

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, April 23, 1996**

**TWO HUNDRED THIRD SESSION DAY**

**FIVE HUNDRED SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Tuesday, April 23, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

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

Quorum present.

At 2:45 p.m., Hon. James E. Rogan, 43rd District, presiding

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

*Because of illness: Assembly Member Knowles.*

**COMMUNICATIONS**

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

April 22, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Public Resources Code 33505, I have appointed Michael Fedderly to the Coachella Valley Mountains Conservancy Governing Board to fill an existing vacancy for a term ending April 22, 1998.

Sincerely,

**CURT PRINGLE**  
Speaker of the Assembly

April 23, 1996

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

Dear Mr. Wilson: Please be advised that Assembly Member Weggeland is temporarily appointed to the Insurance Committee, replacing Assembly Member Knowles, who is removed for the day.

Please be advised that Assembly Member Brulte is temporarily appointed to the Human Services Committee, replacing Assembly Member Knowles, who is removed for the day.

Sincerely,

**CURT PRINGLE**  
Speaker of the Assembly

April 23, 1996

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

Dear Mr. Wilson: Please be advised that Assembly Member Kuykendall is temporarily appointed to Budget Subcommittee 3, replacing Assembly Member Morrow, who is removed for the day.

Please be advised that Assembly Member Ackerman is temporarily appointed to the Health Committee, replacing Assembly Member Morrow, who is removed for the day.

Sincerely,

**CURT PRINGLE**  
Speaker of the Assembly

**REPORTS**

The following reports were presented by the Chief Clerk:

**California's Independent Living Program  
(Pursuant to Welfare and Institutions Code Section 10609.3)**

Above transmitted report, together with letter of transmittal from Eloise Anderson, Director, Department of Social Services, Sacramento, dated April 16, 1996, referred by the Speaker to the Committee on Human Services.

**California State Teachers' Retirement System, 1995 Annual Report  
(Pursuant to Education Code Section 22324)**

Above transmitted report, together with letter of transmittal from James D. Mosman, Chief Executive Officer, State Teachers' Retirement System, Sacramento, dated April 18, 1996, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, April 23, 1996

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

Assembly Bill No. 2169  
Assembly Bill No. 2403  
Assembly Bill No. 2404  
Assembly Bill No. 2454  
Assembly Bill No. 2469  
Assembly Bill No. 2610  
Assembly Bill No. 2653  
Assembly Bill No. 2655  
Assembly Bill No. 2673  
Assembly Bill No. 2708  
Assembly Bill No. 2714

Assembly Bill No. 2743  
Assembly Bill No. 2838  
Assembly Bill No. 2859  
Assembly Bill No. 2902  
Assembly Bill No. 2987  
Assembly Bill No. 3112  
Assembly Bill No. 3118  
Assembly Bill No. 3203  
Assembly Bill No. 3296  
Assembly Bill No. 3451

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 23, 1996

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

Assembly Bill No. 3048  
Assembly Bill No. 3057

Assembly Bill No. 3072  
Assembly Bill No. 3198

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 23, 1996

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

Assembly Bill No. 2145

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, April 23, 1996

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

Assembly Bill No. 2629  
Assembly Bill No. 2739  
Assembly Bill No. 2951

Assembly Bill No. 3239  
Assembly Bill No. 3431

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 23, 1996

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

- Assembly Bill No. 2540
- Assembly Bill No. 2668
- Assembly Bill No. 2695
- Assembly Bill No. 2753
- Assembly Bill No. 2929
- Assembly Bill No. 3081
- Assembly Bill No. 3127

- Assembly Bill No. 3139
- Assembly Bill No. 3152
- Assembly Bill No. 3185
- Assembly Bill No. 3218
- Assembly Bill No. 3235
- Assembly Bill No. 3308
- Assembly Bill No. 3479

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 23, 1996

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

Assembly Constitutional Amendment No. 43

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, April 23, 1996

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

Assembly Bill No. 2255

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

**BILLS CONSIDERED ENGROSSED**

Unanimous consent was granted that Assembly Bill No. 3020 be considered engrossed.

**INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS**

The following bill was introduced and read the first time:

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 48**—Alby. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Article XXII thereto, relating to sexual violence.

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 88**—Hauser, Alpert, Archie-Hudson, Baca, Bates, Battin, Bowen, Brown, Bustamante, Caldera, Campbell, Cunneen, Davis, Ducheny, Figueroa, Friedman, Gallegos, Hannigan, Harvey, Isenberg, Katz, Knox, Kuehl, Margett, Martinez, Mazzoni, Willard Murray, Napolitano, Richter, Speier, Sweeney, Vasconcellos, Villaraigosa, and Woods, (Senators Beverly, Costa, Dills, Hughes, Johnston, Killea, Lockyer, O'Connell, Petris, Polanco, Rogers, Rosenthal, Sher, Solis, and Watson, coauthors). Relative to Dr. Jane Goodall.

**REQUEST TO SUSPEND JOINT RULES**

The following requests were received, and read:

Assembly Chamber, April 23, 1996

Mr. Speaker: I request permission to suspend Joint Rule 61 as it relates to Assembly Bill No. 2089.

RICHARD K. RAINEY

Assembly Chamber, April 23, 1996

Mr. Speaker: I request permission to suspend Joint Rule 61 as it related to Assembly Bills Nos. 2712, 2657, 2875, and 2597.

**MICKEY CONROY**

Above requests ordered transmitted to the Committee on Rules.

**AUTHOR'S AMENDMENTS**

**Committee on Housing and Community Development**

April 23, 1996

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 2952

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

HAWKINS, Chairman

**ASSEMBLY BILL NO. 2952**—An act to add Section 50896.5 to the Health and Safety Code, relating to housing.

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**

April 23, 1996

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

Assembly Bill No. 3242

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

BOLAND, Chairwoman

**ASSEMBLY BILL NO. 3242**—An act to amend Section 686 of, and to add Section 868.9 to, the Penal Code, relating to criminal procedure, 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 Human Services**

April 23, 1996

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

Assembly Bill No. 2297

Assembly Bill No. 2807

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

BORDONARO, Chairman

**ASSEMBLY BILL NO. 2297**—An act to add Chapter 4 (commencing with Section 18250) to part 6 of Division 9 of 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. 2807**—An act to add Section 16507.51 to, to add Chapter 8 (commencing with Section 10970) to Part 2 of Division 9 of, and to repeal and add Article 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of Division 9 of, 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.

**AUTHOR'S AMENDMENTS**

**Committee on Revenue and Taxation**

April 23, 1996

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Senate Bill No. 710

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

TAKASUGI, Chairman

**SENATE BILL NO. 710**—An act to amend Section 7270 of, and to add Section 7266 to, the Revenue and Taxation Code, relating to taxation.

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

**AUTHOR'S AMENDMENTS**

**Committee on Revenue and Taxation**

April 23, 1996

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Assembly Bill No. 3219

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

TAKASUGI, Chairman

**ASSEMBLY BILL NO. 3219**—An act to add Sections 17096, 17141.5, 17148, 17267, and 17267.5 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.

**AUTHOR'S AMENDMENTS**

**Committee on Banking and Finance**

April 23, 1996

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:  
Assembly Bill No. 3260

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

GOLDSMITH, Chairman

**ASSEMBLY BILL NO. 3260**—An act to amend Sections 1876.1 and 33560 of, and to repeal Sections 1876.7 and 33566 of, the Financial Code, relating to financial transactions.

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**

April 23, 1996

Mr. Speaker: The Chair of your Committee on Human Services reports:  
Assembly Bill No. 2529

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

BORDONARO, Chairman

**ASSEMBLY BILL NO. 2529**—An act to amend Section 56156 of the Education Code, and to add Section 731.1 to the Welfare and Institutions Code, relating to children.

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**

April 23, 1996

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Senate Bill No. 98  
Senate Bill No. 435

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

POOCHIGIAN, Chairman

**SENATE BILL NO. 98**—An act relating to school facilities.

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

**SENATE BILL NO. 435**—An act 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.

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

April 23, 1996

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Assembly Bill No. 2764

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

POOCHIGIAN, Chairman

**ASSEMBLY BILL NO. 2764**—An act to amend Section 11370.4 of the Health and Safety Code, and to amend Sections 12022 and 12022.5 of the Penal Code, relating to controlled substances.

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**

April 23, 1996

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

Assembly Bill No. 2909

Assembly Bill No. 3193

Assembly Bill No. 3216

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

MORROW, Chairman

**ASSEMBLY BILL NO. 2909**—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. 3193**—An act to add Section 6148.5 to the Business and Professions Code, relating to attorney's 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.

**ASSEMBLY BILL NO. 3216**—An act to add Section 3333.15 to the Civil Code, relating to negligence.

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 Housing and Community Development**

April 23, 1996

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 2166

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

HAWKINS, Chairman

**ASSEMBLY BILL NO. 2166**—An act to amend Section 1368 of, and to add Section 1368.5 to, the Civil Code, relating to common interest developments.

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**

April 23, 1996

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

Assembly Bill No. 2688

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

TAKASUGI, Chairman

**ASSEMBLY BILL NO. 2688**—An act to add Section 23103 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.

**AUTHOR'S AMENDMENTS**  
**Committee on Rules**

April 23, 1996

Mr. Speaker: The Chair of your Committee on Rules reports:  
House Resolution No. 41

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

PRINGLE, Chairman

**HOUSE RESOLUTION NO. 41**—Relative to Assembly Rules 2, 12, 13, 14.5, 15.6, 15.7, 22.5, 29, 30, 77, 100, and 117.7.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted.

**House Resolution No. 41, As Amended**

By Assembly Member Brewer

*Relative to Assembly Rules 2, 12,*

*13, 14.5, 15.6, 15.7, 22.5, ~~29~~, ~~30~~ 25, 29, 30, 69, 77, 100, and 117.7.*

*Resolved by the Assembly of the State of California*, That the Standing Rules of the Assembly for the 1995–96 Regular Session are amended as follows:

First—That Rule 2 is amended to read:

**Hours of Meeting**

2. The Speaker or, in his or her absence, the Speaker pro Tempore, shall determine the time for convening the session, unless otherwise ordered by a majority vote of the Members present and voting.

Second—That Rule 12 is amended to read:

**Membership of Standing Committees**

12. (a) All standing committees or subcommittees, except the Committee on Rules and its subcommittees, shall be organized and the size and jurisdiction thereof established by a majority of the membership of the Committee on Rules.

The Committee on Rules, by a majority of its membership, shall appoint the membership, and the chairperson and vice chairperson, of all standing committees and subcommittees, except the Committee on Rules and its subcommittees.

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

Third—That Rule 13 is amended to read:

**Committee on Rules**

13. There is a Committee on Rules, which shall act as the executive committee of the Assembly. The committee shall consist of twelve members, seven, including the chairperson of the committee, to be elected by the political party having the largest number of Members in the Assembly, and five, including the vice chairperson of the committee, to be elected by the political party having the second largest number of Members. One alternate member of the Committee on Rules shall each be selected by the majority and

minority caucuses. Members so elected shall remain in office until their successors are elected as provided for in these rules.

An alternate member may serve when a committee member of the same political party is absent.

No member of the Committee on Rules may simultaneously serve as a chairperson of any standing committee.

All meetings of the Committee on Rules that are required to be open and public shall be held in a room of appropriate size, and audio and video transmission of those meetings shall be provided to the State Capitol office of each Member of the Assembly.

Fourth—That Rule 14.5 is added, to read:

**Subcommittee on Sexual Harassment Prevention  
and Response**

14.5. (a) The Subcommittee on Sexual Harassment Prevention and Response is hereby created as a subcommittee of the Committee on Rules. The subcommittee shall be composed of a total of six members, with the following four members appointed by the Chairperson of the Committee on Rules: two members of the Committee on Rules from the political party having the largest number of Members in the Assembly and two members of the Committee on Rules from the political party having the second largest number of Members. The two members from the political party having the second largest number of Members shall be appointed from a list of nominees that the vice chairperson of the committee provides to the chairperson. The co-chairs of the Assembly Legislative Ethics Committee shall also be members of the subcommittee. The Chairperson of the Committee on Rules shall designate one of the members of the subcommittee to serve as chair of the subcommittee.

(b) The subcommittee shall formulate and recommend to the Committee on Rules procedures for the handling of any complaint of sexual harassment lodged against a Member of the Assembly or an Assembly employee. Those recommendations shall be submitted to the Committee on Rules no later than 45 days following the adoption of this rule.

(c) Following the submission of the recommendations pursuant to subdivision (b), the chair of the subcommittee may cause the subcommittee to convene to review and recommend further changes as subsequent events may require.

Fifth—That Rule 15.6 is amended to read:

**Independent Audit of Operating Funds**

15.6. The Committee on Rules shall annually contract for an independent audit of the revenues and expenditures, for each fiscal year, from the Assembly Operating Fund. The organization performing the audit shall be selected by a majority of the membership of the Committee on Rules. The contract for the audit shall be awarded through a competitive bidding procedure. The audit shall be prepared in a manner and form to be determined by

the organization performing the audit and consistent with generally accepted accounting principles.

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.

Sixth—That Rule 15.7 is amended to read:

**Performance Audit**

15.7. The Committee on Rules shall annually contract for a comprehensive performance audit of all Assembly finances and operations. The organization performing the audit shall be selected by a majority of the membership of the Committee on Rules. The contract for the audit shall be awarded through a competitive bidding procedure. The audit shall be prepared in a manner and form to be determined by the organization performing the audit and consistent with generally accepted accounting principles.

All findings and recommendations reported by the auditing firm shall be made available to Members and to the public.

Seventh—That Rule 22.5 is amended to read:

**Assembly Legislative Ethics Committee**

22.5. (a) The Assembly Legislative Ethics Committee is hereby created. The committee shall consist of six Members of the Assembly, appointed by the Speaker. Notwithstanding any other rule of the Assembly, three members of the committee shall be from the political party having the largest number of Members in the Assembly and three members shall be from the political party having the second largest number of Members. Any temporary or permanent vacancy on the committee shall be filled by a member from the same political party within 10 days. All appointments, including appointments to fill permanent or temporary vacancies, of members from the political party having the second largest number of Members shall be made from a list of nominees that the Minority Floor Leader provides to the Speaker. The Speaker shall designate one member of the committee from the political party having the largest number of Members in the Assembly and one member of the committee from the political party having the second largest number of Members to serve as co-chairs of the committee. The Speaker shall designate one of the co-chairs to serve as the presiding officer at any meeting or hearing conducted by the committee.

If a verified complaint is filed against a member of the committee, the Speaker shall temporarily replace the member with a Member from the same political party, who shall serve until the complaint is dismissed or the Assembly takes final action on the complaint, whichever occurs first.

(b) The provisions of this rule, and of Rule 11.5 related to investigating committees, shall apply to the committee and shall govern its proceedings.

Prior to the issuance of any subpoena by the committee with respect to any matter before the committee, it shall, by a resolution adopted by the committee pursuant to a vote in accordance with subdivision (n), define the nature and scope of its investigation in the matter before it.

(c) Funds for the support of the committee shall be provided from the Assembly Operating Fund in the same manner that those funds are made available to other committees of the Assembly.

(d) (1) The committee shall have the power, pursuant to this rule and Article 3 (commencing with Section 8940) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, to investigate and make findings and recommendations concerning violations by Members of the Assembly of any provision of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code or of any other provision of law or legislative rule that governs the conduct of Members of the Assembly, hereafter collectively referred to as "standards of conduct."

(2) The committee may, on its own action pursuant to a vote in accordance with subdivision (n), initiate an investigation of a Member of the Assembly.

(e) Any person may file with the committee a verified complaint in writing which shall state the name of the Member of the Assembly alleged to have violated any standard of conduct, and which shall set forth the particulars thereof with sufficient clarity and detail to enable the committee to make a determination. The person filing the complaint thereafter shall be designated the complainant.

If a verified complaint is filed with the committee, the committee promptly shall send a copy of the complaint to the Member of the Assembly alleged to have committed the violation complained of, who thereafter shall be designated the respondent.

No complaint may be filed with the committee after the expiration of 12 months from the date ~~upon which the violation allegedly occurred~~ *the alleged violation is discovered or three years from the date of the alleged violation, whichever occurs first*.

(f) (1) If the committee determines that the verified complaint does not allege facts, directly or upon information and belief, sufficient to constitute a violation of any standard of conduct, it shall dismiss the complaint and so notify the complainant and respondent.

(2) (i) If the committee determines that the verified complaint does allege facts, directly or upon information and belief, sufficient to constitute a violation of any standard of conduct, the committee promptly shall investigate the alleged violation and if, after this preliminary investigation, the committee finds that reasonable cause exists for believing the allegations of the complaint, it shall fix a time for a hearing in the matter, which shall be not more than 30 days after that finding. The committee may, however, seek an extension of this period, not to exceed an additional 30 days, which may be granted by a majority vote of the Committee on Rules.

(ii) If, after preliminary investigation, the committee does not find that reasonable cause exists for believing the allegations of the complaint, the committee shall dismiss the complaint. In either event, the committee shall notify the complainant and the respondent of its determination.

(3) The committee shall make its determination under paragraph (1) or (2) of this subdivision, pursuant to a vote in accordance with subdivision (n), not later than 90 days after first receiving a complaint that satisfies subdivision (e). The committee may, however, seek an extension, not to exceed 30 days, which may be granted by a majority vote of the membership of the Committee on Rules. If the committee has requested a law enforcement agency to

investigate the complaint or if the committee knows the complaint is being investigated by a law enforcement agency, the time limits set forth in this subdivision shall be tolled until the investigation is completed.

(4) The committee's determination under paragraph (1) or (2) of this subdivision shall be stated in writing, with reasons given therefor, and shall be provided to the Assembly, and, in cases concerning alleged violations of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall be provided to the Attorney General, the Fair Political Practices Commission, and the district attorney of the county in which the violation allegedly occurred. This written determination is a public record and is open to public inspection.

(5) Any deliberations of the committee from the time of receipt of a complaint until it decides to dismiss the complaint or to set a hearing shall not be open to the public unless the respondent requests a public meeting.

(g) After the complaint has been filed, the respondent shall be entitled to examine and make copies of all evidence in the possession of the committee relating to the complaint.

(h) If a hearing is held pursuant to subdivision (f), the committee, before the hearing has commenced, shall issue subpoenas and subpoenas duces tecum at the request of any party in accordance with Chapter 4 (commencing with Section 9400) of Part 1 of Division 2 of Title 2 of the Government Code. All of the provisions of that chapter, except Section 9410 of the Government Code, shall apply to the committee and the witnesses before it.

(i) At any hearing held by the committee:

(1) Oral evidence shall be taken on oath or affirmation.

(2) Each party shall have these rights: to be represented by legal counsel; to call and examine witnesses; to introduce exhibits; and to cross-examine opposing witnesses.

(3) The hearing shall be open to the public.

(j) Any official or other person whose name is mentioned at any investigation or hearing of the committee, and who believes that testimony has been given that adversely affects him or her, shall have the right to testify or, at the discretion of the committee, to testify under oath relating solely to the material relevant to the testimony of which he or she complains.

(k) The committee shall have 15 days following the hearing within which to deliberate and reach its final determination on the matter as follows:

(1) If the committee finds that the respondent has not violated any standard of conduct, it shall order the action dismissed, shall notify the respondent and complainant thereof, and, in cases concerning alleged violations of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall transmit a copy of the complaint and the fact of dismissal to the Attorney General, the Fair Political Practices Commission, and to the district attorney of the appropriate county. The complaint and

the fact of dismissal transmitted pursuant to this paragraph are public records and open to public inspection.

(2) If the committee finds that the respondent has violated any standard of conduct, it shall state its findings of fact and submit a report thereon to the Assembly. This report shall be accompanied by a House Resolution, authored by the committee, which shall be introduced at the Chief Clerk's desk and then referred by the Committee on Rules to the Ethics Committee. The House Resolution shall include a statement of the committee's findings and the committee's recommendation for disciplinary action. Within seven days, the committee shall adopt the final form of the House Resolution and report it to the Assembly for placement on the Daily File. The committee also shall send a copy of those findings and report to the complainant and respondent, and, in cases concerning alleged violations of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall report thereon to the Attorney General, the Fair Political Practices Commission, and to the district attorney of the appropriate county. The report submitted pursuant to this paragraph is a public record and open to public inspection.

After the receipt of a copy of the committee's final report and House Resolution, the Assembly expeditiously shall take appropriate action with respect to the respondent.

(l) The filing of a complaint with the committee pursuant to this rule suspends the running of the statute of limitations applicable to any violation of any standard of conduct alleged in the substance of that complaint while the complaint is pending.

(m) The committee shall maintain a record of its investigations, inquiries, and proceedings. All records, complaints, documents, reports filed with or submitted to or made by the committee, and all records and transcripts of any investigations, inquiries, or hearings of the committee under this rule shall be deemed confidential and shall not be open to inspection, without the express permission of the committee, by any person other than a member of the committee, or an employee of the committee or other state employee designated to assist the committee, except as otherwise specifically provided in this rule. The committee may, by adoption of a resolution, authorize the release to the Attorney General or a district attorney of the appropriate county of any information, records, complaints, documents, reports, and transcripts in its possession that are material to any matter pending before the Attorney General or that district attorney. All matters presented at a public hearing of the committee and all reports of the committee stating a final finding of fact pursuant to subdivision (k) shall be public records and open to public inspection. Any employee of the committee who divulges any matter that is deemed to be confidential by this subdivision shall be subject to discipline by the Committee on Rules.

(n) The committee may take any action authorized by this rule only upon the vote of not less than two members from the registered political party having the largest number of Members in the Assembly and two members from the registered political party having the second largest number of Members. Any vacancy on the committee shall not reduce the votes required to take action.

(o) The committee may render advisory opinions to Members of

the Assembly with respect to the standards of conduct and their application and construction. The committee may secure an opinion from the Legislative Counsel for this purpose or issue its own opinion. Any committee advisory opinion shall be prepared by committee members or staff and shall be adopted by the committee pursuant to subdivision (n).

(p) The committee shall conduct, at least semiannually, an orientation course on the relevant statutes and regulations governing official conduct. The curriculum and presentation of the course shall be established by the Committee on Rules.

The committee, in consultation with the Fair Political Practices Commission, shall conduct, at least annually, an orientation course on the relevant ethical issues and laws relating to lobbying. The committee shall impose fees on lobbyists for attending this course at an amount that will enable lobbyists' participation to the fullest extent possible.

At least once each biennial session, each Member of the Assembly and each designated employee of the Assembly shall attend one of these courses.

Eighth—That Rule 25 is amended to read:

**~~Press~~ ~~Representatives~~ ~~Assembly~~ ~~Proceedings~~**

25. (a) Accredited press representatives may not be excluded from any public legislative meeting or hearing and may not be prohibited from taking photographs, televising, or recording the committee or house hearings, subject to the following conditions:

~~1.~~

(1) This rule shall extend to all public legislative meetings.

~~2.~~

(2) Lights shall be used only when cameras are filming, and, when possible, proceedings in hearing rooms and the Chamber will be filmed without lights.

~~3.~~

(3) Every effort should be made to set up filming equipment before hearings or sessions begin, whenever possible.

~~4.~~

(4) The committee chairperson or Speaker of the Assembly shall be notified, as far in advance of the proceedings as possible, that recordings and television cameras will be present and filming.

~~5.~~

(5) To the extent practical, flash cameras shall not be used.

~~6.~~

(6) Photographs shall be taken in an orderly and expeditious manner so as to cause the least possible inconvenience to the committee or to the Members in the Chamber.

(b) *The committee chairperson may prohibit the use of cameras and the operation of audio or video recording equipment during a committee hearing by persons other than accredited press representatives, except that a prohibition on the use of cameras and operation of audio or video recording equipment during a committee hearing must apply to all persons other than accredited press representatives and may not be applied only to certain specified persons.*



~~Eighth—That Ninth—That~~ Rule 29 is amended to read:

**Majority Floor Leader**

29. The Majority Floor Leader shall be elected by the caucus of the political party having the largest number of Members in the Assembly.

It shall be his or her duty to make those appropriate motions, points of order, or other arrangements that may be necessary to expedite the proceedings of the Assembly and he or she shall be responsible for the presentation of all matters which relate to the order of business, and to the promotion of harmony among the membership.

~~Ninth—That Tenth—That~~ Rule 30 is amended to read:

**Minority Floor Leader**

30. The Minority Floor Leader shall be elected by the caucus of the political party having the second largest number of Members in the Assembly.

Eleventh—That Rule 69 is amended to read:

**Amendments From the Floor**

69. (a) Any Member may move to amend a bill during its second or third reading and that motion to amend may be adopted by a majority vote of the Members present and voting.

No amendments to a bill offered from the floor, except committee amendments reported with bills, amendments offered with a motion to amend and re-refer a bill to committee, amendments deleting any number of words, amendments adding a total of not more than 25 words, or amendments previously printed in the Journal, shall be in order unless and until a copy of the proposed amendments has been placed upon the desks of the Members. If a copy of amendments adding a total of 25 words or less is not placed on the desks of Members, it shall be made available to the author of the bill, and the amendments shall be read in their entirety by the Chief Clerk prior to debate.

Amendments offered from the floor during a bill's second or third reading shall be prepared by, or approved as to form by, the Legislative Counsel.

Before debate five copies of the proposed amendment to Assembly bills, and five copies of the proposed amendments to Senate bills, must be delivered to the Chief Clerk's desk. One copy of the proposed amendment shall be transmitted by the Chief Clerk to the Assembly Floor Analysis Unit. Bills so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed as many copies of all amended bills as he or she may determine to be necessary.

(b) Amendments from the floor during a bill's second or third reading that would make a substantive change in the bill shall be submitted to the Chief Clerk's desk prior to the scheduled start of session on that legislative day. Upon receipt of the proposed amendments by the Chief Clerk, an analysis shall be prepared by the committee of origin in conjunction with the Assembly Floor Analysis Unit and a copy of that analysis shall be distributed to each Member's desk prior to the beginning of debate on adoption of the proposed

amendments, unless otherwise ordered by the Speaker. As used in this subdivision, "bill" does not include joint or concurrent resolutions, but does include constitutional amendments. *This subdivision does not apply to (1) amendments to a bill taken up without reference to file, (2) amendments to a bill to add or delete an urgency clause, (3) amendments to a bill that are identical to other amendments submitted to the Chief Clerk's desk in accordance with the requirements of this subdivision, (4) amendments to a bill made by a motion to amend or a motion to substitute pursuant to Rule 91 as long as the amendments do not add more than a total of 25 words to, or only strike out certain words of, the pending amendments, (5) amendments to a bill that is making statutory changes to implement the Budget Bill, or (6) amendments to a bill to make the bill contingent upon the enactment of another bill, or to incorporate one or more statutory amendments proposed in another bill to avoid superseding those amendments.*

(c) Any bill amended on the second or third reading file shall be ordered reprinted and returned to the third reading file, and shall not be acted on by the Assembly until the bill, as amended, has been on the Daily File for one legislative calendar day. *This subdivision shall not apply to a bill that is amended to add or delete an urgency clause or to a bill that is amended to make statutory changes to implement the Budget Bill.*

(d) No motion to amend a bill on the second or third reading file, other than committee amendments reported pursuant to Rule 57, shall be in order on the last two legislative days preceding (1) the January 31 bill passage deadline as specified by Section 10 of Article IV of the California Constitution, (2) the scheduled commencement of the interim study recess, or (3) the scheduled commencement of the final recess as specified by the joint rules.

~~Tenth—That~~ *Twelfth—That* Rule 77 is amended to read:

#### **Concurrence in Senate Amendments**

77. It shall require the same affirmative recorded vote to concur in any Senate amendment to an Assembly bill as the vote required by the California Constitution for the passage of the bill. A vote on concurrence may not be taken until the bill has been on the unfinished business file for one legislative calendar day, except that when the bill is placed upon the unfinished business file during the last two legislative days preceding (1) the January 31 bill passage deadline as specified by Section 10 of Article IV of the California Constitution, (2) the scheduled commencement of the interim study recess, or (3) the scheduled commencement of the final recess as specified by the joint rules, it may be acted upon immediately. The vote on concurrence shall be deemed the vote upon final passage of the bill.

Senate amendments to Assembly bills may not be concurred in unless and until an analysis of the measure has been distributed the Assembly Floor Analysis Unit and a copy placed upon the desks of the Members, unless otherwise ordered by the Speaker. As used in this rule, "bill" does not include joint or concurrent resolutions, but does include constitutional amendments.

~~Eleventh—That~~ *Thirteenth*—*That* Rule 100 is amended to read:

**Reconsideration of Vote**

100. (a) A motion to reconsider a vote on the next legislative day must be made on the same day the vote to be reconsidered was taken. No motion to reconsider shall be adopted unless it receives an affirmative recorded vote of 41 or more Members, except that it shall require a vote of 54 or more Members or 60 or more Members, respectively, to reconsider the vote on any matter originally requiring 54 or more votes or 60 or more votes, as the case may be. A motion to reconsider may be voted on without a second.

A motion to reconsider a vote must be made by a Member voting on the question, and shall take precedence over all motions, except a motion to adjourn. Upon that motion being made, the matter to be reconsidered shall forthwith be placed upon the unfinished business file, and no further action shall be taken prior to the next legislative day. When a motion to reconsider has once been made, the same is the property of the Assembly. When reconsideration is granted, the matter to be reconsidered shall be before the Assembly in the same status as it was prior to the vote being reconsidered.

(b) (1) Interim Study Recess:

No motion to reconsider the vote whereby amendments are concurred in on Assembly bills, the vote whereby a Senate bill is passed and returned to the Senate or the vote whereby a conference committee report is adopted shall be in order on the last two legislative days preceding the interim study recess.

A motion to reconsider the vote whereby amendments are refused concurrence on Assembly bills, the vote whereby Senate bills are refused passage, or the vote whereby a conference committee report is refused adoption shall be in order on the last legislative day preceding the interim study recess.

The motion may be taken up before the end of that legislative day.

As used in this paragraph, "bill" does not include joint or concurrent resolutions.

(2) January 31—Even-numbered Year:

No motion to reconsider the vote whereby an Assembly bill is passed to the Senate shall be in order on the last two legislative days preceding January 31 of the even-numbered year.

A motion to reconsider the vote whereby an Assembly bill is refused passage on this third reading shall be in order on the last legislative day preceding January 31 of the even-numbered year.

The motion shall be taken up before the end of that legislative day.

As used in this paragraph, "bill" does not include Senate bills, constitutional amendments, or joint or concurrent resolutions.

(3) Easter or Summer Recess:

No motion to reconsider the vote whereby a bill is passed shall be in order on the last two legislative days preceding the Easter or Summer Recess as established by the Joint Rules of the Senate and Assembly.

(4) Final Recess:

No motion to reconsider the vote whereby a bill is passed shall be in order on the last two legislative days preceding the final recess.

A motion to reconsider the vote whereby a bill is defeated shall be in order on the day of the final recess.

The motion shall be taken up before the end of that legislative day.

(c) Any Member voting on any matter may move to take up on the same day the motion to reconsider the vote thereon, previously made by another Member. A motion to take up on the same day a motion to reconsider the vote on a bill shall require an affirmative recorded vote of two-thirds of the Members present and voting. A motion to take up on the same day a motion to reconsider the vote on any motion, amendment, Assembly resolution, or proposition other than a bill shall require an affirmative vote of a majority vote of the Members present and voting. The motion to take up the reconsideration on the same day shall take precedence over the motion to reconsider and upon demand of any Member the motion to take up the reconsideration on the same day shall be put to an immediate vote. If the motion to take up the reconsideration on the same day is adopted, the motion to reconsider shall be the next order of business before the Assembly.

(d) A second motion to reconsider the same question shall not be in order nor is a motion to reconsider reconsideration in order.

(e) A motion to continue a motion to reconsider shall require a majority vote of those Members present and voting.

~~Twelfth—That~~ *Fourteenth—That* Rule 117.7 is added, to read:

**Floor Meetings of the Assembly: Firearms**

117.7. No person ~~who is subject to Section 171e of the Penal Code~~, *except a peace officer acting within the scope of his or her employment*, may carry or possess a firearm on the floor of the Assembly during any session of the Assembly or in a committee hearing room during any meeting of a committee or subcommittee.

Resolution as amended ordered reprinted and to be re-referred to the committee.

**REPORTS OF STANDING COMMITTEES**

**Committee on Transportation**

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 2623

Assembly Bill No. 2981

Assembly Bill No. 2840

Assembly Bill No. 3198

Assembly Bill No. 2852

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

BOWLER, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 2420

Assembly Bill No. 3048

Assembly Bill No. 2450

Assembly Bill No. 3057

Assembly Bill No. 3033

Assembly Bill No. 3072

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

BOWLER, Chairman

Above bills re-referred to the Committee on Appropriations.

**Committee on Banking and Finance**

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Banking and Finance reports:  
Assembly Bill No. 2466  
Assembly Bill No. 3351

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

Above bills ordered to second reading.

**Committee on Governmental Organization**

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Governmental Organization reports:  
Senate Bill No. 1515

With the recommendation: Do pass, and re-refer to Committee on Appropriations  
with recommendation: To Consent Calendar.

HOGE, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Governmental Organization reports:  
Assembly Bill No. 2299  
Assembly Bill No. 2755

With the recommendation: Do pass, and re-refer to Committee on Appropriations  
with recommendation: To Consent Calendar.

HOGE, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Governmental Organization reports:  
Assembly Bill No. 2188  
Assembly Bill No. 2438  
Assembly Bill No. 3214

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

HOGE, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Governmental Organization reports:  
Assembly Bill No. 2560

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

HOGE, Chairman

Above bill ordered to second reading.

**Committee on Transportation**

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Transportation reports:  
Senate Bill No. 388

With the recommendation: Do pass, and re-refer to Committee on Appropriations  
with recommendation: To Consent Calendar.

BOWLER, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Transportation reports:

Assembly Concurrent Resolution No. 47

With the recommendation: Be adopted, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

BOWLER, Chairman

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Transportation reports:

Senate Concurrent Resolution No. 55

With the recommendation: Be adopted, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

BOWLER, Chairman

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 2410

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 bill be placed on the Consent Calendar.

BOWLER, Chairman

Above bill ordered to second reading.

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 2495

Assembly Bill No. 2854

With the recommendation: Do pass.

BOWLER, Chairman

Above bills ordered to second reading.

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 498

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

BOWLER, Chairman

Above bill re-referred to the Committee on Appropriations.

**Committee on Banking and Finance**

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 2465

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

GOLDSMITH, Chairman

Above bill re-referred to the Committee on Appropriations.

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

Date of Hearing: April 16, 1996

Mr. Speaker: Your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Bill No. 3371

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

MORRISSEY, Chairman

Above bill ordered to second reading.

**Committee on Human Services**

Date of Hearing: April 16, 1996

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 2612

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

BORDONARO, Chairman

Above bill ordered to second reading.

**Committee on Agriculture**

Date of Hearing: April 17, 1996

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 2626

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

HARVEY, Chairman

Above bill ordered to second reading.

**Committee on Rules**

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 86

With the recommendation: Be adopted, as amended.

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

PRINGLE, Chairman

Above resolution ordered on file.

**Committee on Revenue and Taxation**

Date of Hearing: April 22, 1996

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

Assembly Bill No. 2302

Assembly Bill No. 2587

Assembly Bill No. 2414

Assembly Bill No. 2761

Assembly Bill No. 2499

Assembly Bill No. 3002

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

TAKASUGI, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 22, 1996

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

Assembly Bill No. 2592

Assembly Bill No. 2992

Assembly Bill No. 3229

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

TAKASUGI, Chairman

Above bills ordered to second reading.

Date of Hearing: April 22, 1996

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

Assembly Bill No. 2089

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

TAKASUGI, Chairman

Above bill re-referred to the Committee on Local Government.

Date of Hearing: April 22, 1996

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

Assembly Bill No. 2975

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 bill be placed on the Consent Calendar.

TAKASUGI, Chairman

Above bill ordered to second reading.

Date of Hearing: April 22, 1996

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

Assembly Bill No. 2481

With the recommendation: Do pass.

TAKASUGI, Chairman

Above bill ordered to second reading.

**Committee on Elections, Reapportionment and Constitutional Amendments**

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Assembly Bill No. 2039

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

MCPHERSON, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Assembly Bill No. 3182

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

MCPHERSON, Chairman

Above bill re-referred to the Committee on Appropriations.



Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Assembly Bill No. 3278

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

MCPHERSON, Chairman

Above bill re-referred to the Committee on Appropriations.

**Committee on Judiciary**

Date of Hearing: April 17, 1996

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 2276

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

MORROW, Chairman

Above bill ordered to second reading.

**Committee on Elections, Reapportionment and Constitutional Amendments**

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Assembly Bill No. 3268

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

MCPHERSON, Chairman

Above bill re-referred to the Committee on Appropriations.

**Committee on Judiciary**

Date of Hearing: April 17, 1996

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 2514

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

MORROW, Chairman

Above bill ordered to second reading.

Date of Hearing: April 17, 1996

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 2482

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

MORROW, Chairman

Above bill ordered to second reading.

**Committee on Utilities and Commerce**

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 2456

Assembly Bill No. 2713

Assembly Bill No. 2589

Assembly Bill No. 3462

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

CONROY, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 2549

Assembly Bill No. 2885

Assembly Bill No. 2610

Assembly Bill No. 3258

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

CONROY, Chairman

Above bills re-referred to the Committee on Appropriations.

**Committee on Elections, Reapportionment and Constitutional Amendments**

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Assembly Bill No. 3181

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

MCPHERSON, Chairman

Above bill ordered to second reading.

**Committee on Judiciary**

Date of Hearing: April 17, 1996

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 2969

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

MORROW, Chairman

Above bill ordered to second reading.

**Committee on Utilities and Commerce**

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 2444

With the recommendation: Do pass.

CONROY, Chairman

Above bill ordered to second reading.

**Committee on Elections, Reapportionment and Constitutional Amendments**

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 1451

With the recommendation: Do pass.

MCPHERSON, Chairman

Above bill ordered to second reading.

**Committee on Human Services**

Date of Hearing: April 23, 1996

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 2034

Assembly Bill No. 3069

Assembly Bill No. 2101

Assembly Bill No. 3140

Assembly Bill No. 2358

Assembly Bill No. 3359

Assembly Bill No. 2375

Assembly Bill No. 3432

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

BORDONARO, Chairman

Above bills re-referred to the Committee on Appropriations.

**Committee on Rules**

Date of Hearing: April 15, 1996

Mr. Speaker: Your Committee on Rules reports:

Assembly Bill No. 2106

With the recommendation: That the bill be re-referred to the Committee on Appropriations.

PRINGLE, Chairman

Above bill re-referred to the Committee on Appropriations.

**Committee on Utilities and Commerce**

Date of Hearing: April 22, 1996

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Constitutional Amendment No. 43

With the recommendation: Be adopted, and be re-referred to the Committee on Elections, Reapportionment and Constitutional Amendments.

CONROY, Chairman

Above resolution re-referred to the Committee on Elections, Reapportionment and Constitutional Amendments.

**MESSAGES FROM THE SENATE**

Senate Chamber, April 23, 1996

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

**Senate Bill No. 1993.**

JOHN W. ROVANE, Acting Secretary of the Senate

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

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

**Assembly Bill No. 2255**, ordered to third reading.**SECOND READING OF ASSEMBLY BILLS****ASSEMBLY BILL NO. 2069**—An act to amend Section 853.7a of the Penal Code, and to amend Section 40508.5 of the Vehicle Code, relating to crime.

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

**ASSEMBLY BILL NO. 2295**—An act to amend Section 53069.3 of the Government Code, to amend Sections 594, 594.1, 594.6, 594.8, 640.5, 640.6, and 4024.2 of the Penal Code, to amend Section 13202.6 of the Vehicle Code, and to amend Section 729.1 of the Welfare and Institutions Code, relating to graffiti.

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

**ASSEMBLY BILL NO. 2327**—An act to add Section 3005 to the Penal Code, relating to parole.

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

**ASSEMBLY BILL NO. 2331**—An act to amend Section 594 of the Penal Code, and to amend Section 13202.6 of the Vehicle Code, relating to crime.

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

**ASSEMBLY BILL NO. 3116**—An act to add Title 4.95 (commencing with Section 4498) to, and to add Chapter 19 (commencing with Section 7480) to Title 7 of, Part 3 of the Penal Code, relating to financing the construction of state and local correctional facilities by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**ASSEMBLY BILL NO. 3369**—An act to amend Section 1731.5 of, and to add Sections 729.12 and 1767.15 to, the Welfare and Institutions Code, relating to youthful offenders, and declaring the urgency thereof, to take effect immediately.

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

**ASSEMBLY BILL NO. 2014**—An act to amend Section 803 of the Penal Code, relating to crimes.

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

**ASSEMBLY BILL NO. 2486**—An act to amend Section 1820.3 of the Welfare and Institutions Code, relating to juvenile camps.

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

**ASSEMBLY BILL NO. 2192**—An act to add Section 1371.5 to the Health and Safety Code, and to add Sections 10133.8 and 11512.32 to the Insurance Code, relating to health care coverage.

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

**ASSEMBLY BILL NO. 2390**—An act to amend Section 1399.55 of, and to add Sections 1370.3 and 1370.4 to, the Health and Safety Code, and to amend Section 796.01 of, and to add Sections 10123.200, 11023.201, 11513.4, and 11513.5 to, the Insurance Code, relating to insurance.

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

**ASSEMBLY BILL NO. 2649**—An act to add Sections 1348.6, 1348.7, and 1348.8 to the Health and Safety Code, relating to health care service plans.

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

**ASSEMBLY BILL NO. 2571**—An act relating to the parks and recreation, and making an appropriation therefor.

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

**ASSEMBLY BILL NO. 2508**—An act to amend Section 42310 of the Public Resources Code, relating to solid waste.

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

**ASSEMBLY BILL NO. 3044**—An act to add Division 37.5 (commencing with Section 57050) to the Health and Safety Code, relating to environmental protection.

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

**ASSEMBLY BILL NO. 3388**—An act to amend Section 5307.1 of the Labor Code, relating to workers' compensation.

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

**ASSEMBLY BILL NO. 2282**—An act to add Section 21655.9 of the Vehicle Code, relating to vehicles.

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

**ASSEMBLY BILL NO. 2419**—An act to add Section 65088.3 to the Government Code, relating to transportation.

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

**ASSEMBLY BILL NO. 3426**—An act to add Section 143.5 to the Streets and Highways Code, relating to transportation.

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

**ASSEMBLY BILL NO. 2061**—An act to add Section 730.8 to the Welfare and Institutions Code, relating to juveniles.

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

**ASSEMBLY BILL NO. 2185**—An act to add and repeal Section 5026.5 of the Penal Code, relating to illegal aliens.

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

**ASSEMBLY BILL NO. 2740**—An act to add and repeal Section 23151 of the Vehicle Code, relating to vehicles.

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

**ASSEMBLY BILL NO. 2855**—An act to amend Section 48293 of the Education Code, and to amend Section 601.4 of the Welfare and Institutions Code, relating to school attendance.

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

**ASSEMBLY BILL NO. 2949**—An act to amend Sections 44010 and 87010 of the Education Code, to amend Section 51032 of the Government Code, to amend Sections 266a, 266e, 647, 647f, 647.1, 653.22, 784, 1001.10, and 1202.6 of the Penal Code, and to amend Section 22659.5 of the Vehicle Code, relating to prostitution.

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

**ASSEMBLY BILL NO. 3068**—An act to amend Section 1720 of, and to add Section 731.12 to, the Welfare and Institutions Code, relating to juveniles.

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

**ASSEMBLY BILL NO. 3261**—An act to amend Section 625.5 of, and to add Sections 729.51, 729.52, and 729.53 to, the Welfare and Institutions Code, relating to juveniles.

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

**ASSEMBLY BILL NO. 3157**—An act to amend Sections 1808.4, 22507.5, 22651, 22651.7, 22850.5, 40202, 40207, and 40209 of the Vehicle Code, relating to vehicles.

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

**ASSEMBLY BILL NO. 2021**—An act to amend Section 2196.1 of the Business and Professions Code, to add Section 1266.3 to the Health and Safety Code, to amend Sections 368, 1048, and 1465.5 of, and to add Section 13517.1 to, the Penal Code, and to amend Sections 9201, 9394.5, 9726.1, and 15610.27 of, to add Section 15756 to, and to repeal Article 8 (commencing with Section 15656) of Chapter 11 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to elder and dependent adults.

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

**ASSEMBLY BILL NO. 2515**—An act to amend Sections 44003, 44010.5, 44014.5, 44015.3, 44017, and 44081.6 of, to add Section 44000.5 to, and to repeal Section 44014.7 of, the Health and Safety Code, relating to air pollution.

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

**ASSEMBLY BILL NO. 2322**—An act to add Section 17732.1 to the Welfare and Institutions Code, relating to developmental disabilities.

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

**ASSEMBLY BILL NO. 2475**—An act to amend Section 18987.1 of the Welfare and Institutions Code, relating to public social services.

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

**ASSEMBLY BILL NO. 3013**—An act to add Section 2056.1 to the Business and Professions Code, relating to medicine.

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

**ASSEMBLY BILL NO. 3383**—An act to add Sections 1516, 1517, 1569.385, and 1569.386 to the Health and Safety Code, relating to residential care facilities.

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

#### **SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 99**—An act to amend Section 77207 of the Government Code, relating to courts, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

#### **JOINT RULE 62(a) WAIVED**

Unanimous consent was granted that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 3383 for hearing in the Committee on Human Services on April 25, 1996.

Unanimous consent was granted that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 2750 for hearing in the Committee on Judiciary on April 25, 1996.

#### **APPOINTMENT OF COMMITTEE ON CONFERENCE**

The Speaker appointed the following Assembly Members as a Committee on Conference concerning Assembly Bill No. 2086:

Knowles, Aguiar, and Ducheny.

#### **ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, April 24, 1996.

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CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 23, 1996

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

AB	RN	AB	RN
2014	9609648	2909	9609212
2021	9616612	2949	9616639
2061	9616587	2952	9616792
2069	9609628	3013	9616453
2166	9616254	3044	9616306
2185	9616656	3068	9616593
2192	9616468	3116	9609601
2282	9616354	3157	9616670
2295	9609909	3193	9616560
2297	9616735	3216	9608891
2322	9616599	3219	9609502
2327	9609672	3242	9616687
2331	9609876	3260	9616778
2390	9616470	3261	9616592
2419	9616292	3369	9609356
2475	9609776	3383	9616559
2486	9616081	3388	9616511
2508	9616305	3426	9616299
2515	9616596		
2529	9616889	<b>HR</b>	<b>RN</b>
2571	9616376	41	9616851
2649	9616629		
2688	9616737	<b>SB</b>	<b>RN</b>
2740	9616672	98	9609888
2764	9609213	99	9616747
2807	9616856	435	9616729
2855	9616628	710	9609932