

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, June 10, 1996

**TWO HUNDRED TWENTY-EIGHTH SESSION DAY
FIVE HUNDRED FIFTY-FOURTH CALENDAR DAY**

AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, June 10, 1996

The Assembly met at 11 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

At 11:01 a.m., Speaker pro Tempore Aguiar placed a quorum call upon the Assembly.

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

Quorum Present

At 11:05 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—73:

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

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:

O Lord, Lead us from beholding the lovely things of the world to the thought of You the Creator of those things. And grant that delighting in the beautiful things of Your creation, we may delight in You, the first author of beauty and the Sovereign Lord of all Your works.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Aguiar, Assembly Member Woods 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 Weggeland, seconded by Assembly Member Hauser.

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 Cortese, Willard Murray, and Napolitano.

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

Because of illness: Assembly Member Escutia.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

May 10, 1996

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

Dear Mr. Speaker: I request permission to travel to Hawaii for the National Conference of State Liquor Administrators, Sunday, June 9, through Thursday, June 13, 1996.

As chairman of the Assembly Select Committee on California Wine Production and Economy, I have been asked to present a proposed resolution to the NCSLA, the purpose of which is to encourage mutually beneficial solutions between regulators, legislators and industry around the country on issues related to interstate consumer wine shipments. This issue is increasingly critical to the economic viability of our \$9 billion California wine industry. The passage of the Kentucky felony wine law, recently signed by Kentucky Governor Paul Patton, is but one example of punitive approaches that must be abandoned.

In addition, I have been asked to moderate a panel discussion.

I would respectfully appreciate your consideration of this request.

Sincerely,

DOMINIC L. CORTESE, Assembly Member
Twenty-third District

June 10, 1996

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

Dear Speaker Pringle: I respectfully request to be excused from Floor Session on Monday, June 10, 1996. I will be attending to legislative business in my district.

Thank you for your consideration and approval of this request.

Sincerely,

WILLARD H. MURRAY, JR., Assembly Member
Fifty-second District

June 10, 1996

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

Dear Mr. Speaker: I respectfully request that I be excused from today's session, Monday, June 10, 1996 due to legislative business.

In anticipation of your understanding and approval, I thank you.

Warmest regards,

GRACE NAPOLITANO, Assembly Member
Fifty-eighth District

COMMUNICATIONS

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

June 3, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Government Code, Chapter 3.1, Section 8240, I have appointed Assemblywoman Paula Boland to the Commission on the Status of Women replacing Assemblywoman Barbara Lee, who is removed.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

June 10, 1996

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

Dear Mr. Wilson: Please be advised that Assemblyman Tom Woods is appointed to the Utilities and Commerce Committee for the purpose of today's hearing, replacing Assemblywoman Barbara Alby.

Sincerely,

CURT PRINGLE
 Speaker of the Assembly

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

Explanation of Vote—Assembly Bill No. 3252

June 7, 1996

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

Dear Dotson: On Thursday, May 30, I announced from the podium that I intended to change my vote on AB 3252 from "Aye" to "Not Voting". However, I did not verify that change on the voting roll with my signature. I did not wish to be recorded as voting on AB 3252.

Thank you for your attention to this matter.

Sincerely,

DOMINIC L. CORTESE, Assembly Member
 Twenty-third District

Explanation of Vote—Assembly Bill No. 3465

June 7, 1996

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

Dear Dotson: After session, Friday, May 31, I changed from "aye" to "no" on AB 3465 (Olberg). I announced my vote change, but neglected to sign the authorization form, therefore, I would like a letter to the Journal indicating my vote switch from "aye" to "no" on AB 3465.

All the best,

JACKIE SPEIER, Assembly Member
 Nineteenth District

REFERENCE OF BILLS TO COMMITTEE

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

Assembly Constitutional

<i>Amendment No.</i>	<i>Committee</i>
50 -----	Ed.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
91 -----	Trans.

Senate

<i>Bill No.</i>	<i>Committee</i>
1750 -----	Agri. and E.S. & T.M.
2009 -----	B. & F. and C.P., G.E. & E.D.
2017 -----	Jud. and U. & C.
2023 -----	C.P., G.E. & E.D. and U. & C.
2034 -----	Higher Ed.
2035 -----	Jud.
2043 -----	Ins. and Health
2045 -----	C.P., G.E. & E.D.
2050 -----	B. & F.
2062 -----	Agri.
2067 -----	Hum. S.
2068 -----	Health
2077 -----	H. & C.D.
2078 -----	Pub. S.
2084 -----	W., P. & W.
2101 -----	Ins.
2105 -----	Trans.
2106 -----	L. Gov. and Rev. & Tax.
2108 -----	L. Gov. and Trans.
2126 -----	Pub. S.
2138 -----	Ed.
2139 -----	Health
2143 -----	U. & C.
2144 -----	Trans.
2162 -----	Trans.
2169 -----	L. Gov.
2176 -----	Ed.

Senate Concurrent

<i>Resolution No.</i>	<i>Committee</i>
58 -----	P.E., R. & S.S.
61 -----	Health

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 10, 1996

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

Assembly Bill No. 3502

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

REQUEST TO SUSPEND JOINT RULES

The following requests were received, and read:

Assembly Chamber, June 10, 1996

Mr. Speaker: I request permission to suspend Joint Rule 61 as it relates to Assembly Bill No. 3014.

DOMINIC L. CORTESE

Assembly Chamber, June 10, 1996

Mr. Speaker: I request permission to suspend Joint Rule 61 as it relates to Assembly Bill No. 2826.

MIKE MACHADO

Above requests ordered transmitted to the Committee on Rules.

AUTHOR'S AMENDMENTS
Committee on Appropriations

June 10, 1996

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

Assembly Bill No. 3014

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

POOCHIGIAN, 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, development, expansion, reformation, rehabilitation, improvement, preservation, protection, interpretation, enhancement, and increased utilization of real property for state and local park and recreational purposes, 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 Appropriations

June 10, 1996

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

Assembly Bill No. 2826

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

POOCHIGIAN, Chairman

ASSEMBLY BILL NO. 2826—An act to add Section 15007 to the Government Code, relating to state real property.

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

AUTHOR'S AMENDMENTS
Committee on Judiciary

June 10, 1996

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

Senate Bill No. 1639

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

MORROW, Chairman

SENATE BILL NO. 1639—An act to amend Section 2983.2 of, and to add Section 2983.35 to, the Civil Code, relating to obligations.

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

AUTHOR'S AMENDMENTS
Committee on Judiciary

June 10, 1996

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 197

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

MORROW, Chairman

SENATE BILL NO. 197—An act to repeal and add Section 17537.6 of the Business and Professions Code, to amend Sections 694.090, 704.720, 704.760, 704.780, 704.800, 704.840, and 704.850 of, to add Sections 703.145 and 704.860 to, to repeal Section 487.025 of, and to repeal Article 5 (commencing with Section 704.910) of Chapter 4 of Division 2 of Title 9 of Part 2 of, the Code of Civil Procedure, to amend Section 7170 of the Government Code, and to repeal Section 6528 of the Probate Code, relating to homesteads.

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

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

June 10, 1996

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Senate Bill No. 713

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

TAKASUGI, Chairman

SENATE BILL NO. 713—An act to amend Sections 75.60, 107, 167, 480.6, and 4837.5 of, and to amend, repeal, and add Section 1621 of, the Revenue and Taxation Code, relating to taxation, 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.

REPORTS OF STANDING COMMITTEES
Committee on Labor and Employment

May 20, 1996

Mr. Speaker: Your Committee on Labor and Employment reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 3191

HOUSE, Chairman

Above bill ordered filed with the Chief Clerk.

June 3, 1996

Mr. Speaker: Your Committee on Labor and Employment reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2857

HOUSE, Chairman

Above bill ordered filed with the Chief Clerk.

Committee on Governmental Organization

May 24, 1996

Mr. Speaker: Your Committee on Governmental Organization reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2989

HOGE, Chairman

Above bill ordered filed with the Chief Clerk.

May 24, 1996

Mr. Speaker: Your Committee on Governmental Organization reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2799

HOGE, Chairman

Above bill ordered filed with the Chief Clerk.

Committee on Labor and Employment

May 20, 1996

Mr. Speaker: Your Committee on Labor and Employment reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2211

HOUSE, Chairman

Above bill ordered filed with the Chief Clerk.

Committee on Natural Resources

May 22, 1996

Mr. Speaker: Your Committee on Natural Resources reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2266

Assembly Bill No. 3436

OLBERG, Chairman

Above bills ordered filed with the Chief Clerk.

Committee on Public Employees, Retirement and Social Security

June 6, 1996

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2222

Assembly Bill No. 3332

Assembly Bill No. 2363

Assembly Bill No. 3445

KALOOGIAN, Chairman

Above bills ordered filed with the Chief Clerk.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member McPherson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Geoffrey C. Etienne, of Tiburon.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Assembly Member Granlund was granted unanimous consent that Senate Bill No. 1709 be withdrawn from the Committee on Health and re-referred to the Committee on Human Services.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Rogan was granted unanimous consent that when the Assembly adjourns on this day it do so in honor of the birth of John Michael Watts, born on May 28, 1996 to parents Michael and Arinda Watts, of Glendale.

RE-REFERENCE OF BILLS FROM FILE TO COMMITTEE

Assembly Member Burton was granted unanimous consent that Assembly Bill No. 1786 be referred from the unfinished business file to the Committee on Human Services.

JOINT RULE 62(a) WAIVED

Assembly Member Burton was granted unanimous consent that Joint Rule 62(a) be waived for the purposed of setting Assembly Bill No. 1786 for hearing in the Committee on Human Services on June 11, 1996.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Takasugi announced that the Committee on Revenue and Taxation would meet today at 2 p.m., instead of 1:30 p.m.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

HOUSE RESOLUTION NO. 51—Relative to fusion research.

Resolution read; amendments proposed by the Committee on Rules read and adopted, resolution ordered reprinted and to be placed upon the Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 1850—An act to amend Section 67054 of, and to add Section 67036.5 to, the Food and Agricultural Code, relating to agriculture.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1047—An act to amend Sections 55435.5, 55523.1, 55523.4, 55523.6, 55529, 55745, 55751, 56192, 56252, 56253, 56272, 56281, 56282, 56443, and 56451 of, to add Sections 55528.5, 55529.5, 56191.5, 56192.5, and 56280.5 to, and to repeal Sections 55523.2 and 56252.1 of, the Food and Agricultural Code, relating to agriculture.

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

SENATE BILL NO. 1140—An act to repeal and add Section 2889.5 of the Public Utilities Code, relating to public utilities.

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

SENATE BILL NO. 1513—An act to amend Section 4950 of the Health and Safety Code, relating to sewer revenue bonds.

Bill read second time, and ordered to Consent Calendar.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 10, 1996

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

House Resolution No. 51

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

**HOUSE RESOLUTION NO. 51 REMOVED FROM CONSENT
CALENDAR AND TAKEN UP**

Assembly Member Rainey was granted unanimous consent that House Resolution No. 51 be removed from the Consent Calendar, and to take the resolution up at this time, without reference to file, for purpose of consideration.

HOUSE RESOLUTION NO. 51 (Rainey)—Relative to fusion research.

Resolution read, and adopted.

CONSIDERATION OF SENATE BILL NO. 864 BY UNANIMOUS CONSENT

Assembly Member Rainey was granted unanimous consent to take up Senate Bill No. 864, out of order, for purpose of amendment.

SENATE BILL NO. 864 (Craven)—An act to amend Sections 27000.7, 27131, 27132.1, 27132.2., 27132.3, 27136, 53601, 53601.6, 53635, and 53646 of the Government Code, relating to local government, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Rainey moved the adoption of amendments.

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

CONSIDERATION OF SENATE BILL NO. 415 BY UNANIMOUS CONSENT

Assembly Member Conroy was granted unanimous consent to take up Senate Bill No. 415, out of order, for purpose of consideration.

SENATE BILL NO. 415 (Thompson)—An act to repeal Sections 737.4, 737.5, 737.6, and 737.7 of, and to repeal and add Section 737.3 to, the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—68

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—68

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

NOES—None

Bill ordered transmitted to the Senate.

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:

Senate Bill No. 1192, on request of Assembly Member Villaraigosa.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Martinez was granted unanimous consent that when the Assembly adjourns on this day it do so in honor of the birth of Amanda Maliheh Oliai, born on June 6, 1996 to parents Stan and Darlene Oliai, of La Verne.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Assembly Member Morrow was granted unanimous consent that Senate Bill No. 2032 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Insurance.

CONSIDERATION OF ASSEMBLY BILL NO. 3306 BY UNANIMOUS CONSENT

Assembly Member Brulte was granted unanimous consent to take up Assembly Bill No. 3306, out of order, for purpose of consideration.

ASSEMBLY BILL NO. 3306 (Brulte)—An act to add and repeal Section 201.5 of the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

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, 11:26 a.m.

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

CONSIDERATION OF ASSEMBLY BILL NO. 2930 BY UNANIMOUS CONSENT

Assembly Member Villaraigosa was granted unanimous consent to take up Assembly Bill No. 2930, for purpose of consideration.

ASSEMBLY BILL NO. 2930 (Escutia)—An act to amend Section 99268.10 of the Public Utilities Code, relating to transportation.

Bill read third time, presented by Assembly Member Villaraigosa, and passed by the following vote:

AYES—67

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

NOES—2

Granlund Hoge

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1574 BY UNANIMOUS CONSENT**

Assembly Member Katz was granted unanimous consent to take up consideration of Assembly Bill No. 1574, out of order.

ASSEMBLY BILL NO. 1574 (Katz)—An act relating to water.

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

Bustamante	Davis	Hawkins	Katz
------------	-------	---------	------

NOES—69

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

Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1574: Assembly Member Bustamante, from "No" to "Aye".

WITHDRAWAL AND RE-REFERENCE OF BILLS

Assembly Member Boland was granted unanimous consent that Senate Bill No. 1811 be withdrawn from the Committee on Public Safety and re-referred to the Committee on Judiciary.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO ASSEMBLY BILL NO. 3306**

At 11:31 a.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.

The urgency clause to Assembly Bill No. 3306 adopted by the following vote:

AYES—56

Ackerman	Brown	Granlund	Miller
Aguiar	Brulte	Hannigan	Morrissey
Alby	Burton	Hauser	Morrow
Alpert	Bustamante	Hawkins	Olberg
Archie-Hudson	Campbell	Hoge	Poochigian
Baca	Cannella	Kaloogian	Rainey
Baldwin	Conroy	Knight	Richter
Battin	Cunneen	Knowles	Rogan
Baugh	Davis	Kuykendall	Sweeney
Boland	Ducheny	Lee	Takasugi
Bordonaro	Figueroa	Machado	Thompson
Bowen	Firestone	Margett	Tucker
Bowler	Gallegos	Martinez	Weggeland
Brewer	Goldsmith	Migden	Mr. Speaker

NOES—7

Caldera	Frusetta	Kuehl	Villaraigosa
Friedman	Katz	McPherson	

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

AYES—56

Ackerman	Brown	Granlund	Miller
Aguiar	Brulte	Hannigan	Morrissey
Alby	Burton	Hauser	Morrow
Alpert	Bustamante	Hawkins	Olberg
Archie-Hudson	Campbell	Hoge	Poochigian
Baca	Cannella	Kaloogian	Rainey
Baldwin	Conroy	Knight	Richter
Battin	Cunneen	Knowles	Rogan
Baugh	Davis	Kuykendall	Sweeney
Boland	Ducheny	Lee	Takasugi
Bordonaro	Figueroa	Machado	Thompson
Bowen	Firestone	Margett	Tucker
Bowler	Gallegos	Martinez	Weggeland
Brewer	Goldsmith	Migden	Mr. Speaker

NOES—7

Caldera	Frusetta	Kuehl	Villaraigosa
Friedman	Katz	McPherson	

Vote Changes

By unanimous consent, the following vote change was permitted on the urgency clause to Assembly Bill No. 3306, and on passage of the bill: Assembly Member Speier, from "No" to "Not Voting".

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Assembly Resolutions

ASSEMBLY CONCURRENT RESOLUTION NO. 57 (Cunneen)—Relative to the West Valley Freeway.

Resolution read, adopted, and ordered transmitted to the Senate.

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

ASSEMBLY CONCURRENT RESOLUTION NO. 61 (Hauser)—Relative to the Blue Star Memorial Highway.

Resolution read, adopted, and ordered transmitted to the Senate.

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

ASSEMBLY CONCURRENT RESOLUTION NO. 68 (Brown)—Relative to the Parker B. Rice Memorial Bridge.

Resolution read, adopted, and ordered transmitted to the Senate.

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

Consent Calendar Roll Call

The roll was called, and the above resolutions on the Consent Calendar adopted, by the following vote:

AYES—73

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

NOES—None**ANNOUNCEMENTS**

Speaker pro Tempore Aguiar announced that Members are to report to the west steps of the State Capitol immediately upon adjournment of Floor session for photographs.

CAUCUS ANNOUNCEMENTS

Assembly Member Katz announced that the Democratic Caucus would meet immediately after the photo session, in the Tom Bane Rules Committee Room.

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

MOTION TO RECONSIDER SENATE BILL NO. 1181 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 1181 was continued until Thursday, June 13, 1996.

MOTION TO ADJOURN

At 11:33 a.m., Assembly Member Bustamante moved that the Assembly do now adjourn.

Assembly Member Battin seconded the motion.

Motion carried.

VOTE ADDS

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

Senate Bill No. 415 and Urgency: Brown, Cannella, and Speier—Aye.

Assembly Bill No. 2930: Brewer and Cannella—Aye.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:34 a.m., Speaker pro Tempore Aguiar declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 92—Hauser. Relative to the Don Clausen Highway.

HOUSE RESOLUTION NO. 53—Frusetta, Morrissey, and Conroy. Relative to Flag Day.

AUTHOR'S AMENDMENTS

Committee on Housing and Community Development

June 10, 1996

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

Senate Bill No. 1748

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

HAWKINS, Chairman

SENATE BILL NO. 1748—An act to amend Sections 65009, 65040.3, 65352, 65920, and 66031 of, to amend and renumber Section 65302.9 of, to add Section 66000.5 to, and to repeal Sections 65035.1 and 65907 of, the Government Code, to amend Sections 18025.5, 18035.1, 18075.5, 18117, 18304, 33021, and 33320.2 of, to repeal Section 33030.5 of, and to repeal Article 4 (commencing with Section 33250) of Chapter 3 of Part 1 of Division 24 of, the Health and Safety Code, relating to the Housing and Land Use Omnibus Act of 1996.

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

AUTHOR'S AMENDMENTS
Committee on Judiciary

June 10, 1996

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

Senate Bill No. 392

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

MORROW, Chairman

SENATE BILL NO. 392—An act to amend Sections 6550 and 6910 of the Family Code, to repeal Section 6102 of the Government Code, to amend Section 1283 of the Health and Safety Code, and to amend Sections 1513, 1513.1, 1851.5, 2631, 2751, 3204, 3602, 3611, 6110, 7241, 8110, 10804, 12202, 13050, 13655, 17200, 21111, 21225, and 21350 of, to add Sections 2622.5 and 16065 to, to repeal and add Section 3206 of, to amend the heading of Part 7 (commencing with Section 10800) of, and to amend the heading of Article 2 (commencing with Section 10810 of Chapter 1 of Part 7 of, Division 7 of, the Probate Code, relating to probate law.

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

AUTHOR'S AMENDMENTS
Committee on Public Safety

June 10, 1996

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

Senate Bill No. 1715

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

BOLAND, Chairwoman

SENATE BILL NO. 1715—An act to amend Sections 243.5 and 653k of the Penal Code, relating to crimes.

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

AUTHOR'S AMENDMENTS
Committee on Environmental Safety and Toxic Materials

June 10, 1996

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Senate Bill No. 828

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

RICHTER, Chairman

SENATE BILL NO. 828—An act to add Article 15.7 (commencing with Section 25874.7) to Chapter 7.6 of Division 20 of the Health and Safety Code, relating to radioactive waste, and making an appropriation therefor, to take effect immediately, tax levy.

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

AUTHOR'S AMENDMENTS
Committee on Insurance

June 10, 1996

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

Senate Bill No. 1863

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

KNOWLES, Chairman

SENATE BILL NO. 1863—An act to amend Section 12640.09 of the Insurance Code, relating to insurance.

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 Housing and Community Development

Date of Hearing: June 5, 1996

Mr. Speaker: Your Committee on Housing and Community Development reports:

Senate Bill No. 1624

Senate Bill No. 1861

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

HAWKINS, Chairman

Above bills ordered to second reading.

Committee on Judiciary

Date of Hearing: June 5, 1996

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 195

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules No. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MORROW, Chairman

Above bill ordered to second reading.

Committee on Local Government

Date of Hearing: June 5, 1996

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1421

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

RAINEY, Chairman

Above bill ordered to second reading.

Date of Hearing: June 5, 1996

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1081

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

RAINEY, Chairman

Above bill ordered to second reading.

Date of Hearing: June 5, 1996

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1259

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

RAINEY, Chairman

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: June 10, 1996

Mr. Speaker: Your Committee on Rules reports:

Senate Bill No. 842

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

PRINGLE, Chairman

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, June 10, 1996

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

Assembly Bill No. 2296

Assembly Bill No. 3029

Assembly Bill No. 3169

JOHN W. ROVANE, Acting Secretary of the Senate

Above bills ordered enrolled.

Senate Chamber, June 10, 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. 388

JOHN W. ROVANE, Acting Secretary of the Senate

June 10, 1996

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

Dear Dotson: By direction of the Senate I am returning Senate Bill No. 210 to the Assembly for further action.

Sincerely,

JOHN W. ROVANE
 Acting Secretary of the Senate

INTRODUCTION OF GUESTS

Assembly Member Battin, of the 80th Assembly District, introduced Richard S. Kelly, Mayor pro Tempore of City of Palm Desert; and David Dhillon, Councilman, City of El Centro.

Assembly Member Baca, of the 62nd Assembly District, introduced his daughter, Natalie Baca, who graduates from J. F. Kennedy High School today.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Baca, the Assembly adjourned until 7 a.m., Tuesday, June 11, 1996, out of respect to the memory of Geoffrey C. Etienne, on motion of Assembly Member McPherson; in honor of the birth of Amanda Maliheh Oliai, on motion of Assembly Member Martinez; and in honor of the birth of John Michael Watts, on motion of Assembly Member Rogan.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 10, 1996**

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

AB	RN
2826	9620623
3014	9620611

HR	RN
51	9620563

SB	RN
197	9620481
392	9620571
713	9620312
828	9620401
864	9620572
1047	9620077
1140	9620423
1639	9620522
1715	9619357
1748	9620671
1863	9620457