

CALIFORNIA LEGISLATURE  
1995-96 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, June 17, 1996**

**TWO HUNDRED THIRTY-SECOND SESSION DAY  
FIVE HUNDRED SIXTY-FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, June 17, 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

Assembly Member Conroy moved a quorum call of the Assembly. Motion carried. Time, 11:05 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 11:17 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—77:

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

**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:

*Gracious God, You awaken us to delight in Your praises; for You made us for Yourself, and our heart is restless, until it reposes in You. Teach us to do Your will, Lord, and fill our hearts with peace and Your grace.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Aguiar, Assembly Member Cannella 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 Kuehl, seconded by Assembly Member Rogan.

**LEAVES OF ABSENCE FOR THE DAY**

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

*On legislative business: Assembly Member Vasconcellos.*

**EXPLANATIONS OF ABSENCE**

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

June 12, 1996

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

Curt - Please excuse me from Assembly Session on Monday, June 17th, on legislative business. Trade and Commerce Secretary Julie Wright and I will hold a press conference in Mountain View, to announce the release of the California Economic Strategy Panel report *Collaborating to Compete in the New Economy*.

I wish you well.

JOHN VASCONCELLOS, Assembly Member  
Twenty-second District

**COMMUNICATIONS**

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

June 17, 1996

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol*  
*Sacramento, California*

Dear Mr. Wilson: Please be advised that I have appointed Assemblyman Scott Baugh to fill a vacancy on the Transportation Committee. This appointment is for the purpose of today's hearing only.

Sincerely,

CURT PRINGLE  
Speaker of the Assembly

June 17, 1996

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

Dear Mr. Wilson: Please be advised that I have appointed Assemblywoman Sheila Kuehl to the Appropriations Committee for the purpose of the June 19, 1996 hearing only. Assemblywoman Kuehl replaces Assemblyman Burton for this hearing.

Sincerely,

CURT PRINGLE  
Speaker of the Assembly

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The following communication was presented by the Chief Clerk from:

Bill Jones, Secretary of State, Office of the Secretary of State, dated June 6, 1996, transmitting a copy of the qualified initiative entitled "Medical Use of Marijuana. Initiative Statute." Referred pursuant to Elections Code, Section 9034, to the Committees on Health and Elections, Reapportionment and Constitutional Amendments.

The following communication was presented by the Chief Clerk from:

Kathleen F. DaRosa, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**Illegally Present Aliens. Real Property Rights and Employment.**  
**Initiative Statute. (Revised)**

Referred by the Speaker to the Committee on Judiciary.

**REPORTS**

The following reports were presented by the Chief Clerk:

**1995 California Workers' Compensation Losses and Expenses, June 1996  
(Pursuant to Insurance Code Section 11759.1)**

Above transmitted report, together with letter of transmittal from David M. Bellusci, Senior Vice President and Chief Actuary, Workers' Compensation Insurance Rating Bureau, San Francisco, dated June 5, 1996, referred by the Speaker to the Committee on Insurance.

**Report to the California Legislature for 1996 Claims Bill,  
January 1, 1996-June 30, 1996  
(Pursuant to Government Code Section 17600)**

Above transmitted report, together with letter of transmittal from Kirk G. Stewart, Executive Director, Commission on State Mandates, Sacramento, dated June 14, 1996, referred by the Speaker to the Committee on Budget.

**PETITIONS**

The following petitions were presented by the Chief Clerk from:

Members of the Howard Jarvis Taxpayers Association, Los Angeles, California, 50,000 petitions received June 14, 1996, relative to recommendations of the California Constitutional Revision Commission and Proposition 13.

Referred by the Speaker to the Committee on Revenue and Taxation.

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
93 -----	Ed.

*Senate*

<i>Bill No.</i>	<i>Committee</i>
1398 -----	L. Gov. and U. & C.
1524 -----	L. & E.
1562 -----	Ed.
1695 -----	Hum. S.
1710 -----	Trans.
1804 -----	Rev. & Tax.
1842 -----	Rev. & Tax. and L. Gov.
1873 -----	Ed.
1937 -----	L. & E.
2046 -----	Ins.
2091 -----	Jud.
2145 -----	L. & E.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, June 17, 1996

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

Assembly Bill No. 2142

Assembly Bill No. 3504

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 17, 1996

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

Assembly Bill No. 2181

Assembly Bill No. 2661

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, June 17, 1996

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

Assembly Constitutional Amendment No. 25

Assembly Constitutional Amendment No. 49

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, June 17, 1996

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

Assembly Bill No. 1786

Assembly Bill No. 2074

Assembly Bill No. 2118

Assembly Bill No. 2146

Assembly Bill No. 2478

Assembly Bill No. 2845

Assembly Bill No. 3015

Assembly Bill No. 3361

And reports the same correctly enrolled, and presented to the Governor at 11 a.m., June 17, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, June 17, 1996

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

Assembly Joint Resolution No. 48

And reports the same correctly enrolled, and presented to the Secretary of State on the 17th day of June, 1996, at 11:45 a.m.

E. DOTSON WILSON, Chief Clerk

**AUTHOR'S AMENDMENTS****Committee on Health**

June 17, 1996

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

Senate Bill No. 1634

Senate Bill No. 1922

Senate Bill No. 2098

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

GRANLUND, Chairman

**SENATE BILL NO. 1634**—An act to add Chapter 2.5 (commencing with Section 104150) to Part 1 of Division 103 of the Health and Safety Code, relating to prostate cancer.

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. 1922**—An act to amend Sections 129100 and 129173 of, and to add Section 129174 to, the Health and Safety Code, relating to health care facilities.

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

**SENATE BILL NO. 2098**—An act to amend Sections 803.2, 2066, 2096, and 2234 of, and to add Sections 2052.5 and 2097 to, the Business and Professions Code, relating to medicine.

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

#### **AUTHOR'S AMENDMENTS**

##### **Committee on Judiciary**

June 17, 1996

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

Senate Bill No. 1582

Senate Bill No. 1961

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

MORROW, Chairman

**SENATE BILL NO. 1582**—An act to amend Section 50052.5 of the Government Code, relating to unclaimed 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.

**SENATE BILL NO. 1961**—An act to amend Sections 69893.7, 70046.2, 70141.1, 73353, 73644, 73646, 73649, 73683, 73684, 73691, 73692, 73699.1, 73734, 73736, 73954, 74344, 74345, 74348, 74352, 74368, 74370, 74640, 74640.1, 74640.2, 74642, 74643, 74644, 74644.5, 74663, 74665, 74745, 74921.7, 74921.10, 74954, 74954.5, 74955, and 74956 of, and to add Sections 69912 and 74644.3 to, the Government Code, relating to courts.

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 17, 1996

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

Senate Bill No. 899

Senate Bill No. 1587

Senate Bill No. 1588

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

BOWLER, Chairman

**SENATE BILL NO. 899**—An act to add Section 1656.7 to the Vehicle Code, relating to vehicles.

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

**SENATE BILL NO. 1587**—An act to amend Sections 4456.1, 11405, and 12800.5 of the Vehicle Code, relating to vehicles.

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

**SENATE BILL NO. 1588**—An act to amend Sections 1808.21, 1808.22, 1808.23, and 12804.13 of the Vehicle Code, relating to vehicles.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Agriculture**

June 17, 1996

Mr. Speaker: The Chair of your Committee on Agriculture reports:  
Senate Bill No. 1652

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

HARVEY, Chairman

**SENATE BILL NO. 1652**—An act to add Section 12978.5 to the Food and Agricultural Code, relating to economic poisons.

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 17, 1996

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

Senate Bill No. 1706

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

RICHTER, Chairman

**SENATE BILL NO. 1706**—An act to amend Sections 25143, 25143.5, 25200.11, and 25205 of the Health and Safety Code, and to amend Section 71000 of, and to add Section 71068 to, the Public Resources Code, relating to the environment.

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

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

June 17, 1996

Mr. Speaker: The Chair of your Committee on Local Government reports:  
Senate Bill No. 1434

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

RAINEY, Chairman

**SENATE BILL NO. 1434**—An act to add Section 57103.5 to the Government Code, relating to local government organization.

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 17, 1996

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

Senate Bill No. 1429

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

MORROW, Chairman

**SENATE BILL NO. 1429**—An act to amend Section 1033.5 of, and to add Article 4 (commencing with Section 433) to Chapter 3 of Title 6 of Part 2 of, the Code of Civil Procedure, and to amend Section 68616 of the Government Code, relating to mediation.

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 17, 1996

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

Senate Bill No. 1420

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

BOWLER, Chairman

**SENATE BILL NO. 1420**—An act to add Division 19.5 (commencing with Section 185000) to the Public Utilities 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 Elections, Reapportionment and Constitutional Amendments**

June 17, 1996

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

Senate Bill No. 913

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

MCPHERSON, Chairman

**SENATE BILL NO. 913**—An act to amend Sections 82028 and 82030 of the Government Code, relating to the Political Reform Act of 1974.

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

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

June 17, 1996

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

Senate Bill No. 754

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

MCPHERSON, Chairman

**SENATE BILL NO. 754**—An act to add Section 84208 to the Government Code, relating to the Political Reform Act of 1974.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Water, Parks and Wildlife**

June 17, 1996

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:  
Senate Bill No. 1205

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

CORTESE, Chairman

**SENATE BILL NO. 1205**—An act to amend Sections 4105 and 4108 of the Food and Agricultural Code, and to amend Section 830.7 of the Penal Code, relating to fairs and expositions.

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 17, 1996

Mr. Speaker: The Chair of your Committee on Health reports:  
Senate Bill No. 1553

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

GRANLUND, Chairman

**SENATE BILL NO. 1553**—An act to amend Section 4008.5 of the Business and Professions Code, relating to pharmacy.

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 17, 1996

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:  
Senate Bill No. 196

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

GOLDSMITH, Chairman

**SENATE BILL NO. 196**—An act to amend Sections 860 and 7000 of the Financial Code, and to amend Sections 53635, 53637, 53648, and 53679 of the Government Code, relating to local 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.

**REPORTS OF STANDING COMMITTEES****Committee on Banking and Finance**

Date of Hearing: June 10, 1996

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

Senate Bill No. 1440

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

GOLDSMITH, Chairman

Above bill ordered to second reading.

Date of Hearing: June 10, 1996

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

Senate Bill No. 1816

With the recommendation: Do pass, as amended.

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

GOLDSMITH, Chairman

Above bill ordered to second reading.

**Committee on Appropriations**

Date of Hearing: June 12, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 237

Senate Bill No. 659

Senate Bill No. 354

Senate Bill No. 846

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

POOCHIGIAN, Chairman

Above bills ordered to second reading.

**Committee on Education**

Date of Hearing: June 12, 1996

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 1544

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

BALDWIN, Chairman

Above bill ordered to second reading.

**REQUEST FOR UNANIMOUS CONSENT**

Speaker Pringle was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Faye Butler, of Norfolk, Virginia.

**BILLS STRICKEN FROM FILE**

Assembly Member Burton was granted unanimous consent that Assembly Bill No. 1436 be stricken from file.

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Burton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jimmy Kwong, brother of Linda Yip of his staff.

**WITHDRAWAL AND RE-REFERENCE OF BILLS**

Assembly Member Goldsmith was granted unanimous consent that Senate Bill No. 340 be withdrawn from the Committee on Banking and Finance and re-referred to the Committee on Local Government.

**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 Max Mandel, of Berkeley and William Brockett, Jr., of Berkeley.

**ASSEMBLY CONCURRENT RESOLUTION NO. 92 TAKEN UP  
BY UNANIMOUS CONSENT**

Assembly Member Hauser was granted unanimous consent to take up Assembly Concurrent Resolution No. 92, without reference to committee or file, and that the same be considered engrossed.

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

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

**BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE**

Assembly Member Poochigian was granted unanimous consent that Assembly Constitutional Amendment No. 25, be withdrawn from the Committee on Appropriations and placed on the second reading file.

**WITHDRAWAL AND RE-REFERENCE OF BILLS**

Assembly Member Cortese was granted unanimous consent that Senate Bill No. 1205 be withdrawn from the Committee on Water, Parks and Wildlife and re-referred to the Committee on Public Safety.

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Bordonaro was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of legendary jazz musician Ella Fitzgerald.

Assembly Members House and Woods were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John L. Gebauer, of Palo Cedro.

Assembly Member Cortese was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of retired Superior Court Judge Peter Anello, of Carmel.

**CONSIDERATION OF DAILY FILE**

**ASSEMBLY BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

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

Assembly Bills Nos. 3504 and 2142, ordered to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 2405**—An act to add Section 17210 to 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 BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

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

**Senate Bill No. 1738**, ordered to the Consent Calendar.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 1574**—An act to add Section 2244.5 to the Health and Safety Code, relating to vector control.

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

**SENATE BILL NO. 2111**—An act to amend Section 10061 of the Public Utilities Code, relating to local government.

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

**SENATE BILL NO. 109**—An act to amend Section 4420 of the Government Code, relating to public works.

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

**SENATE BILL NO. 1848**—An act to amend Section 1418.8 of, and to repeal Section 1418.85 of, the Health and Safety Code, relating to long-term health care.

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.

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 2757 (Hauser)**—An act to add Section 7651 to the Fish and Game Code, relating to fish, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—72**

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

**NOES—None**

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

**AYES—72**

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

**NOES—None**

Bill ordered transmitted to the Senate.

At 11:29 a.m., Hon. James E. Rogan, 43rd District, presiding

**UNFINISHED BUSINESS  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY CONCURRENT RESOLUTION NO. 59 (Thompson)**—Relative to Lake Domenigoni.

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

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

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

**AYES—69**

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

**NOES—None**

Above resolution ordered enrolled.

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**ASSEMBLY BILL NO. 3352 (Weggeland)**—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 third time.

**Motion to Amend**

Assembly Member Weggeland moved the adoption of amendments.

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

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

ASSEMBLY BILL NO. 2797 (Aguiar)—An act relating to taxation.

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—5**

Aguiar	Caldera	Tucker
Bustamante	Machado	

**NOES—65**

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

**MOTION TO SUSPEND JOINT RULE 29.5(b)**

Assembly Member Miller moved that Joint Rule 29.5(b) be suspended, to permit the Conference Committee on Senate Bill No. 1393 to meet.

Motion carried by the following vote:

**AYES—69**

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

**NOES—2**

Bates	Martinez
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## MESSAGES FROM THE SENATE

June 17, 1996

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

Dear Dotson: The Senate this day suspended Joint Rule 29.5(b) on Senate Bill 1393.

Sincerely,

JOHN W. ROVANE  
 Acting Secretary of the Senate

At 11:32 a.m., Speaker pro Tempore Fred Aguiar, 61st District, presiding

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

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 43 (Conroy)**—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 third time, and adopted by the following vote:

**AYES—61**

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

**NOES—10**

Bates	Caldera	Martinez	Villaraigosa
Brulte	Kuykendall	Migden	
Burton	Lee	Sweeney	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Constitutional Amendment No. 43: Assembly Member Martinez, from "Aye" to "No".

Resolution ordered transmitted to the Senate.

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 1139 (Mountjoy)**—An act relating to public utilities, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—65**

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

**NOES—6**

Bates	Bustamante	Conroy
Burton	Caldera	Katz

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—65**

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

**NOES—6**

Bates	Bustamante	Conroy
Burton	Caldera	Katz

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1141 (Costa)**—An act relating to public utilities, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Brulte.  
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, 11:40 a.m.

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

**CAUCUS ANNOUNCEMENTS**

At 11:41 a.m., by unanimous consent, the Republican Caucus was permitted to meet in the Assembly Lounge, and the Democratic Caucus was permitted to meet in the Tom Bane Rules Committee Room.

**RECESS**

By unanimous consent, at 11:42 a.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

**REASSEMBLED**

At 12:20 p.m., the Assembly reconvened.

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

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

**SENATE BILL NO. 1491 (Mountjoy)**—An act to amend Section 5302 of the Vehicle Code, relating to vehicles.

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

Bill passed by the following vote:

**AYES—75**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**ASSEMBLY BILL NO. 3502 (Weggeland)**—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 third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—74**

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

**NOES—None**

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

**AYES—74**

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

**NOES—None**

Bill ordered transmitted to the Senate.

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

**ASSEMBLY BILL NO. 2167 (Richter)**—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced.

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—29**

Archie-Hudson	Escutia	Knox	Murray, Willard
Baca	Figueroa	Kuehl	Napolitano
Bates	Friedman	Lee	Richter
Brown	Callegos	Machado	Sweeney
Burton	Hannigan	Martinez	Villaraigosa
Bustamante	Hauser	Mazzoni	
Caldera	Isenberg	Migden	
Campbell	Katz	Murray, Kevin	

**NOES—41**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2167: Assembly Member Cannella, from "Aye" to "No".

**ASSEMBLY BILL NO. 1286 (Takasugi)**—An act to add Section 401.12 to, and to add and repeal Sections 401.10 and 401.11 of, the Revenue and Taxation Code, relating to taxation, 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—72**

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

**NOES—None**

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

**AYES—72**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1668 (Takasugi)**—An act to amend Sections 213.6, 648, and 5151 of the Revenue and Taxation Code, relating to taxation.

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 concurred in Senate amendments by the following vote:

**AYES—71**

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

**NOES—None**

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1624** (Craven)—An act to amend Section 798.34 of the Civil Code, relating to mobilehomes.

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

Bill passed by the following vote:

**AYES—71**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE CONCURRENT RESOLUTION NO. 61  
WITHDRAWN FROM COMMITTEE**

Assembly Member Granlund was granted unanimous consent that Senate Concurrent Resolution No. 61 be withdrawn from the Committee on Health for the purpose of consideration at this time, without reference to file.

**SENATE CONCURRENT RESOLUTION NO. 61 (Thompson)**—Relative to Autism Treatment Awareness Week.

Resolution read, presented by Assembly Member Granlund, and adopted.

Resolution ordered transmitted to the Senate.

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Willard Murray was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of jazz musician Ella Fitzgerald, and that the following statement be printed in the Journal:

**Adjournment in Memory of Ella Fitzgerald**

Over the weekend, the world lost one of its greatest jazz singers, Ella Fitzgerald, who died peacefully in her Beverly Hills home on Saturday at age 78.

Her death closes the book on the most prolific era in jazz singing where she and three other great performers—Billie Holliday, Sara Vaughn, and Carmen McRea—dominated the jazz vocal world.

Ella was described as “The First Lady of Song”, “A singer’s singer” (Frank Sinatra), “Flawless”, and “The greatest singer on the planet” (Mel Torme).

Her range of two octaves and a sixth was envied by opera singers across the world; her control was coveted by countless musicians.

Ella recorded more than 200 albums in her lifetime.

Peerless in her fame, Ella had an award named after her—called “The Ella”—and received more honors than any jazz musician—male or female. Among them are 13 grammy awards, a Kennedy Center honor for lifetime achievement in performing arts, and a Grammy Hall of Fame award.

She was voted best female jazz singer in 18 consecutive *Downbeat* magazine polls as well as polls by *Metronome*.

Ella was so great when she sought formal vocal training early in her career, a music teacher turned her away afraid of spoiling her rare gift.

Leonard Feather, the late *Los Angeles Times* critic, said of her “If there was one artist whose work stood tall among all these giants, it was Ella Fitzgerald. Never had there been a more moving example of the spirit, beauty, beat, and total vocal control of which a jazz singer is capable. Ella can do anything to a melody except damage.”

I respectfully request adjournment in her honor.



**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
MOTION TO RECONSIDER SENATE BILL NO. 671**

Assembly Member Caldera moved that the vote be reconsidered whereby Senate Bill No. 671 was passed.

**Parliamentary Inquiry**

Assembly Member Rogan arose to the following parliamentary inquiry:

Is Assembly Member Caldera limiting his debate to the merits of the motion to reconsider Senate Bill No. 671?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that pursuant to Mason's Manual, Sec. 471 when the question to be reconsidered, is debatable, the entire question is opened to debate by the motion to reconsider.

**Point of Order**

Assembly Member Brulte arose to the following point or order:

That Assembly Member Caldera limit debate to the merits of the motion to reconsider.

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that pursuant to Mason's Manual, Sec. 471 when the question to be reconsidered, is debatable, the entire question is opened to debate by the motion to reconsider.

**Demand for Previous Question**

Assembly Members Brulte, Hoge, Knight, Kuykendall, and Thompson demanded the previous question. Demand sustained.

The question being on the Caldera motion to reconsider the vote whereby Senate Bill No. 671 passed.

Motion to reconsider lost by the following vote:

**AYES—33**

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

**NOES—29**

Ackerman	Brulte	Knight	Setencich
Alby	Conroy	Margett	Takasugi
Baca	Frusetta	Miller	Thompson
Baldwin	Granlund	Morrissey	Woods
Baugh	Harvey	Morrow	Mr. Speaker
Boland	Hawkins	Murray, Willard	
Bordonaro	Hoge	Poochigian	
Bowler	House	Rogan	

Senate Bill No. 671 ordered transmitted to the Senate.

**Objection to Vote Adds**

Assembly Member Caldera withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the motion to reconsider Senate Bill No. 671.

**WITHDRAWAL AND RE-REFERENCE OF BILLS**

Assembly Member Granlund was granted unanimous consent that Senate Bill No. 1892 be withdrawn from the Committee on Health and re-referred to the Committee on Human Services.

Assembly Member Napolitano was granted unanimous consent that Senate Bill No. 1542 be withdrawn from the Committee on Local Government and re-referred to the Committee on Transportation, and that it is her intention that the bill be re-referred to Local Government upon being reported from Transportation.

Assembly Member Olberg was granted unanimous consent that Senate Bill No. 1177 be withdrawn from the Committee on Water, Parks and Wildlife and re-referred to the Committee on Natural Resources.

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Assembly Resolution**

**ASSEMBLY CONCURRENT RESOLUTION NO. 76 (Frusetta)**—Relative to the billing procedures of health facilities.

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—Senate Bills**

**SENATE BILL NO. 195 (Costa)**—An act to amend Section 51.9 of the Civil Code, relating to sexual harassment.

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. 2006 (Haynes)**—An act to amend Section 40802 of the Vehicle Code, relating to vehicles.

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. 1942 (O'Connell)**—An act to amend Section 21626.5 of the Business and Professions Code, relating to secondhand goods, and declaring the urgency thereof, to take effect immediately.

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

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

**SENATE BILL NO. 1921 (O'Connell)**—An act to amend Section 1241.1 of the Insurance Code, relating to insurance.

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. 1394 (Monteith)**—An act to amend Section 3060 of the Government Code, relating to public officers.

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. 1426 (Johnson)**—An act to amend Sections 11057 and 11375 of the Health and Safety Code, relating to controlled substances, and declaring the urgency thereof, to take effect immediately.

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

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

**SENATE BILL NO. 1495 (Lewis)**—An act to amend Section 22314 of the Financial Code, relating to loans.

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. 1552 (Wright)**—An act to amend Section 18437 of the Financial Code, relating to industrial loan companies.

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. 1930 (Russell)**—An act to amend Section 18205.5 of the Financial Code, relating to industrial loan companies.

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.)*

#### Consent Calendar Roll Call

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

#### AYES—76

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

#### NOES—None

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 1141**

At 12:45 p.m., on motion of Assembly Member Martinez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 1141 adopted by the following vote:

**AYES—63**

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

**NOES—10**

Archie-Hudson	Bustamante	Friedman	Migden
Bates	Caldera	Katz	
Burton	Cannella	Martinez	

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

**AYES—63**

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

**NOES—10**

Archie-Hudson	Bustamante	Friedman	Migden
Bates	Caldera	Katz	
Burton	Cannella	Martinez	

Bill ordered transmitted to the Senate.

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

**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 20, 1996.

**COMMITTEE MEETING ANNOUNCEMENTS**

Speaker pro Tempore Aguiar announced that the Rules Subcommittee on Sexual Harassment would meet at 1:15 p.m., in the Tom Bane Rules Committee Room.

**MOTION TO ADJOURN**

At 12:45 p.m., Assembly Member Rogan moved that the Assembly do now adjourn.

Assembly Member Bustamante seconded the motion.

Motion carried.

**VOTE ADDS**

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

**Assembly Bill No. 2757 and Urgency:** Alpert, Cunneen, Figueroa, Machado, and Willard Murray—Aye.

**Assembly Concurrent Resolution No. 59, Concurrence:** Alpert, Bowen, Bustamante, Cunneen, Figueroa, Machado, and Willard Murray—Aye.

**Assembly Bill No. 2797, Concurrence:** Machado—Aye; Alpert, Brulte, Cunneen, and Willard Murray—No.

**Senate Bill No. 1393, Motion to Suspend Joint Rule 29.5(b):** Alpert, Bowen, Bustamante, Cunneen, Machado, and Willard Murray—Aye.

**Assembly Constitutional Amendment No. 43:** Willard Murray—Aye; Kuykendall—No.

**Senate Bill No. 1139 and Urgency:** Alpert and Willard Murray—Aye; Bustamante—No.

**Assembly Bill No. 2167, Concurrence:** Bustamante—Aye; Bowen—No.

**Assembly Bill No. 1668, Concurrence:** Bustamante—Aye.

**Senate Bill No. 1624:** Bowen—Aye.

**Senate Bill No. 1141 and Urgency:** Bustamante—No.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 12:46 p.m., Speaker pro Tempore Aguiar declared the quorum call of the Assembly dispensed with.

**SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committees were permitted to meet:

Public Employees, Retirement and Social Security on July 3, 1996, at 9:30 a.m. in Room 444; and

Agriculture on Tuesday, June 25, 1996, at 4 p.m.

**AUTHOR'S AMENDMENTS****Committee on Governmental Organization**

June 17, 1996

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:

Senate Bill No. 782

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

HOGE, Chairman

**SENATE BILL NO. 782**—An act to amend Section 19599 of the Business and Professions Code, relating to horseracing, 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 Governmental Organization**

June 17, 1996

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Senate Bill No. 1803

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

HOGE, Chairman

**SENATE BILL NO. 1803**—An act to amend Sections 11124.1, 11125, 11125.1, 11125.2, 11125.7, 11126.3, 11130, 11130.3, 11130.7, and 11131 of, and to add Sections 11121.95 and 11122.5 to, the Government Code, relating to open meetings.

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

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

June 17, 1996

Mr. Speaker: The Chair of your Committee on Human Services reports: Senate Bill No. 1975

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

BORDONARO, Chairman

**SENATE BILL NO. 1975**—An act to amend Section 16600 of, and to add Section 16605 to, the Welfare and Institutions Code, relating to family support services, and making an appropriation therefor.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Education**

June 17, 1996

Mr. Speaker: The Chair of your Committee on Education reports: Senate Bill No. 1570

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

BALDWIN, Chairman

**SENATE BILL NO. 1570**—An act relating to education, 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 Local Government**

June 17, 1996

Mr. Speaker: The Chair of your Committee on Local Government reports:  
Senate Bill No. 1691

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

RAINEY, Chairman

**SENATE BILL NO. 1691**—An act to add Sections 2240.1, 4730.4, 6480.1, 8950.01, 13803.1, and 32100.05 to the Health and Safety Code, to add Sections 5527.1 and 9301.1 to the Public Resources Code, to add Section 15973.1 to the Public Utilities Code, and to add Sections 21552.1, 30500.1, and 71250.1 to the Water Code, relating to local agency formation.

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 17, 1996

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

Senate Bill No. 1063

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

RICHTER, Chairman

**SENATE BILL NO. 1063**—An act to amend Section 25117 of the Health and Safety Code, relating to hazardous waste.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Utilities and Commerce**

June 17, 1996

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:  
Senate Bill No. 1641

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

CONROY, Chairman

**SENATE BILL NO. 1641**—An act to amend Sections 1126 and 1127 of the Harbors and Navigation Code, relating to pilots.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Housing and Community Development**

June 17, 1996

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

Senate Bill No. 1704

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

HAWKINS, Chairman

**SENATE BILL NO. 1704**—An act to add Section 1102.17 to the Civil Code, relating to manufactured homes.

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 17, 1996

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports: Senate Bill No. 1255

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

CORTESE, Chairman

**SENATE BILL NO. 1255**—An act to amend Sections 5653 and 5653.9 of, and to add Sections 5653.1, 5653.15, and 12002.15 to, and to add and repeal Section 5653.2 to, the Fish and Game Code, relating to dredging, 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.

**REPORTS OF STANDING COMMITTEES**

**Committee on Governmental Organization**

Date of Hearing: June 17, 1996

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Concurrent Resolution No. 53

Senate Joint Resolution No. 37

Senate Joint Resolution No. 49

With the recommendation: Be adopted.

HOGUE, Chairman

Above resolutions ordered to third reading.

Date of Hearing: June 17, 1996

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 1382

Senate Bill No. 1901

Senate Bill No. 2175

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

HOGUE, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 17, 1996

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 1506

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

HOGUE, Chairman

Above bill re-referred to the Committee on Revenue and Taxation.



Date of Hearing: June 17, 1996

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Concurrent Resolution No. 65

Assembly Concurrent Resolution No. 77

Assembly Joint Resolution No. 51

Assembly Joint Resolution No. 63

Assembly Joint Resolution No. 68

With the recommendation: Be adopted.

HOGE, Chairman

Above resolutions ordered to third reading.

Date of Hearing: June 17, 1996

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 1796

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

HOGE, Chairman

Above bill ordered to second reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, June 17, 1996

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

Assembly Bill No. 1901

Assembly Bill No. 2191

Assembly Bill No. 1934

Assembly Bill No. 2686

Assembly Bill No. 2116

And respectfully requests the Assembly to concur in said amendments.

JOHN W. ROVANE, Acting Secretary of the Senate

Above bills ordered to unfinished business file.

Senate Chamber, June 17, 1996

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

Assembly Bill No. 2082

Assembly Bill No. 2278

JOHN W. ROVANE, Acting Secretary of the Senate

Above bills ordered enrolled.

Senate Chamber, June 17, 1996

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

Senate Bill No. 160.

JOHN W. ROVANE, Acting Secretary of the Senate

June 17, 1996

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

Dear Dotson: By direction of the Senate I am returning SB 1155 to the Assembly for further action.

Sincerely,

JOHN W. ROVANE  
 Acting Secretary of the Senate

Above bill held at the Desk.

**INTRODUCTION OF GUESTS**

Assembly Member Aguiar, of the 61st Assembly District, introduced his wife Patti Aguiar.

Assembly Member Aguiar, of the 61st Assembly District, introduced Paul and Beth Miller and their family Cameron, Jonathon, and Caitlan, and their guest Jamie Lynn Krowder, of Chino Hills.

**ADJOURNMENT**

At 12:47 p.m., pursuant to the motion by Assembly Member Rogan the Assembly adjourned until 7 a.m., Tuesday, June 18, 1996, out of respect to the memory of Faye Butler, on motion of Speaker Pringle; out of respect to the memory of Jimmy Kwong, on motion of Assembly Member Burton; out of respect to the memory of Max Mandel and William Brockett, Jr., on motion of Assembly Member Bates; out of respect to the memory of Ella Fitzgerald, on motion of Assembly Member Bordonaro; out of respect to the memory of John L. Gebauer, on motion of Assembly Members House and Woods; out of respect to the memory of Judge Peter Anello, on motion of Assembly Member Cortese; and out of respect to the memory of Ella Fitzgerald, on motion of Assembly Member Willard Murray.

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CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JUNE 17, 1996**

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

<b>AB</b>	<b>RN</b>	<b>SB</b>	<b>RN</b>
2405	9620958	1574	9620932
3352	9620617	1582	9618748
		1587	9621000
<b>SB</b>	<b>RN</b>	1588	9620526
109	9621022	1634	9620954
196	9620990	1641	9621120
754	9621263	1652	9621083
782	9621062	1691	9621232
899	9620993	1704	9620992
913	9621343	1706	9620980
1063	9620577	1803	9621372
1205	9620994	1848	9621076
1255	9621261	1922	9621034
1420	9621236	1961	9620483
1429	9621243	1975	9620843
1434	9621246	2098	9618936
1553	9621048	2111	9620915
1570	9620895		