

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, May 9, 1996

TWO HUNDRED ELEVENTH SESSION DAY

FIVE HUNDRED TWENTY-SECOND CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, May 9, 1996

The Assembly met at 8:01 a.m.
Hon. Fred Aguiar, Speaker pro Tempore 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 Call of the Assembly

Assembly Member Knight moved a quorum call of the Assembly.
Motion carried. Time, 8:02 a.m.

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

Quorum Present

At 8:15 a.m., Speaker pro Tempore Aguiar declared a quorum of
the Assembly present.

The roll call was completed, and the following answered to their
names—75:

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

PRAYER

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

Lord, You are for us, joy and rest. You are delight and glory. Your grace shines like the sun on all of us. You shine in our midst and each of us in turn, shines brightly to the degree of our faith in You, our hope and our love, our purification and illumination by Your Spirit.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Aguiar, Assembly Member Brown 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 Sweeney, seconded by Assembly Member Kuykendall.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Tucker and Vasconcellos.

On personal business, and waiving per diem: Assembly Member Lee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

May 7, 1996

*Honorable Curt Pringle
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: Due to legislative business in my district, I would like to respectfully request that I be excused from session on Thursday, May 9, 1996.

Thank you for your consideration to this matter.

Sincerely,

CURTIS R. TUCKER, JR., Assembly Member
Fifty-first District

(NOTE: For letter explaining the absence of Assembly Member Vasconcellos on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Tuesday, May 7, 1996.)

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

May 9, 1996

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

Dear Mr. Wilson: Please be advised that the Rules Committee has expanded the size of the Select Committee on California Ports and that Assembly Members Bordonaro and Escutia have been added to the committee.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 9, 1996

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

Assembly Bill No. 2279	Assembly Bill No. 3061
Assembly Bill No. 2464	Assembly Bill No. 3115
Assembly Bill No. 2585	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 9, 1996

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

Assembly Bill No. 2170	Assembly Bill No. 2910
Assembly Bill No. 2467	Assembly Bill No. 2920
Assembly Bill No. 2661	Assembly Bill No. 3083
Assembly Bill No. 2704	Assembly Bill No. 3101
Assembly Bill No. 2710	Assembly Bill No. 3260
Assembly Bill No. 2801	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to Committee:

<i>Assembly Joint</i>	
<i>Resolution No.</i>	<i>Committee</i>
66 -----	Pub. S.
<i>House</i>	
<i>Resolution No.</i>	<i>Committee</i>
46 -----	Rls.
<i>Senate</i>	
<i>Bill No.</i>	<i>Committee</i>
1447 -----	Rev. & Tax.
1466 -----	C.P., G.E. & E.D.
1486 -----	C.P., G.E. & E.D.
1513 -----	L. Gov.
1521 -----	W., P. & W.
1533 -----	Jud.
1537 -----	Health

1677	-----	Health
1738	-----	Health
1848	-----	Health
1982	-----	Jud.
2002	-----	C.P.,G.E. & E.D.
2033	-----	W.,P. & W.
2081	-----	Health
2097	-----	H. & C.D.
2161	-----	Pub. S.

<i>Senate Joint</i>	
<i>Resolution No.</i>	<i>Committee</i>
39	----- B. & F.

REPORTS OF STANDING COMMITTEES
Committee on Rules

May 9, 1996

Mr. Speaker: Your Committee on Rules recommends that the request to suspend Joint Rule 61, as it relates to the following bill be granted:

Assembly Bill No. 2954

PRINGLE, Chairman

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Woods was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ida C. Emmerson, of Redding.

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 Milton E. Wykoff, of Burbank.

Assembly Member Brewer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Tracy Lynn Wolonsky, of Newport Beach.

Assembly Member Villaraigosa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Ryan Schroeder, of San Pedro.

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

Pursuant to Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 2279, 2464, 2585, 3061, and 3115, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 2243—An act to amend Sections 41954, 41956.1, and 41960 of the Health and Safety Code, relating to air pollution.

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. 3284—An act to amend Sections 17000.6 and 17001.5 of the Welfare and Institutions Code, relating to public social services.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 3440—An act to amend Section 17000.6 of the Welfare and Institutions Code, relating to public social services.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 2523—An act to amend Section 7284.1 of the Revenue and Taxation Code, relating to taxation.

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

ASSEMBLY BILL NO. 2869—An act to amend Section 1764 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 3213—An act to amend Section 3351 of, and to add Section 3600.9 to, the Labor Code, relating to workers' compensation insurance.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 3232—An act to amend Section 10089 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 2007—An act to amend Sections 341 and 664 of the Welfare and Institutions Code, relating to juveniles.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 2122—An act to amend Section 1377 of the Penal Code, relating to criminal procedure.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 2579—An act to amend Sections 318.5 and 318.6 of the Penal Code, relating to adult entertainment.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 2758—An act to add Section 980.5 to the Evidence Code, relating to evidence.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 3098—An act to amend Sections 1000.5, 1001.9, 1001.33, 1001.55, 1001.75, 13203, and 13300, relating to diversion.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 2254—An act to amend Sections 859b and 1382 of the Penal Code, relating to criminal procedure.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 3169—An act relating to local agencies.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 2611—An act to amend Section 12955 of the Government Code, relating to civil rights.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 2994—An act to amend Section 798.17 of the Civil Code, relating to mobilehomes.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 3025—An act to amend and repeal Section 33413 of the Health and Safety Code, relating to redevelopment.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 3244—An act to amend Section 1954.53 of, and to add Section 827.5 to, the Civil Code, relating to real property.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 3452—An act to add Section 65584.6 to the Government Code, relating to housing.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 2383—An act to amend Sections 1102.1, 1102.6, 1102.9, and 2079.16 of the Civil Code, relating to real property.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 2781—An act to amend Section 798.56a of the Civil Code, relating to mobilehomes.

Bill read second time; amendments proposed by the Committee on Housing and Community Development read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 3015—An act to amend Section 1365.5 of the Civil Code, relating to common interest developments.

Bill read second time; amendments proposed by the Committee on Housing and Community Development read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 2588—An act to amend Section 655.5 of the Business and Professions Code, relating to clinical laboratory services.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 2861—An act to add Section 7153.2 to the Health and Safety Code, relating to anatomical gifts.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 3097—An act to add Section 6523.5 to the Government Code, relating to public health.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 2298—An act to amend Section 16996 of the Welfare and Institutions Code, relating to health care for indigents.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 2349—An act to amend and renumber Sections 27601 and 27623 of the Health and Safety Code, relating to food facilities.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 2443—An act to amend Sections 650.01 and 650.02 of the Business and Professions Code, relating to health care referrals.

Bill read second time, and ordered to Consent Calendar.

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 288, 368, and 1048 of, and to add Section 13517.1 to, the Penal Code, and to amend Sections 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 Health read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 2692—An act to amend Sections 922.4 and 922.5 of 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 returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 3143—An act to amend Sections 742.25 and 742.31 of 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 returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 3450—An act relating to workers' compensation.

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, and to be placed upon the Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 2044—An act to amend Sections 1358, 1358.3, 1358.5, 1358.8, 1358.11, and 1358.20 of the Health and Safety Code, and to amend Sections 10194.7, 10194.8, 10195.1, 10197, 10197.1, and 10197.6 of the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1585—An act to amend Sections 798.76 and 799.5 of the Civil Code, relating to mobilehomes, and declaring the urgency thereof, to take effect immediately.

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 9, 1996

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

Assembly Bill No. 2579

Assembly Bill No. 3025

Assembly Bill No. 2588

Assembly Bill No. 3098

Assembly Bill No. 2758

Assembly Bill No. 3232

Assembly Bill No. 2994

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 9, 1996

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

Assembly Bill No. 2254

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to the Consent Calendar.

REQUEST FOR UNANIMOUS CONSENT

Speaker Pringle was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ACTION RESCINDED ON SENATE BILL NO. 1147

Assembly Member Gallegos was granted unanimous consent to rescind the action whereby the Assembly, on March 4, 1996 (Assembly Journal, page 5142), adopted the urgency clause to Senate Bill No. 1147, and whereby the bill was passed and ordered transmitted to the Senate.

Consideration of Senate Bill No. 1147 by Unanimous Consent

Assembly Member Gallegos was granted unanimous consent to take up Senate Bill No. 1147, without reference to file, for purpose of amendment.

SENATE BILL NO. 1147 (Watson)—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 third time.

Motion to Amend

Assembly Member Gallegos moved the adoption of amendments.

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

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1998, on request of Assembly Member Knight.

ANNOUNCEMENTS REGARDING JOINT RULE 61 WAIVER REQUESTS

Assembly Member Burton announced that Rules Committee would meet on Monday, May 13, 1996 and Tuesday, May 14, 1996 if necessary to consider requests for Joint Rule 61 waivers.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Assembly Member Miller was granted unanimous consent that Assembly Bill No. 2553 be withdrawn from the Committee on Budget and re-referred to the Committee on Appropriations.

BILLS REMOVED FROM CONSENT CALENDAR

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

Assembly Bill No. 2638, on request of Assembly Member Napolitano.

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

ASSEMBLY BILL NO. 126 (Rainey)—An act to amend Sections 17, 19.2, 2900.5, and 4019 of, and to add Sections 19.3, 2910.7, and 4000.2 to, the Penal Code, relating to sentencing.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly refused to concur in Senate amendments by the following vote:

AYES—4

Isenberg	Migden	Murray, Willard	Rainey
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NOES—61

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

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 8:29 a.m., by unanimous consent, the members of the Committee on Environmental Safety and Toxic Materials were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

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

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 378 and Senate Joint Resolution No. 35 were continued until the next legislative day.

**ASSEMBLY JOINT RESOLUTION NO. 36 RECONSIDERED
BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Kaloogian was granted unanimous consent that the vote be reconsidered whereby Assembly Joint Resolution No. 36 was refused adoption.

Further Consideration of Assembly Joint Resolution No. 36

ASSEMBLY JOINT RESOLUTION NO. 36 (Kaloogian)—Relative to congressional term limits.

Resolution read.

Demand for Previous Question

Assembly Members Brulte, Cannella, Burton, Setencich, and Knox demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 8:41 a.m.

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

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 385, 2083, and 2524 were continued until the next legislative day.

BILLS PASSED ON FILE

Assembly Joint Resolution No. 38—Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 2145 (Goldsmith)—An act to amend Sections 1033 and 1034 of the Penal Code, relating to criminal procedure.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 8:46 a.m.

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

ASSEMBLY BILL NO. 2342 (Bordonaro)—An act to add Section 816.5 to the Government Code, relating to liability.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 8:56 a.m.

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

BILLS PASSED ON FILE

Assembly Bills Nos. 3178 and 2013—Passed on file.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 281 BY UNANIMOUS CONSENT**

Assembly Member Speier was granted unanimous consent to take up consideration of Assembly Bill No. 281, out of order.

ASSEMBLY BILL NO. 281 (Speier)—An act to amend Sections 17550.43 and 17550.44 of the Business and Professions Code, relating to travel, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read.

Point of Order

Assembly Member Morrissey arose to the following point of order:

That Assembly Bill No. 281, as amended in the Senate, contains language which has not been heard in policy committee.

Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well-taken and pursuant to Joint Rule 26.5, re-referred Assembly Bill No. 281 (consideration of Senate amendments pending) to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

Parliamentary Inquiry

Assembly Member Katz arose to the following parliamentary inquiry:

When will the Committee on Consumer Protection, Governmental Efficiency and Economic Development set Assembly Bill No. 281 for hearing?

Point of Personal Privilege

Assembly Member Speier arose to a point of personal privilege.

Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of personal privilege out of order.

Point of Clarification

Assembly Member Speier arose to a point of clarification.

Point of Order

Assembly Member Pringle arose to the following point of order:

That Assembly Member Speier is not in order to debate the merits of Assembly Bill No. 281 as the bill has been re-referred to committee.

Ruling by Speaker pro Tempore

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

Point of Order

Assembly Member Katz arose to the following point of order:

That Assembly Member Speier was speaking to a point of clarification and should be permitted to continue.

Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order not well-taken.

Point of Order

Assembly Member Kuehl arose to the following point of order:

That Assembly Member Speier was in order to arise to a point of personal privilege.

Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order not well-taken.

Reply to Parliamentary Inquiry by Assembly Member Katz

Speaker pro Tempore Aguiar deferred to Assembly Member Morrissey, Chair of the Committee on Consumer Protection, Governmental Efficiency, and Economic Development, who stated that he would advise prior to adjournment of today's session as to the committee's schedule to hear Assembly Bill No. 281.

BILLS PASSED ON FILE

Assembly Bills Nos. 2171, 2307, and Assembly Joint Resolution No. 64 —Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY BILL NO. 2091 (Alpert) —An act to add Section 23824.1 to the Business and Professions Code, relating to alcoholic beverages.

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

AYES—66

Ackerman	Campbell	Hoge	Morrow
Aguiar	Cannella	House	Murray, Kevin
Alpert	Conroy	Isenberg	Murray, Willard
Archie-Hudson	Cortese	Kaloogian	Napolitano
Baca	Cunneen	Katz	Olberg
Bates	Davis	Knight	Poochigian
Battin	Ducheney	Knox	Rainey
Baugh	Escutia	Kuehl	Rogan
Boland	Figueroa	Kuykendall	Setencich
Bordonaro	Firestone	Machado	Speier
Bowen	Frusetta	Margett	Sweeney
Brewer	Gallegos	Martinez	Takasugi
Brown	Goldsmith	Mazzoni	Villarraigosa
Bulte	Hannigan	McPherson	Weggeland
Burton	Harvey	Migden	Mr. Speaker
Bustamante	Hauser	Miller	
Caldera	Hawkins	Morrissey	

NOES—2

Knowles Thompson

Bill ordered transmitted to the Senate.

CAUCUS ANNOUNCEMENTS

At 9:14 a.m., Speaker pro Tempore Aguiar was granted unanimous consent that the Republican Caucus be permitted to meet in the Assembly Lounge.

At 9:14 a.m., Assembly Member Kevin Murray was granted unanimous consent that the Democratic Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 9:15 a.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

REASSEMBLED

At 9:50 a.m., the Assembly reconvened.

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

MESSAGES FROM THE SENATE

Senate Chamber, May 9, 1996

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

Assembly Bill No. 1565

And respectfully requests the Assembly to concur in said amendments.

JOHN W. ROVANE, Acting Secretary of the Senate

Above bill ordered to unfinished business file.

BILLS PASSED ON FILE

Assembly Bills Nos. 2744 and 3045—Passed on file.

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

ASSEMBLY BILL NO. 2752 (Kaloogian)—An act to amend Section 830 of the Government Code, relating to liability.

Bill read third time.

Demand for Previous Question

Assembly Members Thompson, Kuykendall, Olberg, Hoge, and Ducheny demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 10:06 a.m.

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

ASSEMBLY BILL NO. 2255 (Cunneen)—An act to amend Section 42239.5 of, and repeal Section 62000.11 of, the Education Code, relating to education.

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

AYES—72

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

NOES—1

Miller

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 2558 BY UNANIMOUS CONSENT

Assembly Member Alby was granted unanimous consent to take up Assembly Bill No. 2558, out of order, for purpose of consideration.

ASSEMBLY BILL NO. 2558 (Alby)—An act to amend Sections 41950, 41951, 41953, and 41955 of, and to add Section 41956 to, the Public Resources Code, relating to solid waste.

Bill read third time.

Demand for Previous Question

Assembly Members Olberg, Battin, Setencich, Brewer, and Hawkins demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—58

Ackerman	Cannella	Hoge	Murray, Willard
Aguiar	Conroy	House	Napolitano
Alby	Cunneen	Kaloogian	Olberg
Alpert	Davis	Katz	Poochigian
Baca	Ducheny	Knight	Rainey
Baldwin	Escutia	Knox	Rogan
Battin	Figueroa	Kuykendall	Setencich
Baugh	Firestone	Machado	Speier
Boland	Frusetta	Margett	Sweeney
Bordonaro	Gallegos	Martinez	Takasugi
Bowen	Goldsmith	McPherson	Weggeland
Bowler	Granlund	Migden	Woods
Brown	Harvey	Miller	Mr. Speaker
Brulte	Hauser	Morrissey	
Bustamante	Hawkins	Morrow	

NOES—7

Archie-Hudson	Burton	Kuehl	Villaraigosa
Bates	Isenberg	Mazzoni	

Bill ordered transmitted to the Senate.

CONSIDERATION OF SENATE BILL NO. 678 BY UNANIMOUS CONSENT

Assembly Member Martinez was granted unanimous consent to take up Senate Bill No. 678 out of order, for purpose of amendment.

SENATE BILL NO. 678 (Polanco)—An act to add and repeal Chapter 2.2 (commencing with Section 350) of Part 1 of Division 1 of the Public Utilities Code, relating to public utilities, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Assembly Member Martinez moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and by unanimous consent re-referred to the Committee on Utilities and Commerce.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER ASSEMBLY BILL NO. 2969

Request for Reconsideration

In compliance with a motion given on a previous day, Assembly Member Olberg requested unanimous consent that the vote be reconsidered whereby Assembly Bill No. 2969 was refused passage.

Assembly Member Kevin Murray withheld unanimous consent.

Motion

Assembly Member Olberg moved that the vote be reconsidered whereby Assembly Bill No. 2969 was refused passage.

Assembly Bill No. 2969 reconsidered by the following vote:

AYES—52

Ackerman	Brulte	Hauser	Napolitano
Aguiar	Burton	Hawkins	Olberg
Alby	Bustamante	Hoge	Poochigian
Alpert	Campbell	House	Rainey
Baca	Conroy	Kaloogian	Richter
Baldwin	Cunneen	Knight	Rogan
Battin	Escutia	Knowles	Setencich
Baugh	Firestone	Mazzoni	Speier
Boland	Friedman	McPherson	Takasugi
Bordonaro	Frusetta	Miller	Thompson
Bowen	Goldsmith	Morrissey	Weggeland
Bowler	Granlund	Morrow	Woods
Brewer	Harvey	Murray, Willard	Mr. Speaker

NOES—5

Davis	Kuehl	Murray, Kevin
Isenberg	Martinez	

Further Consideration of Assembly Bill No. 2969

ASSEMBLY BILL NO. 2969 (Olberg)—An act to amend Section 831.7 of the Government Code, relating to liability.

Bill read third time.

Demand for Previous Question

Assembly Members Brulte, Bordonaro, Cortese, Ducheny, and Ackerman demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—42

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

NOES—30

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

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bills Nos. 3013 and 2495—Passed on file.

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

ASSEMBLY BILL NO. 2466 (Goldsmith)—An act to add Division 10 (commencing with Section 23000) to the Financial Code, relating to gift certificates.

Bill read third time.

Motion to Amend

Assembly Member Goldsmith moved the adoption of amendments.

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

ASSEMBLY BILL NO. 3233 (Knowles)—An act to amend Section 12978 of the Insurance Code, relating to insurance.

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

AYES—69

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

NOES—3

Brown	Burton	Friedman
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Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 3237—Passed on file.

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

ASSEMBLY BILL NO. 2244 (Woods)—An act to amend Section 35555 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—72

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

NOES—None

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

AYES—72

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

NOES—None

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bills Nos. 3357 and 2027; and Assembly Constitutional Amendment No. 30—Passed on file.

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

ASSEMBLY BILL NO. 2195 (Baca)—An act to amend Section 21029 of the Government Code, relating to public employee retirement.

Bill read third time.

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, 10:42 a.m.

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

ASSEMBLY BILL NO. 2421 (Baca)—An act to amend Section 15379.21 of the Government Code, relating to economic development.

Bill read third time.

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, 10:47 a.m.

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

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

ASSEMBLY BILL NO. 2424 (Alby)—An act to amend Section 14132 of the Welfare and Institutions Code, relating to Medi-Cal.

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

AYES—62

Ackerman	Caldera	Kaloogian	Napolitano
Aguiar	Conroy	Katz	Olberg
Alby	Cortese	Knight	Poochigian
Baca	Cunneen	Knowles	Rainey
Baldwin	Davis	Kuehl	Richter
Battin	Ducheny	Kuykendall	Rogan
Baugh	Escutia	Machado	Setencich
Boland	Firestone	Margett	Speier
Bordonaro	Frusetta	Martinez	Sweeney
Bowen	Goldsmith	Mazzoni	Takasugi
Bowler	Granlund	McPherson	Thompson
Brewer	Harvey	Migden	Weggeland
Brown	Hawkins	Miller	Woods
Brulte	Hoge	Morrissey	Mr. Speaker
Burton	House	Morrow	
Bustamante	Isenberg	Murray, Willard	

NOES—None

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bills Nos. 2430 and 2472—Passed on file.

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

ASSEMBLY BILL NO. 2488 (Alby)—An act to add Section 1268.6 to the Health and Safety Code, relating to health facilities.

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

AYES—70

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 2570 (Margett)—An act to amend Sections 19815.41, 19817, and 19818.20 of the Government Code, relating to state civil service.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 10:51 a.m.

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

ASSEMBLY BILL NO. 2577 (Bordonaro)—An act to amend Section 16946 of the Welfare and Institutions Code, relating to public social services.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 10:53 a.m.

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

ASSEMBLY BILL NO. 2689 (Kuykendall)—An act to amend Sections 19858.1 and 19858.4 of the Government Code, relating to state civil service.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 10:55 a.m.

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

ASSEMBLY BILL NO. 2705 (Cannella)—An act to amend Section 9356.21 of the Government Code, relating to the Legislators' Retirement System.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 10:56 a.m.

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

ASSEMBLY BILL NO. 2709 (Brulte)—An act to amend Sections 19826, 19828, 19829, 19832, 19834, 19835, and 19836 of the Government Code, relating to state civil service.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:02 a.m.

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

BILLS PASSED ON FILE

Assembly Bill No. 2775—Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY BILL NO. 2963 (Firestone)—An act to amend Sections 1601, 1603, and 2090 of the Fish and Game Code, to amend Section 66632.2 of the Government Code, to amend Sections 5024, 5024.5, and 30600 of, and to add Section 21080.33 to, the Public Resources Code, and to amend Section 13260 of the Water Code, relating to environmental quality.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:03 a.m.

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

CAUCUS ANNOUNCEMENTS

At 11:04 a.m., Assembly Member Burton was granted unanimous consent that the Democratic Caucus be permitted to meet in the Tom Bane Rules Committee Room.

SPECIAL COMMITTEE MEETINGS

Assembly Member Boland was granted unanimous consent that the Committee on Public Safety be permitted to hold a special meeting upon adjournment of the Democratic Caucus, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 3480 for an informational hearing.

RECESS

By unanimous consent, at 11:04 a.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

REASSEMBLED

At 11:16 a.m., the Assembly reconvened.
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

Senate Chamber, May 9, 1996

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

Assembly Concurrent Resolution No. 86

JOHN W. ROVANE, Acting Secretary of the Senate

Above resolution ordered enrolled.

Senate Chamber, May 9, 1996

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

Senate Bill No. 99

Senate Bill No. 947

JOHN W. ROVANE, Acting Secretary of the Senate

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Rogan was granted unanimous consent to use visual aids on the Floor during the presentation of his bill.

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

ASSEMBLY BILL NO. 3027 (Rogan)—An act to amend Sections 85102, 85301, 85302, 85303, and 85304 of the Government Code, and calling a special election to be consolidated with the general election of November 5, 1996, to take effect immediately, as an act calling an election.

Bill read third time.

Demand for Previous Question

Assembly Members Morrissey, Alpert, Thompson, Knight, and Ackerman demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—53

Ackerman	Brulte	Hoge	Poochigian
Aguiar	Caldera	House	Rainey
Alby	Conroy	Kaloojian	Richter
Alpert	Cortese	Knight	Rogan
Baca	Cunneen	Kuykendall	Setencich
Baldwin	Davis	Machado	Speier
Battin	Ducheny	Margett	Takasugi
Baugh	Figueroa	Mazzoni	Thompson
Boland	Firestone	McPherson	Weggeland
Bordonaro	Frusetta	Miller	Woods
Bowen	Goldsmith	Morrissey	Mr. Speaker
Bowler	Granlund	Morrow	
Brewer	Harvey	Napolitano	
Brown	Hawkins	Olberg	

NOES—14

Archie-Hudson	Friedman	Kuehl	Murray, Willard
Bates	Hannigan	Martinez	Villaraigosa
Burton	Katz	Migden	
Escutia	Knox	Murray, Kevin	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 3134 (Firestone)—An act to amend Sections 6309 and 6614 of the Labor Code, relating to employment.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:57 a.m.

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

ASSEMBLY BILL NO. 3246 (Speier)—An act to amend Sections 166 and 273.6 of the Penal Code, relating to protective orders.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:02 p.m.

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

ASSEMBLY BILL NO. 3282 (Cunneen)—An act to amend Section 19576.1 of, to add Sections 19175.1 and 19570 to, and to repeal Section 19583.51 of, the Government Code, relating to state civil service.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:06 p.m.

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

BILLS PASSED ON FILE

Assembly Bills Nos. 3427 and 2531—Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY BILL NO. 2686 (Kaloogian)—An act to amend and repeal Section 603.5 of the Welfare and Institutions Code, relating to minors.

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

AYES—58

Ackerman	Burton	House	Olberg
Aguiar	Caldera	Kaloogian	Poochigian
Alby	Cannella	Katz	Rainey
Alpert	Conroy	Knight	Richter
Baca	Cortese	Knowles	Rogan
Baldwin	Cunneen	Kuehl	Setencich
Battin	Escutia	Kuykendall	Speier
Baugh	Firestone	Machado	Takasugi
Boland	Frusetta	Margett	Thompson
Bordonaro	Goldsmith	McPherson	Villaraigosa
Bowen	Granlund	Miller	Weggeland
Bowler	Hannigan	Morrissey	Woods
Brewer	Harvey	Morrow	Mr. Speaker
Brown	Hawkins	Murray, Kevin	
Brulte	Hoge	Murray, Willard	

NOES—3

Bates	Ducheny	Mazzoni
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Vote Changes

By unanimous consent, the following vote changes were permitted on Assembly Bill No. 2686: Assembly Member Villaraigosa, from “No” to “Aye”; Assembly Member Davis, from “No” to “Not Voting”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 2827 (Escutia)—An act to amend Section 186.11 of the Penal Code, relating to crime.

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

AYES—70

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

NOES—None

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bills Nos. 2081 and 3053—Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY BILL NO. 2329 (Goldsmith)—An act to amend Section 308 of the Welfare and Institutions Code, relating to juveniles.

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

AYES—65

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

NOES—1

Migden

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 2628 (Firestone)—An act to repeal Section 8396 of, and to add Article 9.1 (commencing with Section 8405) to Chapter 2 of Part 3 of Division 6 of, the Fish and Game Code, relating to commercial fishing, and making an appropriation therefor.

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

AYES—63

Ackerman	Caldera	Hoge	Murray, Kevin
Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Kaloogian	Napolitano
Archie-Hudson	Cunneen	Knight	Olberg
Baca	Davis	Knowles	Poochigian
Baldwin	Ducheny	Knox	Rainey
Bates	Figueroa	Kuykendall	Richter
Battin	Firestone	Machado	Rogan
Baugh	Friedman	Margett	Setencich
Boland	Frusetta	Martinez	Speier
Bordonaro	Gallegos	Mazzoni	Sweeney
Bowen	Goldsmith	McPherson	Takasugi
Bowler	Granlund	Migden	Villaraigosa
Brown	Hannigan	Miller	Weggeland
Brulte	Harvey	Morrissey	Woods
Burton	Hawkins	Morrow	

NOES—1

Alpert

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bill No. 2596—Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY BILL NO. 2410 (McPherson)—An act to amend Section 34501.2 of the Vehicle Code, relating to vehicles.

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

AYES—53

Ackerman	Conroy	Isenberg	Olberg
Aguiar	Cortese	Kaloogian	Poochigian
Alby	Cunneen	Knight	Rainey
Alpert	Davis	Knowles	Richter
Baca	Ducheny	Knox	Rogan
Baldwin	Firestone	Kuehl	Setencich
Battin	Frusetta	Margett	Takasugi
Baugh	Goldsmith	Mazzoni	Thompson
Boland	Granlund	McPherson	Villaraigosa
Bordonaro	Hannigan	Migden	Weggeland
Bowler	Harvey	Miller	Woods
Brewer	Hawkins	Morrissey	
Caldera	Hoge	Morrow	
Cannella	House	Murray, Willard	

NOES—5

Bowen	Burton	Speier
Brulte	Martinez	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 3050 (Hawkins)—An act to amend Sections 729.5 and 730.7 of the Welfare and Institutions Code, relating to minors.

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

AYES—47

Ackerman	Conroy	House	Olberg
Aguiar	Cortese	Kaloogian	Poochigian
Alby	Cunneen	Knight	Richter
Baldwin	Ducheny	Knowles	Rogan
Battin	Escutia	Kuykendall	Setencich
Baugh	Firestone	Margett	Sweeney
Boland	Frusetta	Mazzoni	Takasugi
Bordonaro	Goldsmith	McPherson	Thompson
Bowler	Granlund	Morrissey	Weggeland
Brewer	Harvey	Morrow	Woods
Brown	Hawkins	Murray, Willard	Mr. Speaker
Brulte	Hoge	Napolitano	

NOES—8

Bates	Friedman	Martinez	Murray, Kevin
Cannella	Katz	Migden	Speier

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE

Assembly Bills Nos. 2670 and 2513—Passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY BILL NO. 2807 (Bordonaro)—An act to add Section 8625 to the Family Code, and to amend Section 1531.5 of the Health and Safety Code, relating to child care.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:21 p.m.

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

BILLS PASSED ON FILE

Assembly Bill No. 3317—Passed on file.

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

ASSEMBLY BILL NO. 2962 (Firestone)—An act to amend Sections 11011.5 and 14670 of the Government Code, relating to state property.

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

AYES—68

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 3066 (Frusetta)—An act to amend Section 17550.44 of the Business and Professions Code, relating to travel, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Assembly Members Battin, Hawkins, Kaloogian, Burton, and Migden demanded the previous question. Demand sustained.

The question being on the adoption of the urgency clause.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:30 p.m.

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

ASSEMBLY BILL NO. 3000 (Granlund)—An act to amend Section 4528 of the Revenue and Taxation code, relating to taxation.

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

AYES—63

Ackerman	Caldera	Hoge	Morrow
Aguiar	Cannella	House	Murray, Kevin
Alpert	Conroy	Isenberg	Napolitano
Archie-Hudson	Cortese	Kaloogian	Olberg
Baca	Cunneen	Knight	Poochigian
Baldwin	Davis	Knowles	Rainey
Bates	Ducheny	Knox	Richter
Battin	Escutia	Kuehl	Rogan
Baugh	Figuroa	Kuykendall	Setencich
Boland	Friedman	Machado	Speier
Bordonaro	Frusetta	Margett	Sweeney
Bowen	Goldsmith	Mazzoni	Thompson
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Hannigan	Migden	Weggeland
Brown	Harvey	Miller	Woods
Brulte	Hawkins	Morrissey	

NOES—1

Martinez

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 3000: Assembly Member Takasugi, from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 2203 (Rainey)—An act to add Section 12809.1 to the Public Utilities Code, relating to municipal utility districts.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:38 p.m.

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

At 12:38 p.m., Hon. Bruce Thompson, 66th District, presiding

ASSEMBLY BILL NO. 2215 (Cortese)—An act to add Section 13231 to the Fish and Game Code, relating to the Fish and Wildlife Pollution Account.

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

AYES—69

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alpert	Conroy	Kaloogian	Napolitano
Archie-Hudson	Cortese	Katz	Olberg
Baca	Cunneen	Knight	Poochigian
Baldwin	Davis	Knowles	Rainey
Bates	Ducheny	Knox	Richter
Battin	Escutia	Kuehl	Setenchich
Baugh	Figuroa	Kuykendall	Speier
Boland	Firestone	Machado	Sweeney
Bordonaro	Friedman	Margett	Takasugi
Bowen	Frusetta	Martinez	Thompson
Bowler	Gallegos	Mazzoni	Villaraigosa
Brewer	Goldsmith	McPherson	Weggeland
Brown	Hannigan	Migden	Woods
Burton	Harvey	Miller	
Bustamante	Hawkins	Morrissey	
Caldera	Hoge	Morrow	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 2238 (Willard Murray)—An act to amend Section 8301 of the Health and Safety Code, relating to cemeteries.

Bill read third time.

Demand for Previous Question

Assembly Members Burton, Kuykendall, Escutia, Battin, and Olberg demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:42 p.m.

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

BILLS PASSED ON FILE

Assembly Bills Nos. 2574 and 2580—Passed on file.

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

SENATE BILL NO. 1327 (Johnston)—An act to add Section 10089.4 to the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—71

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

NOES—None

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

AYES—71

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

NOES—None

Vote Changes

By unanimous consent, the following vote changes were permitted on the urgency clause to Senate Bill No. 1327, and on passage of the bill: Assembly Members Bordonaro and Conroy, from "No" to "Aye".

Bill ordered transmitted to the Senate.

SENATE BILL NO. 24 (Kopp)—An act to amend Section 91013 of, and to add Section 91013.1 to, the Government Code, relating to the Political Reform Act of 1974.

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

Bill passed by the following vote:

AYES—64

Ackerman	Campbell	Harvey	Migden
Aguiar	Cannella	Hawkins	Miller
Alpert	Conroy	Hoge	Morrissey
Archie-Hudson	Cortese	House	Morrow
Baca	Cunneen	Isenberg	Murray, Willard
Baldwin	Davis	Kaloogian	Napolitano
Bates	Ducheny	Katz	Olberg
Battin	Escutia	Knight	Poochigian
Boland	Figueroa	Knox	Rainey
Bordonaro	Firestone	Kuehl	Rogan
Bowen	Friedman	Kuykendall	Setencich
Bowler	Frusetta	Machado	Speier
Brewer	Gallegos	Margett	Sweeney
Brown	Goldsmith	Martinez	Takasugi
Brulte	Granlund	Mazzoni	Thompson
Caldera	Hannigan	McPherson	Weggeland

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 49 (Lockyer)—An act relating to vehicles.

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

Bill passed by the following vote:

AYES—56

Ackerman	Campbell	Hoge	Morrow
Aguiar	Conroy	Isenberg	Murray, Kevin
Alby	Cortese	Katz	Murray, Willard
Alpert	Cunneen	Knight	Napolitano
Archie-Hudson	Davis	Knowles	Olberg
Baca	Ducheny	Knox	Rainey
Baldwin	Figueroa	Kuehl	Rogan
Bates	Friedman	Machado	Setencich
Battin	Frusetta	Margett	Speier
Baugh	Gallegos	Martinez	Sweeney
Boland	Goldsmith	Mazzoni	Takasugi
Bordonaro	Hannigan	McPherson	Thompson
Bowler	Harvey	Migden	Villaraigosa
Burton	Hawkins	Morrissey	Mr. Speaker

NOES—11

Bowen	Caldera	Granlund	Miller
Brown	Cannella	Kaloogian	Woods
Brulte	Escutia	Kuykendall	

Bill ordered transmitted to the Senate.

At 12:52 p.m., Speaker Curt Pringle, 68th District, presiding

SENATE BILL NO. 1358 (Committee on Budget and Fiscal Review)—An act relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Frusetta moved the adoption of amendments.

Amendments read.

Point of Order

Assembly Member Burton arose to the following point of order:

That the amendments offered by Assembly Member Frusetta to Senate Bill No. 1358 are not germane to the bill.

Ruling by Speaker

The Speaker ruled the point of order not well-taken; that amendments offered to Senate Bill No. 1358, a budget trailer bill, are germane.

Point of Order

Assembly Member Burton arose to the following point of order:

That the debate on Senate Bill No. 1358 be limited to the proposed amendments offered by Assembly Member Frusetta.

Ruling by Speaker

The Speaker ruled the point of order well-taken.

The question being on the Frusetta motion to amend Senate Bill No. 1358.

Motion carried and amendments adopted by the following vote:

AYES—41

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

NOES—28

Alpert	Campbell	Isenberg	Migden
Archie-Hudson	Cannella	Katz	Murray, Kevin
Baca	Ducheny	Knox	Murray, Willard
Bates	Escutia	Kuehl	Napolitano
Bowen	Figueroa	Machado	Speier
Brown	Friedman	Martinez	Sweeney
Caldera	Hannigan	Mazzoni	Villaraigosa

Bill ordered reprinted.

Request for Unanimous Consent to Take Up, Without Reference to File

Assembly Member Frusetta requested unanimous consent to take up Senate Bill No. 1358, as amended, without reference to file.

Unanimous consent was withheld.

Motion to Temporarily Suspend the Rules

Assembly Member Frusetta moved that the Rules be temporarily suspended for the purpose of permitting consideration of Senate Bill No. 1358, without reference to file, and without reference to Assembly Rule 69.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:56 p.m.

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

SENATE BILL NO. 636 (Haynes)—An act to amend Sections 11105 and 11110 of, and to add Section 11103.2 to, the Vehicle Code, relating to vehicles.

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

Bill passed by the following vote:

AYES—68

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1451 (Kelley)—An act to amend Section 5326 of, and to add Section 5030.7 to, the Education Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1 p.m.

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

SENATE BILL NO. 141 (Beverly)—An act to amend Section 699.720 of the Code of Civil Procedure, to amend Sections 1113, 15642, 17001, 17005, 17051, 17052, 17054, 17061, 17100, 17101, 17103, 17154, 17158, 17201, 17250, 17251, 17252, 17254, 17301, 17303, 17350, 17352, 17356, and 17450 of the Corporations Code, to amend Section 3351 of the Labor Code, and to amend Sections 18633.5 and 23092 of the Revenue and Taxation Code, relating to limited liability companies, and declaring the urgency thereof, to take effect immediately.

Rules Temporarily Suspended

Assembly Member Cunneen was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting consideration of amendments submitted to the Desk after the convening of this day's Floor session.

Bill read third time.

Motion to Amend

Assembly Member Cunneen moved the adoption of amendments.

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

WITHDRAWAL AND RE-REFERENCE OF BILLS

Assembly Member Rainey was granted unanimous consent that Senate Bill No. 251 be withdrawn from the Committee on Local Government and re-referred to the Committee on Public Safety.

SPECIAL COMMITTEE MEETINGS

Assembly Member Rainey was granted unanimous consent that the Committee on Local Government be permitted to hold a special meeting today, off the Floor, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 2467 for hearing.

REQUEST TO WAIVE JOINT RULE 62(a)

Assembly Member Rainey requested unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 2419 for hearing later this day in the Committee on Local Government.

Assembly Member Katz withheld unanimous consent.

SPECIAL COMMITTEE MEETINGS

Assembly Member Pringle was granted unanimous consent that the Committee on Natural Resources be permitted to hold a special meeting later this day, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 3319 for hearing.

JOINT RULE 62(a) WAIVED

Assembly Member Katz withdrew his objection to the request by Assembly Member Rainey to waive Joint Rule 62(a) for the purpose of setting Assembly Bill No. 2419 for hearing in the Committee on Local Government later this day, and Assembly Member Rainey was granted unanimous consent that Joint Rule 62(a) be waived.

ANNOUNCEMENT OF CONFERENCE COMMITTEE MEETING

Assembly Member Knowles announced that the Conference Committee on Senate Bill No. 1993 would meet on Monday, May 13, 1996, in Room 447.

BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE

Assembly Member House was granted unanimous consent that Assembly Bill No. 3054, be withdrawn from the Committee on Budget and placed on the third reading file; and that Senate Bill No. 728 be withdrawn from the Committee on Insurance and placed upon the third reading file.

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Battin announced his intention to request that Assembly Bill No. 2773 be removed from the inactive file.

SPECIAL COMMITTEE MEETINGS

Assembly Member Morrissey was granted unanimous consent that the Committee on Consumer Protection, Governmental Efficiency and Economic Development be permitted to hold a special meeting upon adjournment of Floor session today, in the Tom Bane Rules Committee Room, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 281 for hearing.

At 1:13 p.m., Speaker pro Tempore Fred Aguiar, 61st District, presiding

BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE

Assembly Member Poochigian was granted unanimous consent that Assembly Bill No. 2333, be withdrawn from the Committee on Appropriations and placed on the second reading file.

RESOLUTIONS

The following resolutions were offered:

Resolution to Suspend Joint Rules

By Assembly Member Kaloogian:

Resolved, That Joint Rule 61 be suspended to permit the Committees on Public Employees, Retirement and Social Security and Appropriations to meet, consider, and report Assembly Bill No. 2954 for further action.

Resolution read, and adopted by the following vote:

AYES—64

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

NOES—None

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

ASSEMBLY BILL NO. 2043 (Boland)—An act to amend Section 57079 of the Government Code, relating to local government organization.

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

AYES—45

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

NOES—22

Archie-Hudson	Ducheny	Knox	Murray, Willard
Baca	Escutia	Kuehl	Napolitano
Brown	Figueroa	Machado	Sweeney
Burton	Friedman	Martinez	Villaraigosa
Caldera	Isenberg	Migden	
Campbell	Katz	Murray, Kevin	

**Motion to Reconsider Assembly Bill No. 2043
on Next Legislative Day**

Assembly Member Villaraigosa moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 2043 was this day passed.

Assembly Bill No. 2043 ordered to the unfinished business file.

ASSEMBLY BILL NO. 3381 (Baugh)—An act to amend Sections 86, 91, and 1141.11 of the Code of Civil Procedure, relating to courts.

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

AYES—42

Ackerman	Conroy	House	Poochigian
Aguiar	Cortese	Kaloogian	Richter
Alby	Cunneen	Knight	Rogan
Baldwin	Firestone	Knowles	Setencich
Battin	Frusetta	Kuykendall	Takasugi
Baugh	Goldsmith	Margett	Thompson
Boland	Granlund	McPherson	Weggeland
Bordonaro	Hannigan	Morrissey	Woods
Bowler	Harvey	Morrow	Mr. Speaker
Brewer	Hawkins	Murray, Willard	
Brulte	Hoge	Olberg	

NOES—23

Alpert	Cannella	Isenberg	Migden
Archie-Hudson	Davis	Katz	Murray, Kevin
Baca	Ducheny	Knox	Napolitano
Bowen	Escutia	Kuehl	Sweeney
Burton	Friedman	Martinez	Villaraigosa
Bustamante	Gallegos	Mazzoni	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 3149 (Bordonaro)—An act to amend Section 31000 of the Government Code, relating to county contracts.

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

AYES—41

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

NOES—27

Alpert	Cannella	Hannigan	Murray, Kevin
Archie-Hudson	Davis	Isenberg	Murray, Willard
Baca	Ducheny	Katz	Napolitano
Brown	Escutia	Kuehl	Setencich
Burton	Figueroa	Machado	Sweeney
Caldera	Friedman	Mazzoni	Villaraigosa
Campbell	Gallegos	Migden	

Bill ordered transmitted to the Senate.

SPECIAL COMMITTEE MEETINGS

Assembly Member Boland was granted unanimous consent that the Committee on Public Safety be permitted to hold a special meeting upon adjournment of Floor session, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 3480 for hearing.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 1:28 p.m., by unanimous consent, the members of the Committee on Natural Resources were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY JOINT RESOLUTION NO. 36**

At 1:37 p.m., on motion of Assembly Member Kaloogian, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

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

Motion carried. Time, 1:38 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2145**

At 1:38 p.m., on motion of Assembly Member Goldsmith, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2145 passed by the following vote:

AYES—42

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

NOES—24

Alpert	Caldera	Hauser	Murray, Kevin
Archie-Hudson	Campbell	Knox	Murray, Willard
Baca	Davis	Kuehl	Napolitano
Bates	Escutia	Martinez	Speier
Brown	Figueroa	Mazzoni	Sweeney
Burton	Gallegos	Migden	Villaraigosa

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2342**

At 1:39 p.m., on motion of Assembly Member Bordonaro, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2342 passed by the following vote:

AYES—43

Ackerman	Brulte	House	Olberg
Aguiar	Conroy	Kaloogian	Poochigian
Alby	Cunneen	Knight	Rainey
Alpert	Firestone	Knowles	Rogan
Baldwin	Frusetta	Kuykendall	Setencich
Battin	Goldsmith	Margett	Takasugi
Baugh	Granlund	McPherson	Thompson
Boland	Harvey	Miller	Weggeland
Bordonaro	Hauser	Morrissey	Woods
Bowler	Hawkins	Morrow	Mr. Speaker
Brewer	Hoge	Murray, Willard	

NOES—21

Archie-Hudson	Caldera	Isenberg	Murray, Kevin
Baca	Campbell	Katz	Sweeney
Bates	Escutia	Knox	Villaraigosa
Bowen	Figueroa	Kuehl	
Brown	Friedman	Mazzoni	
Burton	Hannigan	Migden	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2752**

At 1:40 p.m., on motion of Assembly Member Martinez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2752 passed by the following vote:

AYES—43

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

NOES—26

Archie-Hudson	Cannella	Isenberg	Murray, Kevin
Baca	Ducheny	Katz	Napolitano
Bowen	Escutia	Knox	Speier
Brown	Figueroa	Kuehl	Sweeney
Burton	Friedman	Martinez	Villaraigosa
Caldera	Gallegos	Mazzoni	
Campbell	Hannigan	Migden	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2195**

At 1:40 p.m., on motion of Assembly Member Baca, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

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

Motion carried. Time, 1:40 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2421**

At 1:41 p.m., on motion of Assembly Member Baca, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2421 passed by the following vote:

AYES—49

Aguiar	Cortese	Hauser	Napolitano
Alpert	Cunneen	Hawkins	Olberg
Archie-Hudson	Davis	Isenberg	Rainey
Baca	Ducheny	Katz	Setencich
Bates	Escutia	Knox	Speier
Bowen	Figueroa	Kuehl	Sweeney
Bowler	Firestone	Machado	Takasugi
Brown	Friedman	Martinez	Villaraigosa
Brulte	Frusetta	Mazzoni	Weggeland
Burton	Gallegos	McPherson	Woods
Caldera	Granlund	Migden	
Campbell	Hannigan	Murray, Kevin	
Cannella	Harvey	Murray, Willard	

NOES—17

Ackerman	Bordonaro	Kaloogian	Thompson
Alby	Brewer	Knowles	Mr. Speaker
Battin	Conroy	Morrissey	
Baugh	Goldsmith	Poochigian	
Boland	Hoge	Rogan	

Vote Changes

By unanimous consent, the following vote changes were permitted on Assembly Bill No. 2421: Assembly Members Harvey and Takasugi, from "No" to "Aye".

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2570**

At 1:41 p.m., on motion of Assembly Member Margett, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

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

Motion carried. Time, 1:41 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2577**

At 1:42 p.m., on motion of Assembly Member Bordonaro, and the absence of any objection, further proceedings under the call of the Assembly were dispensed.

Assembly Bill No. 2577 passed by the following vote:

AYES—42

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

NOES—31

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2689**

At 1:42 p.m., on motion of Assembly Member Kuykendall, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

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

Motion carried. Time, 1:42 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2705**

At 1:43 p.m., on motion of Assembly Member Cannella, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

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

Motion carried. Time, 1:43 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2709**

At 1:44 p.m., on motion of Assembly Member Brulte, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2709 refused passage by the following vote:

AYES—40

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

NOES—29

Alpert	Davis	Katz	Murray, Willard
Archie-Hudson	Ducheny	Knox	Setencich
Bowen	Escutia	Kuehl	Speier
Brown	Figueroa	Machado	Sweeney
Burton	Friedman	Martinez	Villaraigosa
Caldera	Gallegos	Mazzoni	
Campbell	Hannigan	Migden	
Cannella	Isenberg	Murray, Kevin	

**Motion to Reconsider Assembly Bill No. 2709
on Next Legislative Day**

Assembly Member Brulte moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 2709 was this day refused passage.

Assembly Bill No. 2709 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2963**

At 1:44 p.m., on motion of Assembly Member Firestone, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2963 passed by the following vote:

AYES—43

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

NOES—24

Archie-Hudson	Ducheny	Isenberg	Migden
Bates	Escutia	Katz	Murray, Kevin
Bowen	Figueroa	Knox	Murray, Willard
Brown	Friedman	Kuehl	Speier
Burton	Callegos	Martinez	Sweeney
Campbell	Hannigan	Mazzoni	Villaraigosa

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 3134**

At 1:44 p.m., on motion of Assembly Member Firestone, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 3134 passed by the following vote:

AYES—42

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

NOES—31

Alpert	Caldera	Hannigan	Murray, Kevin
Archie-Hudson	Cannella	Isenberg	Murray, Willard
Baca	Davis	Katz	Napolitano
Bates	Ducheny	Knox	Setencich
Bowen	Escutia	Kuehl	Speier
Brown	Figueroa	Martinez	Sweeney
Burton	Friedman	Mazzoni	Villaraigosa
Bustamante	Callegos	Migden	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 3246**

At 1:44 p.m., on motion of Assembly Member Speier, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

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

Motion carried. Time, 1:44 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 3282**

At 1:44 p.m., on motion of Assembly Member Cunneen, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

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

Motion carried. Time, 1:44 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2807**

At 1:45 p.m., on motion of Assembly Member Bordonaro, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2807 passed by the following vote:

AYES—43

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

NOES—18

Alpert	Ducheny	Katz	Murray, Willard
Archie-Hudson	Figueroa	Kuehl	Sweeney
Brown	Friedman	Martinez	Villaraigosa
Campbell	Hannigan	Mazzoni	
Cannella	Isenberg	Murray, Kevin	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO ASSEMBLY BILL NO. 3066**

At 1:45 p.m., on motion of Assembly Member Frusetta, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

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

Motion carried. Time, 1:45 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2203**

At 1:46 p.m., on motion of Assembly Member Rainey, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

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

Motion carried. Time, 1:46 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2238**

At 1:46 p.m., on motion of Assembly Member Willard Murray, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2238 passed by the following vote:

AYES—44

Aguiar	Campbell	Hannigan	Migden
Alpert	Cannella	House	Murray, Kevin
Archie-Hudson	Conroy	Isenberg	Murray, Willard
Baca	Cortese	Katz	Napolitano
Bates	Davis	Knox	Olberg
Bordonaro	Ducheny	Kuehl	Rainey
Bowen	Escutia	Kuykendall	Setencich
Brown	Firestone	Machado	Speier
Burton	Friedman	Martinez	Sweeney
Bustamante	Gallegos	Mazzoni	Villaraigosa
Caldera	Goldsmith	McPherson	Woods

NOES—5

Ackerman	Harvey	Thompson
Boland	Morrow	

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 2238: Assembly Member Goldsmith, from "No" to "Aye".

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
FRUSETTA MOTION TO TEMPORARILY SUSPEND RULES
AS THEY RELATE TO SENATE BILL NO. 1358**

At 1:46 p.m., on motion of Assembly Member Frusetta, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

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

Motion carried. Time, 1:46 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO SENATE BILL NO. 1451**

At 1:46 p.m., on motion of Assembly Member Goldsmith, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 1451 adopted by the following vote:

AYES—56

Ackerman	Cortese	House	Morrow
Aguiar	Cunneen	Kaloogian	Napolitano
Alpert	Davis	Katz	Olberg
Baldwin	Ducheny	Knight	Poochigian
Bates	Figueroa	Knowles	Rainey
Battin	Firestone	Knox	Richter
Baugh	Friedman	Kuehl	Rogan
Boland	Frusetta	Kuykendall	Setenchich
Bordonaro	Goldsmith	Machado	Speier
Brown	Granlund	Margett	Sweeney
Brulte	Hannigan	Mazzoni	Takasugi
Burton	Harvey	McPherson	Weggeland
Cannella	Hawkins	Miller	Woods
Conroy	Hoge	Morrissey	Mr. Speaker

NOES—6

Archie-Hudson	Martinez	Murray, Willard
Caldera	Migden	Villaraigosa

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—56

Ackerman	Cortese	House	Morrow
Aguiar	Cunneen	Kaloogian	Napolitano
Alpert	Davis	Katz	Olberg
Baldwin	Ducheny	Knight	Poochigian
Bates	Figueroa	Knowles	Rainey
Battin	Firestone	Knox	Richter
Baugh	Friedman	Kuehl	Rogan
Boland	Frusetta	Kuykendall	Setencich
Bordonaro	Goldsmith	Machado	Speier
Brown	Granlund	Margett	Sweeney
Brulte	Hannigan	Mazzoni	Takasugi
Burton	Harvey	McPherson	Weggeland
Cannella	Hawkins	Miller	Woods
Conroy	Hoge	Morrissey	Mr. Speaker

NOES—6

Archie-Hudson	Martinez	Murray, Willard
Caldera	Migden	Villaraigosa

Bill ordered transmitted to the Senate.

At 1:49 p.m., Speaker Curt Pringle, 68th District, presiding

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 2676 (Pringle)—An act to add Section 5063 to the Business and Professions Code, relating to accountants.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2231 (Kuehl)—An act to amend Section 6380 of, and to add Section 6380.5 to, the Family Code, and to amend Sections 836 and 847 of the Penal Code, relating to domestic violence.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 3106 (Hoge)—An act to amend Section 19613 of the Business and Professions Code, relating to horseracing.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 3144 (Granlund)—An act to amend Section 25611.2 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, passed, and ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 3179 (Brown)—An act to amend Section 19605.7 of the Business and Professions Code, relating to horseracing.

Bill read third time, passed, and ordered transmitted to the Senate.

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

HOUSE RESOLUTION NO. 41 (Brewer)—Relative to Assembly Rules 2, 12, 13, 14.5, 15.6, 15.7, 22.5, 25, 29, 30, 69, 77, 100, and 117.7.

Resolution read and adopted.

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

Consent Calendar—Senate Bill

SENATE BILL NO. 849 (Maddy)—An act to amend Section 1357.12 of the Health and Safety Code, and to amend Sections 10714 and 12720 of the Insurance Code, relating to health coverage, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

(For the vote on the above bill and urgency clause, see this day's Consent Calendar roll call.)

Consent Calendar Roll Call

The roll was called, and the above bills on the Consent Calendar passed, and any urgency clauses to the bills adopted, by the following vote:

AYES—75

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

NOES—None

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY JOINT RESOLUTION NO. 36**

At 1:52 p.m., on motion of Assembly Member Battin, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Joint Resolution No. 36 refused adoption by the following vote:

AYES—40

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

NOES—27

Alpert	Campbell	Hauser	Migden
Archie-Hudson	Cannella	Isenberg	Murray, Kevin
Baca	Davis	Katz	Murray, Willard
Bates	Escutia	Knox	Speier
Brown	Figueroa	Kuehl	Sweeney
Bustamante	Friedman	Martinez	Villaraigosa
Caldera	Gallegos	Mazzoni	

Objection to Vote Adds

Assembly Member Kaloogian withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Joint Resolution No. 36.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2195**

At 1:53 p.m., on motion of Assembly Member Kaloogian, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2195 passed by the following vote:

AYES—70

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

NOES—None

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2689**

At 1:53 p.m., on motion of Assembly Member Kuykendall, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2689 passed by the following vote:

AYES—41

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

NOES—31

Alpert	Campbell	Hannigan	Murray, Kevin
Archie-Hudson	Cannella	Isenberg	Murray, Willard
Baca	Davis	Katz	Napolitano
Bates	Ducheny	Knox	Setencich
Bowen	Escutia	Kuehl	Speier
Brown	Figueroa	Martinez	Sweeney
Burton	Friedman	Mazzoni	Villaraigosa
Caldera	Gallegos	Migden	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2705**

At 1:54 p.m., on motion of Assembly Member Cannella, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

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

Motion carried. Time, 1:54 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 3246**

At 1:55 p.m., on motion of Assembly Member Hoge, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

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

Motion carried. Time, 1:55 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 3282**

At 1:56 p.m., on motion of Assembly Member Cunneen, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 3282 passed by the following vote:

AYES—41

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

NOES—29

Alpert	Caldera	Katz	Napolitano
Archie-Hudson	Cannella	Knox	Setencich
Baca	Davis	Kuehl	Speier
Bates	Ducheny	Martinez	Sweeney
Bowen	Friedman	Mazzoni	Villaraigosa
Brown	Gallegos	Migden	
Burton	Hannigan	Murray, Kevin	
Bustamante	Isenberg	Murray, Willard	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO ASSEMBLY BILL NO. 3066**

At 1:57 p.m., on motion of Assembly Member Frusetta, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 3066 refused adoption by the following vote:

AYES—42

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

NOES—23

Alpert	Ducheny	Knox	Murray, Willard
Archie-Hudson	Escutia	Kuehl	Napolitano
Brown	Figueroa	Martinez	Speier
Caldera	Friedman	Mazzoni	Sweeney
Campbell	Hannigan	Migden	Villaraigosa
Cannella	Isenberg	Murray, Kevin	

**Motion to Reconsider Urgency Clause to Assembly Bill No. 3066
on Next Legislative Day**

Assembly Member Frusetta moved to reconsider on the next legislative day the vote whereby the urgency clause to Assembly Bill No. 3066 was this day refused adoption.

Assembly Bill No. 3066 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2203**

At 1:57 p.m., on motion of Assembly Member Rainey, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2203 refused passage by the following vote:

AYES—40

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

NOES—32

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

**Motion to Reconsider Assembly Bill No. 2203
on Next Legislative Day**

Assembly Member Rainey moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 2203 was this day refused passage.

Assembly Bill No. 2203 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
FRUSETTA MOTION TO TEMPORARILY SUSPEND THE RULES
AS THEY RELATE TO SENATE BILL NO. 1358**

At 1:57 p.m., on motion of Assembly Member Frusetta, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Frusetta motion to temporarily suspend the Rules to permit consideration of Senate Bill No. 1358, as amended, without reference to file lost by the following vote:

AYES—41

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

NOES—31

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2570**

At 1:57 p.m., on motion of Assembly Member Martinez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2570 passed by the following vote:

AYES—41

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

NOES—32

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

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE

Assembly Member Katz was granted unanimous consent that Assembly Bill No. 3268, be withdrawn from the Committee on Appropriations and placed on the second reading file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 2705**

At 1:59 p.m., on motion of Assembly Member Cannella, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2705 passed by the following vote:

AYES—45

Aguiar	Conroy	Kaloogian	Richter
Archie-Hudson	Cortese	Katz	Rogan
Baca	Ducheny	Knight	Setencich
Baldwin	Escutia	Knox	Speier
Bates	Figueroa	Mazzoni	Sweeney
Boland	Firestone	Migden	Villaraigosa
Bordonaro	Friedman	Morrissey	Weggeland
Bowler	Frusetta	Murray, Kevin	Woods
Burton	Gallegos	Murray, Willard	Mr. Speaker
Bustamante	Hannigan	Napolitano	
Campbell	Hauser	Olberg	
Cannella	Isenberg	Rainey	

NOES—22

Ackerman	Brewer	Harvey	Martinez
Alby	Brulte	Hawkins	McPherson
Alpert	Caldera	Knowles	Morrow
Battin	Cunneen	Kuehl	Thompson
Baugh	Davis	Kuykendall	
Bowen	Granlund	Margett	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 3246**

At 2:01 p.m., on motion of Assembly Member Martinez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 3246 refused passage by the following vote:

AYES—37

Alpert	Cannella	Hannigan	Murray, Kevin
Archie-Hudson	Cortese	Isenberg	Murray, Willard
Baca	Cunneen	Katz	Napolitano
Bates	Davis	Knox	Setencich
Bowen	Ducheny	Kuehl	Speier
Brown	Escutia	Machado	Sweeney
Brulte	Figueroa	Martinez	Villaraigosa
Burton	Friedman	Mazzoni	
Bustamante	Frusetta	McPherson	
Caldera	Gallegos	Migden	

NOES—None**Objection to Vote Adds**

Assembly Member Speier withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Bill No. 3246.

**Motion to Reconsider Assembly Bill No. 3246
on Next Legislative Day**

Assembly Member Battin moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 3246 was this day refused passage.

Assembly Bill No. 3246 ordered to the unfinished business file.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Boland announced that the Committee on Public Safety would meet at this time, in the Tom Bane Rules Committee Room.

Assembly Member Morrissey announced that the Committee on Consumer Protection, Governmental Efficiency and Economic Development would meet upon adjournment of Public Safety in the Tom Bane Rules Committee Room.

VOTE ADDS

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

Assembly Bill No. 126, Concurrence: Isenberg and Willard Murray—Aye; Bates, Baugh, Boland, Bowen, Brulte, Burton, Cortese, Hoge, Martinez, Morrow, Speier, and Weggeland—No.

Assembly Bill No. 2091: Bordonaro, Bowen, Bustamante, Hawkins, and Willard Murray—Aye.

Assembly Bill No. 2255: Bates, Brulte, and Bustamante—Aye.

Assembly Bill No. 2558: Bowen, Bustamante, Cannella, Ducheny, Katz, and Knox—Aye; Burton—No.

Assembly Bill No. 2969, Motion to Reconsider: Bowen, Burton, Bustamante, Firestone, Willard Murray, Napolitano, and Speier—Aye; Davis, Isenberg, Kuehl, Martinez, and Kevin Murray—No.

Assembly Bill No. 2969: Hauser—Aye; Bates—No.

Assembly Bill No. 3233: Bates, Bowler, Bustamante, Cunneen, Davis, Goldsmith, Harvey, Katz, Knox, Kuykendall, McPherson, Kevin Murray, Willard Murray, Olberg, Poochigian, and Speier—Aye; Brown and Burton—No.

Assembly Bill No. 2244 and Urgency: Bates, Brown, Bustamante, Cunneen, Davis, Frusetta, Goldsmith, Kaloogian, Katz, Olberg, and Poochigian—Aye.

Assembly Bill No. 2424: Baca, Bowen, Brown, Bustamante, Caldera, Davis, Ducheny, Isenberg, Kaloogian, Katz, Kuehl, Kuykendall, Machado, Mazzoni, Willard Murray, Napolitano, Olberg, Poochigian, Speier, and Sweeney—Aye.

Assembly Bill No. 2488: Bowen, Brulte, Bustamante, Isenberg, Katz, Knox, Kuykendall, Kevin Murray, Olberg, and Speier—Aye.

Assembly Bill No. 3027: Bowen, Cortese, Ducheny, Harvey, Kaloogian, and Napolitano—Aye; Willard Murray—No.

Assembly Bill No. 2686: Alby, Bowen, Harvey, Willard Murray, Olberg, and Speier—Aye; Ducheny and Mazzoni—No.

Assembly Bill No. 2827: Ackerman, Ducheny, Harvey, Hawkins, Morrow, Speier, and Takasugi—Aye.

Assembly Bill No. 2329: Alby, Bowler, Brown, Harvey, Machado, Willard Murray, and Olberg—Aye; Migden—No.

Assembly Bill No. 2628: Caldera, Ducheny, Morrow, Willard Murray, and Speier—Aye.

Assembly Bill No. 2410: Caldera, Kuehl, and Willard Murray—Aye.

Assembly Bill No. 3050: Brown, Ducheny, Escutia, Harvey, and Mazzoni—Aye; Bates—No.

Assembly Bill No. 2962: Bates, Boland, Ducheny, Harvey, Hawkins, Martinez, and Kevin Murray—Aye.

Assembly Bill No. 3000: Bates, Boland, Bowen, Davis, and Harvey—Aye.

Assembly Bill No. 2215: Aguiar, Bowen, Harvey, Martinez, and Olberg—Aye.

Senate Bill No. 1327 and Urgency: Bowler and Weggeland—Aye.

Senate Bill No. 24: Bowler, Conroy, Friedman, Goldsmith, Martinez, Olberg, and Poochigian—Aye.

Senate Bill No. 49: Baugh, Martinez, Olberg, and Rainey—Aye.

Senate Bill No. 636: Martinez, Poochigian, and Rainey—Aye.

Assembly Bill No. 2043: Bowen, Brewer, Kuykendall, and Weggeland—Aye; Sweeney—No.

Assembly Bill No. 3381: Kuykendall—Aye; Bowen, Davis, Martinez, and Sweeney—No.

Assembly Bill No. 3149: Sweeney—No.

Assembly Bill No. 2342: Olberg—Aye; Sweeney—No.

Assembly Bill No. 2421: Aguiar, Granlund, and Olberg—Aye; Ackerman, Baugh, and Boland—No.

Assembly Bill No. 2807: Speier—Aye.

Assembly Bill No. 2238: Bordonaro—Aye.

Senate Bill No. 1451 and Urgency: Granlund—Aye.

MOTION TO ADJOURN

At 2:04 p.m., Assembly Member Rogan moved that the Assembly do now adjourn.

Assembly Member Katz seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:05 p.m., Speaker Pringle declared the quorum call of the Assembly dispensed with.

STANDING RULES OF THE ASSEMBLY

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

House Resolution No. 36

By Assembly Member Thompson,

As Amended by **HR No. 41** (April 23, April 25, and May 7, 1996)

By Assembly Member Brewer

*Relative to the Standing Rules of the Assembly
for the 1995–96 Regular Session*

Resolved by the Assembly of the State of California, That the following Rules be, and the same are hereby, adopted as the Standing Rules of the Assembly for the 1995–96 Regular Session; and be it further

Resolved, That these rules shall govern the operations of the Assembly and shall supersede any and all other rules previously adopted this session.

STANDING RULES OF THE ASSEMBLY**1995–96 REGULAR SESSION****I. LEGISLATIVE ORGANIZATION****Assembly General Officers**

1. (a) The general officers of the Assembly are the following:

Speaker

Speaker pro Tempore

Majority Floor Leader

Minority Floor Leader

Chief Clerk

Sergeant at Arms

Chaplain

(b) Except for the Majority Floor Leader and the Minority Floor Leader, each officer listed in subdivision (a) shall be elected by a majority vote of the duly elected and qualified Members. The adoption of these rules shall not in and of itself create a vacancy in any of the offices listed in subdivision (a), so that any individual who holds an office listed in subdivision (a) before the time when these rules are adopted shall continue to hold that office upon the adoption of these rules.

(c) The Chief Clerk, subject to the approval of the Committee on Rules, shall determine the names and titles that shall appear on the frontispiece of all publications.

Hours of Meeting

2. ~~The session of the Assembly shall be at a time determined by 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.

Speaker to Call Assembly to Order

3. The Speaker, or in his or her absence, the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order.

Roll Call and Quorum

4. Before proceeding with the business of the Assembly, both of the following shall be completed:

(1) The roll of the Members shall be called, and the names of those present shall be entered in the Journal. Forty-one Members constitute a quorum.

(2) The presiding officer shall announce the names of all Members who will be absent from that day's session and the reason for their absence.

Assignment of Desks to Members

5. Members shall be assigned to desks by the Committee on Rules.

Organization of Assembly

5.5. For the purposes of the organization of any regular session of the Assembly pursuant to Section 9023 of the Government Code, the Speaker from the previous regular session at the time when the session adjourned sine die, if he or she is reelected to the Assembly, shall be deemed to be the senior member elect.

II. RULES**Adoption of Standing Rules**

6. The adoption of the Standing Rules shall require an affirmative recorded vote of a majority of the duly elected and qualified Members. When once adopted, the Standing Rules shall remain in effect, unless suspended or amended as provided in these rules.

Suspension of Rules

7. Any standing rule of the Assembly, except Rule 8, may be suspended temporarily by a vote of two-thirds of the Members present and voting; provided, that the temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

Amending Standing Rules

8. No standing rule of the Assembly shall be amended except by a resolution adopted by an affirmative recorded vote of a majority of the duly elected and qualified Members.

Mason's Manual

10. In all cases not provided for by the California Constitution, by the Assembly Rules, by the Joint Rules of the Senate and Assembly, or by statute, the authority shall be the latest edition of Mason's Manual.

III. ORGANIZATION OF COMMITTEES

Standing Committees

11. (a) Twenty-six standing committees of the Assembly are hereby created, upon the several subjects, and titled respectively, as follows:

Agriculture
 Appropriations
 Banking and Finance
 Budget
 Consumer Protection, Governmental Efficiency and Economic Development
 Education
 Elections, Reapportionment and Constitutional Amendments
 Environmental Safety and Toxic Materials
 Governmental Organization
 Health
 Higher Education
 Housing and Community Development
 Human Services
 Insurance
 Judiciary
 Labor and Employment
 Local Government
 Natural Resources
 Public Employees, Retirement and Social Security
 Public Safety
 Revenue and Taxation
 Rules
 Televising the Assembly and Information Technology
 Transportation
 Utilities and Commerce
 Water, Parks and Wildlife

(b) The Committee on Rules may organize additional committees pursuant to the procedure in Rule 12.

Open Meetings

11.3. (a) Except as otherwise provided in this rule, all meetings of the Assembly or a committee thereof shall be open and public, and all persons shall be permitted to attend the meetings. As used in this rule, "meeting" means a gathering of a quorum of the Members of the Assembly or a committee in one place for the purpose of discussing legislative or other official matters within the jurisdiction of the Assembly or committee. As used in this rule, "committee" includes a standing committee, joint committee, conference committee, subcommittee, select committee, special committee, research committee, or any similar body.

(b) Any meeting that is required to be open and public pursuant to this rule, including any closed session held pursuant to subdivision (c), shall be held only after full and timely notice to the public as provided by the Joint Rules of the Assembly and Senate.

(c) The Assembly or a committee thereof may hold a closed session solely for any of the following purposes:

(1) To consider the appointment, employment, evaluation of performance, or dismissal of a public officer or employee, to consider

or hear complaints or charges brought against a Member of the Legislature or other public officer or employee, or to establish the classification or compensation of an employee of the Assembly.

(2) To consider matters affecting the safety and security of Members of the Legislature or its employees or the safety and security of any buildings and grounds used by the Legislature.

(3) To confer with, or receive advice from, its legal counsel regarding pending or reasonably anticipated, or whether to initiate, litigation when discussion in open session would not protect the interests of the Assembly or committee regarding the litigation.

(d) A caucus of the Members of the Assembly which is composed of members of the same political party may meet in closed session.

(e) A closed session may be held pursuant to paragraph (3) of subdivision (c) under any of the following circumstances:

(1) An adjudicatory proceeding before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator, to which the Assembly or a committee, Member, or employee thereof is a party, has been initiated formally.

(2) Based on existing facts and circumstances, a point has been reached where, in the opinion of the Assembly or a committee thereof, on the advice of its legal counsel, litigation against the Assembly or a committee, Member, or employee thereof is reasonably anticipated.

(3) Based on existing facts and circumstances, the Assembly or a committee thereof has decided to initiate or is deciding whether to initiate litigation.

(4) To confer with, or receive advice from, its legal counsel and negotiator prior to the purchase, sale, exchange, or lease of real property by or for the Assembly or a committee regarding the price and terms of payment for the purchase, sale, exchange, or lease.

(f) Prior to holding a closed session pursuant to paragraph (3) of subdivision (c), the presiding officer of the Assembly or the chair of the committee shall state publicly which paragraph of subdivision (c) is applicable. If the closed session is held pursuant to paragraph (1) of subdivision (e), the presiding officer or chair shall state the title of or otherwise specifically identify the litigation to be discussed, unless the presiding officer or chair states that to do so would jeopardize the ability to effectuate service of process upon one or more unserved parties, or that to do so would jeopardize the ability of the Assembly or the committee to conclude existing settlement negotiations to its advantage. If the closed session is held pursuant to paragraph (4) of subdivision (e), the notice of the closed session shall identify the real property which the negotiations may concern and the person with whom the negotiations may take place.

(g) The legal counsel for the Assembly or the committee shall prepare and submit to the Assembly or the committee a memorandum stating the specific reasons and legal authority for the closed session. If the closed session is held pursuant to paragraph (1) of subdivision (e), the memorandum shall include the title of or other identification of the litigation. If the closed session is held pursuant to paragraph (2), (3), or (4) of subdivision (e), the memorandum shall set forth the existing facts and circumstances on which the closed session is based. The legal counsel shall submit the memorandum to the Assembly or the committee prior to the closed

session, if feasible, or, in any case, not later than one week after the closed session. The memorandum shall be exempt from disclosure under the Legislative Open Records Act contained in Article 3.5 (commencing with Section 9070) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of the Government Code.

(h) For purposes of paragraph (3) of subdivision (c), "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

(i) For purposes of this rule, all expressions of the lawyer-client privilege other than those provided in this section are hereby abrogated. This section is the exclusive expression of the lawyer-client privilege for the purposes of conducting closed-session meetings pursuant to this rule.

(j) Disclosure of a memorandum required under this section shall not be deemed a waiver of the lawyer-client privilege provided for under Article 3 (commencing with Section 950) of Chapter 4 of Division 8 of the Evidence Code.

Conference Committee Meetings

11.4. No Member may participate in a meeting of a conference committee considering any bill that is not open to the public.

Assembly Investigating Committees

11.5. (a) The standing committees of the Assembly created pursuant to Rule 11, with the exception of the Committee on Rules, are hereby constituted Assembly investigating committees and are authorized and directed to ascertain, study, and analyze all facts relating to any subjects or matters which the Committee on Rules shall assign to them upon request of the Assembly or upon its own initiative.

(b) Each of the Assembly investigating committees shall consist of the members of the standing committee on the same subject as most recently constituted. The chairperson and vice chairperson shall be the chairperson and vice chairperson of the standing committee. Vacancies occurring in the membership of the committee shall be filled by the Committee on Rules.

(c) Each committee and any subcommittee, and its members, shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by law and by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the committee or subcommittee and their members.

(d) In order to prevent duplication and overlapping of studies between the various investigating committees herein created, no committee shall commence the study of any subject or matter not specifically authorized herein or assigned to it unless and until prior written approval thereof has been obtained from the Committee on Rules.

(e) The Committee on Rules shall provide for the expenses of the above committees and their members and for any charges, expenses, or claims they may incur under this resolution, to be paid from the Assembly Operating Fund and disbursed, after certification by the

Chairperson of the Committee on Rules or his or her authorized representative, upon warrants drawn by the Controller upon the State Treasury.

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; ~~membership, and chairperson and vice chairperson~~ 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.

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 ~~registered~~ 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 ~~registered~~ 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 ~~shall~~ *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 or video transmission of those meetings shall be provided to the State Capitol office of each Member of the Assembly.

Organization of Party Caucuses

13.1. Within two days after the general election held in November of each even-numbered year, the minority and majority caucuses shall meet for the purposes of electing their officers and members of the Committee on Rules for the next regular session. The rules and procedures of each caucus shall be determined by each caucus, but in no way shall they be inconsistent with these rules.

Powers of the Committee on Rules

14. (a) The Committee on Rules shall have the following powers:

(1) To organize standing committees and subcommittees and to establish a schedule of the time and place for meetings of committees and subcommittees.

(2) To refer each bill and house resolution to a committee.

(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 choose one Chief Administrative Officer.
- (5) To allocate all funds, staffing, and other resources necessary for the effective operation of the Assembly.
- (6) To appoint all employees of the Assembly not otherwise provided for by statute. It shall have authority to terminate, discipline, establish and modify the terms and conditions of employment of, or suspend, with or without pay, any employee of the Assembly.
- (7) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of these rules.
- (8) To adopt additional policies or requirements regarding the use of cameras and other recording equipment at committee hearings or Assembly floor sessions.
- (b) The Committee on Rules may delegate powers to the Speaker by a majority vote of the membership of the committee.

***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 30 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.

Committee on Rules

15. The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular session and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction, the committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from

time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

Operating Fund Report

15.5. The Committee on Rules shall annually prepare a report to the public of expenditures as required by Section 9131 of the Government Code.

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.

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.

Rules Committee Resolutions

16. The Committee on Rules, acting unanimously by appropriate resolution, on behalf of and in the name of the Assembly, may extend congratulations, commendations, sympathy, or regret to any person, group, or organization, and may authorize the presentation of suitably prepared copies of these resolutions to the persons concerned and to their relatives.

Assembly Operating Fund

17. The Committee on Rules is the committee provided for in Section 9127 of the Government Code. The balance of all money in the Assembly Operating Fund, including money now or hereafter appropriated, except the sums that are specifically made available for the expense of designated committees or for other purposes, is hereby made available to the Committee on Rules for any charges or claims it may incur in carrying out the duties imposed upon it by these rules or by Assembly or concurrent resolution. The money made available by this rule includes the unencumbered balances of all sums heretofore made available to any Assembly or joint committee by the Assembly, upon the expiration of the committee, and shall be expended as provided in these rules.

Expenditures

18. No Member or committee shall be permitted to incur any expense except as authorized pursuant to these rules or the Joint Rules of the Senate and Assembly, or as authorized by the Assembly or the Committee on Rules.

The Committee on Rules shall provide, by rules and regulations, for the manner of authorizing expenditures by Members, committees, and officers and employees of the Assembly, not otherwise authorized by law, these rules, or the Joint Rules of the Senate and Assembly. These rules and regulations shall incorporate a provision whereby construction, alteration, improvement, repair, or maintenance of real or personal property, and the purchase of supplies and equipment, shall be governed by competitive bidding. Further, the rules and regulations shall provide for the payment of expenditures, authorized by these rules and regulations, from the Assembly Operating Fund upon certification of claims therefor to the Controller by the Committee on Rules or its authorized representative.

No Member may be reimbursed for travel outside the State of California without prior approval of the Speaker or the Committee on Rules.

Rules and Regulations Governing Committees

20. All claims for expenses incurred by investigating committees of the Assembly shall be approved by the Committee on Rules, or its authorized representative, before the claims are presented to the Controller.

All proposed expenditures, other than expenditures of the funds of an investigating committee, shall be approved by the Committee on Rules or its authorized representative before the expenses are incurred, unless the expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with the provisions of this rule.

The Committee on Rules shall adopt rules and regulations governing the awarding of any contract by an investigating committee and shall also adopt rules and regulations limiting the amount, time, and place of expenses and allowances to be paid to employees of Assembly investigating committees or other Assembly committees.

These rules may provide for allowances to committee employees in lieu of actual expenses.

Mileage is an allowance to a committee employee in lieu of actual expenses of travel. When travel is by private conveyance, mileage shall be allowed only to the operator of, and not to passengers in, a private vehicle. Claims for mileage by private conveyance must be accompanied by the license number of the vehicle and the names of state officers and employees riding as passengers.

Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairperson of every investigating committee and of any other Assembly committee that has employees.

Fees for Witnesses

21. Each witness summoned to appear before the Assembly or any of its committees shall be reimbursed at a rate set by the Committee on Rules.

Assembly General Research Committee

22. (a) The Assembly General Research Committee is hereby continued as a permanent factfinding committee pursuant to Section 11 of Article IV of the California Constitution. The committee is allocated all subjects within the scope of legislative regulation and control but shall not undertake any investigation which another committee has been specifically requested or directed to undertake. The Assembly General Research Committee may act through subcommittees appointed by the Committee on Rules and these subcommittees may act only on the particular study or investigation assigned by the Committee on Rules to the subcommittees. Each subcommittee shall be known and designated as a select committee. The Speaker is the Chairperson of the Assembly General Research Committee and may be a voting member of any subcommittee. Each member of the Assembly General Research Committee is authorized and directed to receive and investigate requests for legislative action made by individuals or groups and to report thereon to the full committee. The Committee on Rules is authorized to allocate to any subcommittee from the Assembly Operating Fund those sums that the Committee on Rules deems necessary to complete the investigation or study conferred upon that subcommittee. The Committee on Rules shall further allocate, from time to time, to the Assembly General Research Committee from the Assembly Operating Fund those sums as are necessary to permit the Assembly General Research Committee and the members thereof to carry out the duties imposed on them. The committee has continuous existence until the time that its existence is terminated by a resolution adopted by the Assembly, and the committee is authorized to act both during and between sessions of the Legislature, including any recess.

(b) The committee and its members shall have and exercise all the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to the committee and its members.

(c) The committee has the following additional powers and duties:

(1) To contract with other agencies, public or private, that it deems necessary for the rendition and affording of services, facilities, studies, and reports to the committee as will best assist it to carry out the purposes, for which it is created.

(2) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(3) To report its findings and recommendations to the Legislature and to the people from time to time and at any time.

(4) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

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 ~~registered~~ political party having the largest number of Members in the Assembly and three members shall be from the ~~registered~~ 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 ~~registered~~ political party *within 10 days*. All appointments, including appointments to fill permanent or temporary vacancies, of members from the ~~registered~~ 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 ~~registered~~ political party having the largest number of Members in the Assembly and one member of the committee from the ~~registered~~ 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 record 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.

Printing of Committee Reports

23. All requests for the printing of reports of Assembly committees shall be referred to the Committee on Rules. The Committee on Rules shall determine the number of copies needed and whether or not the report shall be printed in the Journal. In no event shall more than 1,000 copies of any committee report be authorized by the Committee on Rules on the first printing, exclusive of the Journal copies, if the report is to be printed therein, unless the Committee on Rules finds and determines that there is a special need for that report in greater numbers.

Upon determination by the Committee on Rules that additional copies of an Assembly committee report are required at any time following the first printing of the authorized number of copies, the Committee on Rules may authorize one or more additional printings in the numbers found by it to be necessary and may make funds available therefor.

No Assembly committee report shall contain more than 100 pages, including the front and back cover thereof and any appendix, unless a greater number of pages has been approved and authorized by the Committee on Rules.

Assembly Employees

24. Every employee who works for a committee of the Assembly or a subcommittee of a committee, for a Member of the Assembly, for the Chief Clerk's office, or for the Sergeant at Arms, is an employee of the Assembly. All employees of the Assembly serve at the pleasure of the Assembly and the terms and conditions of their employment may be modified, or their employment may be terminated at will, at any time and without notice, by the Committee on Rules.

Every applicant for employment by the Assembly shall prepare a formal application for employment on forms prescribed by the Committee on Rules. The application shall include a statement of his or her present employment, his or her employment during the preceding two years, and other pertinent information that the Committee on Rules may require. The application shall be certified under penalty of perjury, and any willful false statement or omission of a material fact shall be punishable as perjury. If the application discloses any fact that indicates that the applicant has a personal interest that would conflict with the faithful performance of his or her duties, the applicant shall not be employed. All applications shall be retained in the records of the committee.

Every employee shall complete the Assembly ethics course in the first six months of his or her employment. Thereafter, every employee shall take the course in the first six months of every legislative session.

No employee shall engage in any outside business activity or outside employment that is inconsistent, incompatible, or in conflict with his or her functions or responsibilities as an employee of the

Assembly. Any employee who engages in any outside business activity or employment that is in any way related to his or her functions or responsibilities as an employee shall promptly notify the Committee on Rules of that business activity or employment.

Press Representative 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.~~

IV. ASSEMBLY FUNCTIONS

A. Duties of Assembly Officers

Duties of the Speaker

26. (a) The Speaker is responsible for the efficient conduct of the legislative and administrative affairs of the Assembly, so as to carry out the decisions and directives of the Committee on Rules.

(b) The Speaker shall possess the powers and perform the duties prescribed as follows:

(1) To preserve order and decorum; he or she may speak to points of order in preference to the other Members, rising from his or her chair for that purpose.

(2) To decide all questions of order subject to appeal to the Assembly by any Member. On every appeal, he or she shall have the right to assign his or her reason for his or her decision.

(3) To name any Member to perform the duties of the Speaker, but those substitutions shall not extend beyond adjournment.

(4) To approve special meetings of standing committees or subcommittees at a time different from the schedule established by the Committee on Rules.

(5) To have general control and direction over the Journals, papers, and bills of the Assembly.

(6) To act as Chairperson of the Committee of the Whole.

(7) To order the Lobby and Gallery cleared whenever he or she shall deem it necessary.

(8) To authenticate by his or her signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpoenas issued by order of the Assembly.

(9) The Speaker shall be ex officio member of all Assembly and joint committees with all of the rights and privileges of that membership, except the right to vote. In counting a quorum of any of those committees, the Speaker shall not be counted as a member.

(10) The Speaker shall, at each regular session, appoint a Member of the Assembly to serve on the Judicial Council pursuant to Section 6 of Article VI of the California Constitution.

Funerals and Other Ceremonies and Events

27. The Speaker may designate any one or more of the Members of the Assembly as the representatives of the Assembly to attend funerals and other ceremonies and events in appropriate circumstances. The Members so designated shall receive their expenses as provided in Joint Rule 35.

Duties of the Speaker pro Tempore

28. The Speaker pro Tempore shall perform those duties assigned by the Speaker, including the responsibility of presiding over sessions of the Assembly and advising the Members on parliamentary procedures of the house.

Majority Floor Leader

29. The Majority Floor Leader shall be elected by the caucus of the ~~registered~~ 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.

Minority Floor Leader

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

Caucus Chairpersons

31. The chairperson of the caucus of the majority party and the chairperson of the caucus of the minority party shall perform those duties that are prescribed by their respective party caucuses.

Chief Clerk

32. The Chief Clerk of the Assembly shall have the following duties, powers, and responsibilities:

(a) To be charged with the responsibility of the keeping of the bills, papers, and records of the proceedings and actions of the Assembly and to have charge of the publication and distribution of those publications related thereto.

(b) To supervise Assembly employees engaged in duties related to subdivision (a) above.

(c) To act as Parliamentarian of the Assembly and to advise the officers of the Assembly and the Committee on Rules on parliamentary procedure and the Rules of the Assembly when called upon to do so.

(d) To prepare all bills, resolutions, histories, journals, and related publications for printing.

(e) To refuse to permit any bills, papers, or records to be removed from his or her office or out of his or her custody, except upon duly signed receipts from persons authorized.

(f) To mail, before the commencement of each regular session of the Legislature, to each Member a blank form on which the Member may indicate his or her committee preferences. Accompanying the blank form shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning the form. After their receipt, all those communications shall be held by the Chief Clerk of the Assembly and the information contained in the forms shall be forwarded to the Committee on Rules.

(g) To perform those other duties that are prescribed by law or the Committee on Rules.

(h) To make technical changes in measures and amendments pending before the Assembly. The Chief Clerk shall notify the speaker and the author of the measure of any such change.

(i) To compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, to see that the engrossed bill is a true copy of the original, with those amendments that may have been made thereto; and to see that all engrossed bills are reported back in the order in which they were ordered engrossed.

(j) To assist the Committee on Rules, upon its request, in recommending the reference of bills to the appropriate standing committee.

The Assistant Chief Clerk shall have the powers and perform the duties of the Chief Clerk during his or her absence.

Sergeant at Arms

33. The Sergeant at Arms shall have the following duties, powers, and responsibilities:

(a) To attend the Assembly during its session, preserve order, announce all official messengers, and serve all process issued by authority of the Assembly and directed by the Speaker; he or she shall receive his or her actual expenses for himself or herself or for an assistant when executing any process.

(b) To see that no person is admitted to the Assembly Chamber except in accordance with the provisions of these rules.

(c) To have general supervision over the Assistant Sergeants at Arms and be responsible for their official acts and their performance of and regular attendance upon their duties.

(d) To execute all commands of the Speaker.

(e) To perform all other duties pertaining to his or her office as prescribed by law or Assembly rule.

The Chief Assistant Sergeant at Arms shall have the powers and perform the duties of the Sergeant at Arms during his or her absence.

Filling Interim Vacancies—Assembly Elected Officers

34. In the event a vacancy in any office, except Speaker, elected by the membership of the Assembly occurs during joint recesses, the Committee on Rules shall fill the office until the session reconvenes. If a vacancy occurs in the office of the Speaker during a joint recess, the Committee on Rules shall notify the membership within 15 days from the time the vacancy occurs and shall call a caucus of the membership of the Assembly for the purpose of filling the vacancy. This caucus shall be held at the State Capitol within 30 days from the time the vacancy occurs. Notice of the caucus shall be in writing and shall be mailed not less than 10 days prior to the meeting of the caucus. If the Committee on Rules fails to act within 15 days from the time the vacancy in the office of Speaker occurs, the Chief Clerk of the Assembly shall act in its place following the procedure set forth in this rule. Any person selected to fill any vacancy pursuant to this rule shall hold the office until the session reconvenes.

An affirmative recorded vote of a majority of the duly elected and qualified Members shall be required for the selection by the Assembly caucus of a person to fill a vacancy pursuant to this rule. The procedure for selecting the Speaker at the caucus shall be the same as the procedure required for the election of the Speaker at a session.

B. Printing

Authority for Printing

35. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly. All invoices for printing furnished to the Assembly shall be itemized and rendered by the State Printer within 30 days after completion of the printing. When necessary, the Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

Ordering of Printing

36. The Chief Clerk is authorized and shall have the responsibility for ordering printing of bills, resolutions, journals, daily files, histories, and related documents.

The Chief Clerk of the Assembly, or the Chief Administrative Officer of the Assembly, shall order other printing as directed or authorized by the Committee on Rules, and the written order for that printing shall be countersigned by the Speaker or a person designated by the Speaker. The Chief Clerk of the Assembly or the

Chief Administrative Officer of the Assembly shall also order other printing as directed or authorized by resolution or motion of the Assembly.

Printing Assembly History and Legislative Handbook

37. During the session, the Chief Clerk shall cause to be printed and placed upon each Member's desk prior to convening on Monday of each week a complete history showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of the Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

The Chief Clerk of the Assembly shall, as soon as practicable, in each even-numbered year, commence to compile a legislative manual or handbook, pursuant to Section 9740 of the Government Code.

V. LEGISLATIVE PROCEDURE

Order of Business

40. The order of business of the Assembly shall be as follows:
1. Roll Call
 2. Prayer by the Chaplain
 3. Reading of the Previous Day's Journal
 4. Presentation of Petitions
 5. Introduction and Reference of Bills
 6. Reports of Committees
 7. Messages From the Governor
 8. Messages From the Senate
 9. Motions and Resolutions
 10. Business on the Daily File
 11. Announcements
 12. Adjournment

Pledging of Allegiance to the Flag

41. At each session, following the prayer by the Chaplain, the Members of the Assembly and its officers and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America. The Speaker shall invite guests present in the Assembly Chamber to join in the pledge of allegiance to the Flag of the United States of America.

Reading and Correcting Journals

42. (a) The reading of the Journal of the previous day may be dispensed with on motion by a majority vote of the Members present and voting.

(b) All journals of the Assembly shall be corrected by the Minute Clerk and delivered to the Chief Clerk.

(c) A motion to correct any day's Journal or to print a letter in the Journal shall always be in order and shall require a majority vote of the Members present and voting.

Presentation of Petitions

43. Whenever petitions, memorials, or other papers are presented by a Member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or be referred to a committee as the Speaker shall determine. Receipt of that presentation and its disposition shall be noted in the Journal.

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer the petition to committee.

Messages From the Governor

44. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by an affirmative recorded vote of 54 or more Members.

Messages From the Senate

45. Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal. The Committee on Rules shall refer each bill to a committee, unless upon a motion the Assembly by an affirmative recorded vote of 41 or more Members shall refer it to some other committee. The action to refer a bill shall not be debatable. The reference shall be entered in the Journal. Assembly bills that have been passed without amendment by the Senate shall be ordered to enrollment.

An Assembly bill amended by the Senate shall be placed upon the unfinished business file but shall not be eligible to be acted upon until it is on the unfinished business file for one legislative day, except that when the Assembly 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.

Guests of the Assembly

45.5. Nothing in these rules shall prevent the Speaker or Speaker pro Tempore from permitting the introduction of a special guest or guests.

A. Bills and Resolutions**Bills Defined**

46. (a) Whenever the word "bill" is used in these rules, it includes a constitutional amendment, a concurrent resolution, and a joint resolution, except as otherwise specifically provided.

(b) A concurrent resolution and a joint resolution, other than a resolution ratifying proposed amendments to the United States Constitution and a resolution calling for a constitutional convention, shall be treated in all respects as a bill except as follows:

- (1) It shall be given only one formal reading.
- (2) It shall not be deemed a bill within the meaning of subdivision (a) of Section 8 of Article IV of the California Constitution.

Introduction and Reference of Bills

47. Each bill shall be signed by each Member who is an author or coauthor of the bill before it is introduced. If any bill is introduced which does not contain the signature of its author or coauthor, the same, on motion of the Member whose name appears thereon without that signature, shall be stricken from the file by an affirmative recorded vote of 41 or more Members. In each legislative session, on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z, and as each Member's name is called, the Member may introduce one bill, constitutional amendment, concurrent or joint resolution. After this roll call, the preprint bills shall be introduced in numerical order.

After the introduction of preprinted bills, and subject to the provisions of the Joint Rules, any Member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Chief Clerk's desk.

When received at the Chief Clerk's desk it shall, under the proper order of business, be numbered, read the first time, be printed, referred to a standing committee, and a copy placed upon the desk of each Member before final passage.

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

Any committee may introduce a bill germane to any subject within the proper consideration of the committee in the same manner as any Member. No committee bill may be introduced unless it contains the signatures of a majority of all the members, including the chairperson, of the committee. If all the members of a committee sign the bill, at the option of the committee chairperson, the committee members' names need not appear as authors in the heading of the printed bill.

Limitation on the Introduction of Bills

49. (a) A Member may introduce not more than 30 bills in the regular session.

(b) This rule shall not apply to a constitutional amendment, any type of resolution, or a bill introduced by a committee pursuant to Rule 47.

(c) This rule may be suspended with respect to a particular bill by approval of the Committee on Rules.

Reference of Bills to Committee

51. Except as otherwise provided in this rule, the Committee on Rules shall refer each bill to a committee by a majority vote of the membership of the committee, unless upon a motion the Assembly by an affirmative recorded vote of 41 or more Members shall refer it to some other committee. A motion to refer a bill shall not be debatable, except as to the propriety of the motion, and it shall not open the main question to debate.

The Committee on Rules may require that, if a bill is reported out of the committee to which it has been referred, it shall be re-referred to another committee that shares jurisdiction of the subject matter of the bill.

Spot Bills

51.5. A bill which upon introduction makes no substantive change in or addition to existing law and which would not otherwise affect the ongoing operations of state and local government, except a bill stating legislative intent to make necessary statutory changes to implement the Budget Bill, may not be referred to a committee by the Committee on Rules. If the author subsequently proposes to the Committee on Rules to make substantive changes in the bill as introduced, the Committee on Rules may refer the bill to a committee, together with the proposed changes for consideration as author's amendments. A vote on passage of the bill may not be taken, however, until the bill with its amendments, if adopted, has been in print for at least 15 days.

Delivery of Bills to State Printer

52. After introduction and first reading, all bills shall be delivered to the State Printer.

Introduction of House Resolutions

53. All house resolutions shall be numbered and shall be referred to the appropriate committee by the Committee on Rules.

Each house resolution shall be signed by each Member who is an author or coauthor of the house resolution before it is introduced.

Resolutions by Member

54. A concurrent resolution or a house resolution may be introduced relating to a present or former state or federal elected official or a member of their immediate families. Other resolutions for the purpose of commendation or congratulation of any person, group, or organization, or for the purpose of expressing sympathy, regret, or sorrow on the death of any person, shall be prepared as a Rules Committee Resolution and presented to the committee for appropriate action.

The Committee on Rules may approve exceptions to this rule for house resolutions. The Chief Clerk shall not accept for introduction any house resolution that is contrary to this rule unless it is accompanied by the approval of the Committee on Rules.

B. Standing Committee Functions

Standing Committee Rules

55. Subject to the Joint Rules of the Senate and Assembly, the Rules of the Assembly shall govern the conduct of all committee and subcommittee meetings.

Meetings of Standing Committees and Subcommittees

56. All standing committees and subcommittees shall meet at the hour and place provided by the schedule established by the Committee on Rules, unless permission for a different hearing time is granted by the Speaker. No committee or subcommittee shall meet during any session of the Assembly, nor shall any Member of the Assembly attend a conference committee meeting on any bill during any session of the Assembly, without first obtaining permission from the Assembly.

When an unscheduled meeting of a standing committee or subcommittee has been so ordered, the meeting shall convene in an area which is readily accessible to the public and the Assembly shall take care that every effort is made to inform the public that a meeting has been called. An unscheduled meeting of a committee or subcommittee shall not be held in the Assembly Chamber.

No bills shall be set for hearing nor shall any notice thereof be published by any Assembly committee or subcommittee until that bill has been referred to the committee or subcommittee. Nothing in this paragraph shall prevent a committee or subcommittee from acting with regard to a bill referred to it where the only action taken is to cause the bill to be reported to the Assembly with the recommendation that amendments be adopted and the bill be reprinted as amended and re-referred to the committee or subcommittee.

The several standing committees and subcommittees and their chairpersons are directed to adopt a procedure which assures that no committee or subcommittee shall commence the hearing of any bill after the hour of six o'clock p.m. at an afternoon meeting of the committee or subcommittee or after the hour of 11 o'clock p.m. at an evening meeting, but the hearings on a bill commenced prior thereto may be continued thereafter for that period of time that the committee or subcommittee deems necessary.

The several standing committees and subcommittees and their chairpersons may adopt a procedure under which bills are scheduled for hearing on the basis of like subject matter groupings.

Committee Analyses

56.5. Except as otherwise provided in this rule, each standing committee and subcommittee shall prepare an analysis of every bill it has set for hearing, which shall be available to the public in the office of the committee or subcommittee one working day prior to the date on which the hearing is to be held. In the case of special meetings, or in the case of meetings of the Committee on Appropriations or the Committee on Budget, or their subcommittees, the analysis shall be available to the public at the beginning of the hearing. No question concerning a committee's compliance with this rule with regard to any bill shall be in order following a vote on passage of the bill in that committee. As used in this rule, a "working day" is any day on which a house file is published.

A copy of each committee analysis shall be transmitted by the committee secretary to the Assembly Floor Analysis Unit at the same time it is made available to the public.

Committee Consultants: Floor Analyses

56.6. Except as otherwise provided in this rule, the consultants of a standing committee or subcommittee are responsible for monitoring bills assigned to their respective committee or subcommittee throughout the entire legislative process. Except for resolutions and bills on the Consent Calendar, a consultant of the appropriate standing committee shall prepare, in a timely fashion, an analysis of every bill on third reading or the unfinished business file, and of any amendment to a bill that is on the Assembly Floor, as directed by the Assembly Floor Analysis Unit.

The committee consultant who prepares the analysis shall transmit a copy of the completed analysis to the Assembly Floor Analysis Unit. The Assembly Floor Analysis Unit is responsible for final editing for grammar and format of all floor analyses.

Consent Calendar

56.7. If the chairperson of a committee or subcommittee, in advance of a hearing, proposes to recommend any bills for consideration on the Consent Calendar without hearing testimony on those bills in committee, a list of those bills shall be made available to the public at the same time as the committee analysis required under Rule 56.5.

Committee Quorum

57. Except as otherwise provided in this rule, a majority of the membership of any standing committee shall constitute a quorum for the transaction of its business, including the decision to recommend the adoption of any amendments to any bill. A majority of the membership of the committee, or a subcommittee thereof, shall be required to report a bill out of the committee or subcommittee, respectively. Any vacancy on a standing committee shall not reduce the votes required to take action on a bill in that committee.

Whenever a member is disqualified pursuant to the provisions of Joint Rule 44 or the Political Reform Act of 1974, contained in Title 9 (commencing with Section 81000) of the Government Code, from voting or taking any other action related to the passage, defeat, or amendment of a bill in committee, that disqualification shall be treated the same as a vacancy. The member shall advise the chairperson of a disqualification and the chairperson shall announce which members are so disqualified at the commencement of the hearing on the bill.

Reconsideration

57.1. After a committee has voted on a bill, reconsideration may be granted only one time. Pursuant to subdivision (a) of Joint Rule 62, reconsideration may be granted within 15 legislative days or prior to the interim study joint recess, whichever occurs first. A vote on reconsideration may not be taken without the same notice required to set a bill for hearing unless that vote is taken at the same meeting at which the vote to be reconsidered was taken and the author is present. No action taken by a committee may be reconsidered except by a majority vote of the membership of the committee.

Bills Reported Back to Assembly

58. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairperson of each committee is charged with the observance of this rule. The chairperson of each committee shall, insofar as practicable, report back bills in the same order as they were acted upon by the committee.

Appropriations Suspense File

58.2. The Committee on Appropriations may maintain a suspense file, to which bills may be referred by vote of a majority of the members of the committee present and voting, pending further consideration by the committee. A bill may be taken off the suspense file and heard, upon two days' notice published in the file, by a vote of a majority of the members of the committee present and voting. A bill removed from the suspense file for the purpose of amendment only, pursuant to Rule 68, shall be re-referred to the committee and shall be placed on the suspense file pending further consideration by the committee.

Voting in Committee

58.5. When a standing committee or subcommittee takes action on a bill, including reconsideration, the vote shall be by roll call vote only. All roll call votes taken in a standing committee or subcommittee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly. The record of a roll call vote shall show for each proposal voted upon: all votes for and against, all members absent, and all members not voting. The chairperson of each standing committee or subcommittee shall promptly transmit a copy of the record of the roll call votes to the Chief Clerk of the Assembly, who shall cause the votes to be published in an appendix to the Journal on a monthly basis.

The committee secretary of each standing committee or subcommittee shall promptly transmit a copy of the record of the roll call votes to the Assembly Floor Analysis Unit.

A member may submit a written explanation of his or her vote, absence, or failure to vote on any bill or resolution, and shall have that explanation printed in the appendix to the Journal in the appropriate place, provided that explanation shall not exceed 50 words in length.

At the request of the author or any member of the committee, the committee shall hold the roll open on any Assembly bill until the adjournment of the committee meeting. At no time shall a bill be passed out by a committee without a quorum being present.

The provisions of this rule shall not apply to any of the following:

- (a) Adoption of author's amendments to a bill.
- (b) Withdrawal of a bill from a committee calendar at the request of an author.
- (c) Return of bills to the house where the bills have not been voted on by the committee.
- (d) Votes of subcommittees of the Committee on Budget when considering the Budget Bill.
- (e) Votes of the Committee on Rules when referring bills to committees.

Subject Matter of Bill Recommended for Interim Study

59. Whenever it is the decision of a standing committee that a bill referred to that committee shall not be given a do-pass recommendation but that the subject matter of the bill should be referred for study, that standing committee shall retain the bill in its possession and report its recommendation to the Assembly that the subject matter of the bill be referred to the Committee on Rules for assignment by it of the subject matter to an appropriate committee.

Nothing in this rule shall be construed to prohibit a committee from subsequently reporting the bill to the Assembly with a do-pass or do-pass as amended recommendation or from reporting it out of committee without further action on the final day of the session.

Committee Chairperson as Author

60. No chairperson of a standing committee shall preside at a committee hearing to consider a bill of which he or she is the sole author or the lead author, except that the Chairperson of the Committee on Budget may preside at the hearing of the Budget Bill by the Committee on Budget.

Reports of Committees

61. Specially prepared reports of standing and special committees shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by the Speaker or a majority vote of the Members present and voting.

When a report of a joint legislative committee is delivered to the Assembly Desk, the Speaker shall refer it to a standing committee for review and appropriate action.

Constitutional Amendments

62.5. All constitutional amendments shall be referred to the policy standing committee having jurisdiction of that subject matter and, upon being reported out of that committee, shall be re-referred to the committee having constitutional amendments within its jurisdiction.

C. Passage of Bills**Daily File**

63. There shall be printed an Assembly Daily File for each legislative day. The following listing shall constitute the order of business on the Daily File:

1. Special Orders of the Day
2. Second Reading, Assembly Bills
3. Second Reading, Senate Bills
4. Unfinished Business
5. Third Reading, Assembly Bills
6. Third Reading, Senate Bills

All bills on the Daily File shall be called for consideration, provided compliance has been had with Rule 58 in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the Members present. All scheduled committee hearings, together with the list of bills to be heard, shall be published in the Daily File.

Copies of Bills for Action Upon Bill on Floor

64. No bill may be considered or acted upon on the floor of the Assembly unless and until a copy of the printed bill as introduced and a printed copy of each amended form of the bill have been placed upon the desks of the Members.

Second Reading of Bills

66. All bills shall be read by title the second time in the order of their appearance upon the second reading file. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading. All bills reported out of committee shall be placed on the second reading file for the next legislative day and shall not be read a second time until the next legislative day under that order of business. As used in this rule, "bill" does not include joint or concurrent resolutions, but does include constitutional amendments.

Bills Requiring General Fund Appropriation

66.6. Until the Budget Bill has been enacted, the Assembly shall not send to the Governor for consideration any bill appropriating funds for expenditure during the fiscal year for which the Budget bill is to be enacted, except emergency bills recommended by the Governor or appropriations for the salaries and expenses of the Legislature.

Passage of Budget Bill

66.7. The Committee on Budget shall set spending limits for each subcommittee prior to subcommittee hearings.

Between the date upon which a committee on conference of the Budget Bill is appointed and the date the Assembly adopts the report of the conference committee, the chairperson of the Committee on Budget shall provide regular written reports to the Members on the progress of the conference committee deliberations.

No Budget Bill shall be considered or acted upon on the floor of the Assembly unless it does all of the following:

- (1) Balances expenditures with anticipated revenues.
- (2) Provides for a reserve of not less than 3 percent of the total of all expenditures for which appropriations are made in the Budget Bill for the fiscal year, or provides for a reserve of not less than 1 percent and a specific plan to phase in a reserve of at least 3 percent within three years.
- (3) Is based upon no external borrowing by the state other than borrowing that the Budget Bill or another statute would require to be repaid during that fiscal year.

Committee Amendments

67. Committee amendments reported with bills shall be considered upon their second reading and the amendments may be adopted by majority vote of the Members present and voting. Assembly and Senate bills amended on second reading, whether by committee amendment or amendment from the floor, shall be ordered reprinted and returned to the second reading file. Assembly bills so amended shall be engrossed after printing.

Committee amendments reported with bills shall be prepared by, or approved as to form by, the Legislative Counsel. Five copies of the committee amendments to Assembly bills and five copies of the committee amendments to Senate bills must be delivered to the Chief Clerk's desk.

The Chief Clerk shall cause to be transmitted to the Assembly Floor Analysis Unit a copy of each committee report and committee amendment, unless the committee report or committee amendment is relative to a joint, concurrent, or house resolution.

Adoption of amendments to any bill in the Assembly prior to third reading, other than by a roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of those amendments, or any part thereof, by the Assembly.

Author's Amendments

68. Upon request of the author of a bill, the chairperson of the committee to which the bill has been referred may, by his or her individual action taken independently of any committee meeting, cause the bill to be reported to the Assembly with the recommendation that amendments submitted by the author be adopted and the bill be reprinted as amended and re-referred to the committee.

Notwithstanding the provisions of any other rule, that bill shall not be placed on the second reading file for the adoption of those amendments.

Vote on Passage of Bill as Amended

68.5. Except as otherwise provided in this rule, a vote on passage of any bill in a standing committee or subcommittee shall be taken only when the bill is in print, including any previously adopted amendments which may have been made to it. A vote on passage of an amended bill when the amended form of the bill is not in print may be taken only if the sole effect of the amendment is to add coauthors to the bill or if the committee determines that the amendment is of such a nature that its effect upon the bill can be readily understood by all the members and audience present at the hearing. In that circumstance, any member may require that the amendments be in writing at the time of their adoption.

Bill Analysis Prior to Third Reading

68.6. No bill may be considered on third reading unless and until an analysis of the measure has been distributed by the Assembly Floor Analysis Unit and 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.

Analysis of Conference Committee Amendments

68.7. No report of a conference committee on any bill, other than the Budget Bill, that recommends the substantive amendment of a bill may be considered unless and until an analysis of the proposed amendment has been distributed by the Assembly Floor Analysis Unit and placed upon the desks of the Members, unless otherwise ordered by the Speaker.

Printing of Conference Committee Reports

68.8. No conference report may be heard by the Assembly until it has been in print for two days prior to being taken up by the house.

Conference Committee: Substantial Policy Change

68.9. (a) No conference committee on any bill, other than the Budget Bill and the budget implementation bills, shall approve any substantial policy change in any bill if that substantial policy change has been defeated in a policy committee of the Assembly within the current legislative session. For purposes of this rule, the most recent action of a policy committee with regard to a substantial policy change shall be deemed the only action taken when the policy committee has taken inconsistent actions with respect to a substantial policy change.

(b) For purposes of subdivision (d) of Joint Rule 29.5, the term "heard" means that a printed bill with substantially similar language was before the appropriate committee and taken up at a regular or special hearing of the committee during the current legislative session; or that an amendment, which was drafted and given a request number or approved as to form by the Legislative Counsel, was before the committee and taken up at a regular or special hearing of the committee.

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) (1) 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~~ (2) 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~~ (3) As used in this subdivision, "bill" does not include joint or concurrent resolutions, but does include constitutional amendments.

This subdivision

(c) Paragraph (1) of subdivision (b) 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~~, do not delete more than a total of 25 words from 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)~~ (d) 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)~~ (e) 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.

Consideration of Political Reform Act Bills

69.1. Pursuant to Section 81012 of the Government Code, any bill that would amend the Political Reform Act of 1974 contained in Title 9 (commencing with Section 81000) of the Government Code may not be passed until, 12 days prior to being considered for passage, the bill in its final form has been delivered by the Chief Clerk to the Fair Political Practices Commission for distribution to the news media and to every person who has requested the commission to send copies of such bills to him or her.

Electronic Distribution of Bills, Conference Reports, Amendments, and Analyses

69.5. Subject to the provisions of subdivision (b) of Section 8 of Article IV of the California Constitution, any requirement that bills, conference reports, amendments, or an analysis be placed on the desks of the Members shall also include electronic distribution of the same information to the desk of the Members through the Assembly Floor System, unless otherwise ordered by the Speaker.

Consideration of Bills Re-referred to Committee

70. Whenever a bill which has been amended and re-referred to committee is reported out by that committee, it shall be placed on the second reading file and shall not be transferred therefrom to the third reading file until the following day.

Uncontested Bills

71. No bill shall be placed on the Assembly Consent Calendar unless it has met the requirements of Joint Rule 22.1 with respect to each Assembly standing committee to which the bill has been referred.

Consideration of Concurrent and Joint Resolutions

73. Concurrent resolutions and joint resolutions may be amended by a majority vote of the Members present and voting. The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those authorizing expenditures of money, unless regularly demanded, or required by statute, or required by the California Constitution.

Adoption of Resolutions

74. Any resolution upon which a roll call vote is demanded shall require an affirmative recorded vote of 41 or more Members for adoption.

The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of 41 or more Members.

Printing of Resolutions

75. When any previously printed house resolution is before the Assembly for adoption it shall be printed in the Assembly Daily Journal only if amendments to it have been adopted, in which case it shall be printed as amended. In the absence of those amendments, house resolutions before the Assembly for adoption shall be referred to by day and page of the Journal as printed upon introduction. For the purposes of this rule, the adding of a coauthor shall not be deemed an amendment.

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 as 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.

Digest of Bills Amended in Senate

77.1. Whenever the Senate amends and passes an Assembly bill, the Legislative Counsel shall, within one day after the bill is passed by the Senate, prepare and transmit to the Chief Clerk and the Speaker, a brief digest summarizing the effect of the Senate amendment. Upon receipt from the Legislative Counsel, the Chief Clerk shall cause the digest to be printed in the Daily File immediately following any reference in the file to the bill covered by the digest.

Substantially Amended Bills

77.2. If the analysis of an amendment adopted on the floor discloses that the amendment makes a substantial substantive change to a bill as passed by the last committee of reference, the bill, as amended, may be referred by the Speaker to the appropriate committee.

A bill that was previously reported from a policy or fiscal committee of reference in compliance with Joint Rule 61 shall not be subject to the deadlines in Joint Rule 61 if the bill is subsequently referred to a policy or fiscal committee pursuant to this rule.

If the digest to an Assembly Bill that has been returned to the Assembly by the Senate for concurrence in Senate amendments discloses that the Senate has made a substantial substantive change in the bill as first passed by the Assembly, the bill may be referred by the Speaker to the appropriate committee.

Inactive File

78. Whenever a bill has been passed twice on third reading file, it shall forthwith be placed upon a special file to be known as the inactive file. A bill may also be placed on the inactive file at the request of the author. When a bill has been placed on the inactive file, it may be returned to the third reading file by a request of the author. Notice of the request to return the bill to the third reading file shall be published one day in advance in the Assembly File. The bill, when returned to the third reading file, shall then be placed at the foot of the third reading file.

When a bill, placed on the inactive file from the second reading file or the unfinished business file, is removed from the inactive file, it shall be returned to the foot of the second reading file or unfinished business file respectively, in the next published Daily File.

Engrossing and Enrolling Bills

79. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his or her hands for that purpose, in compliance with the provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in Sections 9508 and 9509 of the Government Code. The Chief Clerk shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal.

VI. PARLIAMENTARY PROCEDURE**A. Motions and Questions****Precedence of Motions During Debate**

80. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

- First—To adjourn;
- Second—To recess to a time certain;
- Third—To lay on the table;
- Fourth—For the previous question;
- Fifth—To set as a special order;
- Sixth—To postpone indefinitely;
- Seventh—To refer to or to re-refer;
- Eighth—To amend.

Questions of Order Decided Without Debate

81. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 80 and pending that motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal From Decision of the Speaker

82. Any Member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another Member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken. Upon the appeal being seconded, the Speaker may give his or her reasons for the decision, and the Member making the appeal may give his or her reasons for the appeal, and the Speaker shall forthwith put one of the following questions to the Assembly:

- (1) "Shall the decision of the Speaker be sustained?"
- (2) "Shall the decision of the Speaker be overruled?"

An appeal cannot be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, that action shall have no effect on the pending question.

An appeal cannot be debated when relating to indecorum, transgression of rules, or priority of business. A majority vote of the Members present and voting shall decide any appeal. In the event of a tie vote, the appeal is lost.

Speaker Explains Order of Business

83. The Speaker may, on his or her own motion or upon the motion of any Member, explain the order of business when the motion pending before the Assembly is not debatable. That explanation shall not consume more than two minutes.

To Adjourn

84. A motion to adjourn is not debatable and cannot be amended, and is always in order, except: (a) when another Member has the floor; (b) when the Assembly is voting; or (c) during a call of the Assembly. The name of any Member moving an adjournment and

also the hour at which the motion was made and adjournment taken shall be entered in the Journal. A motion to adjourn must be adopted by a majority vote of the Members present and voting.

When a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any Member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. That statement shall not occupy more than two minutes and shall not be debatable.

An affirmative recorded vote of 41 or more Members is required to adjourn any session of the Assembly sine die.

To Recess to a Time Certain

85. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that the motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

To Lay on the Table

86. A motion to lay on the table is not debatable and cannot be amended.

A motion to table a bill, constitutional amendment, or concurrent or joint resolution requires an affirmative recorded vote of 41 or more Members.

Any motion to lay on the table, if carried by 41 or more votes, carries with it the main question and everything that adheres to it; provided, however, that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, or concurrent, joint, or house resolution.

A motion to lay an amendment on the table may be adopted by a majority vote of the Members present and voting.

A motion to lay on the table cannot be applied with respect to reconsideration.

The Previous Question

87. The previous question shall be put only when demanded by five Members and its effect, when sustained by a majority vote of the Members present and voting, shall be to put an end to all debate and bring the Assembly to a vote only on the question then pending; except that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

Motion to Set Special Order

88. A motion to set any matter before the Assembly as a special order of business must be adopted by an affirmative recorded vote of 54 or more Members. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

Motion to Postpone to a Time Certain

89. A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

Motion to Postpone Indefinitely

90. When a motion is made to postpone indefinitely any bill, motion, or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by an affirmative recorded vote of 41 or more Members, the main question shall not be acted upon again during the session.

Motion to Amend

91. A motion to amend may itself be amended, but no "amendment to an amendment" may be amended. A motion to substitute shall be deemed to be a motion to amend and shall be considered the same as an amendment.

Only one substitute is in order when an amendment is pending. A motion to amend or to substitute is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the Members present and voting.

A motion to amend having been decided in the negative shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule and the provisions of Rule 69, a motion to amend is in order during the second or third reading of any bill.

Amendment To Be Germane

92. No amendment to any bill, other than a bill stating legislative intent to make necessary statutory changes to implement the Budget Bill, whether reported by a committee or offered by a Member, shall be in order when the amendment relates to a different subject than, or is intended to accomplish a different purpose than, or requires a title essentially different than, the original bill.

No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

No amendment shall be in order that changes the original number of any bill.

No Member shall be added or deleted as an author or coauthor of a bill or resolution without his or her consent.

Consideration of Motions

93. No motion, whether oral or written, shall be adopted until it is seconded and distinctly stated to the Assembly by the Speaker.

Motions in Writing

94. Upon request of the Speaker, all motions shall be reduced to writing and shall be read to the Assembly by the Speaker before being acted upon.

Withdrawal of Motions

95. After a motion is stated by the Speaker, or a bill, resolution, or petition is read by the Chief Clerk, it is in the possession of the Assembly.

Motion to Withdraw or Re-refer Bills

96. A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee, may be made during the regular order of business. A motion to re-refer shall only be debated as to the propriety of the reference, and shall require an affirmative recorded vote of 41 or more Members.

No bill or resolution shall be withdrawn from committee and placed upon the file, except upon two days' notice thereof and except by an affirmative recorded vote of 41 or more Members.

A motion to continue a motion to withdraw a bill or resolution from committee shall require a majority of those members present and voting.

Re-reference of Measures on File

97. A motion to re-refer a bill or resolution that is on the Assembly Daily File to committee may be made during the regular order of business. The motion shall only be debatable as to the propriety of that reference and shall require an affirmative recorded vote of 41 or more Members.

Bills Stricken From File

98. A motion to strike from the file any bill or resolution requires an affirmative recorded vote of 41 or more Members. That bill or resolution shall not be acted upon again during the session.

Motion to Rescind Action or Expunge Record

99. Previous to the approval of the Journal by the Assembly any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take that action originally; except that no action shall be rescinded and the record expunged by a vote less than an affirmative recorded vote of 41 or more Members. No motion to rescind the action and expunge the record shall be made twice on the same proposition.

A motion to rescind is not in order on any matter upon which a vote to reconsider has previously been taken in the Assembly.

Whenever any action of the Assembly is rescinded and its record ordered expunged, the record of the action expunged shall not appear in any form whatsoever, but the record of the proceedings on the motion to rescind and expunge shall appear in the Assembly Journal as and when printed.

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 its 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 ~~defined~~ *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.

Call of Assembly

101. After the roll has been called, and prior to the announcement of the vote, any Member may move a call of the Assembly. The Members present may order a call of the Assembly by a majority vote of the Members present and voting, and the Speaker shall immediately order the Sergeant at Arms to lock all doors and shall direct the Chief Clerk to prepare a list of absentees as disclosed by the last roll call. The list of absentees shall be furnished to the Sergeant at Arms. Thereupon no Members shall be permitted to leave the Assembly Chamber except by written permission of the Speaker. No person shall be permitted to enter except Members, Senators, or officers, or employees of the Legislature in the official performance of their duties.

Those Members who are found to be absent, and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant at Arms or his or her assistants or any person designated by the Sergeant at Arms, including members of the California Highway Patrol, and sheriffs or their deputies, and brought to the Assembly Chamber.

No recess or adjournment shall be taken during a call of the Assembly. Additional business may be conducted and calls placed regardless of the number of calls in effect. A call of the Assembly may be dispensed with at any time upon a majority vote of the Members present, that action to become effective upon the completion of the roll call and the announcement of the vote upon the matter for which the call was ordered, unless prior to the announcement of the vote, the call is continued by a majority vote of the Members present.

Division of Question

102. Any Member may call for a division of the question, and the Speaker shall order the question divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Assembly. This rule shall not be applicable to an individual bill or resolution.

B. Voting

Members Voting

104. Every Member in the Assembly Chamber when a roll call is required shall record his or her vote openly and without debate, unless the Assembly shall, by a majority vote of the Members present and voting, excuse him or her.

No Member shall operate the voting switch of any other Member; except that a Member presiding at the time of a roll call, who is not the Speaker or the Speaker pro Tempore, may direct another Member on the floor to operate the presiding Member's voting switch, and any Member so presiding, including the Speaker and the speaker pro Tempore, may also operate the voting switches at the

rostrum, of the Speaker and the Speaker pro Tempore, at their direction.

The name of any Member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal of the Assembly, together with a statement that he or she was present and did so refuse to vote. Any Member who refuses so to vote may, if he or she so desires, and immediately after the announcement of the vote, submit a written explanation of the failure to vote and have the explanation printed in the Journal, provided no explanation shall exceed 50 words in length.

In addition to the entry of his or her name in the Journal, any Member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, at the discretion of the Speaker or upon demand of any Member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any Member designated by the Speaker. Censure of a Member as provided by this rule shall not constitute a bar to proceedings for his or her expulsion from the Assembly pursuant to Section 5 of Article IV of the California Constitution.

A Member may submit a written explanation of his or her vote on any bill or horse resolution, and have the explanation printed in the Journal immediately following the vote, provided no explanation shall exceed 50 words in length.

A Member, prior to adjournment on the same legislative day, in the absence of any objection, may instruct the Chief Clerk to add his or her vote to any previously announced vote which had been taken during his or her absence, as long as the outcome of the vote is not changed. The Chief Clerk shall record any vote additions.

Ayes and Noes

105. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, when an affirmative recorded vote of 41 Members or any vote above that number is required, when demanded by three Members, or when ordered by the Speaker. The names of the Members so voting shall be entered in the Journal.

Voting and Vote Changes

106. When once begun, voting shall not be interrupted, except that before the vote is announced, any Member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of the vote, the presiding officer will instruct the Chief Clerk to record verbal votes from Members not at their desks. Any Member may move a call of the Assembly after the completion of the roll. A Member, prior to adjournment on the same legislative day, in the absence of any objection, may instruct the Chief Clerk to change his or her recorded vote after the vote is announced, as long as the outcome of the vote is not changed. The Chief Clerk shall record any vote change only after the Member making the change has announced it to the Assembly.

Tie Vote

107. In case of an equal division, or tie vote, the question shall be lost.

VII. MEMBERS' DECORUM AND PRIVILEGES**Order in Speaking to Questions**

108. When a Member desires to address the Assembly, the Member shall rise from his or her seat and respectfully address himself or herself to "Mr. Speaker" or "Madame Speaker." Upon being recognized, the Member may speak, confining himself or herself to the question under consideration. When two or more Members rise at the same time, the Speaker shall designate the Member who is entitled to the floor.

No Member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question shall have the right to open and close the debate thereon. No Member shall be allowed to speak more than five minutes to open and five minutes to close the debate on any question, including amendments, and no Member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon. No Member shall yield to any other Member the time for which he or she is entitled to speak on any matter.

Motions

109. When a Member desires to make a motion, the Member shall obtain recognition as provided in Rule 108. Upon being recognized, the Member shall open by stating his or her motion, except in the case of a nomination, and in any other case shall not speak to the merits of the motion at that time and shall confine his or her remarks to those necessary to explain the motion. If the motion is in order and is seconded, it shall be stated to the Assembly by the Speaker. If the motion is debated, the Member who made it shall then be entitled to recognition to open the debate thereon.

When a Member obtains the floor during debate upon any question that is pending before the Assembly and addresses the Assembly regarding the merits of the pending question, the Member shall not be permitted to conclude his or her debate by making any motion or by demanding the previous question.

Leave of Absence

110. No Member shall absent himself or herself from attendance at any session of the Assembly without leave of the Assembly. No Member shall obtain that leave of absence or be excused for nonattendance except by a vote of 54 or more Members or by unanimous consent. A Member who obtains a leave of absence for personal business or is excused for nonattendance for personal business shall waive his or her per diem allowance for attendance upon any session of the Legislature for which he or she secures that leave of absence or excuse. A Member may not obtain a leave of absence for legislative business or be excused for nonattendance for legislative business unless the Member has filed with the Speaker a statement of the legislative business for which he or she seeks that leave of absence or excuse. That statement shall be printed in the Journal.

If a Member is not recorded on the attendance roll within one-half hour after the scheduled start of the session, the Member shall stand up before the Assembly and explain the reason he or she is late before

he or she is recorded on the roll call for any votes. If a Member does not explain his or her reason for being late, any other Member may raise a point of order and the tardy Member's vote shall not be recorded until an explanation is made.

Personal Privilege

111. Any Member may rise to explain a matter of personal privilege. A matter of personal privilege is a matter involving the Member's integrity, dignity, or honor. Upon rising to explain such a matter, the Member shall forthwith be recognized by the Speaker, but shall not discuss a question in that explanation. Those matters of personal privilege yield only to a motion to recess or adjournment.

Objection to Reading of Any Paper

112. Any Member, upon recognition by the Speaker, may object to the reading of any paper before the Assembly. After that objection, the question of reading shall be determined without debate by a majority vote of the Members present and voting, upon a brief statement of its substance by the Speaker.

Members at Chief Clerk's Desk

113. No Member or other person shall be allowed at the Chief Clerk's desk while the ayes and noes are being recorded or the votes counted.

Members Called to Order for Transgressing Rules

114. If any Member transgresses the Rules of the Assembly, the Speaker shall, or any Member may, call the offending Member to order. The Member so called to order shall immediately take his or her seat, until the Speaker, without debate, shall have determined whether the Member is in order or not. That decision by the Speaker shall be subject to an appeal to the Assembly.

If any Member is called to order for offensive words spoken in debate, the person calling him or her to order shall state to the Assembly the words to which exception is taken. No Member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business has been transacted by the Assembly prior to exception being taken to the words spoken.

VIII. MISCELLANEOUS

Committee of the Whole

115. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the Members present and voting. While sitting as that committee, persons other than Members may address the committee. The Speaker of the Assembly, or any Member named by the Speaker, shall preside as Chairperson of the Committee of the Whole.

A motion that the Committee of the Whole "do now rise and report back to the Assembly," shall always be in order and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairperson, but shall not be entered in the Journal except upon motion and a majority vote of the Members present and voting.

Use of Assembly Chamber

116. The Assembly Chamber shall not be used for any public or private business, other than legislative matters during the sessions or joint recesses of the Legislature, except by consent of 41 or more Members or, during a joint recess, the Committee on Rules.

Use of Assembly Facilities: Smoking

117. Smoking of tobacco products is prohibited within any building or portion of a building occupied or used by Assembly Members or employees if the building or portion of the building is under the jurisdiction or control of the Assembly. The smoking prohibition shall apply to any outdoor area within five feet of an entrance or exit to any building or portion of a building subject to this rule. This smoking prohibition shall apply to the Assembly Chamber, Assembly hearing rooms, and Assembly offices, and to hallways, stairways, and bathrooms within any building or portion of a building subject to this rule.

Floor of the Assembly: Telephones

117.5. No cellular telephone may be used on the floor of the Assembly during any session of the Assembly.

Floor Meeting of the Assembly: Firearms

117.7. No person who is subject to Section 171c 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.

Persons Admitted to Floor of the Assembly

118. No person other than Members of the Legislature, officers, employees of the Legislature, accredited members of the press, and guests shall be admitted to the floor of the Assembly during any session of the Assembly. A guest of any Member shall be admitted only upon presentation of a guest card of the Member countersigned by the Speaker. A guest card is valid only on the legislative day for which it is issued. No lobbyist, as defined by Section 82039 of the Government Code, shall, under any circumstances, be admitted to the Assembly Chamber while the Assembly is in session.

Persons admitted to the Assembly Chamber, other than Members, shall not be permitted to stand in the lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

All guests shall be seated only in the chairs in the back of the rail in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the Members. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the balcony may be reserved for those holding guest cards. Neither any person mentioned in this rule nor any other person, except Members of the Legislature, shall engage in influencing the passage or defeat of legislation in the Assembly Chamber.

No person other than a Member of the Legislature, the Sergeant at Arms or his or her assistants, the Chief Clerk or his or her assistants, or the Legislative Counsel or his or her representatives, shall be permitted in the area of the floor of the chamber which is occupied by the desks of the Members.

Qualifications and Elections of Members

119. An affirmative vote of 41 or more Members shall be required to determine the qualifications and election of any Member pursuant to Section 5 of Article IV of the California Constitution. No motion to disqualify a Member shall be in order at the convening of a legislative session until a Speaker has been elected in accordance with Section 9023 of the Government Code.

Compensation and Expenses of Member Convicted of Felony

120. If a Member of the Assembly is convicted of a felony by a superior court, his or her right to further compensation or expenses is thereupon suspended and his or her membership on any committee is suspended. If the conviction becomes final, the right of the Member to further compensation or expenses shall terminate and any compensation or expenses withheld shall be forfeited to the state. If the conviction is reversed by an appellate court or a motion for a new trial is granted and the Member is thereafter found not guilty or the charges against him or her are dismissed, the amounts of the withheld compensation or expenses shall be paid to the Member and the suspension of his or her committee membership shall terminate.

Whenever a Member is convicted of a felony in the superior court, the Committee on Rules shall give written notice to the Controller, directing him or her to discontinue any further payments to the Member unless and until the Committee on Rules notifies the Controller that the Member has been found not guilty or that the charges against him or her are dismissed. The Controller shall not draw any warrant payable to that Member except as provided in this rule.

The Seal of the Assembly

121. The Seal of the Assembly shall be used only by or on behalf of a Member of the Assembly or when specifically authorized by the Committee on Rules.

**AUTHORIZATION TO INTRODUCE BILLS PURSUANT TO
JOINT RULE 54**

Pursuant to the provisions of Joint Rule 54, the following communication was presented permitting the introduction of an Assembly bill:

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Weggeland to introduce a bill relating to planning, Request No. 9617592.

CURT PRINGLE
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 3503—Weggeland. An act to add and repeal Section 65101.5 of the Government Code, relating to planning, and declaring the urgency thereof, to take effect immediately.

AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife

May 9, 1996

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports: Assembly Bill No. 3014

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

CORTESE, Chairman

ASSEMBLY BILL NO. 3014—An act to add Chapter 1.692 (commencing with Section 5096.300) to Division 5 of the Public Resources Code, relating to financing a program for the acquisition, expansion, development, restoration, and increased utilization of neighborhood parks and recreational 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, 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 Transportation

May 9, 1996

Mr. Speaker: The Chair of your Committee on Transportation reports: Senate Bill No. 1527

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

BOWLER, Chairman

SENATE BILL NO. 1527—An act to amend Sections 4461, 22526, and 40000.7 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.

AUTHOR'S AMENDMENTS
Committee on Transportation

May 9, 1996

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

Assembly Bill No. 2930

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

BOWLER, Chairman

ASSEMBLY BILL NO. 2930—An act to amend Section 1793.23 of the Civil Code, to amend Section 21687 of the Public Utilities Code, to amend Sections 92.3, 164.10, 164.11, 164.12, 164.13, 164.14, 164.15, 164.16, and 253.8 of, and to repeal Section 575 of, the Streets and Highways Code, and to amend Sections 5062, 21058, 21655.8, 21806, 26708, 27315, and 35550 of, and to add Section 257.5 to, the Vehicle Code, relating to transportation.

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

May 9, 1996

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

Assembly Bill No. 2529

Assembly Bill No. 2977

Assembly Bill No. 2647

Assembly Bill No. 3220

Assembly Bill No. 2755

Assembly Bill No. 2889

Assembly Bill No. 2937

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

POOCHIGIAN, Chairman

ASSEMBLY BILL NO. 2529—An act to amend Section 11462 of, and to add Section 727.2 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.

ASSEMBLY BILL NO. 2647—An act to amend Section 6380 of the Family Code, to amend Section 273.6 of the Penal Code, to amend Sections 202, 213.5, 245.5, 280, 300, 302, 304, 332, 361, 362, 362.1, and 362.4 of, and to add Sections 218.5, 16500.3, and 16500.4 to, the Welfare and Institutions Code, relating to domestic violence.

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. 2755—An act to amend Sections 102360, 102370, 102875, 103535, and 103640 of the Health and Safety Code, relating to vital statistics.

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. 2937—An act to add Section 1006.5 to the Fish and Game Code, to add Sections 13109.5 and 42400.4 to the Health and Safety Code, to add Section 45200.5 to the Public Resources Code, and to add Section 13308.5 to the Water Code, relating to minor violations of environmental laws.

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. 2977—An act to add Chapter 4.6 (commencing with Section 6015) to Title 7 of Part 3 of the Penal Code, relating to correctional personnel.

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. 3220—An act to amend Sections 19627 and 19636 of the Business and Professions Code, to amend Sections 3857, 4101, 4102, 4103, 4104, 4105, 4106, 4107, and 4108 of, and to amend the heading of Article 1 (commencing with Section 4101) of Chapter 6 of Part 3 of Division 3 of, the Food and Agricultural Code, to amend Sections 8300 and 12804 of the Government Code, to amend Sections 172c and 830.3 of the Penal Code, and to amend Section 6366.4 of the Revenue and Taxation Code, relating to agricultural districts.

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. 2889—An act 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 Transportation

May 9, 1996

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

Assembly Concurrent Resolution No. 85

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

BOWLER, Chairman

ASSEMBLY CONCURRENT RESOLUTION NO. 85—Relative to the Alameda Corridor Project.

Resolution read; 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 Appropriations

May 9, 1996

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

Assembly Bill No. 3476

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

POOCHIGIAN, Chairman

ASSEMBLY BILL NO. 3476—An act to add Division 35 (commencing with Section 72000) to the Public Resources Code, relating to environmental protection.

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 Local Government**

Date of Hearing: May 8, 1996

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 2173

Assembly Bill No. 2711

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

RAINEY, Chairman

Above bills re-referred to the Committee on Appropriations.

Committee on Labor and Employment

Date of Hearing: May 8, 1996

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

Assembly Bill No. 2256

Assembly Bill No. 3037

With the recommendation: Do pass.

HOUSE, Chairman

Above bills ordered to second reading.

Committee on Local Government

Date of Hearing: May 8, 1996

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 2346

Assembly Bill No. 3070

Assembly Bill No. 2823

Assembly Bill No. 3211

With the recommendation: Do pass.

RAINEY, Chairman

Above bills ordered to second reading.

Date of Hearing: May 8, 1996

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 2089

Assembly Bill No. 2617

Assembly Bill No. 2572

Assembly Bill No. 2766

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.

RAINEY, Chairman

Above bills ordered to second reading.

Date of Hearing: May 8, 1996

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 3022

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

RAINEY, Chairman

Above bill re-referred to the Committee on Natural Resources.

Committee on Labor and Employment

Date of Hearing: May 8, 1996

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

Assembly Bill No. 2504

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

HOUSE, Chairman

Above bill re-referred to the Committee on Appropriations.

Committee on Appropriations

Date of Hearing: May 8, 1996

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2607 | Assembly Bill No. 2894 |
| Assembly Bill No. 2615 | Assembly Bill No. 2922 |
| Assembly Bill No. 2632 | Assembly Bill No. 2979 |
| Assembly Bill No. 2635 | Assembly Bill No. 2984 |
| Assembly Bill No. 2652 | Assembly Bill No. 3003 |
| Assembly Bill No. 2667 | Assembly Bill No. 3032 |
| Assembly Bill No. 2678 | Assembly Bill No. 3046 |
| Assembly Bill No. 2747 | Assembly Bill No. 3082 |
| Assembly Bill No. 2760 | Assembly Bill No. 3122 |
| Assembly Bill No. 2787 | Assembly Bill No. 3132 |
| Assembly Bill No. 2804 | Assembly Bill No. 3138 |
| Assembly Bill No. 2819 | Assembly Bill No. 3263 |
| Assembly Bill No. 2830 | Assembly Bill No. 3372 |
| Assembly Bill No. 2839 | Assembly Bill No. 3464 |
| Assembly Bill No. 2860 | Assembly Bill No. 3473 |

With the recommendation: Do pass.

POOCHIGIAN, Chairman

Above bills ordered to second reading.

Committee on Consumer Protection, Governmental Efficiency and Economic Development

Date of Hearing: May 7, 1996

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

- Assembly Bill No. 2494
- Assembly Bill No. 3320

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

MORRISSEY, Chairman

Above bills ordered to second reading.

Date of Hearing: May 7, 1996

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

- Assembly Bill No. 2396

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

MORRISSEY, Chairman

Above bill ordered to second reading.

Committee on Health

Date of Hearing: May 7, 1996

Mr. Speaker: Your Committee on Health reports:

- Assembly Bill No. 2374
- Assembly Bill No. 3109

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

GRANLUND, Chairman

Above bills ordered to second reading.

Committee on Housing and Community Development

Date of Hearing: May 8, 1996

Mr. Speaker: Your Committee on Housing and Community Development reports:

- Senate Bill No. 577

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

HAWKINS, Chairman

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: May 8, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 2006	Assembly Bill No. 2824
Assembly Bill No. 2214	Assembly Bill No. 2919
Assembly Bill No. 2246	Assembly Bill No. 2936
Assembly Bill No. 2300	Assembly Bill No. 3036
Assembly Bill No. 2324	Assembly Bill No. 3042
Assembly Bill No. 2369	Assembly Bill No. 3064
Assembly Bill No. 2411	Assembly Bill No. 3095
Assembly Bill No. 2414	Assembly Bill No. 3197
Assembly Bill No. 2431	Assembly Bill No. 3222
Assembly Bill No. 2451	Assembly Bill No. 3264
Assembly Bill No. 2484	Assembly Bill No. 3265
Assembly Bill No. 2559	Assembly Bill No. 3342
Assembly Bill No. 2703	Assembly Bill No. 3355
Assembly Bill No. 2720	

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.

POOCHIGIAN, Chairman

Above bills ordered to second reading.

Committee on Local Government

Date of Hearing: May 9, 1996

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 2419

With the recommendation: Do pass.

RAINEY, Chairman

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: May 8, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 825

With the recommendation: Do pass.

POOCHIGIAN, Chairman

Above bill ordered to second reading.

Date of Hearing: May 8, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 389

With the recommendation: Do pass, as amended.

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.

POOCHIGIAN, Chairman

Above bill ordered to second reading.

Date of Hearing: May 8, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 47

Assembly Concurrent Resolution No. 63

Assembly Concurrent Resolution No. 67

With the recommendation: Be adopted.

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

POOCHIGIAN, Chairman

Above resolutions ordered to Consent Calendar.

Date of Hearing: May 8, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 2965

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

POOCHIGIAN, Chairman

Above bill re-referred to the Committee on Budget.

Committee on Governmental Organization

Date of Hearing: May 6, 1996

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 2770

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

HOGE, Chairman

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

May 9, 1996

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

Dear Dotson: By direction of the Senate I am returning Senate Bill 1189 to the Assembly for further action.

Sincerely,

JOHN W. ROVANE
Acting Secretary of the Senate

Above bill held at the Desk.

Senate Chamber, May 9, 1996

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

- Senate Bill No. 1418
- Senate Bill No. 1440
- Senate Bill No. 1457
- Senate Bill No. 1471
- Senate Bill No. 1479
- Senate Bill No. 1495
- Senate Bill No. 1502
- Senate Bill No. 1516
- Senate Bill No. 1536
- Senate Bill No. 1539
- Senate Bill No. 1546
- Senate Bill No. 1549
- Senate Bill No. 1553
- Senate Bill No. 1556
- Senate Bill No. 1557
- Senate Bill No. 1607
- Senate Bill No. 1648
- Senate Bill No. 1661
- Senate Bill No. 1675

- Senate Bill No. 1676
- Senate Bill No. 1704
- Senate Bill No. 1708
- Senate Bill No. 1736
- Senate Bill No. 1737
- Senate Bill No. 1741
- Senate Bill No. 1797
- Senate Bill No. 1816
- Senate Bill No. 1849
- Senate Bill No. 1934
- Senate Bill No. 1940
- Senate Bill No. 1945
- Senate Bill No. 1980
- Senate Bill No. 2011
- Senate Bill No. 2022
- Senate Bill No. 2060
- Senate Bill No. 2100
- Senate Bill No. 2102
- Senate Bill No. 2111

JOHN W. ROVANE, Acting Secretary of the Senate

Senate Chamber, May 9, 1996

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

Senate Concurrent Resolution No. 49

JOHN W. ROVANE, Acting Secretary of the Senate

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 1418—An act to add Section 14670.10 to the Government Code, relating to state property.

SENATE BILL NO. 1440—An act to amend Sections 753 and 3373 of the Financial Code, relating to banks.

SENATE BILL NO. 1457—An act to add Section 933.05 to the Penal Code, relating to grand juries.

SENATE BILL NO. 1471—An act to amend Section 53356.1 of the Government Code, and to add Sections 8830.1, 8830.2, 8830.3, 8830.4, and 8830.5 to the Streets and Highways Code, relating to local agencies.

SENATE BILL NO. 1479—An act to amend Sections 1695.5, 1697, and 1698 of the Business and Professions Code, relating to dentistry.

SENATE BILL NO. 1495—An act to amend Section 22314 of the Financial Code, relating to loans.

SENATE BILL NO. 1502—An act to amend Sections 19705, 19706, 19717, and 19721 of the Revenue and Taxation Code, relating to taxation.

SENATE BILL NO. 1516—An act to amend Sections 300, 317, 361, 361.2, 366.21, 366.22, and 16500 of, and to add Sections 300.2 and 300.3 to, the Welfare and Institutions Code, relating to dependent children.

SENATE BILL NO. 1536—An act to amend Section 3077 of the Business and Professions Code, relating to optometry.

SENATE BILL NO. 1539—An act to amend Section 18022 of the Financial Code, relating to industrial loan companies.

SENATE BILL NO. 1546—An act to amend Sections 8514, 8514.5, 8516, and 8519.5 of the Business and Professions Code, relating to consumer affairs.

SENATE BILL NO. 1549—An act to amend Section 2714 of the Public Resources Code, relating to surface mining.

SENATE BILL NO. 1553—An act to amend Section 4008.5 of the Business and Professions Code, relating to pharmacy.

SENATE BILL NO. 1556—An act to add Chapter 10 (commencing with Section 10985) to Part 2 of Division 9 of the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 1557—An act to amend Sections 7028.1, 7090, 7108.5 and 7108.6 of the Business and Professions Code, and to amend Sections 19825 and 19851 of the Health and Safety Code, relating to contractors.

SENATE BILL NO. 1607—An act to amend Sections 5500.1, 5535.1, 5536, 5536.1, 5536.2, 5560, 5573, 5580, 5582.1, 5585, 5600, 5600.3, 5603, and 5604 of, to amend and renumber Section 5539 of, and to add Sections 5535.1 and 5535.3 to, the Business and Professions Code, relating to architects.

SENATE BILL NO. 1648—An act to add Section 25143.12 to the Health and Safety Code, relating to hazardous waste.

SENATE BILL NO. 1661—An act relating to school districts.

SENATE BILL NO. 1675—An act to amend and renumber Section 10605 of the Health and Safety Code, and to amend Section 350 of the Welfare and Institutions Code, relating to minors.

SENATE BILL NO. 1676—An act to add Section 21151.9 to the Public Resources Code, relating to environmental quality.

SENATE BILL NO. 1704—An act to add Section 1102.17 to the Civil Code, relating to manufactured homes.

SENATE BILL NO. 1708—An act to amend Section 66473.1 of the Government Code, relating to land use.

SENATE BILL NO. 1736—An act to amend Section 5067 of the Public Resources Code, relating to parks and recreation.

SENATE BILL NO. 1737—An act to amend Section 155.20 of the Revenue and Taxation Code, relating to taxation.

SENATE BILL NO. 1741—An act to amend Section 1190 of the Harbors and Navigation Code, relating to pilotage, and making an appropriation therefor.

SENATE BILL NO. 1797—An act to amend Sections 830.6 and 832.6 of the Penal Code, relating to peace officers, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 1816—An act to amend Section 18455 of the Financial Code, relating to financial institutions.

SENATE BILL NO. 1849—An act to amend Section 308 of the Penal Code, relating to crimes.

SENATE BILL NO. 1934—An act to add Section 23701y to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

SENATE BILL NO. 1940—An act to add Section 97.49 to the Revenue and Taxation Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 1945—An act to add Section 20486 to the Government Code, relating to public employees.

SENATE BILL NO. 1980—An act to amend Section 8283 of the Fish and Game Code, relating to crabs.

SENATE BILL NO. 2011—An act to amend Section 1339.34 of, and to repeal Section 1339.37 of, the Health and Safety Code, relating to health.

SENATE BILL NO. 2022—An act to amend Sections 18550, 18551, 18551.1, 18555, and 18611 of the Health and Safety Code, relating to mobilehome parks.

SENATE BILL NO. 2060—An act to amend Sections 85200, 85201, and 87500 of the Government Code, relating to the Political Reform Act of 1974.

SENATE BILL NO. 2100—An act to repeal Chapter 2.1 (commencing with Section 15372.10) of Part 6.7 of Division 3 of Title 2 of the Government Code, relating to business.

SENATE BILL NO. 2102—An act to amend and repeal Section 114350 of the Health and Safety Code, relating to agriculture.

SENATE BILL NO. 2111—An act to amend Section 10061 of the Public Utilities Code, relating to local government.

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 49—Relative to designated wastes.

INTRODUCTION OF GUESTS

Speaker Pringle welcomed students from Salem Lutheran School, in the City of Orange.

Assembly Member Ackerman, of the 72nd Assembly District, introduced Carrie DeBryun, Sandy Johnson, and Emogene Elmquist, of Concord.

Assembly Member Margett, of the 59th Assembly District, introduced Debbie and Colleen Quigley, and Shannon Gallagher, of Arcadia.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Rogan, the Assembly adjourned until 10 a.m., Monday, May 13, 1996, out of respect to the memory of Ida C. Emmerson, on motion of Assembly Member Woods; out of respect to the memory of Milton E. Wykoff, on motion of Assembly Member Rogan; out of respect to the memory of Tracy Lynn Wolonsky, on motion of Assembly Member Brewer; and out of respect to the memory of Robert Ryan Schroeder, on motion of Assembly Member Villaraigosa.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MAY 9, 1996**

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

AB	RN
2021	9617767
2243	9618077
2466	9617616
2523	9618034
2529	9618141
2647	9618099
2692	9617831
2755	9618033
2781	9617861
2889	9618221
2930	9618057
2937	9617960
2977	9618040
3014	9618152
3015	9617835
3143	9618144
3220	9617537
3450	9617872
3476	9618242

ACR	RN
85	9618036

SB	RN
141	9617735
678	9617826
1147	9608501
1358	9618198
1527	9618074
1585	9618095