

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, July 10, 1996**

**TWO HUNDRED FORTY-SEVENTH SESSION DAY**

**FIVE HUNDRED EIGHTY-FOURTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, July 10, 1996

The Assembly met at 9:05 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 Conroy moved a quorum call of the Assembly.  
Motion carried. Time, 9:06 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 9:19 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	Hoge	Morrow
Aguiar	Campbell	House	Murray, Kevin
Alby	Cannella	Isenberg	Murray, Willard
Alpert	Conroy	Kaloogian	Napolitano
Archie-Hudson	Cunneen	Katz	Olberg
Baca	Davis	Knight	Poochigian
Baldwin	Ducheny	Knowles	Rainey
Bates	Escutia	Knox	Richter
Battin	Figueroa	Kuehl	Rogan
Baugh	Firestone	Kuykendall	Setencich
Boland	Friedman	Lee	Sweeney
Bordonaro	Frusetta	Machado	Takasugi
Bowen	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

**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:

*Almighty God, We ask this morning, that You invigorate our efforts and direct our ways so that we may by due diligence and right discernment establish ourselves and strengthen others in faith. Take not Your Holy Spirit from us, neither let evil thoughts have dominion in our minds, but enlighten and support us for Your name's sake.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Aguiar, Assembly Member Brown then led the Assembly in the pledge of allegiance to the Flag.

**MOTION TO DISPENSE WITH READING OF THE JOURNAL**

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Burton, seconded by Assembly Member Thompson.

**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.*

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

**EXPLANATIONS OF ABSENCE**

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

July 9, 1996

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

Dear Mr. Speaker: Please excuse me from Session Wednesday, July 10, 1996, for legislative business in my district. I'll be meeting with the Board of the Golden State Mobilehome Owners League.

I would respectfully appreciate your consideration of this request.

Sincerely,

DOMINIC L. CORTESE, Assembly Member  
Twenty-third District

**COMMUNICATIONS**

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

July 10, 1996

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

Dear Mr. Wilson: Please be advised that Assembly Member Granlund is temporarily appointed to the Appropriations Committee for the purpose of today's hearing, replacing Assembly Member Bordonaro.

Sincerely,

**CURT PRINGLE**  
 Speaker of the Assembly

**REPORTS**

The following reports were presented by the Chief Clerk:

**EPT Strategic Plan, 1996-99**  
**(Pursuant to Unemployment Insurance Code Section 10205(a))**

Above transmitted report, together with letter of transmittal from Gerald G. Geismar, Executive Director, Employment Training Panel, Sacramento, dated July 1, 1996, referred by the Speaker to the Committee on Labor and Employment.

**Local Agency Military Base Recovery Area (LAMBRA),**  
**1995-96 Report to the Legislature**  
**(Pursuant to Government Code Section 7115)**

Above transmitted report, together with letter of transmittal from Julie Meier Wright, Secretary, California Trade and Commerce Agency, Sacramento, dated July 1, 1996, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**Report to the Legislature, Fiscal Year 1994-95,**  
**California Prison Industry Authority**  
**(Pursuant to Penal Code Section 2808(k))**

Above transmitted report, together with letter of transmittal from James H. Gomez, Chairman, Prison Industry Board, Sacramento, dated June 28, 1996, referred by the Speaker to the Committee on Public Safety.

**Annual Report of**  
**Railroad Accidents/Incidents Occurring in California, 1994**  
**(Pursuant to Public Utilities Code Sections 765.5(b) and 7711)**  
**Appendix A—Hazardous Materials Transported by Rail**  
**in California During 1994**  
**(Pursuant to Public Utilities Code Sections 7711(a) and (b))**

**Appendix B—Reportable Railroad Accidents in California**  
**from January 1991 through December 1995**  
**(Pursuant to Public Utilities Code Section 7711(c))**

**Appendix C—Accident Cause Code Description**  
**(Pursuant to Public Utilities Code Sections 7711(d) and (e) and 765.5(b))**

Above transmitted reports, together with letter of transmittal from William R. Schulte, Director, Safety and Enforcement Division, Public Utilities Commission, San Francisco, dated July 1, 1996, referred by the Speaker to the Committee on Transportation.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 9, 1996

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

Assembly Bill No. 3229

Assembly Bill No. 3499

And reports the same correctly enrolled, and presented to the Governor at 4:30 p.m., July 9, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, July 10, 1996

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

Assembly Bill No. 3022

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, July 10, 1996

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 on file.

**AUTHOR'S AMENDMENTS****Committee on Budget**

July 10, 1996

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

Senate Bill No. 91

Senate Bill No. 1753

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

MILLER, Chairman

**SENATE BILL NO. 91**—An act relating to local agency costs, 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.

**SENATE BILL NO. 1753**—An act to add Sections 13335.5 and 13337.1 to the Government Code, relating to the state budget.

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**

July 10, 1996

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

Senate Bill No. 715

Senate Bill No. 1500

Senate Bill No. 2143

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

POOCHIGIAN, Chairman

**SENATE BILL NO. 715**—An act to amend Section 1060.5 of the Code of Civil Procedure, and to amend Sections 17004, 17024.5, 17039, 17052.13, 17052.15, 17053.8, 17053.10, 17053.11, 17053.17, 17053.45, 17053.46, 17063, 17207, 17220, 18152.5, 18567, 18633, 19132, 19602, 19604, 19605, 23051.5, 23455, 23612, 23612.6, 23622, 23623, 23623.5, 23625, 23645, 23646, 23801, 24347.5, 24672, and 25128 of, to add Sections 17851.5, 19264, and 24327 to, to add Chapter 10.5 (commencing with Section 17935), Chapter 10.6 (commencing with Section 17941), and Chapter 10.7 (commencing with Section 17951 ( to Part 10 of Division 2 of, and to repeal Sections 17208.4, 21022, 23804, 24347.51 of, the Revenue and Taxation Code, relating to taxation.

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

**SENATE BILL NO. 1500**—An act to amend Section 14670.95 of the Government Code, to amend Section 6 of Chapter 1309 of the Statutes of 1990, Section 4 of Chapter 620 of the Statutes of 1989, and Section 1 of Chapter 761 of the Statutes of 1976, relating to state real property.

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

**SENATE BILL NO. 2143**—An act to add Section 799 to the Public Utilities Code, relating to public utilities.

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

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

##### **Committee on Revenue and Taxation**

July 10, 1996

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Senate Bill No. 494

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

TAKASUGI, Chairman

**SENATE BILL NO. 494**—An act to amend Section 107 of the Revenue and Taxation Code, relating to taxation.

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

#### **REQUEST FOR UNANIMOUS CONSENT**

Speaker pro Tempore Aguiar was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Patricia Ann Eastman, of Chino.

Assembly Member Hauser was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Theodore William Graham, of Arcata.

#### **BILLS REMOVED FROM CONSENT CALENDAR**

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

**Senate Bill No. 560**, on request of Assembly Member Sweeney.

**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. 1525 (Wright)**—An act to amend Section 1365 of the Civil Code, relating to common interest developments.

Bill read third time.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 9:31 a.m.

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

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

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

**Assembly Bill No. 3022**, ordered to third reading.

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

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

**Senate Bills Nos. 1520, 1640, 2169, 622, 1596, 2032, 2046, 692, 384, 1645, and 2079**, ordered to third reading;

(NOTE: Later this day Senate Bill No. 622 was re-referred to the Committee on Appropriations.)

**Senate Bills Nos. 2137 and 1488**, ordered to the Consent Calendar.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 1366**—An act to add Chapter 2.65 (commencing with Section 7286.25) to Part 1.7 of Division 2 of the Revenue and Taxation Code, relating to local taxation.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1429**—An act relating to mediation.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1798**—An act to add Section 1366.4 to the Health and Safety Code, relating to health care service plans.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1948**—An act to add Chapter 1.693 (commencing with Section 5096.400) to Division 5 of the Public Resources Code, relating to a program for park and recreational facilities and conservation.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1885**—An act to amend Sections 33222, 33223, 33251, 33252, 33257, 33291, 33292, 33321, 33453, 33551, 33581, 36091, 36092, 36123, 36301, 36302, 36303, 36331, 61411, 61828, 62191, 62196, and 62707 of, to amend the headings of Article 13 (commencing with Section 36121) of Chapter 2 of Part 2 of Division 15 of, to amend the heading of Chapter 3 (commencing with Section 36301) of Part 2 of Division 15 of, to amend and renumber Sections 61401, 61402, and 61403 of, to add Sections 32516.5, 33485.1, 61316, 62079, and 62750.1 to, to repeal Section 36306 of, to repeal Article 3 (commencing with Section 36351) of Chapter 3 of Part 2 of Division 15 of, and to repeal and add Sections 33452 and 62711 to, the Food and Agricultural Code, relating to milk production.

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

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

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

**SENATE BILL NO. 1482**—An act to amend Sections 9750, 9751, and 9752 of, and to add Section 9757.5 to, the Welfare and Institutions Code, relating to public social services.

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.

**SENATE BILL NO. 1875**—An act to amend Section 1368 of the Health and Safety Code, relating to health care services plans.

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.

**SENATE BILL NO. 1943**—An act to repeal and add Section 14087.46 of the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

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.

**SENATE BILL NO. 2029**—An act to amend Sections 4475, 4476, 4477, 5604, 17601, 17604, 17605.05, 17605.10, 17606.05, 17606.10, and 17608.10 of the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor.

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.

**SENATE BILL NO. 2043**—An act to amend Sections 1358.20 and 1373.621 of the Health and Safety Code, and to amend Sections 10116.5 and 10194.8 of the Insurance Code, relating to health care coverage.

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.

**SENATE BILL NO. 2139**—An act to amend Section 14089.05 of the Welfare and Institutions Code, relating to Medi-Cal.

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.



**SENATE BILL NO. 108**—An act to add Section 2194.5 to the Elections Code, and to amend Section 6254.4 of the Government Code, relating to voter registration.

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

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

**SENATE BILL NO. 1797**—An act to amend Sections 830.6 and 832.6 of the Penal Code, relating to peace officers, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 1516**—An act to amend Sections 300, 317, 361, 361.2, 366.21, 366.22, and 16500 of, and to add Section 300.2 to, the Welfare and Institutions Code, relating to dependent children.

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

**SENATE BILL NO. 1365**—An act to add and repeal Sections 4094.8 and 11402.6 of the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 1688**—An act to add Sections 1524.7 and 1569.159 to the Health and Safety Code, and to amend Section 2881 of the Public Utilities Code, relating to residential care facilities.

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

**SENATE BILL NO. 1709**—An act to amend Section 12302.1 of, and to add Section 12306.6 to, the Welfare and Institutions Code, relating to public social services.

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

**SENATE BILL NO. 1846**—An act to add Chapter 12.96 (commencing with Section 18986.60) to Part 6 of Division 9 of the Welfare and Institutions Code, relating to public social services.

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

**SENATE BILL NO. 1974**—An act to add Section 1530.91 to, the Health and Safety Code, to amend Section 16522.5 of, to add Sections 10609.4 and 11404.4 to, and to add Article 6.5 (commencing with Section 11470) to Chapter 2 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to foster care.

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

**SENATE BILL NO. 2067**—An act to add Section 8625 to the Family Code, and to add Section 1526.3 to the Health and Safety Code, relating to children.

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

**SENATE BILL NO. 234**—An act to amend, repeal, and add Section 21337 of the Government Code, relating to the Public Employees' Retirement System, and making an appropriation therefor.

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

**SENATE BILL NO. 468**—An act to amend Section 704.110 of the Code of Civil Procedure, to amend Sections 20230 and 21263 of the Government Code, and to add Section 11350.7 to the Welfare and Institutions Code, relating to family law.

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

**SENATE BILL NO. 1945**—An act to amend Sections 21670, 21672, 21674, 21675, 21677, and 21679 of and to add Section 20486 to, the Government Code, relating to public employees.

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

**SENATE BILL NO. 2151**—An act to add Section 21013 to the Government Code, relating to public employees.

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

**SENATE BILL NO. 385**—An act to amend Section 45132 of the Education Code, relating to school employees.

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

**SENATE BILL NO. 1951**—An act to add Section 103 to the Monterey Peninsula Water Management District Law (Chapter 527 of the Statutes of 1977), relating to water.

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. 1380**—An act to amend Sections 94110, 94120, 94121, and 94140 of, and to add Article 4.5 (commencing with Section 69570) to Chapter 2 of Part 42 of, the Education Code, relating to postsecondary education, and making an appropriation therefor.

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

**SENATE BILL NO. 1481**—An act to add Section 2356.5 to the Probate Code, relating to conservatorships.

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

#### **RE-REFERENCE OF BILLS PURSUANT TO THE RULES**

On advice of the Legislative Counsel, and pursuant to the provisions of the Rules, the following bill was ordered re-referred to the Committee on Appropriations:

**Senate Bill No. 622.**

#### **CAUCUS ANNOUNCEMENTS**

At 9:31 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 9:31 a.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

#### **REASSEMBLED**

At 11:37 a.m., the Assembly reconvened.

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

#### **MESSAGES FROM THE SENATE**

Senate Chamber, July 10, 1996

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

**Assembly Constitutional Amendment No. 49.**

JOHN W. ROVANE, Acting Secretary of the Senate

Senate Chamber, July 10, 1996

Mr. Speaker: I am directed to inform you honorable body that the Senate appointed Senators Killea, Solis and Maddy as a Committee on Conference concerning:

**Senate Constitutional Amendment No. 39.**

JOHN W. ROVANE, Acting Secretary of the Senate

#### **SPECIAL COMMITTEE MEETINGS**

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

Revenue and Taxation, on July 11, 1996, upon adjournment of Floor session.

**REQUEST TO SUSPEND JOINT RULES**

The following request was received, and read:

Assembly Chamber, July 10, 1996

Mr. Speaker: I request permission to suspend Joint Rule 61 as it relates to Senate Bills Nos. 494 and 565.

NAO TAKASUGI

Above request ordered transmitted to the Committee on Rules.

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

**ASSEMBLY BILL NO. 2011 (Hauser)**—An act to add and repeal Section 19601.2 of the Business and Professions Code, relating to horseracing, 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.)*

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Hauser 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.

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 2405 (Brulte)**—An act to add Section 17210 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time.

**Motion to Amend by Assembly Member Brown  
as Presented by Assembly Member Brulte**

Assembly Member Brulte moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**UNFINISHED BUSINESS (RESUMED)  
CONFERENCE COMMITTEE REPORTS**

**ASSEMBLY BILL NO. 2086** (As proposed by the Conference Committee)—An act to amend Sections 10089.7, 10089.14, 10089.15, 10089.16, 10089.28, 10089.29, 10089.30, 10089.35, 10089.36, 10089.40, and 10089.41 of, and to repeal Section 10089.18 of, the Insurance Code, relating to earthquake insurance, and declaring the urgency thereof, to take effect immediately.

**Request for Unanimous Consent**

Assembly Member Knowles was granted unanimous consent to use visual displays on the Floor of the Assembly, to assist in the presentation of Assembly Bill No. 2086.

**Communications**

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

July 10, 1996

*Mr. Dotson Wilson  
Chief Clerk  
State Assembly*

Dear Dotson: The attached members intended to be co-authors for AB 2086 but were unable to add their names before the conference report was put across the desk.

Sincerely,

DAVID KNOWLES, Assembly Member  
Fourth District

**Assembly Bill No. 2086—Intent to Coauthor**

Bill Hoge, Steven T. Kuykendall, Brooks Firestone, Jan Goldsmith, Jim Cunneen, Phil Hawkins, Keith Olberg, Bruce McPherson, Marilyn C. Brewer, Howard Kaloogian, Peter Frusetta, Gary G. Miller, Bob Margett, Nao Takasugi, James E. Rogan, and Jim Battin.

**Conference Committee Report—Assembly Bill No. 2086**

Conference Committee Report presented by Assembly Member Knowles.

**At 12:23 p.m., Speaker Curt Pringle, 68th District, presiding**

**Urgency Clause**

Urgency clause read.  
The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 12:35 p.m.

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

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 371 (Rosenthal)**—An act to amend Section 1357 of the Health and Safety Code, and to amend Section 10700 of the Insurance Code, relating to health insurance.

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

Bill passed by the following vote:

**AYES—72**

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

**NOES—None**

Bill ordered transmitted to the Senate immediately.

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Assembly Member Gallegos was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Bill No. 3141**

July 10, 1996

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

Dear Mr. Wilson: The purpose of this letter is to clarify the record of legislative intent with regard to AB 3141, relating to psychologists working in state-operated health facilities.

I authored AB 3141 in an attempt to encourage the inclusion of psychologists on the medical staffs of state-operated health facilities. AB 3141 would require the rules and regulations of a health facility owned or operated by the state to include provisions for medical staff membership and privileges for clinical psychologists within the scope of their licensure. Clinical privileges shall be granted on the basis of demonstrated competence and within the scope of respective licensure. Currently, the appointment of such medical staff membership is permissive and is set by the health facility.

There have been concerns raised that the psychologists' purpose in achieving medical staff status is simply to gain the standing necessary to sever from their current collective bargaining agent. In fact, this issue was already addressed by the Public Employment Relations Board (PERB) when, in 1992 and 1993 PERB rejected a petition and subsequent appeal by state-employed psychologists to sever from

their bargaining unit (Unit 19). PERB ruled that medical staff membership was not sufficient justification for a separate bargaining unit.

AB 3141 does not bestow any new right or privilege on psychologists employed in state facilities. Nonetheless, I wish to make clear that it is not my intent or the intent of the sponsors that the provisions of AB 3141 be used or interpreted to create a new community of interest or change the community of interest for any category of state employee, nor to support efforts for such a group to sever from its current bargaining unit. It is also not my intent or the intent of the sponsors of AB 3141 to undermine the findings and decisions of the PERB in PERB Decision 110-S of 1979 or PERB Decision 988-S of 1993.

In conclusion, I do not believe that AB 3141 changes any aspect of this community of interest and would oppose any measure with this intent. Thank you for the opportunity to clarify the intent of my AB 3141 of the 1995-96 Legislative Session.

Sincerely,

MARTIN GALLEGOS, Assemblymember  
Fifty-seventh District

#### **BILLS REMOVED FROM CONSENT CALENDAR**

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

**Senate Bill No. 39**, on request of Assembly Member Hauser.

#### **BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 36**, on request of Assembly Member Alpert.

#### **CONSIDERATION OF DAILY FILE (RESUMED)**

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

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 39 (Morrissey)**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article XIII, relating to taxation.

Resolution read third time.

#### **Motion to Amend**

Assembly Member Morrissey moved the adoption of amendments.

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

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

**ASSEMBLY BILL NO. 3103 (Bowler)**—An act to amend Sections 21665 and 25755 of the Business and Professions Code, to amend Section 90520 of the Education Code, to amend Section 6240 of the Family Code, to amend Section 3332 of the Food and Agricultural Code, to amend Sections 8549.11, 8574.21, 8597, 8598, 9110, 12304, 14600, 14613.5, 14613.7, 14615, 14617, 14685, 20045, 20390, 20401, 22013.2, 68097, 68097.1, 68097.5, 68097.6, 68097.7, 68097.9, and 68097.10 of, to add and repeal Section 11015.5 of, to repeal and add and repeal Section 14613 of, and to repeal Sections 14613.05, 14613.06, 14613.1, 14613.2, 14613.3, 14613.4, and 16404.5 of, the Government Code, to amend Sections 3212.3 and 4800.5 of the Labor Code, to amend Sections 76, 409.5, 409.6, 626.8, 626.85, 653g, 830.2, 830.4, 12028.5, 12280, 12361, 12368, 12369, 13510.5, 13518, and 13700 of the Penal Code, to amend Sections 6776, 6777, 19232, and 19233 of the Revenue and Taxation Code, to amend Sections 1785 and 1786 of the Unemployment Insurance Code, and to amend Sections 2268, 2400, 21113, 22659, 22855, 40200.3, 40200.4, and 40200.5 of, and to add Sections 2250.1 and 2428 to, the Vehicle Code, relating to law enforcement.

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—72**

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

**NOES—None**

Above bill ordered enrolled.

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

**SENATE BILL NO. 1187 (Maddy)**—An act to amend Section 6817 of the Public Resources Code, relating to tide and submerged lands.

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

The roll was opened.

**Call of the Assembly**

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

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

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



**SENATE BILL NO. 1416 (Thompson)**—An act to add Section 64.5 to the Harbors and Navigation Code, relating to aquatic weeds, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Rainey moved the adoption of amendments.

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

**ASSEMBLY JOINT RESOLUTION NO. 73 TAKEN UP  
BY UNANIMOUS CONSENT**

Assembly Member Caldera was granted unanimous consent to take up Assembly Joint Resolution No. 73, without reference to committee or file, and that the same be considered engrossed.

**ASSEMBLY JOINT RESOLUTION NO. 73**—Relative to amending the regulations implementing the Civil Liberties Act of 1988.

Resolution read.

**Members Made Coauthors of Assembly Joint Resolution No. 73**

Assembly Member Caldera was granted unanimous consent that all Assembly Members voting “Aye” be placed upon Assembly Joint Resolution No. 73 as coauthors.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Alpert, Archie-Hudson, Baca, Battin, Bowen, Brown, Bustamante, Cannella, Cunneen, Davis, Ducheny, Escutia, Figueroa, Friedman, Frusetta, Gallegos, Hannigan, Hauser, Isenberg, Katz, Knox, Kuehl, Kuykendall, Lee, Machado, Martinez, Mazzoni, Migden, Kevin Murray, Willard Murray, Napolitano, Setencich, Sweeney, Takasugi, Tucker, Vasconcellos, Villaraigosa, and Woods.

**Request for Unanimous Consent**

Assembly Member Caldera was granted unanimous consent to take up Assembly Joint Resolution No. 73, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Joint Resolution No. 73, as Amended**

**ASSEMBLY JOINT RESOLUTION NO. 73**—Relative to amending the regulations implementing the Civil Liberties Act of 1988.

Resolution read, as amended, and adopted by the following vote:

**AYES—63**

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

**NOES—None**

Resolution ordered transmitted to the Senate.

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

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—72**

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

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—72**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member McPherson announced that the Committee on Elections, Reapportionment and Constitutional Amendments would meet today, upon adjournment of Floor session, in Room 447.

Speaker Pringle announced that the Committee on Appropriations would meet today, 15 minutes after adjournment of Floor session, in Room 4202 and that the Committee on Judiciary would meet today, upon adjournment of Floor session, in Room 437.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 1836**, on request of Assembly Member Takasugi.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2011**

At 12:55 p.m., on motion of Assembly Member Hauser, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2011 by the following vote:

**AYES—66**

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

**NOES—3**

Baugh	House	Thompson
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Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
URGENCY CLAUSE AND CONFERENCE COMMITTEE REPORT ON  
ASSEMBLY BILL NO. 2086**

At 12:55 p.m., on motion of Assembly Member Knowles, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 2086 adopted by the following vote:

**AYES—56**

Ackerman	Brulte	Harvey	Morrissey
Aguiar	Bustamante	Hauser	Morrow
Alby	Cannella	Hawkins	Olberg
Alpert	Conroy	Hoge	Poochigian
Baca	Cunneen	House	Rainey
Baldwin	Davis	Kaloogian	Richter
Battin	Ducheny	Knight	Rogan
Baugh	Figueroa	Knowles	Setencich
Boland	Firestone	Kuykendall	Takasugi
Bordonaro	Frusetta	Machado	Thompson
Bowen	Gallegos	Margett	Tucker
Bowler	Goldsmith	Mazzoni	Weggeland
Brewer	Granlund	McPherson	Woods
Brown	Hannigan	Miller	Mr. Speaker

**NOES—17**

Archie-Hudson	Friedman	Lee	Sweeney
Bates	Isenberg	Martinez	Villaraigosa
Burton	Katz	Migden	
Campbell	Knox	Murray, Kevin	
Escutia	Kuehl	Murray, Willard	

Report adopted by the following vote:

**AYES—56**

Ackerman	Brulte	Harvey	Morrissey
Aguiar	Bustamante	Hauser	Morrow
Alby	Cannella	Hawkins	Olberg
Alpert	Conroy	Hoge	Poochigian
Baca	Cunneen	House	Rainey
Baldwin	Davis	Kaloogian	Richter
Battin	Ducheny	Knight	Rogan
Baugh	Figueroa	Knowles	Setencich
Boland	Firestone	Kuykendall	Takasugi
Bordonaro	Frusetta	Machado	Thompson
Bowen	Gallegos	Margett	Tucker
Bowler	Goldsmith	Mazzoni	Weggeland
Brewer	Granlund	McPherson	Woods
Brown	Hannigan	Miller	Mr. Speaker

**NOES—17**

Archie-Hudson	Friedman	Lee	Sweeney
Bates	Isenberg	Martinez	Villaraigosa
Burton	Katz	Migden	
Campbell	Knox	Murray, Kevin	
Escutia	Kuehl	Murray, Willard	

(NOTE: For communication relative to intent for coauthorship, please see Assembly Journal earlier this day, page 7899.)

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONFERENCE COMMITTEE REPORTS**

**SENATE BILL NO. 1993 (As proposed by the Conference Committee)**—An act to amend Sections 10086, 10089.5, 10089.6, 10089.8, 10089.10, 10089.11, 10089.13, 10089.20, 10089.23, 10089.25, 10089.26, 10089.34, and 10089.50 of, to amend and renumber Sections 10089.7 and 10089.15 of, to add Sections 10089.17, 10089.21, 10089.22, 10089.52, and 10089.53 to, the Insurance Code, relating to earthquake insurance, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Conference Committee Report presented by Assembly Member Knowles.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—56**

Ackerman	Brulte	Harvey	Morrissey
Aguiar	Bustamante	Hauser	Morrow
Alby	Cannella	Hawkins	Olberg
Alpert	Conroy	Hoge	Poochigian
Baca	Cunneen	House	Rainey
Baldwin	Davis	Kaloogian	Richter
Battin	Ducheny	Knight	Rogan
Baugh	Figueroa	Knowles	Setencich
Boland	Firestone	Kuykendall	Takasugi
Bordonaro	Frusetta	Machado	Thompson
Bowen	Gallegos	Margett	Tucker
Bowler	Goldsmith	Mazzoni	Weggeland
Brewer	Granlund	McPherson	Woods
Brown	Hannigan	Miller	Mr. Speaker

**NOES—17**

Archie-Hudson	Friedman	Lee	Sweeney
Bates	Isenberg	Martinez	Villaraigosa
Burton	Katz	Migden	
Campbell	Knox	Murray, Kevin	
Escutia	Kuehl	Murray, Willard	

Report adopted by the following vote:

**AYES—56**

Ackerman	Brulte	Harvey	Morrissey
Aguiar	Bustamante	Hauser	Morrow
Alby	Cannella	Hawkins	Olberg
Alpert	Conroy	Hoge	Poochigian
Baca	Cunneen	House	Rainey
Baldwin	Davis	Kaloogian	Richter
Battin	Ducheny	Knight	Rogan
Baugh	Figueroa	Knowles	Setencich
Boland	Firestone	Kuykendall	Takasugi
Bordonaro	Frusetta	Machado	Thompson
Bowen	Gallegos	Margett	Tucker
Bowler	Goldsmith	Mazzoni	Weggeland
Brewer	Granlund	McPherson	Woods
Brown	Hannigan	Miller	Mr. Speaker

**NOES—17**

Archie-Hudson	Friedman	Lee	Sweeney
Bates	Isenberg	Martinez	Villaraigosa
Burton	Katz	Migden	
Campbell	Knox	Murray, Kevin	
Escutia	Kuehl	Murray, Willard	

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1187**

At 12:56 p.m., on motion of Assembly Member Bordonaro, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1187 passed by the following vote:

**AYES—46**

Ackerman	Bustamante	House	Poochigian
Aguiar	Conroy	Kaloogian	Rainey
Alby	Firestone	Katz	Rogan
Baca	Frusetta	Knight	Setencich
Baldwin	Gallegos	Knowles	Takasugi
Battin	Goldsmith	Machado	Thompson
Baugh	Granlund	Margett	Tucker
Boland	Hannigan	Miller	Villaraigosa
Bordonaro	Harvey	Morrissey	Woods
Bowler	Hauser	Morrow	Mr. Speaker
Brewer	Hawkins	Murray, Willard	
Brulte	Hoge	Olberg	

**NOES—26**

Alpert	Campbell	Friedman	McPherson
Archie-Hudson	Cannella	Isenberg	Migden
Bates	Cunneen	Kuehl	Murray, Kevin
Bowen	Davis	Kuykendall	Napolitano
Brown	Ducheny	Lee	Vasconcellos
Burton	Escutia	Martinez	
Caldera	Figueroa	Mazzoni	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
THE CONSENT CALENDAR**

At 12:57 p.m., on motion of Assembly Member Rogan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

**Record Expunged and Action Rescinded on the Consent Calendar**

Speaker Pringle was granted unanimous consent that the record be expunged and the action rescinded whereby a roll call vote was taken on this day on the Consent Calendar.

**FURTHER CONSIDERATION OF CONSENT CALENDAR**

**SENATE BILL NO. 1525 (Wright)**—An act to amend Section 1365 of the Civil Code, relating to common interest developments.

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. 1321 (Calderon)**—An act to amend Sections 6046.5, 6046.6, 6060, and 6062 of, and to repeal and add Section 6060.3 of, the Business and Professions Code, relating to legal services.

~~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.)*~~

(NOTE: On August 19, 1996, the action was rescinded whereby Senate Bill No. 1321 was passed, and whereby the bill was ordered transmitted to the Senate. See page 8221.)

**SENATE BILL NO. 1582 (Maddy)**—An act to amend Section 50052.5 of the Government Code, and to amend Section 7663 of the Probate Code, relating to unclaimed property.

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. 1542 (Peace)**—An act to amend Sections 4, 5, 21, 22, 23, 27, 29, 30, 41, 42, 51, 61, 66, 72, 80, 86, and 87 of, to add Section 30.5 to, and to repeal Section 26 of, the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session), relating to the San Diego Unified Port District.

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. 1565 (Committee on Local Government)**—An act to amend Section 23101 of, and to amend and renumber Section 12467 of, the Government Code, to amend Section 11011 of the Streets and Highways Code, and to amend Sections 32551 and 50707 of the Water Code, relating to local agencies.

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. 1954 (Mello)**—An act to amend Sections 6590, 53325.3, and 53356 of, and to add Section 53356.03 to, the Government Code, relating to local government finance.

~~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.)*~~

(NOTE: On August 8, 1996, the action was rescinded whereby Senate Bill No. 1954 was passed, and whereby the bill was ordered transmitted to the Senate. See page 8111.)

**SENATE BILL NO. 1200 (Committee on Elections and Reapportionment)**—An act to amend Section 5000 of, to amend and renumber Sections 5002, 5003, and 5004 of, and to repeal Sections 5000.1, 5000.5, 5000.6, 5005, 5006, 5008, 5010, 5010.5, 5010.7, 5010.8, 5012, and 5012.5 of, the Education Code, to amend Sections 1000, 1002, 1100, 1200, 1201, 1202, 1302, 1303, 1500, 9117, 9225, 9310, 16400, 16464, 16500, 16501, 16502, 16503, 16520, 16521, 16540, 16700, and 16741 of, to amend and renumber Sections 2552, 6005, 6489, 6490, 10603, and 27312 of, to add Sections 1301, 1302.1, 1302.2, 1302.3, 1302.4, 1302.5, 1405, 1410, 1415, 10230, 10402.5, 10403.5, 10404.5, 10404.7, 10405.7, 10405.8, and 10603 to, and to add the heading of Division .5 (commencing with Section 1) to, to add the heading of Article 4 (commencing with Section 11381) to Chapter 4 of Division 11 of, to repeal and add Sections 1501 and 1502 of, and to repeal Sections 2601 and 16001 of, the Elections Code, to amend Section 36503 of, and to repeal Sections 36503.5, 36503.7, and 36504 of, the Government Code, to amend Section 6 of Chapter 920 of the Statutes of 1994, and to repeal the heading of Article 4 (commencing with Section 27340) of Division 16 of the Elections Code, as added by Section 5 of Chapter 79 of the Statutes of 1994, relating to elections, 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. 1440 (Killea)**—An act to amend Sections 753 and 3373 of the Financial Code, relating to banks.

~~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.)*~~

(NOTE: On August 22, 1996, the action was rescinded whereby Senate Bill No. 1440 was passed, and whereby the bill was ordered transmitted to the Senate. See page 8464.)

**SENATE BILL NO. 1532 (Wright)**—An act to amend Sections 25205.2 and 25205.5 of the Health and Safety Code, relating to hazardous waste.

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. 1726 (Wright)**—An act to amend Sections 404, 404.2, 404.3, 404.4, and 404.8 of, and to add Sections 403 and 404.9 to, the Code of Civil Procedure, relating to civil procedure, 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. 1739 (Russell)**—An act to add Section 201.7 to the Corporations Code, and to amend Sections 11535, 11536, 11537, 11538, 11539, 11540, 11541, 11542, and 11543 of, and to add Sections 11535.1, 11537.1, 11537.2, 11537.3, 11541.1, 11542.1, 11542.2, 11543.1, 11547, and 11548 to, the Insurance Code, relating to insurance, 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. 2018 (Johnson)**—An act to add Section 668.2 to the Harbors and Navigation Code, relating to boating safety.

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	Hoge	Morrow
Aguiar	Campbell	House	Murray, Kevin
Alby	Cannella	Isenberg	Murray, Willard
Alpert	Conroy	Kaloogian	Napolitano
Archie-Hudson	Cunneen	Katz	Olberg
Baca	Davis	Knight	Poochigian
Baldwin	Ducheny	Knowles	Rainey
Bates	Escutia	Knox	Richter
Battin	Figueroa	Kuehl	Rogan
Baugh	Firestone	Kuykendall	Setencich
Boland	Friedman	Lee	Sweeney
Bordonaro	Frusetta	Machado	Takasugi
Bowen	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)****UNFINISHED BUSINESS (RESUMED)****MOTION TO RECONSIDER SENATE BILL NO. 1609 CONTINUED**

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 1609 was continued until the next legislative day.

**BILLS ORDERED TRANSMITTED TO SENATE**

Assembly Member Bordonaro was granted unanimous consent that Senate Bill No. 1187 be ordered transmitted to the Senate immediately.

Assembly Member Caldera was granted unanimous consent that Assembly Joint Resolution No. 73 be ordered transmitted to the Senate immediately.

Assembly Member Gallegos was granted unanimous consent that Senate Bill No. 2044 be ordered transmitted to the Senate immediately.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Brewer announced that the Rules Subcommittee on Sexual Harassment would meet on July 11, 1996, upon adjournment of Floor Session, in Room 317.

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Knox was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sam Meier, Yosemite National Park employee and climber.

**VOTE ADDS**

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

**Senate Bill No. 371:** Goldsmith—Aye.

**Assembly Bill No. 3103, Concurrence:** Battin, Figueroa, Olberg, and Rogan—Aye.

**Assembly Joint Resolution No. 73:** Harvey—Aye.

**Senate Bill No. 2044 and Urgency:** Figueroa—Aye.

**Assembly Bill No. 2011, Concurrence:** Goldsmith and Olberg—Aye.

**Assembly Bill No. 2086, Urgency and Conference Report:** Cannella—Aye.

**Senate Bill No. 1187:** Alby—Aye.

**MOTION TO ADJOURN**

At 12:59 p.m., Assembly Member Rogan moved that the Assembly do now adjourn.

Assembly Member Katz seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 1 p.m., Speaker Pringle declared the quorum call of the Assembly dispensed with.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 10, 1996

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

Assembly Bill No. 3369

And reports the same correctly enrolled, and presented to the Governor at 11:45 a.m., July 10, 1996.

E. DOTSON WILSON, Chief Clerk

**REQUEST TO SUSPEND JOINT RULES**

The following requests were received, and read:

Assembly Chamber, July 10, 1996

Mr. Speaker: I request permission to suspend Joint Rule 61 as it relates to Senate Bill No. 2012.

BRETT GRANLUND

Assembly Chamber, July 10, 1996

Mr. Speaker: I request permission to suspend Joint Rule 61 as it relates to Senate Bill No. 899.

LARRY BOWLER

Assembly Chamber, July 10, 1996

Mr. Speaker: I request permission to suspend Joint Rule 61 as it relates to Senate Bills Nos. 1561 and 1651.

PAULA BOLAND

Above requests ordered transmitted to the Committee on Rules.

**REPORTS OF STANDING COMMITTEES**

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

Date of Hearing: July 9, 1996

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

Assembly Bill No. 571

With the recommendation: That the Senate amendments be concurred in.

MORRISSEY, Chairman

Above bill ordered to unfinished business.

**Committee on Health**

Date of Hearing: July 9, 1996

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 1936

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

GRANLUND, Chairman

Above bill ordered to second reading.

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

Date of Hearing: July 10, 1996

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

Senate Bill No. 752

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

MCPHERSON, Chairman

Above bill ordered to second reading.

**Committee on Insurance**

Date of Hearing: July 2, 1996

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 1862

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.

KNOWLES, Chairman

Above bill ordered to second reading.

**Committee on Public Safety**

Date of Hearing: July 9, 1996

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 2123

With the recommendation: Do pass.

BOLAND, Chairwoman

Above bill ordered to second reading.

**SPECIAL COMMITTEE MEETINGS**

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

Banking and Finance on August 8, 1996 at 1 p.m., or upon adjournment of session.

**INTRODUCTION OF GUESTS**

Assembly Member Ackerman, of the 72nd Assembly District, introduced Reg Duran, of Fullerton.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Rogan, the Assembly adjourned until 8:30 a.m., Thursday, July 11, 1996, out of respect to the memory of Patricia Ann Eastman, on motion of Speaker pro Tempore Aguiar; out of respect to the memory of Theodore William Graham, on motion of Assembly Member Hauser; and out of respect to the memory of Sam Meier on motion of Assembly Member Knox.

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CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

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

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

<b>AB</b>	<b>RN</b>	<b>SB</b>	<b>RN</b>
2405	9623734	1500	9623716
		1516	9623469
<b>ACA</b>	<b>RN</b>	1688	9623451
39	9623154	1709	9623438
		1753	9620081
<b>SB</b>	<b>RN</b>	1797	9623385
91	9623609	1846	9623449
108	9623627	1875	9623246
234	9623466 (Set 1)	1885	9623456
	9622980 (Set 2)	1943	9623302
385	9623481	1945	9623463
468	9623474	1951	9623674
494	9623360	1974	9623718
715	9623468	2029	9623306
1365	9623036	2043	9623317
1379	9623727	2045	9623705
1380	9622341	2067	9623428
1416	9623698	2139	9623291
1481	9624040	2143	9623647
1482	9623252	2151	9623467