 14 of Chapter 1290 of the Statutes of 1989, relating to forest practices.

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

ASSEMBLY BILL NO. 931—An act to add Section 4584.1 to the Public Resources Code, relating to forest practices.

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

AUTHOR'S AMENDMENTS
Committee on Labor and Employment

January 3, 1996

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:
Assembly Bill No. 269

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

KNOX, Chairman

ASSEMBLY BILL NO. 269—An act to amend Section 6501.8 of the Labor Code, relating to employment.

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

AUTHOR'S AMENDMENTS
Committee on Public Employees, Retirement and Social Security

January 3, 1996

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

Assembly Bill No. 1623

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

CANNELLA, Vice Chair

ASSEMBLY BILL NO. 1623—An act to amend Section 45272 of the Education Code, relating to school employees.

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

AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife

January 3, 1996

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 474

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

CORTESE, Chairman

ASSEMBLY BILL NO. 474—An act to amend Section 8842 of, and to add Article 10.5 (commencing with Section 8845) to Chapter 3 of Part 3 of Division 6 of, the Fish and Game Code, relating to commercial fishing, and making an appropriation therefor.

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

AUTHOR'S AMENDMENTS
Committee on Natural Resources

January 3, 1996

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

Assembly Bill No. 169

Assembly Bill No. 960

Assembly Bill No. 925

Assembly Bill No. 961

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

SHER, Chairman

ASSEMBLY BILL NO. 169—An act to amend Sections 4585, 4587, and 4590 of the Public Resources Code, relating to forest practices.

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

ASSEMBLY BILL NO. 925—An act to amend Section 6501.1 of, and to add Sections 4129.5 and 6504 to, the Public Resources Code, relating to state lands, and making an appropriation therefor.

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

ASSEMBLY BILL NO. 960—An act to amend Section 66474 of the Government Code, relating to subdivisions.

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

ASSEMBLY BILL NO. 961—An act to add Section 44011 to the Public Resources Code, relating to solid waste.

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

AUTHOR'S AMENDMENTS
Committee on Education

January 3, 1996

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

Assembly Bill No. 955

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

ALPERT, Chairwoman

ASSEMBLY BILL NO. 955—An act to add Section 52179 to the Education Code, relating to bilingual education.

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

AUTHOR'S AMENDMENTS
Committee on Banking and Finance

January 3, 1996

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

Assembly Bill No. 1646

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

WEGGELAND, Chairman

ASSEMBLY BILL NO. 1646—An act to amend Section 17006 of the Financial Code, relating to escrow.

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

AUTHOR'S AMENDMENTS

Committee on Health

January 3, 1996

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

Assembly Bill No. 553

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

GRANLUND, Chairman

ASSEMBLY BILL NO. 553—An act to amend Section 3400 of the Health and Safety Code, relating to communicable disease.

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

AUTHOR'S AMENDMENTS

**Committee on Consumer Protection, Governmental Efficiency
and Economic Development**

January 3, 1996

Mr. Speaker: The Chair of your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Bill No. 826

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

SPEIER, Chairwoman

ASSEMBLY BILL NO. 826—An act to amend Sections 10233, 12153, 12157, 12200, 12205, 12301, 12305, and 12320 of, to add Article 9.5 (commencing with Section 10875) to Chapter 2.5 of Part 2 of Division 2 of, and to add Chapter 4.5 (commencing with Section 12230) and Chapter 5.5 (commencing with Section 12325) to Part 2 of Division 2 of, the Public Contract Code, relating to public purchases.

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

AUTHOR'S AMENDMENTS

Committee on Water, Parks and Wildlife

January 3, 1996

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 1359

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

CORTESE, Chairman

ASSEMBLY BILL NO. 1359—An act to add Chapter 6.5 (commencing with Section 12899) to Part 6 of Division 6 of the Water Code, relating to water.

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

AUTHOR'S AMENDMENTS
Committee on Health

January 3, 1996

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

Assembly Bill No. 476
Assembly Bill No. 1162
Assembly Bill No. 1963

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

GRANLUND, Chairman

ASSEMBLY BILL NO. 476—An act to add Section 3325 to the Health and Safety Code, relating to communicable disease.

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

ASSEMBLY BILL NO. 1162—An act to add Section 22960 to the Business and Professions Code, and to amend Section 19994.31 of the Government Code, relating to tobacco.

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

ASSEMBLY BILL NO. 1963—An act to add Article 11.5 (commencing with Section 428.5) to Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, relating to health.

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

AUTHOR'S AMENDMENTS
Committee on Education

January 3, 1996

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

Assembly Bill No. 1438

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

ALPERT, Chairwoman

ASSEMBLY BILL NO. 1438—An act to amend Section 56366.7 of the Education Code, relating to special education.

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

AUTHOR'S AMENDMENTS
Committee on Transportation

January 3, 1996

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

Assembly Bill No. 260
Assembly Bill No. 420
Assembly Bill No. 1848

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

KATZ, Chairman

ASSEMBLY BILL NO. 260—An act to add Section 43200.1 to the Health and Safety Code, relating to electric vehicles.

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

ASSEMBLY BILL NO. 420—An act to amend Sections 35789.5 and 35790 of the Vehicle Code, relating to vehicles.

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

ASSEMBLY BILL NO. 1848—An act to amend Section 34501.2 of the Vehicle Code, relating to vehicles.

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

AUTHOR'S AMENDMENTS
Committee on Natural Resources

January 3, 1996

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

Assembly Bill No. 1565

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

SHER, Chairman

ASSEMBLY BILL NO. 1565—An act relating to forest resources, and making an appropriation for the usual current expenses of the state, to take effect immediately.

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

AUTHOR'S AMENDMENTS
Committee on Education

January 3, 1996

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

Assembly Bill No. 164

Assembly Bill No. 508

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

ALPERT, Chairwoman

ASSEMBLY BILL NO. 164—An act to amend Sections 48260.5, 48262, and 48264.5 of the Education Code, and to amend Sections 12507, 12514, and 13202.7 of the Vehicle Code, relating to vehicles.

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

ASSEMBLY BILL NO. 508—An act to add Section 51220.6 to the Education Code, relating to domestic violence prevention education.

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

AUTHOR'S AMENDMENTS
Committee on Appropriations

January 3, 1996

Mr. Speaker: The Chair of your Committee on Appropriations reports:
 Assembly Bill No. 1919

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

POOCHIGIAN, Chairman

ASSEMBLY BILL NO. 1919—An act to add Sections 15819.87 and 15819.875 to the Government Code, to amend Sections 1010, 1011.5, and 1012.3 of the Military and Veterans Code, relating to veterans, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

AUTHOR'S AMENDMENTS
Committee on Elections, Reapportionment and Constitutional Amendments

January 3, 1996

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

Assembly Bill No. 1281

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

MCPHERSON, Chairman

ASSEMBLY BILL NO. 1281—An act to amend Sections 102, 1003, 3001, 8601, 9190, 9295, 9380, 9509, 10220, 10222, 10223, 10225, 10226, 10227, 10229, 10407, 11224, 12241, 13313, 14105.5, 15000, and 15004 of, and to repeal Sections 10221, 10224, and 11225 of, the Elections Code, relating to elections.

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

AUTHOR'S AMENDMENTS
Committee on Elections, Reapportionment and Constitutional Amendments

January 3, 1996

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

Assembly Bill No. 1924

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

MCPHERSON, Chairman

ASSEMBLY BILL NO. 1924—An act to amend Sections 9030 and 9031 of the Elections Code, relating to initiatives.

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

AUTHOR'S AMENDMENTS
Committee on Judiciary

January 3, 1996

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

Assembly Bill No. 1348

Assembly Bill No. 1832

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

ISENBERG, Chairman

ASSEMBLY BILL NO. 1348—An act to amend Sections 903, 903.1, 903.25, and 903.3 of the Welfare and Institutions Code, relating to juveniles.

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

ASSEMBLY BILL NO. 1832—An act to add Sections 697.321 and 697.322 to the Code of Civil Procedure, relating to support orders.

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

AUTHOR'S AMENDMENTS
Committee on Banking and Finance

January 3, 1996

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

Assembly Bill No. 612

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

WEGGELAND, Chairman

ASSEMBLY BILL NO. 612—An act to amend Sections 22102 and 22457 of the Financial Code, relating to finance lenders.

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

AUTHOR'S AMENDMENTS
Committee on Elections, Reapportionment and Constitutional Amendments

January 3, 1996

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

Assembly Bill No. 1925

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

MCPHERSON, Chairman

ASSEMBLY BILL NO. 1925—An act to add Section 84201 to the Government Code, relating to the Political Reform Act of 1974.

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

AUTHOR'S AMENDMENTS
Committee on Human Services

January 3, 1996

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 85

Assembly Bill No. 1091

Assembly Bill No. 159

Assembly Bill No. 1275

Assembly Bill No. 769

Assembly Bill No. 1350

Assembly Bill No. 974

Assembly Bill No. 1352

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

BORDONARO, Chairman

ASSEMBLY BILL NO. 85—An act to add Section 1597.543 to the Health and Safety Code, relating to day care facilities.

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

ASSEMBLY BILL NO. 159—An act to amend Sections 11401, 11402, 11404, 11404.1, and 11405 of, and to add Section 11404.2 to, the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor.

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

ASSEMBLY BILL NO. 769—An act to add Section 12300.4 to the Welfare and Institutions Code, relating to public social services.

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

ASSEMBLY BILL NO. 974—An act to add Section 8216 to the Education Code, relating to child care.

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

ASSEMBLY BILL NO. 1091—An act to add Article 23.5 (commencing with Section 8489) to Chapter 2 of Part 6 of the Education Code, relating to child care.

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

ASSEMBLY BILL NO. 1275—An act to add Sections 10026 and 11501.3 to the Welfare and Institutions Code, relating to public assistance restructuring.

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

ASSEMBLY BILL NO. 1350—An act to amend Section 306 of, and to add Section 301.5 to, the Welfare and Institutions Code, relating to juveniles.

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

ASSEMBLY BILL NO. 1352—An act to amend Section 311 of the Welfare and Institutions Code, relating to juveniles.

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

AUTHOR'S AMENDMENTS

Committee on Elections, Reapportionment and Constitutional Amendments

January 3, 1996

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

Senate Bill No. 704

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

MCPHERSON, Chairman

SENATE BILL NO. 704—An act to amend Sections 82015, 82025, 82033, 82034, 82036, 83116, 83117.5, 84200.5, 84203.5, 84211, 84300, 84304, 86102, 86113, 86114, 86116, 86203, 86300, 87103, 87205, 87206, 87207, 87210, 87303, and 87313 of, to repeal and add Sections 89501, 89502, and 89503 of, and to repeal Sections 82048.5, 89504, and 89505 of, the Government Code, relating to the Political Reform Act of 1974.

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

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

January 3, 1996

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

Assembly Bill No. 177	Assembly Bill No. 850
Assembly Bill No. 183	Assembly Bill No. 916
Assembly Bill No. 252	Assembly Bill No. 1372
Assembly Bill No. 296	Assembly Bill No. 1550
Assembly Bill No. 703	

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

MCDONALD, Chairwoman

ASSEMBLY BILL NO. 177—An act to add Section 39006 to the Health and Safety Code, to add Section 19 to the Public Resources Code, and to add and repeal Sections 17053.26 and 23626 of the Revenue and Taxation Code, relating to the environment.

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

ASSEMBLY BILL NO. 183—An act to add and repeal Section 17052.6 of the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 252—An act to add and repeal Section 17053.28 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 296—An act to amend Section 7073 of, and to add Section 7085.3 to, the Government Code, relating to economic development.

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

ASSEMBLY BILL NO. 703—An act to amend Sections 17053.49, 23649, and 24449 of, and to add Sections 17052.8, 17682, 23604, and 24832 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 850—An act to add Section 17952.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 916—An act to amend Sections 24411 and 25110 of, and to add Section 24344.1 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 1372—An act to amend Section 6359 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 1550—An act to amend Sections 17053.66 and 23666 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

AUTHOR'S AMENDMENTS

Committee on Labor and Employment

January 3, 1996

Mr. Speaker: The Chair of Your Committee on Labor and Employment reports:
Assembly Bill No. 713

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

KNOX, Chairman

ASSEMBLY BILL NO. 713—An act to amend Section 12940 of the Government Code, relating to employment.

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

AUTHOR'S AMENDMENTS

Committee on Local Government

January 3, 1996

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 47
Assembly Bill No. 134

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

RAINEY, Chairman

ASSEMBLY BILL NO. 47—An act to amend Sections 53601, 53635, 53684, and 53852 of, and to add Section 53852.5 to, the Government Code, relating to investments, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 134—An act to amend Section 26720 of the Government Code, relating to fees.

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

AUTHOR'S AMENDMENTS
Committee on Local Government

January 3, 1996

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 185

Assembly Bill No. 1537

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

RAINEY, Chairman

ASSEMBLY BILL NO. 185—An act to repeal Section 25339 of the Government Code, relating to county services.

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

ASSEMBLY BILL NO. 1537—An act to add Section 17631 to the Government Code, relating to state-mandated local programs.

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

AUTHOR'S AMENDMENTS
Committee on Appropriations

January 3, 1996

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

Assembly Bill No. 978

Assembly Bill No. 1096

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

POOCHIGIAN, Chairman

ASSEMBLY BILL NO. 978—An act relating to education.

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

ASSEMBLY BILL NO. 1096—An act to amend Section 15372.19 of the Government Code, and to add and repeal Chapter 6.10 (commencing with Section 25403) of Division 20 of the Health and Safety Code, relating to dry cleaning.

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

AUTHOR'S AMENDMENTS
Committee on Labor and Employment

January 3, 1996

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Assembly Bill No. 121

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

KNOX, Chairman

ASSEMBLY BILL NO. 121—An act relating to public works.

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

AUTHOR'S AMENDMENTS**Committee on Consumer Protection, Governmental Efficiency
and Economic Development**

January 3, 1996

Mr. Speaker: The Chair of your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Bill No. 1142

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

SPEIER, Chairwoman

ASSEMBLY BILL NO. 1142—An act to add Section 11347.1 to the Government Code, relating to administrative regulations.

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

AUTHOR'S AMENDMENTS**Committee on Human Services**

January 3, 1996

Mr. Speaker: The Chair of your Committee on Human Services reports:

Senate Bill No. 278

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

BORDONARO, Chairman

SENATE BILL NO. 278—An act to amend Section 12302.7 of the Welfare and Institutions Code, relating to social services.

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

AUTHOR'S AMENDMENTS**Committee on Public Safety**

January 3, 1996

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 172

Assembly Bill No. 1952

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

BOLAND, Chairwoman

ASSEMBLY BILL NO. 172—An act to add Section 13205 to the Penal Code, relating to criminal street gangs, and making an appropriation therefor.

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

ASSEMBLY BILL NO. 1952—An act to amend Section 11357 of the Health and Safety Code, to amend Section 261.5 of the Penal Code, and to amend Section 256 of the Welfare and Institutions Code, relating to crimes.

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

AUTHOR'S AMENDMENTS
Committee on Public Safety

January 3, 1996

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 69	Assembly Bill No. 1017
Assembly Bill No. 267	Assembly Bill No. 1327
Assembly Bill No. 588	Assembly Bill No. 1403
Assembly Bill No. 629	Assembly Bill No. 1741
Assembly Bill No. 749	Assembly Bill No. 1803
Assembly Bill No. 1006	Assembly Bill No. 1901
Assembly Bill No. 1015	

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

BOLAND, Chairwoman

ASSEMBLY BILL NO. 69—An act to amend Section 2053.1 of, and to add Sections 2053.5 and 2053.6 to, the Penal Code, relating to prison education programs.

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

ASSEMBLY BILL NO. 267—An act to add Section 1202.45 to the Penal Code, and to amend Section 204.5 of, and to add Sections 730.7 and 827.3 to, the Welfare and Institutions Code, relating to crime.

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

ASSEMBLY BILL NO. 588—An act to repeal and add Sections 241.3, 243.3, and 245.2 of the Penal Code, relating to crimes.

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

ASSEMBLY BILL NO. 629—An act to add Chapter 1.5 (commencing with Section 12150) to Title 2 of Part 4 of the Penal Code, relating to firearms.

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

ASSEMBLY BILL NO. 749—An act to amend Section 655.6 of the Harbors and Navigation Code, relating to vessels.

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

ASSEMBLY BILL NO. 1006—An act to amend Section 186.22 of the Penal Code, relating to crimes.

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

ASSEMBLY BILL NO. 1015—An act to amend Section 385 of the Penal Code, relating to crimes.

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

ASSEMBLY BILL NO. 1017—An act to amend Sections 8052 and 8090 of the Penal Code, and to amend Section 1 of Chapter 41 of the Statutes of 1994, First Extraordinary Session, relating to corrections.

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

ASSEMBLY BILL NO. 1327—An act to amend Section 3000 of the Penal Code, relating to prisoners.

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

ASSEMBLY BILL NO. 1403—An act to amend Sections 264, 264.1, 286, 288a, 288.5, 289, and 2933.5 of, and to add Section 2933.3 to, the Penal Code, relating to sex offenders.

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

ASSEMBLY BILL NO. 1741—An act to amend Section 190.2 of the Penal Code, relating to murder.

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

ASSEMBLY BILL NO. 1803—An act to add Section 1008 to the Evidence Code, relating to physician-patient confidential communications.

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

ASSEMBLY BILL NO. 1901—An act to amend Section 290 of the Penal Code, relating to sex offenders.

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

AUTHOR'S AMENDMENTS

Committee on Labor and Employment

January 3, 1996

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:
Assembly Bill No. 983

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

KNOX, Chairman

ASSEMBLY BILL NO. 983—An act relating to employment.

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

AUTHOR'S AMENDMENTS
Committee on Human Services

January 3, 1996

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 932

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

BORDONARO, Chairman

ASSEMBLY BILL NO. 932—An act to amend Section 4505 of the Family Code, and to add Article 10 (commencing with Section 11600) to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to aid to families with dependent children, and making an appropriation therefor.

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

AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife

January 3, 1996

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 619

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

CORTESE, Chairman

ASSEMBLY BILL NO. 619—An act to add Article 8 (commencing with Section 347) to Chapter 2.5 of Division 1 of the Water Code, relating to water.

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

AUTHOR'S AMENDMENTS
Committee on Elections, Reapportionment and Constitutional Amendments

January 3, 1996

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

Assembly Bill No. 544

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

McPHERSON, Chairman

ASSEMBLY BILL NO. 544—An act to add Chapter 5.5 (commencing with Section 20450) to Division 20 of the Elections Code, relating to elections.

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

AUTHOR'S AMENDMENTS
Committee on Transportation

January 3, 1996

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 244

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

VILLARAIGOSA, Chairman

ASSEMBLY BILL NO. 244—An act to amend Sections 22651 and 40152 of the Vehicle Code, relating to vehicles.

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

AUTHOR'S AMENDMENTS

Committee on Elections, Reapportionment and Constitutional Amendments

January 3, 1996

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

Assembly Bill No. 220

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

MCPHERSON, Chairman

ASSEMBLY BILL NO. 220—An act to amend Section 66602 of the Education Code, to amend Sections 7150, 7156, 7157, 7207, 7300, 7350, 7405, 7550, 7652, 13109, 15651, 15653, and 15654 of the Elections Code, to amend Sections 7.6, 1001, 1062, 1750, 1775, 8575, 8704, 8790.1, 9766, 9791, 11552.5, 12058, 12058.5, 12059, 12241, 12700, 14886, 15350, 15355.5, 15364.2, 20360, and 75030.5 of, to repeal Sections 3039, 12100, and 12101 of, and to repeal Chapter 2 (commencing with Section 14999) of Part 5.7 of Division 3 of Title 2 of, the Government Code, to amend Section 6101 of the Public Resources Code, to amend Section 2154 of the Streets and Highways Code, to amend Section 15036 of the Unemployment Insurance Code, to amend Section 2600 of the Vehicle Code, and to amend Section 14477 of the Welfare and Institutions Code, relating to the Lieutenant Governor.

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

AUTHOR'S AMENDMENTS

Committee on Elections, Reapportionment and Constitutional Amendments

January 3, 1996

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

Assembly Constitutional Amendment No. 6

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

MCPHERSON, Chairman

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 17 of Article II thereof, subdivision (l) of Section 8 of Article III thereof, Sections 5, 9, 10, and 11 of, and subdivision (f) of Section 14 of, Article V thereof, Section 4 of Article VII thereof, and subdivision (a) of Section 9 of Article IX thereof, relating to the Lieutenant Governor.

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

AUTHOR'S AMENDMENTS

Committee on Transportation

January 3, 1996

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

Assembly Bill No. 1460

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

VILLARAIGOSA, Chairman

ASSEMBLY BILL NO. 1460—An act to amend Section 44011.6 of the Health and Safety Code, relating to air pollution.

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

AUTHOR'S AMENDMENTS
Committee on Local Government

January 3, 1996

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 1419

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

RAINEY, Chairman

ASSEMBLY BILL NO. 1419—An act to add Section 20103 to the Public Contract Code, relating to local agency contracts.

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

AUTHOR'S AMENDMENTS
Committee on Natural Resources

January 3, 1996

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

Assembly Bill No. 1376

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

SHER, Chairman

ASSEMBLY BILL NO. 1376—An act to amend Section 51081 of the Government Code, and to add Section 3233 to the Public Resources Code, relating to oil and gas.

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

AUTHOR'S AMENDMENTS
Committee on Judiciary

January 3, 1996

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

Assembly Bill No. 596

Assembly Bill No. 1353

Assembly Bill No. 800

Assembly Bill No. 1389

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

KUEHL, Chairwoman

ASSEMBLY BILL NO. 596—An act to add Section 2399.5 to the Business and Professions Code, relating to medicine.

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

ASSEMBLY BILL NO. 800—An act to add Section 3044 to the Family Code, relating to family law.

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

ASSEMBLY BILL NO. 1353—An act to amend Sections 355, 355.1, 356, and 358 of the Welfare and Institutions Code, relating to juveniles.

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

ASSEMBLY BILL NO. 1389—An act to add Chapter 11 (commencing with Section 21750) to Division 8 of the Business and Professions Code, relating to copyright.

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

AUTHOR'S AMENDMENTS
Committee on Education

January 3, 1996

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

Assembly Bill No. 84
Assembly Bill No. 101
Assembly Bill No. 979

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

ALPERT, Chairwoman

ASSEMBLY BILL NO. 84—An act to add and repeal Part 26.9 (commencing with Section 47800) of the Education Code, relating to education.

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

ASSEMBLY BILL NO. 101—An act to repeal and add Article 5 (commencing with Section 49000) to Chapter 6 of Part 27 of the Education Code, relating to pupils.

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

ASSEMBLY BILL NO. 979—An act to amend Sections 44277, 44421, 44661, 44663, 44664, 44929.21, 44929.23, 44932, and 44948.3 of, to add Sections 44251.5 and 44666 to, and to repeal and add Section 44251 of, the Education Code, relating to certificated school employees.

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

AUTHOR'S AMENDMENTS
Committee on Utilities and Commerce

January 3, 1996

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
Assembly Bill No. 648
Assembly Bill No. 1914

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

MARTINEZ, Chairwoman

ASSEMBLY BILL NO. 648—An act to add and repeal Section 743.3 of the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 1914—An act to add Chapter 6.5 (commencing with Section 2791) to Part 2 of Division 1 of the Public Utilities Code, relating to public utilities.

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

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Date of Hearing: May 17, 1995

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

Assembly Bill No. 1626

Assembly Bill No. 1627

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MCDONALD, Chairwoman

Above bills ordered to second reading.

Committee on Public Safety

Date of Hearing: July 11, 1995

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 638

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

BOLAND, Chairwoman

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: September 15, 1995

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 611

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

POOCHIGIAN, Chairman

Above bill ordered to second reading.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1983—Miller, Baldwin, Boland, Granlund, Harvey, House, Knowles, and Woods (Senator Haynes, coauthor). An act to repeal Chapter 9 (commencing with Section 25898) of Division 20 of, and to repeal and add Part 9 (commencing with Section 44470) of Division 26 of, the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 1984—Baca. An act to amend Sections 7113.5 and 7114 of the Government Code, relating to local agencies.

ASSEMBLY BILL NO. 1985—Speier (Principal Senate coauthor: Leslie), Baldwin, Conroy, Cortese, Gallegos, Harvey, Hawkins, Margett, Rainey, Sweeney, and Woods (Senators Ayala, Leonard, O'Connell, and Petris, coauthors). An act to amend Sections 191.5, 193, and 1170.12 of the Penal Code, and to amend Sections 2800.3, 23104, 23180, and 23190 of, and to repeal Section 23185 of, the Vehicle Code, relating to driving under the influence.

ASSEMBLY BILL NO. 1986—Ducheny. An act relating to education finance, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1987—Miller (Principal Senate coauthor: Ayala), Granlund, and Harvey (Senator Kopp, coauthor). An act to amend Sections 1500 and 1547 of, and to add Article 4 (commencing with Section 1550) to Chapter 1 of Part 6 of Division 1 of, the Labor Code, relating to athlete agents.

ASSEMBLY BILL NO. 1988—Baca. An act to amend Sections 890, 920, 940, 980, and 999 of the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

ASSEMBLY BILL NO. 1989—Baca. An act to amend Sections 64, 65, 84, 694, 700, 987.25, and 987.88 of the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 1990—Willard Murray. An act to add and repeal Chapter 3.6 (commencing with Section 18320) of Part 6 of Division 9 of the Welfare and Institutions Code, relating to minors, and declaring the urgency thereof, to take effect immediately.

APPOINTMENT OF COMMITTEE ON CONFERENCE

The Speaker appointed the following Assembly Members as a Committee on Conference concerning Senate Bill No. 760:

Pringle, Rainey, and Burton.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Without objection, the following statement of legislative intent was printed in the Journal:

Legislative Intent—Assembly Bill No. 530

December 1, 1995

*The Hon. Brian Setencich
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

RE: AB 530, Real Estate Disclosures

Dear Mr. Speaker: I am writing to request that this letter be published in the Journal so as to resolve any possible doubt about my intent regarding my legislation.

Earlier this year I authored Assembly Bill 530, Chapter 335 of the Statutes of 1995, to clarify and codify the intent behind recent changes to the real estate transfer disclosure form. Among other clarifications to the form itself, those changes were accompanied by legislative intent language which became the subject of my legislation.

It appears that no language can be without ambiguity. A question has been raised as to whether the bill is applicable to transactions beyond those subject to the residential disclosure law (Civil Code 1102 et seq.), and whether its use would then be required for disclosures that the applicable statute (Civil Code Sec. 1102.2) specifically lists as exempted from the act. Such an absurd and unfortunate result was never intended nor was it ever considered or discussed in the course of the bill's movement through the Legislature.

I am aware that real estate licensees have occasionally used the agents' portion of the statutory transfer disclosure form to report upon transactions not subject to the form, but my legislation does not speak to this type of transaction or inspection. The main point of the existing intent language, which my bill only codified, was to make it clear that licensees obligations under Civil Code Sec. 2079 et seq.

were *not* changed by making the transfer disclosure statement applicable to an “as is” transaction.

Thank you for your consideration and cooperation in setting the record straight.

Sincerely,

TED WEGGELAND, Assembly Member
Sixty-fourth District

REQUEST FOR UNANIMOUS CONSENT

Speaker Setencich was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles Kelly, of Sacramento.

Assembly Member Rogan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alejandro Vidal, infant son of Chaz and Debbie Vidal, of Canyon Country.

Assembly Member Hauser was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Greta E. Hill, of Arcata.

REQUEST FOR WITHDRAWAL AND RE-REFERENCE OF BILLS

Assembly Member Tucker requested unanimous consent that Assembly Bill No. 841 be withdrawn from the Committee on Governmental Organization and re-referred to the Committee on Veterans Affairs.

Unanimous consent was withheld.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 797, on request of Assembly Member Archie-Hudson.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

SENATE BILL NO. 1147—An act to add Section 14085.52 to the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

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.

MOTION BY ASSEMBLY MEMBER RICHTER

Assembly Member Richter moved that the following rules relative to “Legislative Powers and Duties” be adopted.

LEGISLATIVE POWERS AND DUTIES

Speaker of the Assembly

The Speaker is responsible for the efficient conduct of the legislative and administrative affairs of the Assembly so as to be able to carry out the decisions and directives of the Rules Committee. The Speaker shall be elected upon organization of the Assembly at the beginning of each regular or special session and shall serve until adjournment sine die of the session, unless removed and a successor chosen pursuant to the rules of the Assembly.

Assembly General Officers

(a) The five general officers of the Assembly whose names and titles shall appear on the frontispiece of all publications are:

Speaker
Speaker Pro Tempore
Majority Floor Leader
Minority Floor Leader
Chief Clerk
Sergeant at Arms

(b) The Majority Floor Leader shall be the duly elected caucus leader of the registered political party having the largest number of members in the Assembly.

(c) The Minority Floor Leader shall be the duly elected caucus leader of the registered political party having the second largest number of members in the Assembly.

(d) No other officers or offices shall be created without a vote of two-thirds of the duly elected members concurring in the creation of such office.

Assembly Committee on Rules

There is hereby created in the Assembly a Committee on Rules, with nine Members of the Assembly, five to be elected by the registered political party having the largest number members in the Assembly, with one elected as Chair by the majority caucus and four to be elected by the registered political party having the second largest number of Members. The Assembly Committee on Rules has a continuing existence and may meet and act during sessions of the Legislature or any recess thereof and in the interim periods between sessions. The committee shall have all the powers and authority provided in Section 11 of Article IV of the Constitution of California, in this article, and as provided in the rules of the Assembly. One alternate member of the Rules Committee shall be selected by the majority and minority caucus; however, there shall be no more than two alternate members to the Rules committee. No member of the Committee on Rules shall simultaneously serve as a Chair of any standing committee.

Powers of the Assembly Committee on Rules

(a) The Assembly Committee on Rules shall have the power:

(1) To organize standing committees and determine their jurisdiction and size.

(2) To assign all bills to Assembly committees.

(3) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by Members as private offices.

(4) To allocate all funds, staffing and other resources necessary for the effective operation of the Assembly.

(5) To choose one Chief Administrative Officer.

(6) To choose one Speaker Pro Tempore.

(7) To exercise such other powers and perform such duties as may be provided by statute enacted in accordance with the provisions of this chapter, or in the rules of the Assembly.

(b) Notwithstanding any other provision of law or rule, neither the Chairman nor any member or agent of the Assembly Committee on Rules shall have the power to perform any action on behalf of the committee, including but not limited to the making of contracts, the payments of claims, the allocation of office space, or the hiring or dismissal of staff, without the express authorization of a majority of the total membership of the committee. Such authorization shall apply only to the matter or matters under immediate consideration. To the extent that there is a conflict between the authority granted to the Rules Committee and the authority granted to any other member of the house, the decision of the Rules Committee shall prevail.

(c) Unless otherwise specified, these rules shall require a majority vote of the membership of the Committee on Rules to implement any power granted to the Committee on Rules.

Appointments by the speaker; confirmation of Assembly Committee on Rules

All statutory and non-statutory appointments delegated to the Speaker of the Assembly who serve at the Speaker's pleasure shall be vacated upon adoption of these rules; in addition, the Speaker shall officially request the resignation of every Speaker-appointee currently serving a fixed term. Notwithstanding any other provision of law, all statutory and non-statutory appointments delegated to the Speaker of the Assembly shall be made from a list of nominees selected by the Rules Committee.

Joint rules committee

(a) There is hereby created the Joint Rules Committee which shall be comprised of the combined membership of the Assembly Committee on Rules and the Senate Committee on Rules as specified in this article and four other Members of the Senate, two to be elected by the party having the largest number of Members in the Senate and two to be elected by the party having the second largest number of Members. The committee herein created has a continuing existence and may meet and act during sessions of the Legislature or any recess thereof and in the interim periods between sessions. The committee shall have all the powers and authority provided in Section 11 of Article IV of the Constitution of California, this title, and in the joint rules of the Legislature. Any action of the committee shall require an affirmative vote of not less than a majority of the Senate members and a majority of the Assembly members of the committee, except that any action which involves or anticipates the expenditure or allocation of funds shall require an affirmative vote of at least two thirds of the Senate members and two thirds of the Assembly members. Any reference in any code or statute to the Joint Committee on Legislative Organization shall be deemed a reference to the Joint Rules Committee.

(b) Notwithstanding any other provision of law or rule, neither the Chairman nor any member or agent of the Joint Rules Committee shall have the power to perform any action on behalf of the committee, including but not limited to the making of contracts,

the payments of claims, the allocation of office space, or the hiring or dismissal of staff, without express authorization of two thirds of the membership of the committee. Such authorization shall apply only to the matter or matters under immediate consideration.

LEGISLATIVE RULES AND PROCEDURES

Rules

The Assembly shall adopt rules for its proceedings for each regular and special session by resolution adopted by an affirmative recorded vote of majority of the house. No rule of the Assembly shall be amended except by resolution adopted by an affirmative recorded vote of majority of the Members. Any standing rule of the Assembly may be suspended temporarily by a vote of two thirds of the Members present and voting: provided, that in no case may a rule be suspended in the absence of a quorum. Any such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

Standing committees

All standing committees of the Assembly, except the Assembly Committee on Rules, shall be created and the size and jurisdiction thereof established through the adoption of or amendment to the rules by resolution, a majority of the membership of the Committee on Rules concurring. Committee membership shall be determined in the following manner:

(a) The chair, vice-chair and membership of each committee of the Assembly shall be appointed by the Committee on Rules.

(b) The Assembly Committee on Rules shall provide for the necessary and reasonable expenses of all committees of their respective houses.

Special and select committees, subcommittees

No special or select committees nor any subcommittee shall be established in the Assembly except by affirmative vote of a majority of the Committee on Rules. For purposes of this section, "special" and "select" committees or subcommittees include all committees or subcommittees which are not standing committees of the Assembly or joint committees.

Joint committees

No joint committee shall be established except by passage of concurrent resolution, two thirds of the membership of each house concurring. The membership of each joint committee shall be allocated equally between the Senate and the Assembly, and the delegation from each house shall be chosen pursuant to the procedures set forth in for the standing committees.

Member voting

The Assembly Committee on Rules shall provide for appropriate voting procedures on the floor and in committees or subcommittees; provided, that no Member shall be allowed to cast a vote for another Member.

Open and public meetings; public notice

Except as otherwise provided in this article, all meetings of the Assembly and the committees, subcommittees, and conference committees, shall be open and public and all the proceedings shall be conducted openly so that the public may remain informed. All such meetings shall be held only after full and timely notice to the public published in the Journal at least two working days prior to the hearing unless longer notice is required by the Joint Rules of the Assembly, except notice may be dispensed with on extraordinary occasions by two thirds affirmative recorded vote of the membership of the Assembly.

Executive sessions

Nothing contained in this article shall be construed to prevent the Assembly or a committee or subcommittee thereof, except a conference committee, from holding executive sessions to consider matters relating to the appointment, employment or dismissal of a public officer or matters affecting the safety and security of the State Capitol or Members of the Legislature, its staff and employees. Members of the Assembly shall not be prevented from meeting privately in caucus with members of their own political party.

Conference committees

The Committee on Rules shall appoint Assembly membership of committees on conference. Notwithstanding any other provision of law, no Member of the Assembly shall sign a conference committee report unless a full and public meeting of the conference committee has been held in accordance with the adopted provisions of the "Open and Public Meetings; Public Notice" section of these Rules. No report of a conference committee shall be adopted until the same, with amendments, has been printed and made available to the public for a minimum of two days, except that a house may dispense with this requirement by roll call vote entered in the journal, two thirds of the Assembly membership concurring. Any conference report adopted in violation of this provisions shall be void.

Independent audit of contingent funds

The Assembly Rules Committee shall annually contract for an independent audit of the revenues and expenditures, for each fiscal year, from the Assembly Contingent Fund, and the Contingent Funds of the Assembly. The organization performing the audit shall be subject to the Fair Political Practices Commission. The audit shall include, but need not be limited to, an evaluation of the accuracy and appropriateness of the expenditures described in section on Reports to public on expenditures made from contingent funds and an evaluation of the effectiveness of the internal auditing procedures of the individual rules committees.

The audit shall be completed and made available to the public within 180 calendar days following the completion of the fiscal year for which the audit is performed.

Conflict with Other Rules

To the extent that these rules are in conflict with any previously adopted Rules of the Assembly, or with previous custom and usage of Assembly Rules, these rules shall prevail. In all cases not otherwise provided by the California Constitution, by statute, by these rules, or by the Joint Rules of the Senate and Assembly, the authority shall be Mason's Manual (1979 edition).

Reply by Speaker

The Speaker replied that consistent with procedure of the House in the previous year, petitions and resolutions relative to the rules presented at the Desk, will be referred to the Committee on Rules.

Parliamentary Inquiry

Assembly Member Richter arose to the following parliamentary inquiry:

Is it the ruling of the Chair that this matter is to be referred to the Committee on Rules?

Reply by Speaker

The Speaker replied that it is not a ruling but rather a statement of procedure of the House.

Point of Order

Assembly Member Richter arose to the following point of order:

That the House proceed by vote on the question of whether or not it is the procedure of the House to refer motions relative to rules to the Committee on Rules.

Reply by Speaker

The Speaker replied that he would not entertain an appeal from the decision of the Chair; that it was his intention to maintain the procedure of the House established during the previous year.

Point of Order

Assembly Member Rogan arose to the following point of order:

That there is established precedent of the House on January 23, 1995 and June 5, 1995 whereby proposed rules and proposed changes to the rules were presented at the Desk and taken up for immediate consideration and vote.

Reply by Speaker

The Speaker replied that the Chair would not entertain an appeal from the decision of the Chair; and that precedent was also established last year whereby proposed changes in the rules were introduced at the Desk in resolution form and referred to the Committee on Rules.

REQUEST FOR WITHDRAWAL AND RE-REFERENCE OF BILLS

Assembly Member Tucker requested unanimous consent that Assembly Bill No. 841 be withdrawn from the Committee on Governmental Organization and re-referred to the Committee on Veterans Affairs; and that Assembly Bill No. 294 be withdrawn from the Committee on Governmental Organization and re-referred to the Committee on Public Safety.

Unanimous consent was withheld.

REQUEST FOR UNANIMOUS CONSENT

Assembly Members Burton and Vasconcellos were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of former Member of the Assembly Pauline Davis.

Speaker Setencich was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Petersen Jackson, of Fresno, father of his Chief of Staff Marc Jackson.

POINT OF ORDER

Assembly Member Rogan arose to the following point of order:

That he had raised a point of order and would request that the Chair rule on the point of order to allow the matter to be before the House.

Point of Order

Assembly Member Burton arose to the following point of order:

That Assembly Member Richter spoke prior to making his motion and therefore, under the rules, his motion is out of order.

Reply by Speaker

The Speaker replied that he would not entertain motions and appeals that are not consistent with the precedent of the Body and that all proposed changes to the rules would be referred and fairly debated in the Committee on Rules.

BILLS STRICKEN FROM FILE

Assembly Member Hannigan was granted unanimous consent that Assembly Bill No. 397 be stricken from file.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Hannigan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Isidro Ornelas, Sr., of Winters.

Assembly Member Isenberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Anne Noel Fazio, daughter of Congressman Vic Fazio; and out of respect to the memory of William Patrick Moffat, of Sacramento.

Assembly Members Isenberg, Vasconcellos, and Bates were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bernard E. Witkin, of Berkeley.

PARLIAMENTARY INQUIRY

Assembly Member Pringle arose to the following parliamentary inquiry:

The rules governing the House at the present time and rules established in prior sessions allow for the opportunity to resolve a dispute between the presiding officer and the Members of the Assembly through the process of appeal from the decision of the Chair. By what procedure does the Body resolve a dispute with the presiding officer?

Reply by Speaker

The Speaker replied that it is his assumption that disputes are resolved by the Rules Committee.

Parliamentary Inquiry

Assembly Member Pringle arose to the following parliamentary inquiry:

If a ruling is made by the presiding officer that is not supported by a majority of the Members on the Floor, is there no longer a process for appeal from the decision of the Chair?

Reply by Speaker

The Speaker replied that he would uphold the established procedures of the previous year.

Parliamentary Inquiry

Assembly Member Pringle arose to the following parliamentary inquiry:

Assembly Members Richter and Rogan attempted to implore the process of appeal from the decision of the Chair. By what procedure can the opportunity for appeal from the decision of the Chair move forward?

Reply by Speaker

The Speaker replied that if the inquiry is how to change the process by which the Body can consider proposed rules changes, that question can also be addressed by the Rules Committee.

Parliamentary Inquiry

Assembly Member Pringle arose to the following parliamentary inquiry:

Is it your ruling that the proposed rules offered by Assembly Member Richter, or any other Member, will be referred to the Rules Committee for hearing?

Reply by Speaker

The Speaker replied that it was not his ruling but rather, an upholding of the established procedure of the House.

Parliamentary Inquiry

Assembly Member Conroy arose to the following parliamentary inquiry:

Who is the Chair of the Committee on Rules?

Reply by Speaker

The Speaker replied that he is the Chair of the Committee on Rules.

MOTION BY ASSEMBLY MEMBER GOLDSMITH

Assembly Member Goldsmith moved to temporarily vacate the Chair and elect Assembly Member Brulte as temporary presiding officer to hear all motions pertaining to the Richter proposed rules, including the appeal of the Chair.

Assembly Member Rogan seconded the motion.

Parliamentary Inquiry

Assembly Member Burton arose to the following parliamentary inquiry:

Is it not proper under the rules that a proposed amendment to the rules be presented to the Desk in resolution form and referred to the Committee on Rules?

Reply by Speaker

The Speaker replied in the affirmative.

Parliamentary Inquiry

Assembly Member Burton arose to the following parliamentary inquiry:

Is the proposed document by Assembly Member Richter at the Desk in Legislative Counsel form?

Reply by Speaker

The Speaker replied in the negative.

Parliamentary Inquiry

Assembly Member Burton arose to the following parliamentary inquiry:

Would it not be a suspension of the rules to take up proposed changes to the rules that are not in Legislative Counsel form and which have not been referred to the Committee on Rules?

Reply by Speaker

The Speaker replied in the affirmative.

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

Pursuant to Assembly Rule 78, Assembly Member McDonald announced her intention to request that Assembly Bills Nos. 1622 and 1624 be removed from the inactive file.

PARLIAMENTARY INQUIRY

Assembly Member Battin arose to the following parliamentary inquiry:

Is it not true that in the previous year proposed amendments to the rules were referred to the Committee on Rules by vote of the Members, and that proposed changes to the rules were taken up for consideration on the Floor?

Reply by Speaker

The Speaker replied that he is maintaining the precedent of the previous year.

Further Consideration of Motion by Goldsmith

The question being on the motion by Assembly Member Goldsmith to temporarily vacate the Chair and elect Assembly Member Brulte as temporary presiding officer to hear all motions pertaining to the Richter proposed rules, including the appeal of the Chair.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:49 a.m.

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

MOTION TO DISPENSE WITH CALL OF THE ASSEMBLY

Assembly Member Rogan moved that the Call of the Assembly be dispensed with as it relates to the motion by Assembly Member Goldsmith.

CAUCUS ANNOUNCEMENTS

At 11:50 a.m., Assembly Member Katz was granted unanimous consent that the Democratic Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 11:51 a.m., Speaker Setencich declared the Assembly recessed.

REASSEMBLED

At 2:46 p.m., the Assembly reconvened.

Hon. Brian Setencich, Speaker of the Assembly, presiding.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
GOLDSMITH MOTION TO TEMPORARILY VACATE THE CHAIR**

At 2:49 p.m., on motion of Assembly Member Rogan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The motion by Assembly Member Goldsmith to temporarily vacate the Chair and elect Assembly Member Brulte as temporary presiding officer to hear all motions pertaining to the Richter proposed rules, including the appeal of the Chair, carried by the following vote:

AYES—40

Ackerman	Brulte	House	Olberg
Aguiar	Conroy	Kaloogian	Poochigian
Alby	Cunneen	Knight	Pringle
Baldwin	Firestone	Knowles	Rainey
Battin	Frusetta	Kuykendall	Richter
Baugh	Goldsmith	Margett	Rogan
Boland	Granlund	McPherson	Takasugi
Bordonaro	Harvey	Miller	Thompson
Bowler	Hawkins	Morrissey	Weggeland
Brewer	Hoge	Morrow	Woods

NOES—39

Alpert	Cannella	Isenberg	Murray, Willard
Archie-Hudson	Cortese	Katz	Napolitano
Baca	Davis	Knox	Sher
Bates	Ducheny	Kuehl	Speier
Bowen	Escutia	Lee	Sweeney
Brown	Figueroa	Machado	Tucker
Burton	Friedman	Martinez	Vasconcellos
Bustamante	Callegos	Mazzoni	Villaraigosa
Caldera	Hannigan	McDonald	Mr. Speaker
Campbell	Hauser	Murray, Kevin	

At 2:51 p.m., Hon. Jim Brulte, 63rd District, presiding

FURTHER CONSIDERATION OF MOTION BY ASSEMBLY MEMBER RICHTER

The question being on the motion by Assembly Member Richter relative to the rules entitled "Legislative Powers and Duties".

Assembly Member Thompson seconded the motion.

Parliamentary Inquiry

Assembly Member Burton arose to the following parliamentary inquiry:

Under the rules, is there not a requirement that matters before the Body for vote be read in entirety?

Reply by Presiding Officer

Presiding Officer Brulte replied that the Clerk advises that it is the policy of the House that bills are read by title or read with amendments, and that the motion by Assembly Member Richter is in written form, on the Members' desks and is properly before the House.

Parliamentary Inquiry

Assembly Member Olberg arose to the following parliamentary inquiry:

Under the rules, is there not a limited time for debate?

Reply by Presiding Officer

The Presiding Officer replied in the affirmative.

Demand for Previous Question

Assembly Members Goldsmith, Woods, Conroy, Baldwin, and Napolitano demanded the previous question.

Roll Call Demanded

Assembly Members Speier, Katz, and Knox, demanded a roll call.

The roll was called, and the demand for the previous question as it relates to the motion by Assembly Member Richter was sustained by the following vote:

AYES—41

Ackerman	Conroy	Kaloogian	Pringle
Aguiar	Cortese	Knight	Rainey
Alby	Cunneen	Knowles	Richter
Baldwin	Firestone	Kuykendall	Rogan
Battin	Frusetta	Margett	Takasugi
Baugh	Goldsmith	McPherson	Thompson
Boland	Granlund	Miller	Weggeland
Bordonaro	Harvey	Morrissey	Woods
Bowler	Hawkins	Morrow	
Brewer	Hoge	Olberg	
Brulte	House	Poochigian	

NOES—37

Alpert	Cannella	Katz	Napolitano
Archie-Hudson	Davis	Knox	Sher
Baca	Ducheny	Kuehl	Speier
Bates	Escutia	Lee	Sweeney
Bowen	Figueroa	Machado	Tucker
Brown	Friedman	Martinez	Vasconcellos
Burton	Gallegos	Mazzoni	Villaraigosa
Bustamante	Hannigan	McDonald	
Caldera	Hauser	Murray, Kevin	
Campbell	Isenberg	Murray, Willard	

Request for Unanimous Consent

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

Unanimous consent was withheld.

Motion to Temporarily Suspend the Rules

Assembly Member Speier moved that the Rules be temporarily suspended for the purpose of permitting her to ask a question of Assembly Member Richter on his closing time for debate.

Assembly Member Katz seconded the motion.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—36

Alpert	Campbell	Hauser	McDonald
Archie-Hudson	Cannella	Isenberg	Murray, Kevin
Baca	Davis	Katz	Murray, Willard
Bates	Ducheny	Knox	Napolitano
Bowen	Escutia	Kuehl	Sher
Brown	Figueroa	Lee	Speier
Burton	Friedman	Machado	Sweeney
Bustamante	Gallegos	Martinez	Tucker
Caldera	Hannigan	Mazzoni	Villaraigosa

NOES—38

Ackerman	Brulte	Kaloogian	Pringle
Aguiar	Conroy	Knight	Rainey
Alby	Firestone	Knowles	Richter
Baldwin	Frusetta	Kuykendall	Rogan
Battin	Goldsmith	Margett	Takasugi
Baugh	Granlund	Miller	Thompson
Boland	Harvey	Morrissey	Weggeland
Bordonaro	Hawkins	Morrow	Woods
Bowler	Hoge	Olberg	
Brewer	House	Poohigian	

Parliamentary Inquiry

Assembly Member Sher arose to the following parliamentary inquiry:

What is the vote required to carry the motion by Assembly Member Richter?

Reply by Presiding Officer

Presiding Officer Brulte replied that based upon precedent of June 5, 1995 the motion would carry on a vote of a majority of the Members of the House and that with 79 duly elected Members of the House, the motion would carry with 40 votes.

Roll Call

The roll was opened, and the motion by Assembly Member Richter relative to "Legislative Powers and Duties" carried by the following vote:

AYES—41

Ackerman	Conroy	Kaloogian	Pringle
Aguiar	Cortese	Knight	Rainey
Alby	Cunneen	Knowles	Richter
Baldwin	Firestone	Kuykendall	Rogan
Battin	Frusetta	Margett	Takasugi
Baugh	Goldsmith	McPherson	Thompson
Boland	Granlund	Miller	Weggeland
Bordonaro	Harvey	Morrissey	Woods
Bowler	Hawkins	Morrow	
Brewer	Hoge	Olberg	
Brulte	House	Poochigian	

NOES—36

Alpert	Campbell	Hauser	McDonald
Archie-Hudson	Cannella	Isenberg	Murray, Kevin
Baca	Davis	Katz	Murray, Willard
Bates	Ducheny	Knox	Napolitano
Bowen	Escutia	Kuehl	Sher
Brown	Figuroa	Lee	Speier
Burton	Friedman	Machado	Sweeney
Bustamante	Gallegos	Martinez	Tucker
Caldera	Hannigan	Mazzoni	Villaraigosa

CAUCUS ANNOUNCEMENTS

At 3:20 p.m., by unanimous consent, the Republican Caucus was permitted to meet in the Assembly Lounge, and the Democratic Caucus was permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 3:21 p.m., Presiding Officer Brulte declared the Assembly recessed.

REASSEMBLED

At 5:52 p.m., the Assembly reconvened.

Hon. Jim Brulte, Assembly Member, 63rd District, presiding.

At 5:53 p.m., Hon. Fred Aguiar, 61st District, presiding

MESSAGES FROM THE SENATE

Senate Chamber, January 3, 1996

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

Senate Bill No. 760.

JOHN W. ROVANE, Acting Secretary of the Senate

COMMUNICATIONS

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

January 3, 1996

E. Dotson Wilson
Chief Clerk, State Assembly
State Capitol, Room 3196

Dear Mr. Wilson, Pursuant to the Rules adopted by the Assembly on January 3, 1996, the Assembly Republican Caucus has selected the following members to serve on the Committee on Rules:

Curt Pringle, Chair
 Marilyn Brewer
 Barbara Alby
 William "Pete" Knight
 Jan Goldsmith

Sincerely,

CURT PRINGLE
 Assembly Republican Leader

January 3, 1996

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Pursuant to the Rules adopted by the Assembly on January 3, 1996, the Assembly Democratic Caucus has selected the following members to serve on the Committee on Rules: John Burton, Martha Escutia, Barbara Lee and Kevin Murray.

Sincerely,

RICHARD KATZ
 Assembly Democratic Leader

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Isenberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of David John Dangelo, Jr., of Sacramento, grandson of former Assemblyman Dan E. Williams, son of Virginia Williams and brother of Lisa Hokama of Sacramento.

Assembly Member Vasconcellos was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of William N. Ross, of Ellensburg, Washington.

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of William H. Aroner, of Berkeley.

Assembly Member Boland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dolores Napoletano, of Carson City and Annette Macedonio, of Ohio.

Assembly Member Olberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of George Nations, of Apple Valley.

ANNOUNCEMENTS

Acting Speaker Aguiar announced that the Rules Committee would meet on Thursday, January 4, 1996, at 9:45 a.m., and that Floor session would convene at 10 a.m.

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

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 458, 976, 1317, 1168, 574, and 378; and Senate Bills Nos. 1332 and 394 were continued until the next legislative day.

MOTIONS TO WITHDRAW BILLS FROM COMMITTEE CONTINUED

Without objection the motion to withdraw Assembly Joint Resolution No. 18 from the Committee on Public Safety was continued until the next legislative day; and the motion to withdraw Assembly Bill No. 528 from the Committee on Human Services was continued until the next legislative day.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 5:55 p.m., Acting Speaker Aguiar declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 5:55 p.m., the Assembly adjourned until 10 a.m., Thursday, January 4, 1996, out of respect to the memory of Charles Kelly and Robert Petersen Jackson, on motion of Speaker Setencich; out of respect to the memory of Alejandro Vidal, on motion of Assembly Member Rogan; out of respect to the memory of Greta E. Hill, on motion of Assembly Member Hauser; out of respect to the memory of Pauline Davis, on motion of Assembly Members Burton and Vasconcellos; out of respect to the memory of Isidro Ornelas, Sr., on motion of Assembly Member Hannigan; out of respect to the memory of Anne Noel Fazio and William Patrick Moffat, on motion of Assembly Member Isenberg; out of respect to the memory of Bernard E. Witkin, on motion of Assembly Members Isenberg, Vasconcellos, and Bates; out of respect to the memory of David John Dangelo, Jr., on motion of Assembly Member Isenberg; out of respect to the memory of William N. Ross, on motion of Assembly Member Vasconcellos; out of respect to the memory of William H. Aroner, on motion of Assembly Member Bates; out of respect to the memory of Dolores Napoletano and Annette Macedonio, on motion of Assembly Member Boland; and out of respect to the memory of George Nations, on motion of Assembly Member Olberg.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 3, 1996**

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

AB	RN	AB	RN
47	9534872	800	9535032
52	9534139	826	9534438
69	9534017	850	9534633
84	9535393	916	9534292
85	9534609	925	9517810
101	9535000	931	9533929
121	9534832	932	9534841
134	9534837	944	9534399
159	9535152	955	9533918
164	9533684	960	9534641
169	9535430	961	9534624
172	9534164	974	9529118
177	9534930	978	9533367
183	9525520	979	9535338
185	9534926	983	9535694
220	9535557	1006	9534323
244	9535455	1015	9517924
252	9534608	1017	9533662
260	9534622	1091	9534695
267	9534577	1096	9535006
269	9533893	1142	9534663
296	9533954	1162	9534548
363	9534328	1190	9533062
420	9534831	1275	9534486
474	9534273	1281	9534387
476	9533873	1327	9534554
508	9534949	1348	9534388
544	9518322	1350	9534706
553	9533882	1352	9534768
588	9534555	1353	9534702
596	9535269	1359	9534866
612	9534946	1360	9534250
619	9534840	1368	9534381
629	9535191	1372	9534551
648	9535039	1376	9535438
703	9534762	1389	9520671
711	9533928	1403	9534549
713	9534540	1419	9535412
735	9533876	1438	9534932
749	9533896	1453	9534234
769	9535038	1460	9534936

AB	RN
1537	9534603
1550	9534656
1565	9535056
1623	9534362
1646	9534402
1724	9534233
1741	9534219
1803	9534245
1832	9534741
1848	9534765
1901	9534433
1914	9534121
1919	9534876
1924	9534324

AB	RN
1925	9535119
1952	9534102
1963	9534496

ACA	RN
6	9535559

SB	RN
278	9535207
704	9534147
849	9529944
875	9532809
1147	9532389