CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, June 13, 1996

TWO HUNDRED THIRTY-FIRST SESSION DAY FIVE HUNDRED FIFTY-SEVENTH 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, June 13, 1996

The Assembly met at 9 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Kuykendall moved a quorum call of the Assembly.

Motion carried. Time, 9:01 a.m.

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

Quorum Present

At 9:07 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—76:

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

Father In Heaven, It is right and proper that we should give You praise and glory, for You are ineffable and Your essence is beyond the grasp of any created being. You are the source of life and light, the source of all grace and truth; We implore You, Lord, to make us truly alive. Give us the spirit of light, that we may know You and forever draw near to You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Aguiar, Assembly Member Morrissey 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 Isenberg, seconded by Assembly Member Battin.

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 Member Cortese.

Because of illness: Assembly Member Kuehl.

(NOTE: For letter explaining the absence of Assembly Member Cortese on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Monday, June 10, 1996.)

COMMUNICATIONS

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

May 29, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Streets and Highways Code, Section 2157, I have appointed Brian Hunt to the Departmental Transportation Advisory Committee for a term expiring on May 29, 2000, replacing Elwin Winters who is removed.

Sincerely,

CURT PRINGLE Speaker of the Assembly

Tune 12, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Military and Veterans Code 1310, I have appointed John Higginson to the Veterans Memorial Commission, replacing Noble Fields, who is removed.

Sincerely,

CURT PRINGLE Speaker of the Assembly

June 12, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Corporations Code 14021, I have appointed Assemblyman James Morrissey to the Small Business Development Board, replacing Assemblywoman Marguerite Archie-Hudson who is removed.

Sincerely,

CURT PRINGLE Speaker of the Assembly

June 12, 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 Section 15363.10, I have appointed Assemblyman Gary Miller as my designee to the California Economic Strategy Panel, replacing Assemblyman John Vasconcellos who is removed.

Sincerely,

CURT PRINGLE Speaker of the Assembly

June 12, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Chapter 1311 of 1983, I have appointed Assemblyman Bill Morrow to the Sea Grant Research Projects Advisory Panel, replacing Assemblywoman Dede Alpert who is removed.

Sincerely,

CURT PRINGLE Speaker of the Assembly The following communications were presented by the Chief Clerk from:

Bill Jones, Secretary of State, Office of the Secretary of State, dated May 31, 1996, transmitting a copy of the qualified initiative entitled "Minimum Wage Increase. Initiative Statute." Referred pursuant to Elections Code, Section 9034, to the Committees on Labor and Employment and Elections, Reapportionment and Constitutional Amendments.

Bill Jones, Secretary of State, Office of the Secretary of State, dated June 4, 1996, transmitting a copy of the qualified initiative entitled "Attorney-Client Fee Arrangements. Securities Fraud. Initiative Statute." Referred pursuant to Elections Code, Section 9034, to the Committees on Judiciary and Elections, Reapportionment and Constitutional Amendments.

Bill Jones, Secretary of State, Office of the Secretary of State, dated June 5, 1996, transmitting a copy of the qualified initiative entitled "Spending Limits and Campaign Contributions. Lobbyist Restrictions. Initiative Statute." Referred pursuant to Elections Code, Section 9034, to the Committee on Elections, Reapportionment and Constitutional Amendments.

Bill Jones, Secretary of State, Office of the Secretary of State, dated June 6, 1996, transmitting a copy of the qualified initiative entitled "Limitation on Recovery to Felons, Uninsured Motorists, Drunk Drivers. Initiative Statute." Referred pursuant to Elections Code, Section 9034, to the Committees on Judiciary and Elections, Reapportionment and Constitutional Amendments.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 13, 1996

 $\mbox{Mr.}$ Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 54
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to third reading.

AUTHOR'S AMENDMENTS Committee on Governmental Organization

Iune 13, 1996

 $\operatorname{Mr.}$ Speaker: The Chair of your Committee on Governmental Organization reports: Senate Bill No. 1879

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

HOGE, Chairman

SENATE BILL NO. 1879—An act to amend Section 25633 of the Business and Professions Code, relating to alcoholic beverages.

AUTHOR'S AMENDMENTS

Committee on Elections, Reapportionment and Constitutional Amendments

June 13, 1996

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

Assembly Constitutional Amendment No. 49

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

McPHERSON, Chairman

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 49—A resolution to propose to the people of the State of California an amendment or revision to the Constitution of the State, by amending subdivision (c) of Section 8, subdivision (a) of Section 9, subdivision (c) of Section 10, and subdivision (b) of Section 14 of, and by adding Section 8.5 to, Article II thereof, by amending subdivision (1) of Section 8 of Article III thereof, by amending Sections 3, 4.5, 10, and 18 of, by amending and repealing Sections 2, and 12 of, by amending, repealing, and adding Sections 8 and 9 of, and by adding Sections 2.1, 12.1, and 29 to, Article IV thereof, by amending Section 3, subdivision (b) of Section 5, Sections 10 and 11, and subdivision (f) of Section 14 of, and by adding Sections 3.5, 9.5, 10.5, and 12 to, Article IV thereof, by amending Sections 2 and 3, subdivision (i) of Section 4, and subdivision (a) of Section 10, of Article VII thereof, by amending Sections 6, 8, and 9 of, by amending and renumbering Sections 14 and 16 of, by adding Sections 4, 5.5, 12, 13, and 14 to, and by repealing Sections 2, 2.1, 3, 3.1, 3.2, 3.3, and 7 of, Article IX thereof, by amending Sections 1, 6, 7, 8, 13, and 15 of, adding Section 16 to, repealing Section 14 of, and repealing and adding Section 5 of, Article XI thereof, by adding Article XIA thereto, by amending subdivision (j) of Section 3, subdivision (g) of Section 11, and Sections 16, 18, and 19 of, by adding Section 18.5 to, and by repealing Sections 1 and 4 of Article XIIIA thereof, by amending Section 10.5 of, by amending, repealing, and adding Section 1, 2, 3, and 8 of, and by repealing Section 1.2 to, Article XVII thereof, by amending Section 22 of, Article XVIII thereof, by amending Section 1.0 of Article XVIII thereof, by amending Section 1.0 of Article XVIII thereof, and by amending Section 1.0 of Article XVIII thereof, and by amending Section 1.0 of Article XVIII thereof, and by amending Section 1.0 of Article XVIII thereof, and by amending Section 1.0 of Article XVIII thereof, and by

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

REPORTS OF STANDING COMMITTEES Committee on Rules

June 13, 1996

Mr. Speaker: Your Committee on Rules recommends that the request to suspend Joint Rule 62(a), as it relates to the following bill be granted:

Senate Bill No. 435

PRINGLE, Chairman

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Preble Stolz, of Berkeley and Ignacio "Nacho" Covarrubias, of Ventura County.

Assembly Member Bustamante was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Guadalupe Saenz, of Visalia.

RECESS

By unanimous consent, at 9:15 a.m., Speaker pro Tempore Aguiar declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Baldwin introduced Hon. Jose de Venecia, Jr., Speaker of the House of Representatives, Republic of the Philippines, who was accompanied by his wife Gina Vera Perez, Hon. Tessie Marzan, Consul General of the Philippines, and Perry and Dolores Diaz.

Hon. Jose de Venecia, Jr. then addressed the assemblage.

REASSEMBLED

At 9:27 a.m., the Assembly reconvened.

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

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Speaker pro Tempore Aguiar was granted unanimous consent that the following statement by Hon. Jose de Venecia, Jr. be printed in the Journal:

TOWARD A PAX PACIFICA

A Speech of Speaker Jose de Venecia, Jr. House of Representatives Republic of the Philippines

Before The California State Assembly Sacramento, California, 13 June 1996

I. DAWNING OF THE PACIFIC CENTURY

Ladies and gentlemen:

This is a great honor, to be invited to speak before the Legislature of the American state most closely associated with my country, some 6,000 miles westward across the Pacific, a major pillar in the building of America.

Before there was a United States, California and *Filipinas* were joined together by the Spanish galleons trading between East Asia and the New World.

For 250 years, starting from the 1570s, the great galleons sailed between Manila and Acapulco. Their American landfalls, after the dangerous voyage that often lasted eight-nine months, were what are now the great cities of the California coast, Monterey, San Diego, Los Angeles, Santa Barbara, San Francisco.

Then, in the nineteenth century, the very same spirit that colonized California encompassed my country. The pursuit of Manifest Destiny that tamed the American West also overran the Philippine archipelago.

In our own time, these historical ties are being strengthened even more by the amazing growth of the Pacific Rim economies.

The world's economic and political gravity is tilting to the Asia-Pacific so decisively that knowledgeable people predict the coming of a "Pacific Century."

What are the indicators of this Pacific Century?

More than half the global GNP for the decade of the 1990s will be produced in Asia. In 1990, America's trade with East Asia exceeded its trade with Europe for the first time. By the year 2000, trade and investment flows across the Pacific should be double the volume of trade and investment across the Atlantic.

Within ten years from today, there will be more people in the ASEAN region with an American standard of living than there will be

in America. Imagine that!

The Pacific Ocean has historically been a great highway—bringing our two continents together. In our time, its linkages are even more secure—because they are supported by the new communications technology and the international division of labor.

CALIFORNIA AND THE PHILIPPINES IN THE ASIA-PACIFIC ECONOMY

As late as 1852, Daniel Webster, then Secretary of State, arguing against the Westward drive of the American Republic, had questioned what it would do "with this worthless area, this region of savages and wild beasts, of shifting sands and whirlwinds of dust, of cactus and prairie dogs.

"To what use," he asked, "could we ever hope to put these great

deserts and these endless mountain ranges?"

What a mighty answer California has given Daniel Webster!

Because the pioneer spirit is an entrepreneurial spirit, California has become the agricultural and industrial power of the United States—responsible for America's world leadership in aerospace, agribusiness, semiconductors, microcomputers, genetic engineering and laser technology.

In fact it is said, if California were to secede from the Union, it

would become the seventh biggest industrial power on earth!

And now California, which has always faced the Pacific, also connects the American Republic to the region that will be the motive force of the world economy in the twenty-first century.

California the favored destination of Asian migrants

This early, the airports of the West Coast have become the new

Ellis Islands for the new wave of migrants "yearning to breath free." California is where the rainbow ends for migrants from East Asia. Since 1965, when U.S. quotas favoring European migrants were abolished, there has been a leap in Asian migration. Between 1990 and 1995, the number of Asians and Pacific Islanders in California increased by more than a third.

And the people of this second migration are not the manual workers and indentured peasants of the first Asian migration a hundred years ago. They are professionals, engineers, doctors, scientists, or entrepreneurs, hard-driving, education-oriented, competitive—and they carry capital with them. I understand there are some 30 Asian banks established in California, and an estimated \$27 billion in Asian investments.

These new Asian-Americans are helping along California's geoeconomic alliances across the Pacific. California's share of American exports, now 16%, is rising steadily, and two-thirds of it is destined for East Asian ports.

My own country is stirring in East Asia

Like California, my own country is being deeply affected by the vigor of the East Asian economy. As a rising tide lifts all boats, so has the buoyant East Asian economy raised the level of Philippine economic growth.

The Asian Development Bank projects Philippine real GNP to grow by 6% this year and 7% in 1997. What is more, our growth, under the leadership of our great President Fidel Ramos, now is led not (as in the past) by public spending but by exports and private-sector investment. Over January–March, our real GNP grew by 6.2%.

Foreign investment is pouring into Subic Bay and Clark Field—once the home-bases of the Seventh Fleet and the Thirteenth Air Force. Thanks to the infrastructure the American military left behind in 1992, the two bases have become attractive export zones. In 1993, for example, Subic alone attracted \$300 million in direct foreign investment—20% more than the entire country had attracted in the previous year.

Reebok International is already in Subic: So is Federal Express,

which has chosen Subic Freeport for its Asian hub.

Nynex is in telecommunications, and Intel is investing \$200 million to increase the capacity of its memory chip and microprocessor plant. Avon has a Southeast Asian manufacturing hub in the Philippines; and Proctor and Gamble are planning a \$100 million detergent plant.

Even American television is voting for the Philippines. The new American television program INVEST/America has named my country as one of the best in the world for foreign investors!

Yet Philippine growth is just beginning to accelerate—the economy is just gearing up for the "cruising speed" of 8-9% that our

East Asian neighbors easily attain.

Politically, we in the Philippines are trying to construct a new politics—a democracy that will make the system benefit not just the political elite, but every citizen equally.

Relations with American are still "special"

The relationship between our two countries has changed a great deal since the Seventh Fleet sailed out of Subic Bay three years ago. But for us Filipinos, our shared belief in liberal democracy—and the Filipino-American community (America's largest ethnic-Asian population)—ensure that relations between our two counties will always be "special."

America is still our top trading partner—we still have a mutual defense pact—and we look to American investments to balance

investment coming predominantly from East Asia.

In foreign relations, our foremost concern—in cooperation with our neighbors and partners in ASEAN, the Association of Southeast Asian Nations—is to preserve the benign regional environment.

This is the object of the ASEAN Regional Forum—founded July 1994—which gives all the East Asian states—plus all the outside

powers (like the United States, Canada, the European Union and Russia) with legitimate interests in the region—a forum for settling multilateral security issues.

This November, the Philippines will host the APEC Leaders Summit: 1996, by the way, is also the centennial of our nationalist revolution of 1896 against Spain—which produced East Asia's first free Republic.

III. TOGETHER LET US WORK FOR A PAX PACIFICA

Following America's recession from its Philippine bases in 1992, fears of a power vacuum had been widespread in East Asia. But we in the Philippines never for a moment believed the United States would pull out of East Asia. Isolationism is impossible for such a great power in the era of the intercontinental ballistics missile; the communications satellite, and the worldwide cultural revolution.

Demography, commerce, and national security bind America irrevocably to the Asian continent. And it can no more accept an East Asia dominated by a single power than it could a Western Europe dominated by Hitler's Germany or Stalin's USSR.

No, we in the Philippines do not think the United States has any alternative but to take part in the organization of a Pacific peace, a peace along both rims of the ocean we share, a *Pax Pacifica*.

The Pacific peace needs American leadership

This Pacific peace that all our peoples envision needs American involvement, just as East Asian stability, to which the region owes its amazing growth, needed its underpinning of American military power.

Throughout the post-World War II period, the United States has not only been the crucial guarantor of East Asian stability, it has also been the main export market for East Asia's commodities.

Throughout the Cold War, the United States has been the fulcrum of the Asia-Pacific balance of power—the great power whose constructive involvement is accepted by every other East Asian power, because it has no hegemonic ambitions.

There is a tremendous reservoir of goodwill for the United States in East Asia, on which a post-Cold War relationship can be built.

At a conference of the Asia-Pacific Parliamentarians Union (APPU) in Manila which I had the privilege to chair, I said that in the event the more than 40 countries on the Pacific Basin decide to form a union, a common community, they would exercise a decisive and implacable influence on the course of human affairs.

The countries within the scope of the Pacific Ocean constitute mighty force for good without any possible match or parallel in the world. In terms of manpower, natural and human resources, existing and probable wealth, moral, spiritual, and material strength, and achievements, the Pacific countries surpass, collectively, all other countries on the face of the earth.

Let me reiterate and stress two points I raised at the APPU conference in Manila:

Pax Pacifica would embody the finest and best of the culture, the political, social, and economic systems of three continents, the

highest levels of science and technology in the world, and infinite wealth of spiritual faith.

Pax Pacifica to Excel Romana and Britannica

Pax Pacifica would be an ideal point of convergence for the great religions and civilizations that have flourished throughout the ages.

Pax Pacifica would, in fine, be the incarnation of the quintessence of the priceless and imperishable heritage of the peoples of Asia, North America, and South America.

That would be a high point in the story of the world that could well excel the grandeur of Pax Romana and the glory of Pax Britannica.

Already, the fulcrum of leadership in the economic world is perceptively shifting from the Atlantic to the Pacific. When Pax Pacifica is organized, and the 40-odd countries within the Pacific littoral are integrated into an economic union, the sun of world civilization will rise anew in the Pacific "from whence it sprang, in God's good time, in its pristine glory."

Cultivating the concept of a Pacific Community

The idea that Asia-Pacific countries have both a national and a regional interest has taken some time to establish itself. But we in the Philippines believe it is growing in our midst. And we need to cultivate it, if our Asia-Pacific community is to deal with problems beyond the competence of any single nation.

This early, it seems obvious that lasting peace among our countries cannot be founded on the hegemony of any single power. The age of empire is gone forever. Pax Pacific must be founded on the idea that every state in the region, no matter how small, has something valuable to add to the whole.

John Donne, the great English poet, taught us that "No Man Is An Island." In the Pacific, we are learning that no state is an island either. Working together, and with America as our partner, we can make the Pax Pacific the greatest engine of economic and social progress since the Renaissance and Reformation. We can carry John Donne into the 21st Century.

Asia-Pacific unification will be managed by regional institutions like APEC and the Asean Regional Forum. Certainly, the free market must also be a vital component of a Pacific peace—as an instrument for liberating the spirit of enterprise and encouraging the rise of civil society. But we should insist that Asia-Pacific capitalism have a care for those social groups that development leaves behind.

Unhampered cultural exchanges too we must encourage, so that they can generate a synergy—compounding the best of East and West into a new Pacific civilization.

Genesis of a new Pacific culture in California?

American society has always been distinguished by its ability to take people of widely different backgrounds, cultures, and faiths—and assimilate them to the American ideology: a shared faith in a self-governing polity of citizens, secure in their individual freedoms, and equal in their opportunities.

Perhaps this can be the model of a new Pacific culture—cross-fertilizing American, Japanese, Chinese, Malay, Korean cultures. And perhaps its genesis will take place in California,

whose overwhelming influence on the international popular culture has moved some social commentators to speak of the "Californiaization of the Free World."

Ladies and gentlemen of the California Assembly—

So far the idea of a Pacific Community is just a vision we share, a dream nurtured by fraternal activities that bring us together from different parts of the Asia-Pacific. So far our economic interaction has proceeded faster than our political cooperation.

We should focus on closing this gap. Because if our political cooperation does not move forward, then inertia will begin to work against us. And our political and security problems will begin to stall our economic growth.

Finally—In this work of creating a Pacific Community, East Asia looks to America for substantive participation and counsel. We Filipinos, in particular, continue to look, beyond trade and investments, to the idealism which has always been the mainspring of American foreign policy.

We regard America as the ultimate guardian and pillar of peace in the Pacific—of lasting peace that will enable our peoples to "ripen into all the excellence and all the dignity of humanity."

Thank you for the hospitality of this Assembly. Long live the Philippines and America!

HOUSE RESOLUTION NO. 53 TAKEN UP BY UNANIMOUS CONSENT

Assembly Member Frusetta was granted unanimous consent to take up House Resolution No. 53, without reference to committee or file.

HOUSE RESOLUTION NO. 53—Relative to Flag Day.

Resolution read.

Members Made Coauthors of House Resolution No. 53

Assembly Member Frusetta was granted unanimous consent that all Assembly Members voting "Aye" be placed upon House Resolution No. 53 as coauthors.

Roll Call

The following Assembly Members indicated a desire to become coauthors: Ackerman, Aguiar, Alby, Alpert, Baca, Battin, Baugh, Boland, Bordonaro, Bowen, Bowler, Brewer, Brown, Brulte, Burton, Bustamante, Caldera, Campbell, Cunneen, Davis, Figueroa, Firestone, Gallegos, Granlund, Hannigan, Harvey, Hauser, Hawkins, House, Katz, Knight, Knox, Kuykendall, Machado, Margett, Martinez, Mazzoni, McPherson, Migden, Miller, Morrow, Kevin Murray, Napolitano, Olberg, Poochigian, Pringle, Rainey, Richter, Rogan, Setencich, Speier, Sweeney, Takasugi, Thompson, Tucker, Vasconcellos, and Woods.

Request for Unanimous Consent

Assembly Member Frusetta was granted unanimous consent to take up House Resolution No. 53, as amended, without reference to print or file.

Consideration of House Resolution No. 53, as Amended

HOUSE RESOLUTION NO. 53—Relative to Flag Day.

Resolution read, as amended, and adopted.

CONSIDERATION OF DAILY FILE UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1786 (Burton)—An act to amend Sections 10815 and 12302.3 of the Welfare and Institutions Code, relating to public social services, making an appropriation therefor, 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, and adopted by the following vote:

AYES-71

Ackerman Aguiar Alby Alpert Baca Baldwin Bates Battin Baugh Boland Bordonaro Bowen Bowler Brewer Brown Bruite Burton	Campbell Cannella Conroy Cunneen Davis Ducheny Escutia Figueroa Firestone Frusetta Gallegos Goldsmith Granlund Hannigan Harvey Hauser	House Isenberg Kaloogian Katz Knight Knowles Knox Kuykendall Lee Machado Margett Martinez Mazzoni McPherson Migden Miller Morrisey	Murray, Kevin Napolitano Olberg Poochigian Rainey Rogan Setencich Speier Sweeney Takasugi Thompson Tucker Vasconcellos Villaraigosa Weggeland Woods
Burton Caldera	Hawkins Hoge	Morrissey Morrow	Mr. Speaker
Caracra	11050	141011044	

NOES-None

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—71

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

NOES—None

Above bill ordered enrolled.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 20 to Article XVI thereof, relating to public finance.

Resolution read second time, and ordered to third reading.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 43—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 23 to Article IV thereof, amending Section 8 of Article VII thereof, and repealing Article XII thereof, relating to public utilities.

Resolution read second time, and ordered to third reading.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (a) of Section 9 of Article II thereof, by amending subdivision (c) of Section 8 of, amending and repealing Section 12 of, and adding Section 12.1 to, Article IV thereof, and by amending and repealing Section 5.5 of Article XIIIB thereof, relating to the state budget.

Resolution read second time; amendments proposed by the Committee on Elections, Reapportionment and Constitutional Amendments read and adopted, resolution ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 3504—An act to add Section 9639 to the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 2142—An act to amend Section 32121 of the Health and Safety Code, relating to local health care districts.

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

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 3352—An act to add Title 6.8 (commencing with Section 64000) to the Government Code, relating to financing a local infrastructure finance program 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, and ordered to third reading.

ASSEMBLY BILL NO. 3502—An act to add Section 14672.17 to the Government Code, relating to state property, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 1898—An act to amend Section 11710 of the Government Code, relating to information technology.

Bill read second time; amendments proposed by the Committee on Consumer Protection, Governmental Efficiency and Economic Development read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 2086—An act to add and repeal Sections 17052.10 and 23610 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

SENATE BILL NO. 1537—An act to amend Section 1206.5 of the Business and Professions Code, relating to pharmacy.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 2082—An act to amend Section 121010 of the Health and Safety Code, and to amend Section 5328 of the Welfare and Institutions Code, relating to AIDS.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1738—An act to add Section 2746.52 to the Business and Professions Code, relating to nursing.

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

SENATE BILL NO. 1528—An act to amend Section 4000.1 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1932—An act to add Section 74810.5 to the Government Code, relating to courts.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 577—An act to amend Sections 19180, 19181, 19182, 19183, 19201, 19202, 19203, 19204, and 19211 of, and to amend the heading of Article 7 (commencing with Section 19200) of Chapter 2 of Part 3 of Division 13 of, to add Section 19201.5 to, the Health and Safety Code, relating to seismic safety, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 960—An act to amend Section 311 of the Public Utilities Code, relating to state agencies.

Bill read second time, and ordered to third reading.

Bill read second time, and ordered to third reading.

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, and ordered to third reading.

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.

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.

RESOLUTIONS

The following resolutions were offered:

Resolutions to Suspend Joint Rules

By Senator Solis:

Resolved, That Joint Rule 62(a) be suspended to permit the Committee on Appropriations to set Senate Bill No. 435 for hearing more than three times.

Resolution read, and adopted by the following vote:

AYES-72

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

NOES—None

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

ASSEMBLY CONCURRENT RESOLUTION NO. 50 (Speier)—Relative to the Blue Star Memorial Highway.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

At 9:35 a.m., Hon. James E. Rogan, 43rd District, presiding

THIRD READING OF SENATE BILLS

SENATE BILL NO. 671 (Lewis)—An act to amend Sections 11106, 12001, 12071, 12072, 12073, 12074, 12076, 12077, 12078, 12082, and 12084 of, and to repeal Section 12083 of, the Penal Code, relating to firearms.

Bill read third time.

Motion to Amend by Assembly Member Caldera—Set 1

Assembly Member Caldera moved the adoption of amendments. Amendments read.

Motion to Table Caldera Amendments to Senate Bill No. 671—Set 1

Assembly Member Thompson moved that the amendments offered by Assembly Member Caldera to Senate Bill No. 671—Set 1 be laid upon the table.

Assembly Member Battin seconded the motion.

CAUCUS ANNOUNCEMENTS

At 9:40 a.m., Assembly Member Katz was granted unanimous consent that the Democratic Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 9:40 a.m., Acting Speaker Rogan declared the Assembly recessed.

REASSEMBLED

At 10:04 a.m., the Assembly reconvened. Hon. James E. Rogan, Assembly Member, 43rd District, presiding.

FURTHER CONSIDERATION OF THOMPSON MOTION TO TABLE CALDERA AMENDMENTS TO SENATE BILL NO. 671

The question being on the Thompson motion to table Caldera amendments—Set 1 to Senate Bill No. 671.

Motion to table carried by the following vote:

AYES-35

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

NOES—34

Alpert	Campbell	Hannigan	Migden
Archie-Hudson	Cannella	Isenberg	Murray, Kevin
Bates	Cunneen	Katz	Napolitano
Bowen	Davis	Knox	Speier
Brewer	Ducheny	Lee	Sweeney
Brown	Escutia	Machado	Vasconcellos
Burton	Figueroa	Martinez	Villaraigosa
Bustamante	Friedman	Mazzoni	J
Caldera	Gallegos	McPherson	

Vote Changes

By unanimous consent, the following vote change was permitted on the Thompson motion to table the amendments offered by Assembly Member Caldera to Senate Bill No. 671—Set 1: Assembly Member Frusetta, from "Aye" to "Not Voting".

Communications

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

Explanation of Vote—Senate Bill No. 671 (Caldera Amendments—Set 1)

June 14, 1996

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

Dear Chief Clerk: On Amendments Set #1 by Assemblyman Louis Caldera to Senate Bill 671 by Senator Lewis I intended to change my vote from "aye" to "not voting."

Sincerely,

PETER FRUSETTA, Assembly Member Twenty-eighth District

Motion to Amend by Assembly Member Caldera—Set 2

Assembly Member Caldera moved the adoption of amendments. Amendments read.

Motion to Table Caldera Amendments to Senate Bill No. 671—Set 2

Assembly Member Thompson moved that the amendments offered by Assembly Member Caldera to Senate Bill No. 671—Set 2 be laid upon the table.

Assembly Member Olberg seconded the motion.

Motion carried by the following vote:

AYES—35

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

NOES-34

Alpert	Cannella	Isenberg	Migden
Archie-Hudson	Cunneen	Katz	Murray, Kevin
Bates	Davis	Knox	Napolitano
Bowen	Ducheny	Kuykendall	Speier
Brown	Escutia	Lee	Sweeney
Burton	Figueroa	Machado	Vasconcellos
Bustamante	Friedman	Martinez	Villaraigosa
Caldera	Gallegos	Mazzoni	<u> </u>
Campbell	Hannigan	McPherson	

Motion to Amend by Assembly Member Caldera—Set 3

Assembly Member Caldera moved the adoption of amendments. Amendments read.

Motion to Table Caldera Amendments to Senate Bill No. 671—Set 3

Assembly Member Thompson moved that the amendments offered by Assembly Member Caldera to Senate Bill No. 671—Set 3 be laid upon the table.

Assembly Member Miller seconded the motion.

Motion carried by the following vote:

AYES-35

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

NOES-33

Alpert	Davis	Katz	Napolitano
Archie-Hudson	Escutia	Knox	Speier
Bates	Figueroa	Kuykendall	Sweeney
Bowen	Firestone	Lee	Tucker
Brown	Friedman	Martinez	Vasconcellos
Bustamante	Frusetta	Mazzoni	Villaraigosa
Caldera	Gallegos	McPherson	· ·
Campbell	Hannigan	Migden	
Cunneen	Isenberg	Murray, Kevin	

Further Consideration of Senate Bill No. 671

SENATE BILL NO. 671 (Lewis)—An act to amend Sections 11106, 12001, 12071, 12072, 12073, 12074, 12076, 12077, 12078, 12082, and 12084 of, and to repeal Section 12083 of, the Penal Code, relating to firearms.

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

Demand for Previous Question

Assembly Members Morrissey, Hoge, Battin, Olberg, and Thompson demanded the previous question. Demand sustained.

Parliamentary Inquiry

Assembly Member Bustamante arose to the following parliamentary inquiry:

Have two proponents and two opponents been recognized to debate on Senate Bill No. 671?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the House had not agreed to limit debate to two proponents and two opponents; and further, that the demand for the previous question was sustained.

The question being on 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, 10:18 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 SENATE BILLS (RESUMED)

SENATE BILL NO. 1850 (Kelley)—An act to amend Section 67034 of, and to add Section 67036.5 to, the Food and Agricultural Code, relating to agriculture.

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

Bill passed by the following vote:

AVES_72

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

NOES None

Bill ordered transmitted to the Senate.

(NOTE: On June 24, 1996, the action was rescinded whereby Senate Bill No. 1850 was passed, and whereby the bill was ordered transmitted to the Senate. See page 7538.)

WITHDRAWAL AND RE-REFERENCE OF BILLS

Assembly Member Boland was granted unanimous consent that Senate Bill No. 1457 be withdrawn from the Committee on Public Safety and re-referred to the Committee on Local Government.

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

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.

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 the third reading file.

ANNOUNCEMENT OF CONFERENCE COMMITTEE MEETING

Assembly Member Knowles announced that the Conference Committee on Assembly Bill No. 2086 would meet today at 11 a.m., in Room 112.

REQUEST TO WITHDRAW AND RE-REFER

Assembly Member Morrissey requested unanimous consent that Senate Bill No. 2023 be withdrawn from the Committee on Consumer Protection, Governmental Efficiency and Economic Development and re-referred to the Committee on Utilities and Commerce; and that upon being reported from the Committee on Utilities and Commerce, it is his intention that the bill be re-referred to the Committee on Revenue and Taxation.

Assembly Member Martinez withheld unanimous consent.

SENATE BILL NO. 160 WITHDRAWN FROM COMMITTEE

Assembly Member Bowler was granted unanimous consent that Senate Bill No. 160 be withdrawn from the Committee on Appropriations for the purpose of consideration at this time, without reference to file.

SENATE BILL NO. 160 (Kopp)—An act to amend Section 14525 of the Government Code, relating to transportation.

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

AYES-48

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

NOES-9

Bowen	Escutia	Sweeney
Burton	Lee	Tucker
Caldera	Migden	Vasconcellos

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 160: Assembly Member Morrow, from "No" to "Aye".

Bill ordered transmitted to the Senate.

JOINT RULE 62(a) WAIVED

Assembly Member McPherson was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Constitutional Amendment No. 18 and Assembly Constitutional Amendment No. 49 for hearing in the Committee on Elections, Reapportionment and Constitutional Amendments on Monday, June 17, 1996.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Senate Bills

SENATE BILL NO. 1982 (Russell)—An act to amend Section 361.5 of the Welfare and Institutions Code, relating to children.

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.)

SENATE BILL NO. 2030 (Killea)—An act to amend Section 1812.504 of the Civil Code, relating to employment contracts.

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.)

SENATE JOINT RESOLUTION NO. 36 (Kelley)—Relative to cotton insect pest eradication.

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

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

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

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.)

SENATE JOINT RESOLUTION NO. 39 (Solis)—Relative to investor visa programs.

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 bills on the Consent Calendar passed, by the following vote:

AYES-74

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

NOES—None

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 671

At 10:26 a.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.

Senate Bill No. 671 passed by the following vote:

AYES-44

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

NOES-25

Archie-Hudson	Friedman	Martinez	Sweeney
Bates	Gallegos	Mazzoni	Tucker
Burton	Hannigan	McPherson	Vasconcellos
Caldera	Isenberg	Migden	Villaraigosa
Campbell	Katz	Murray, Kevin	0
Escutia	Knox	Napolitano	
Figueroa	Lee	Speier	

Bill ordered transmitted to the Senate.

(NOTE: Later this day a motion to reconsider the above vote on Senate Bill No. 671 was offered by Assembly Member Caldera.)

Objection to Vote Adds

Assembly Member Caldera withheld unanimous consent on any further requests for vote adds or vote changes on the roll call votes taken on this day on motions to table Caldera amendments, Sets 1, 2, and 3 and on passage of Senate Bill No. 671.

COMMUNICATIONS

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

Explanation of Vote-Senate Bill No. 671

June 13, 1996

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

Dear Dotson: I was required to leave the floor of the Assembly this morning as it was my duty to serve on the Budget Conference Committee that was convening. It would have been my preference to have remained on the floor to cast votes on the bills that came before the house. One of the bills heard was SB671 (Lewis), File Item #42, on the subject of firearms dealers (e.g., providing for the electronic and telephonic transfer of purchaser information to the Department of Justice).

I write to make clear that it was my intention to vote "AYE" on SB671. I would have done so upon the conclusion of the session while the roll was open. Unfortunately, I was prevented from recording my vote because it was moved that no members could add on to the roll or change their vote.

Sincerely yours,

CHARLES S. POOCHIGIAN, Assembly Member Twenty-ninth District

RE-REFERENCE OF BILLS FROM FILE TO COMMITTEE

Assembly Member Napolitano was granted unanimous consent that Senate Bill No. 2112 be referred from the third reading file to the Committee on Local Government.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Assembly Member Martinez withdrew her objection and Assembly Member Morrissey was granted unanimous consent that Senate Bill No. 2023 be withdrawn from the Committee on Consumer Protection, Governmental Efficiency and Economic Development and re-referred to the Committee on Utilities and Commerce, and that it is his intention that upon being reported from the Committee on Utilities and Commerce the bill be re-referred to the Committee on Revenue and Taxation.

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 the next legislative day.

MOTION TO RECONSIDER SENATE BILL NO. 671 ON NEXT LEGISLATIVE DAY

Assembly Member Caldera moved to reconsider on the next legislative day the vote whereby Senate Bill No. 671 was this day passed.

Senate Bill No. 671 ordered to the unfinished business file.

REQUEST FOR UNANIMOUS CONSENT

Unanimous consent was granted to permit Budget conferees, Assembly Members Miller, Ducheny, and Poochigian to add their votes to roll call votes taken on this day, while they were attending Budget conference committee, and that their votes not be recorded separately in this day's Journal.

VOTE ADDS

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

House Resolution No. 53, Coauthors: Alpert, Bowen, Brulte, Figueroa, and Martinez—Ave.

Assembly Bill No. 1786, Urgency and Concurrence: Alpert and Martinez—Aye.

Resolution to Suspend the Rules: Martinez—Ave.

Consent Calendar: Aguiar—Aye.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:35 a.m., Speaker pro Tempore Aguiar declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 94—Alby and Baca. Relative to Red Ribbon Week.

AUTHOR'S AMENDMENTS Committee on Appropriations

June 13, 1996

Mr. Speaker: The Chair of your Committee on Appropriations reports: Assembly Bill No. 2661

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

POOCHIGIAN, Chairman

ASSEMBLY BILL NO. 2661—An act to amend Sections 6377, 17053.49, and 23649 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

AUTHOR'S AMENDMENTS

Committee on Consumer Protection, Governmental Efficiency and Economic Development

June 13, 1996

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

Senate Bill No. 1486 Senate Bill No. 2045

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

MORRISSEY, Chairman

SENATE BILL NO. 1486—An act to amend Sections 7180 and 7187 of the Business and Professions Code, relating to health and safety.

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

SENATE BILL NO. 2045—An act to amend Section 1770 of the Civil Code, relating to consumer 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.

AUTHOR'S AMENDMENTS Committee on Appropriations

June 13, 1996

Mr. Speaker: The Chair of your Committee on Appropriations reports: Senate Bill No. 511

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

POOCHIGIAN, Chairman

SENATE BILL NO. 511—An act to amend Sections 1628.5, 1629, 1680, 1686, and 1700 of, and to add Section 1628.7 to, the Business and Professions Code, and to add Section 1367.05 to the Health and Safety Code, relating to dentistry.

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

AUTHOR'S AMENDMENTS Committee on Natural Resources

June 13, 1996

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

Senate Bill No. 1567 Senate Bill No. 1899

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

OLBERG, Chairman

SENATE BILL NO. 1567—An act to amend Sections 33501, 33503, and 33507, and to repeal Section 33504 of, the Public Resources Code, relating to the Coachella Valley Mountains Conservancy.

SENATE BILL NO. 1899—An act to add Section 21080.32 to the Public Resources Code, relating to environmental quality.

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 13, 1996

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

Senate Bill No. 1540 Senate Bill No. 1583 Senate Bill No. 2027

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

MORROW, Chairman

SENATE BILL NO. 1540—An act to add Chapter 3 (commencing with Section 260) to Title 3 of Part 1 of the Code of Civil Procedure, relating to juries.

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

SENATE BILL NO. 1583—An act to amend Section 47 of the Civil Code, relating to defamation.

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

SENATE BILL NO. 2027—An act to amend Section 7827 of the Family Code, relating to parent and child.

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

June 13, 1996

Mr. Speaker: The Chair of your Committee on Transportation reports: Senate Bill No. 1505

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

BOWLER, Chairman

SENATE BILL NO. 1505—An act to amend Section 14523 of the Government 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 Rules

June 13, 1996

Mr. Speaker: The Chair of your Committee on Rules reports: Senate Bill No. 1869

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

PRINGLE, Chairman

SENATE BILL NO. 1869—An act to amend Section 9149.2 of, and to repeal Section 9149.3 of, the Government Code, relating to the historic State Capitol, and making an appropriation therefor.

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

AUTHOR'S AMENDMENTS Committee on Insurance

June 13, 1996

Mr. Speaker: The Chair of your Committee on Insurance reports: Senate Bill No. 1906

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

KNOWLES, Chairman

SENATE BILL NO. 1906—An act to amend Section 1765.1 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.

AUTHOR'S AMENDMENTS Committee on Public Safety

June 13, 1996

Mr. Speaker: The Chair of your Committee on Public Safety reports: Senate Bill No. 1560

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

BOLAND, Chairwoman

SENATE BILL NO. 1560—An act to add and repeal Chapter 3.6 (commencing with Section 13827) of Title 6 of Part 4 of the Penal Code, relating to the California Task Force on Gang Intervention.

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

AUTHOR'S AMENDMENTS Committee on Health

June 13, 1996

Mr. Speaker: The Chair of your Committee on Health reports: Senate Bill No. 1581

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

GRANLUND, Chairman

SENATE BILL NO. 1581—An act to add Section 1363.05 to the Health and Safety Code, and to amend Section 10194.7 of the Insurance Code, relating to health insurance.

AUTHOR'S AMENDMENTS

Committee on Environmental Safety and Toxic Materials

Tune 13, 1996

 $\operatorname{Mr.}$ Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Senate Bill No. 324 Senate Bill No. 1417

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

RICHTER, Chairman

SENATE BILL NO. 324—An act to add Chapter 3 (commencing with Section 850) to Title 3 of Part 2 of Division 2 of the Civil Code, relating to hazardous materials.

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

SENATE BILL NO. 1417—An act to add and repeal Article 8.5 (commencing with Section 25299.80.1) of, and to repeal Article 10 (commencing with Section 25299.82) of, Chapter 6.75 of Division 20 of the Health and Safety Code, relating to hazardous substances, and declaring the urgency thereof, to take effect immediately.

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

AUTHOR'S AMENDMENTS

Committee on Elections, Reapportionment and Constitutional Amendments

June 13, 1996

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

Senate Bill No. 183

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

McPHERSON, Chairman

SENATE BILL NO. 183—An act to add Section 20010 to the Elections Code, relating to judicial endorsements.

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 AMENDMENTSCommittee on Public Safety

June 13, 1996

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

Senate Bill No. 1377 Senate Bill No. 1379

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

BOLAND, Chairwoman

SENATE BILL NO. 1377—An act to amend Sections 603, 604, and 707.01 of the Welfare and Institutions Code, relating to juvenile offenders.

SENATE BILL NO. 1379—An act to amend Sections 817, 1523, 1524, 1525, 1528, and 1529 of the Penal Code, and to amend Section 40300.5 of the Vehicle Code, relating to arrest.

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

AUTHOR'S AMENDMENTS Committee on Banking and Finance

June 13, 1996

Mr. Speaker: The Chair of your Committee on Banking and Finance reports: Senate Bill No. 340

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

GOLDSMITH, Chairman

SENATE BILL NO. 340—An act to amend Sections 16430, 53601, and 53635 of, and to add Sections 16430.1, 53600.6, 53602.1, and 53635.3 to, the Government Code, relating to government finances.

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 Governmental Organization

June 13, 1996

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Senate Bill No. 1382

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

HOGE, Chairman

SENATE BILL NO. 1382—An act to add Section 15819.95 to, and to repeal and add Section 15819.90 of, the Government Code, and to amend Section 1011 of the Military and Veterans Code, relating to veterans, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

AUTHOR'S AMENDMENTS Committee on Insurance

June 13, 1996

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

Senate Bill No. 1323 Senate Bill No. 1740

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

KNOWLES, Chairman

SENATE BILL NO. 1323—An act to repeal and add Sections 12750 and 12755 of the Insurance Code, relating to insurance.

SENATE BILL NO. 1740—An act to amend Section 56.17 of the Civil Code, to amend Section 1374.7 of the Health and Safety Code, and to amend Sections 10123.3, 10123.35, 10140, 10140.1, 11512.95, and 11512.965 of, and to add Sections 742.405 and 742.407 to, the Insurance Code, relating to health 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.

AUTHOR'S AMENDMENTS Committee on Water, Parks and Wildlife

June 13, 1996

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports: Senate Bill No. 649

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

CORTESE, Chairman

SENATE BILL NO. 649—An act to amend Sections 5650, 5650.1, and 12002 of the Fish and Game Code, relating to water pollution.

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

AUTHOR'S AMENDMENTS Committee on Higher Education

June 13, 1996

Mr. Speaker: The Chair of your Committee on Higher Education reports: Senate Bill No. 1569

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

FIRESTONE, Chairman

SENATE BILL NO. 1569—An act to amend Section 94897 of the Education Code, relating to postsecondary education.

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

AUTHOR'S AMENDMENTS Committee on Budget

June 13, 1996

Mr. Speaker: The Chair of your Committee on Budget reports: Assembly Bill No. 2181

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

MILLER, Chairman

ASSEMBLY BILL NO. 2181—An act to make an appropriation in augmentation of Items 9840-001-001, 9840-001-494, and 9840-001-988 of Section 2.00 of the Budget Act of 1995, relating to contingencies or emergencies, to take effect immediately as an appropriation for the usual current expenses of the state.

REPORTS OF STANDING COMMITTEES Committee on Health

June 12, 1996

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

Assembly Bill No. 2390

GRANLUND, Chairman

Above bill ordered filed with the Chief Clerk.

Committee on Revenue and Taxation

Date of Hearing: June 10, 1996

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

Assembly Bill No. 2405

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

TAKASUGI, Chairman

Above bill ordered to second reading.

Committee on Education

Date of Hearing: June 12, 1996

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 1985

With the recommendation: Do pass, and be re-referred to the Committee on Public Safety with recommendation: To Consent Calendar.

BALDWIN, Chairman

Above bill re-referred to the Committee on Public Safety.

Date of Hearing: June 12, 1996

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 2041

With the recommendation: Do pass, and be re-referred to the Committee on Public Employees, Retirement and Social Security with recommendation: To Consent Calendar.

BALDWIN, Chairman

Above bill re-referred to the Committee on Public Employees, Retirement and Social Security.

Date of Hearing: June 12, 1996

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 76

Senate Bill No. 1883

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

BALDWIN, Chairman

Above bills re-referred to the Committee on Appropriations.

Committee on Local Government

Date of Hearing: June 5, 1996

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1574

Senate Bill No. 2111

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

RAINEY, Chairman

Above bills ordered to second reading.

Date of Hearing: June 5, 1996

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 109

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

RAINEY, Chairman

Above bill ordered to second reading.

Committee on Health

Date of Hearing: June 11, 1996

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 1848

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

GRANLUND, Chairman

Above bill ordered to second reading.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Public Safety on Friday, June 28, 1996 at 9 a.m. at Burbank City Hall Council Chambers.

MESSAGES FROM THE SENATE

Senate Chamber, June 13, 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. 415

Senate Bill No. 798

JOHN W. ROVANE, Acting Secretary of the Senate

Senate Chamber, June 13, 1996

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

Assembly Bill No. 2074	Assembly Bill No. 2845
Assembly Bill No. 2118	Assembly Bill No. 3015
Assembly Bill No. 2146	Assembly Bill No. 3361
Assembly Bill No. 2478	

JOHN W. ROVANE, Acting Secretary of the Senate

Above bills ordered enrolled.

Senate Chamber, June 13, 1996

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

Assembly Joint Resolution No. 48

JOHN W. ROVANE, Acting Secretary of the Senate

Above resolution ordered enrolled.

Senate Chamber, June 13, 1996

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

Assembly Concurrent Resolution No. 59

And respectfully requests the Assembly to concur in said amendments.

JOHN W. ROVANE, Acting Secretary of the Senate

Above resolution ordered to unfinished business file.

Senate Chamber, June 13, 1996

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

Assembly Bill No. 2797

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.

Senate Chamber, June 13, 1996

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

Senate Bill No. 1695

JOHN W. ROVANE, Acting Secretary of the Senate

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 1695—An act to amend Section 1597.40 of the Health and Safety Code, relating to child day care facilities.

INTRODUCTION OF GUESTS

Assembly Member Caldera, of the 46th Assembly District, introduced Charles, Sandra, and Anne Siegal.

Assembly Member Alby, of the 5th Assembly District, introduced Brittney Plotkin.

Assembly Member Knowles, of the 4th Assembly District, introduced his daughter, Robbie Knowles.

Assembly Member Baca, of the 62nd Assembly District, introduced students from Butterfield Elementary School, of Moreno Valley; and Officer Frank Mankin, of the San Bernardino City Police Department.

Assembly Member Hawkins, of the 56th Assembly District, introduced his son, Phillip Hawkins, Jr.

Assembly Member Takasugi, of the 37th Assembly District, introduced S. Yatsunami, President of Toshiba America Information Systems, Inc., of Irvine and M. Kochi, President of Ebara America Corp., in Foster City. Assembly Member Takasugi's guests were accompanied by T. Takakura, I. Arihara, S. Kita, Henry Y. Ota, and K. Sugiura.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 11 a.m., Monday, June 17, 1996, out of respect to the memory of Guadalupe Saenz, on motion of Assembly Member Bustamante; and out of respect to the memory of Preble Stolz and Ignacio "Nacho" Covarrubias, on motion of Assembly Member Bates.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JUNE 13, 1996

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

AB	RN	SB	RN
2142	9620935	1382	9621040
2181	9621133	1417	9620897
2661	9621058	1486	9620616
3504	9620734	1505	9620540
		1540	9621036
ACA	RN	1560	9620911
25	9620632	1567	9620720
49 set 1	9620340	1569	9621001
set 2	9621085	1581	9620846
5012	0021000	1583	9621038
SB	RN	1738	9620971
		1740	9620546
183	9621145	1869	9620598
324	9621073	1879	9620604
340	9620947	1898	9620927
511	9620808	1899	9620348
649	9620765	1906	9620809
864	9620837	2011	9620969
1323	9620433	2027	9621071
1377	9620339	2045	9620739
1379	9620443	2086	9620963

Amendments were considered by the Assembly, but not adopted, to the following measure:

SB

- 671 (Caldera amendments—Set 1, RN 9620435, laid upon the table)
 - (Caldera amendments—Set 2, RN 9620429, laid upon the table)
 - (Caldera amendments—Set 3, RN 9620519, laid upon the table)