# CALIFORNIA LEGISLATURE 1995–96 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

# Saturday, July 29, 1995

# ONE HUNDRED TWENTY-THIRD SESSION DAY TWO HUNDRED THIRTY-SEVENTH CALENDAR DAY

# AT SACRAMENTO, CALIFORNIA



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

# PROCEEDINGS OF THE ASSEMBLY

# IN ASSEMBLY

Assembly Chamber, Sacramento Saturday, July 29, 1995

The Assembly met at 12:10 p.m.

Hon. Brian Setencich, Majority Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

# **ROLL CALL**

The roll was called.

# Quorum Call of the Assembly

Assembly Member Firestone moved a quorum call of the Assembly.

Motion carried. Time, 12:11 p.m.

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

# **Quorum Present**

At 12:20 p.m., Majority Speaker pro Tempore Setencich declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—77:

Aguiar	Cannella	Kaloogian
Alby	Conroy	Katz
Alpert	Cortese	Knight
Archie-Hudson	Cunneen	Knowles
Baca	Davis	Knox
Baldwin	Ducheny	Kuehl
Bates	Escutia	Kuykendall
Battin	Figueroa	Lee
Boland	Firestone	Machado
Bordonaro	Friedman	Margett
Bowen	Frusetta	Martinez
Bowler	Gallegos	Mazzoni
Brewer	Goldsmith	McDonald
Brown, Valerie	Granlund	McPherson
Brown, Willie	Hannigan	Miller
Brulte	Harvey	Morrissey
Burton	Hawkins	Morrow
Bustamante	Hoge	Murray, Kevin
Caldera	House	Murray, Willard
Campbell	Isenberg	Napolitano

Olberg Poochigian Pringle Rainey Richter Rogan Setencich Speier Sweeney Takasugi Thompson Tucker Vasconcellos Villaraigosa Weggeland Woods Mme. Speaker

#### **PRAYER**

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

Lord God, You are the true light, that illumines and sanctifies all who come into the world. Let the light of Your countenance leave its mark on us; that in it we may perceive the infinite light. Direct our steps to the keeping of Your commandments; and guide us as we accomplish the tasks before us today.—AMEN.

## PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Majority Speaker pro Tempore Setencich, Assembly Member Thompson 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 Kuykendall, seconded by Assembly Member Davis.

# LEAVES OF ABSENCE FOR THE DAY

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

On legislative business, and per diem was waived: Assembly Member Sher.

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

(NOTE: For letter explaining the absence of Assembly Member Sher on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Friday, July 28, 1995.)

### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 29, 1995

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 861

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, July 29, 1995

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 1371

And reports the same correctly enrolled, and presented to the Governor at 12 m., July 29, 1995.

E. DOTSON WILSON, Chief Clerk

# AUTHOR'S AMENDMENTS Committee on Local Government

July 29, 1995

Mme. Speaker: The Chair of your Committee on Local Government reports: Assembly Constitutional Amendment No. 8

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

RAINEY, Chairman

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 6 of Article XIIIB thereof, relating to state-mandated local programs.

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

# **AUTHOR'S AMENDMENTS**Committee on Appropriations

July 29, 1995

Mme. Speaker: The Chair of your Committee on Appropriations reports: Senate Bill No. 120

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

POOCHIGIAN, Chairman

SENATE BILL NO. 120—An act to add Section 41851.12 to, and to add and repeal Section 41851.11 of, the Education Code, relating to schools.

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.

### **MESSAGES FROM THE SENATE**

Senate Chamber, July 29, 1995

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

Assembly Bill No. 825

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

## NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Rainey announced his intention to request that Senate Bill No. 816 be removed from the inactive file.

# REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

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

# Legislative Intent—Assembly Bill No. 729

July 24, 1995

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

Dear Mr. Wilson: I want to place this letter in the Assembly Daily Journal to clarify my intent in introducing Assembly Bill 729, which is currently awaiting action on the Senate floor. The bill was introduced for the purpose of expanding upon one of the reasons for which permanent certificated employees of school districts may be dismissed from employment.

Assembly Bill 729 replaces the reason of "incompetency" with that of "unsatisfactory performance" on the list of enumerated causes for permanent teacher dismissal. To maintain consistency in the

Education Code, the bill also substitutes the word "performance" for "competency" in the code sections addressing certificated employee evaluation and assessment (the so-called "Stull Act," found at Education Code sections 44660 et seq.).

The singular purpose of this legislation is to enable the dismissal of teachers who are not meeting performance standards established by the governing board. The bill therefore establishes a standard less than incompetency (which means not qualified or not able), in favor of one which means less than adequate performance. The intent of the bill was to increase, rather than diminish, a district's ability to dismiss unsatisfactory employees. A district will no longer need to prove a teacher is beyond remediation. Rather, it need only demonstrate the teacher is not meeting established standards of performance. This change adds consistency to the Education Code, since "unsatisfactory performance" is already the standard for dismissal (not release) of probationary certificated employees under Education Code section 44948.3.

Incompetency would, in effect, still be grounds for permanent teacher dismissal, since that level of performance would more than meet the "unsatisfactory performance" standard now in the Education Code. In this regard, it is important to note, as stated in the Legislative Counsel's Digest for the bill, that incompetency was merely "eliminated . . . as one of the enumerated causes for dismissal of a permanent employee." (Emphasis added.) Thus, "incompetency" remains as the most extreme example of, but is now subsumed by the cause of "unsatisfactory performance."

When the bill was heard in the Senate Education Committee on July 5, 1995, discussion clarified that the bill makes no changes to the evaluation processes with which school districts must already comply under the Stull Act, and that the intent of the bill is to merely establish an additional standard for dismissal as explained above.

Before approving the bill, the Committee did not envision or discuss the bill as having any impact on a governing board's authority to establish evaluation and performance standards under the Stull Act, or on a board's established managerial discretion to decide whether and when to issue notices of unsatisfactory performance and dismissal, pursuant to code sections regulating teacher dismissal. Therefore, the scope of negotiations under the Educational Employment Relations Act (Government Code section 3540 et seq.) remains unaffected and unchanged by the bill and, as such, is limited to "procedures" related to evaluation, as opposed to the substance thereof, or to a board's utilization of disciplinary procedures under the Education Code.

I hope this letter will clarify any concern that educators may have in implementing AB 729. By establishing a new and less demanding standard for the dismissal of unsatisfactory teachers, I believe the bill significantly enhances a district's ability to improve classroom education for students.

Sincerely,

SUSAN A. DAVIS, Assembly Member Seventy-sixth District

# CONSIDERATION OF DAILY FILE 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. 396, ordered to the Consent Calendar.

# SECOND READING OF SENATE BILLS

**SENATE BILL NO. 623**—An act to repeal and add Section 593d of the Penal Code, relating to crimes.

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

**SENATE BILL NO. 903**—An act to amend Section 65850 of the Government Code, relating to land use, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1170—An act to add and repeal Chapter 6.7 (commencing with Section 8920) to Part 6 of the Education Code, relating to teenage pregnancy.

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

# **BILLS RETURNED TO THIRD READING FILE**

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 1094, on request of Assembly Member Rogan.

# CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 111—Set 94 amendments, Assembly Bill No. 1574; and Senate Bill No. 772 were continued until the next legislative day.

# THIRD READING OF SENATE BILLS

SENATE JOINT RESOLUTION NO. 9 (Kopp)—Relative to fuel taxes.

Resolution read, and presented by Assembly Member Goldsmith. The roll was opened.

## Call of the Assembly

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

Motion carried. Time, 12:51 p.m.

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

## **BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

Assembly Bill No. 348, on request of Assembly Member Woods.

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

SENATE BILL NO. 1158 (Johannessen)—An act to add and repeal Article 13 (commencing with Section 18841) to Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

### **Motion to Amend**

Assembly Member Margett moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 1346 (Committee on Budget and Fiscal Review)—An act relating to the fiscal relationship between state and local government, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Motion to Amend

Assembly Member Burton moved the adoption of amendments.

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

SENATE JOINT RESOLUTION NO. 2 (Russell)—Relative to air pollution.

Resolution read, presented by Assembly Member Katz, and adopted by the following vote:

### AYES-65

Aguiar Alby Alpert Archie-Hudson Baca Baldwin Battin Boland Bordonaro Bowen Bowler Brown, Valerie Brulte Burton Bustamante Caldera Cannella	Conroy Cortese Cunneen Davis Escutia Figueroa Firestone Friedman Frusetta Callegos Goldsmith Granlund Harvey Hawkins Hoge House Isenberg	Kaloogian Katz Knight Knowles Knox Kuehl Kuykendall Machado Margett Martinez Mazzoni McDonald McPherson Miller Morrissey Morrow Murray, Kevin	Murray, Willard Napolitano Olberg Poochigian Pringle Rainey Richter Rogan Setencich Speier Takasugi Thompson Weggeland Woods
Cannella	Isenberg	Murray, Kevin	

### NOES-2

Lee

Villaraigosa

Resolution ordered transmitted to the Senate.

**SENATE BILL NO.** 1315 (Rosenthal)—An act to add Section 3508.4 to the Civil Code, relating to motion pictures.

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

# Bill passed by the following vote:

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Aguiar	<del>Cannella</del>	Katz	Napolitano
<del>Alby</del>	Conroy	<b>Knight</b>	<del>Olberg</del>
Alpert	Cortese	<del>Knowles</del>	Poochigian
Archie Hudson	<del>Cunneen</del>	<del>Knox</del>	Pringle
<del>Baca</del>	<del>Davis</del>	<del>Kuchl</del>	Rainey
<del>Baldwin</del>	<del>Ducheny</del>	<del>Kuykendall</del>	Richter
Bates	Escutia	Lee	Rogan
Battin	Firestone	<del>Machado</del>	<del>Setencich</del>
<del>Boland</del>	<del>Frusette</del>	<del>Margett</del>	Speier .
<del>Bordonaro</del>	Calleges	<del>Martinez</del>	<del>Sweeney</del>
Bowen	<del>Coldsmith</del>	<del>Mazzoni</del>	<del>Takasugi</del>
Bowler	<del>Cranlund</del>	<del>MeDonald</del>	<del>Tucker</del>
Brewer	Harvey	<del>MePherson</del>	<del>Villaraigosa</del>
<del>Brown, Valerie</del>	Hawkins	<del>Miller</del>	Weggeland
Brulte	<del>Hoge</del>	Merrissey	<del>Woods</del>
Burton	<del>House</del>	Morrow '	
Bustamante	<del>Isenberg</del>	Murray, Kevin	
<del>Caldera</del>	Kaloogian	Murray, Willard	

# **NOES None**

# Bill ordered transmitted to the Senate.

(NOTE: On February 9, 1996, the action was rescinded whereby Senate Bill No. 1315 was passed, and whereby the bill was ordered transmitted to the Senate. See page 4907.)

SENATE BILL NO. 2 (Kopp)—An act to amend Sections 1006, 35107, and 72103 of the Education Code, and to amend Sections 25000 and 36502 of, and to add Section 53077 to, the Government Code, relating to governing bodies.

Bill read third time, and presented by Assembly Member Valerie Brown.

The roll was opened.

### Call of the Assembly

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

Motion carried. Time, 1:18 p.m.

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

## **MESSAGES FROM THE SENATE**

Senate Chamber, July 29, 1995

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

Assembly Bill No. 903

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

# CONSIDERATION OF SENATE BILL NO. 699 BY UNANIMOUS CONSENT

Assembly Member Boland was granted unanimous consent to take up Senate Bill No. 699, out of order.

**SENATE BILL NO. 699 (Hayden)**—An act to add Section 35730.1 to the Education Code, relating to school district reorganization.

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

# AYES-53

Aguiar	Conroy	Knight	Pringle
Alby	Cortese	Knowles	Rainey
Alpert	Cunneen	Kuykendall	Richter
Baldwin	Davis	Machado	Rogan
Battin	Firestone	Margett	Setencich
Boland	Frusetta	Mazzoni	Speier
Bordonaro	Goldsmith	McPherson	Sweeney
Bowen	Granlund	Miller	Takasugi
Bowler	Harvey	Morrissey	Thompson
Brewer	Hawkins	Morrow	Weggeland
Brulte	Hoge	Murray, Kevin	Woods
Burton	House	Murray, Willard	
Bustamante	Isenberg	Olberg	
Cannella	Kaloogian	Poochigian	

# NOES—13

Archie-Hudson	Gallegos	Martinez	Villaraigosa
Baca	Knox	McDonald	Ü
Caldera	Kuehl	Napolitano	
Campbell	Lee	Tucker	

Bill ordered transmitted to the Senate immediately.

# CONSIDERATION OF ASSEMBLY BILL NO. 861 BY UNANIMOUS CONSENT

Assembly Member Ducheny was granted unanimous consent to take up Assembly Bill No. 861, out of order.

ASSEMBLY BILL NO. 861 (Ducheny)—An act to add Sections 16367, 16367.1, 16367.11, 16367.12, 16367.13, 16367.14, 16367.15, and 16367.16 to, and to repeal Section 16366.7 of, the Government Code, relating to federal block grant funds, 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

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

## NOES-1

## Caldera

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

### AYES-72

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

### NOES-1

## Caldera

Bill ordered transmitted to the Senate.

# CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Speaker Emeritus Brown was granted unanimous consent to take up Assembly Bill No. 825, without reference to file, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 825 (Willie Brown)—An act to amend Sections 2557.5, 2558, 2558 45, 41202, 41203.1, 42238, 42238.4, 42238.12, 42238.145, 42241.7, 42243.7, 42247.3, 42249.2, 56728.8, 66171, and 84751 of, to add Article 3.5 (commencing with Section 2560) to Chapter 12 of Part 2 of, to add Sections 14002.7, 54761.2, and 76300 to, and to add Chapter 3.65 (commencing with Section 44776.1) and Chapter 3.66 (commencing with Section 44777.1) to Part 25 of, the Education Code, to amend Sections 96102, 96103, 96109, and 96110 of, to amend and repeal Section 20750.94 of, and to repeal Section 96108 of, the Government Code, and to amend Sections 97.2, 97.3, and 97.38 of, the Revenue and Taxation Code, relating to education finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

# **Urgency Clause**

Urgency clause read.

## **Demand for Previous Question**

Assembly Members Tucker, Escutia, Machado, Bowler, and Bordonaro demanded the previous question. Demand sustained.

The question being on the adoption of the urgency clause.

Urgency clause adopted by the following vote:

### AYES-67

	O 11	**	3.6 77 .
Aguiar	Cannella	Hoge	Murray, Kevin
Alby	Conroy	House	Napolitano
Alpert	Cortese	Kaloogian	Olberg
Baca	Cunneen	Katz	Poochigian
Baldwin	Davis	Knight	Pringle
Bates	Ducheny	Knowles	Rainey
Battin	Escutia	Knox	Rogan
Boland	Figueroa	$\mathbf{K}$ uehl	Setencich
Bordonaro	Firestone	Kuykendall	Sweeney
Bowen	Friedman	Lee	Takasugi
Bowler	Frusetta	Machado	Thompson
Brewer	Gallegos	Margett	Tucker
Brown, Valerie	Goldsmith	Martinez	Villaraigosa
Brown, Willie	Granlund	McPherson	Weggeland
Brulte	Hannigan	Miller	Woods
Bustamante	Harvey	Morrissey	Mme. Speaker
Campbell	Hawkins	Morrow	•

### NOES-4

Caldera Isenberg Murray, Willard Richter

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

Δ	v	F	S	67

Aguiar	Cannella	Hoge	Murray, Kevin
Alby	Conroy	House	Napolitano
Alpert	Cortese	Kaloogian	Olberg
Baca	Cunneen	Katz	Poochigian
Baldwin	Davis	Knight	Pringle
Bates	Ducheny	Knowles	Rainey
Battin	Escutia	Knox	Rogan
Boland	Figueroa	Kuehl	Setencich
Bordonaro	Firestone	Kuykendall	Sweeney
Bowen	Friedman	Leé	Takasugi
Bowler	Frusetta	Machado	Thompson
Brewer	Gallegos	Margett	Tucker
Brown, Valerie	Goldsmith	Martinez	Villaraigosa
Brown, Willie	Granlund	McPherson	Weggeland
Brulte	Hannigan	Miller	Woods
Bustamante	Harvey	Morrissey	Mme. Speaker
Campbell	Hawkins	Morrow	•

### NOES-4

Caldera Isenberg Murray, Willard Richter

# **Vote Changes**

By unanimous consent, the following vote change was permitted on the urgency clause and on concurrence in Senate amendments to Assembly Bill No. 825: Assembly Member Thompson, from "No" to "Aye".

Above bill ordered enrolled.

# CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE JOINT RESOLUTION NO. 9

At 2:07 p.m., on motion of Assembly Member Goldsmith, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Joint Resolution No. 9 adopted by the following vote:

# AYES-44

Aguiar	Cunneen	Knowles	Poochigian
Alby	Figueroa	Kuehl	Pringle
Baldwin	Frusetta	Kuykendall	Rainey
Battin	Goldsmith	Margett	Rogan
Boland	Granlund	Mazzoni	Setencich
Bordonaro	Harvey	McPherson	Sweeney
Bowler	Hawkins	Miller	Takasugi
Brewer	Hoge	Morrissey	Thompson
Campbell	House	Morrow	Villaraigosa
Cannella	Kaloogian	Napolitano	Weggeland
Conroy	Knight	Olberg	Woods

### NOES-2

Murray, Willard Speier

Resolution ordered transmitted to the Senate.

# CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 2

At 2:09 p.m., on motion of Assembly Member Valerie Brown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 2 passed by the following vote:

## AYES-44

Aguiar	Brulte	House	Poochigian
Alby	Conroy	Kaloogian	Pringle
Archie-Hudson	Cunnéen	Knight	Rainey
Baldwin	Escutia	Kuykendall	Richter
Battin	Firestone	Margett	Rogan
Boland	Frusetta	McPherson	Setencich
Bordonaro	Goldsmith	Miller	Sweeney
Bowen	Granlund	Morrissey	Takasugi
Bowler	Harvey	Morrow	Thompson
Brewer	Hawkins	Napolitano	Weggeland
Brown, Valerie	Hoge	Olberg	Woods

### NOES-26

Baca	Ducheny	Knowles	Murray, Kevin
Bates	Figueroa	Knox	Murray, Willard
Burton	Friedman	$\mathbf{Kuehl}$	Speier
Bustamante	Gallegos	Lee	Tucker
Caldera	Hannigan	Machado	Villaraigosa
Campbell	Isenberg	Martinez	8
Cannella	Katz	Mazzoni	

Bill ordered transmitted to the Senate.

## ASSEMBLY BILL NO. 538 REMOVED FROM INACTIVE FILE AND TAKEN UP

Assembly Member Archie-Hudson was granted unanimous consent that Assembly Bill No. 538 be withdrawn from the inactive file, and to take the bill up at this time, without reference to file, for purpose of amendment.

ASSEMBLY BILL NO. 538 (Archie-Hudson)—An act to add Sections 17053.81 and 23622.3 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time.

# **Motion to Amend**

Assembly Member Archie-Hudson moved the adoption of amendments.

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

## **ASSEMBLY BILL NO. 903 SET FOR SPECIAL ORDER**

Majority Speaker pro Tempore Setencich was granted unanimous consent that Assembly Bill No. 903 be made a special order of business today at 3 p.m.

## **CAUCUS ANNOUNCEMENTS**

Majority Speaker pro Tempore Setencich announced that the Republican Caucus would meet, at this time in the Assembly Lounge, and that the Democratic Caucus would meet in the Tom Bane Rules Committee Room.

### RECESS

By unanimous consent, at 2:09 p.m., Majority Speaker pro Tempore Setencich declared the Assembly recessed.

# **REASSEMBLED**

At 4:03 p.m., the Assembly reconvened.

Hon. Brian Setencich, Majority Speaker pro Tempore of the Assembly, presiding.

# REPORTS OF STANDING COMMITTEES

# Committee on Appropriations

Date of Hearing: July 26, 1995

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 215

With the recommendation: Do pass.

POOCHIGIAN, Chairman

Above bill ordered to second reading.

Date of Hearing: July 26, 1995

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 227 Senate Bill No. 595

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 bills be placed on the Consent Calendar.

POOCHIGIAN, Chairman

Above bills ordered to second reading.

## **MESSAGES FROM THE SENATE**

Senate Chamber, July 29, 1995

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

Assembly Bill No. 489

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, July 29, 1995

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

Assembly Bill No. 905

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, July 29, 1995

Assembly Bill No. 504

Assembly Bill No. 904 Assembly Bill No. 910

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 29, 1995

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

Assembly Bill No. 882

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

# CONSIDERATION OF SPECIAL ORDER—SENATE BILL NO. 903

The hour having arrived, Senate Bill No. 903 was taken up.

SENATE BILL NO. 903 (Leslie)—An act to amend Section 65850 of the Government Code, relating to land use, and declaring the urgency thereof, to take effect immediately.

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

# **Urgency Clause**

Urgency clause read, and adopted by the following vote:

# AYES—61

Aguiar	Conroy	Knowles	Pringle
Alby	Cunneen	Knox	Rainey
Archie-Hudson	Davis	Kuehl	Richter
Baca	Escutia	Kuykendall	Rogan
Baldwin	Firestone	Machado	Setencich
Battin	Frusetta	Margett	Speier
Boland	Gallegos	McDonald	Takasugi
Bordonaro	Goldsmith	McPherson	Thompson
Bowen	Granlund	Miller	Tucker
Bowler	Hannigan	Morrissey	Vasconcellos
Brewer	Harvey	Morrow	Weggeland
Brown, Willie	Hawkins	Murray, Kevin	Woods
Brulte	House	Murray, Willard	Mme. Speaker
Burton	Kaloogian	Napolitano	-
Bustamante	Katz	Olberg	
Cannella	Knight	Poochigian	
	_	-	

# NOES-4

Isenberg Lee	Sweeney	Villaraigosa
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The question being on the passage of the bill.

# Bill passed by the following vote:

### AYES-61

Aguiar	Conroy	Knowles	Pringle
Alby	Cunneen	Knox	Rainey
Archie-Hudson	Davis	Kuehl	Richter
Baca	Escutia	Kuykendall	Rogan
Baldwin	Firestone	Machado	Setencich
Battin	Frusetta	Margett	Speier
Boland	Gallegos	McDonald	Takasugi
Bordonaro	Goldsmith	McPherson	Thompson
Bowen	Granlund	Miller	Tucker
Bowler	Hannigan	Morrissey	Vasconcellos
Brewer	Harvey	Morrow	Weggeland
Brown, Willie	Hawkins	Murray, Kevin	Woods
Brulte	House	Murray, Willard	Mme. Speaker
Burton	Kaloogian	Napolitano	-
Bustamante	Katz	Olberg	
Cannella	Knight	Poochigian	

#### NOES-4

Isenberg Lee Sweeney Villaraigosa

Bill ordered transmitted to the Senate immediately.

## **MESSAGES FROM THE SENATE**

Senate Chamber, July 29, 1995

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

Assembly Bill No. 906 Assembly Bill No. 911

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 29, 1995

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

Senate Joint Resolution No. 17

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

# FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE JOINT RESOLUTION NO. 17—Relative to immigration.

# **CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT**

Assembly Member Pringle was granted unanimous consent to take up Assembly Bill No. 903, without reference to file, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 903 (Pringle)—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California 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 Pringle moved a call of the Assembly.

Motion carried. Time, 6:05 p.m.

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

## CONSIDERATION OF SENATE BILL NO. 1170 BY UNANIMOUS CONSENT

Assembly Member Davis was granted unanimous consent to take up Senate Bill No. 1170, without reference to file, for purpose of consideration.

**SENATE BILL NO. 1170** (Lockyer)—An act to add and repeal Chapter 6.7 (commencing with Section 8920) to Part 6 of the Education Code, relating to teenage pregnancy.

Bill read third time, and presented by Assembly Member Davis. The roll was opened.

## Call of the Assembly

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

Motion carried. Time, 6:12 p.m.

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

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

SENATE BILL NO. 1337 (Committee on Budget and Fiscal Review)—An act relating to social services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

# **Motion to Amend**

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

## **Demand for Previous Question**

Assembly Member Brewer demanded the previous question.

# **Point of Order**

Assembly Member Burton arose to the following point of order: That under the rules a Member may not speak to the merits of a motion prior to making the motion.

# Ruling by Majority Speaker pro Tempore Setencich

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

The question being on the Knowles motion to amend Senate Bill No. 1337.

The roll was opened.

# Call of the Assembly

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

Motion carried. Time, 6:45 p.m.

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

# CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1170

At 6:46 p.m., on motion of Assembly Member Davis, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1170 passed by the following vote:

# AYES-45

Alpert	Cortese	Harvey	Murray, Willard
Archie-Hudson	Cunneen	Isenberg	Napolitano
Baca	Davis	Katz	Rainey
Bates	Ducheny	Knox	Speier
Bowen	Escutia	Kuehl	Sweeney
Brown, Valerie	Figueroa	Kuykendall	Tucker
Brown, Willie	Firestone	Lee	Vasconcellos
Burton	Friedman	Machado	Villaraigosa
Bustamante	Frusetta	Martinez	Weggeland
Caldera	Gallegos	Mazzoni	
Campbell	Goldsmith	McPherson	
Cannella	Hannigan	Murray, Kevin	

### NOES-29

	_	3.6	Th.
Aguiar	Conroy	Margett	Rogan
Aguiar Alby	Granlund	Miller	Setencich
Baldwin	Hawkins	Morrissey	Thompson
Battin	Hoge	Morrow	Woods
Boland	House	Olberg	Mme. Speaker
Bordonaro	Kaloogian	Poochigian	_
Bowler	Knight	Pringle	
Brewer	Knowles	Richter	

Bill ordered transmitted to the Senate immediately.

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

SENATE BILL NO. 1344 (Committee on Budget and Fiscal Review)—An act relating to the State Department of Social Services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

## Motion to Amend

Assembly Member Friedman moved the adoption of amendments. Amendments read, and adopted by the following vote:

## AYES-69

	A120 00				
Aguiar	Campbell	Isenberg	Napolitano		
Alby	Cannella	Kaloogian	Olberg		
Alpert	Conroy	Katz	Poochigian		
Archie-Hudson	Cortese	Knight	Rainey		
Baca	Cunneen	Knox	Richter		
Baldwin	Davis	Kuehl	Rogan		
Battin	Ducheny	Kuykendall	Setencich		
Boland	Figueroa	Lee	Speier		
Bordonaro	Firestone	Machado	Sweeney		
Bowen	Friedman	Margett	Takasugi		
Bowler	Frusetta	Martinez	Tucker		
Brewer	Gallegos	Mazzoni	Villaraigosa		
Brown, Valerie	Goldsmith	McPherson	Weggeland		
Brown, Willie	Granlund	Miller	Woods		
Brulte	Hannigan	Morrissey	Mme. Speaker		
Burton	Harvey	Morrow	_		
Bustamante	Hawkins	Murray, Kevin			
Caldera	House	Murray, Willard			

### NOES-1

Vasconcellos

Bill ordered reprinted.

# Further Consideration of Senate Bill No. 1344, As Amended, by Unanimous Consent

Assembly Member Friedman was granted unanimous consent to take up Senate Bill No. 1344, as amended, without reference to file for purpose of consideration at this time.

SENATE BILL NO. 1344 (Solis)—An act to add Section 16262 to the Government Code, relating to social services and declaring the urgency thereof, to take effect immediately.

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

# **Urgency Clause**

Urgency clause read, and adopted by the following vote:

## AYES—73

### NOES-1

## Vasconcellos

The question being on the passage of the bill.

# Bill passed by the following vote:

### AYES-73

Aguiar Conrov Kaloogian Olberg Alby Cortese Katz Poochigian Cunneen Knight Pringle Alpert Archie-Hudson Davis Knowles Rainey Ducheny Richter Baca Knox Baldwin Escutia Kuehl Rogan Kuvkendall Battin Figueroa Setencich Boland Firestone Lee Speier Bordonaro Friedman Machado Sweenev Frusetta Margett Takasugi Bowen Bowler Gallegos Martinez Thompson Goldsmith Mazzoni Tucker Brewer Brown, Valerie McPherson Villaraigosa Granlund Brown, Willie Hannigan Miller Weggeland Brulte Harvey Morrissev Woods Burton Hawkins Morrow Mme. Speaker Bustamante Hoge Murray, Kevin Caldera House Murray, Willard Cannella Isenberg Napolitáno

### NOES-1

# Vasconcellos

Bill ordered transmitted to the Senate immediately.

# Further Consideration of Senate Bill No. 1346, As Amended, by Unanimous Consent

Assembly Member Burton was granted unanimous consent to take up Senate Bill No. 1346, as amended, without reference to file for purpose of consideration at this time.

SENATE BILL NO. 1346 (Kopp)—An act relating to state buildings.

Bill read third time, and presented by Assembly Member Burton. The roll was opened.

# Call of the Assembly

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

Motion carried. Time, 6:52 p.m.

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

# CALL OF THE ASSEMBLY DISPENSED WITH ON KNOWLES MOTION TO AMEND SENATE BILL NO. 1337

At 6:53 p.m., on motion of Assembly Member Vasconcellos, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Knowles motion to amend Senate Bill No. 1337 carried by the following vote:

AYE	s-	37
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Aguiar	Firestone	Kuykendall	Rogan
Alby	Goldsmith	Margett	Setencich
Baldwin	Granlund	Miller	Takasugi
Battin	Harvey	Morrissey	Thompson
Boland	Hawkins	Morrow	Weggeland
Bordonaro	Hoge	Olberg	Woods
Bowler	House	Poochigian	Mme. Speaker
Brewer	Kaloogian	Pringle	-
Brulte	Knight	Rainey	
Conrov	Knowles	Richter	

## NOES-36

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

Bill ordered reprinted.

## Request to Take Up Senate Bill No. 1337 by Unanimous Consent

Assembly Member Knowles requested unanimous consent to take up Senate Bill No. 1337, as amended, without reference to file.

Unanimous consent was withheld.

# CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1346

At 7:14 p.m., on motion of Assembly Member Burton, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1346 passed by the following vote:

# AYES-48

Aguiar	Campbell	Hannigan	McPherson
Alpert	Cannella	Harvey	Murray, Kevin
Archie-Hudson	Cortese	Hawkins	Murray, Willard
Baca	Cunneen	Isenberg	Napolitano
Bates	Davis	Katz	Richter
Boland	Ducheny	Knox	Setencich
Bowen	Escutia	Kuehl	Speier
Brown, Valerie	Figueroa	Lee	Sweeney
Brown, Willie	Friedman	Machado	Tucker
Burton	Gallegos	Margett	Vasconcellos
Bustamante	Goldsmith	Martinez	Villaraigosa
Caldera	Granlund	Mazzoni	Mme. Speaker

# NOES-6

Baldwin	Kaloogian	Olberg
Hoge	Morrow	Thompson

Bill ordered transmitted to the Senate immediately.

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

SENATE BILL NO. 1345 (Committee on Budget and Fiscal Review)—An act relating to state and local finance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

## Motion to Amend

Assembly Member Valerie Brown moved the adoption of amendments.

Amendments read and adopted by the following vote:

AY	'ES-	-64
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Aguiar	Cannella	Hoge	Murray, Kevin
Alby	Conroy	Isenberg	Murray, Willard
Alpert	Cortese	Katz	Napolitano
Baca	Cunneen	Knight	Olberg
Battin	Davis	Knox	Poochigian
Boland	Ducheny	Kuehl	Pringle
Bordonaro	Escutia	Kuykendall	Rainey
Bowen	Figueroa	Lee	Richter
Bowler	Firestone	Machado	Rogan
Brewer	Friedman	Margett	Setencich
Brown, Valerie	Gallegos	Martinez	Speier
Brown, Willie	Goldsmith	Mazzoni	Sweeney
Brulte	Granlund	McPherson	Takasugi
Burton	Hannigan	Miller	Tucker
Bustamante	Harvey	Morrissey	Villaraigosa
Caldera	Hawkins	Morrow	Mme. Speaker

### NOES-1

# Kaloogian

# Consideration of Further Amendments to Senate Bill No. 1345 Motion to Amend by Assembly Member Willard Murray

Assembly Member Willard Murray moved the adoption of amendments.

Amendments read and adopted by the following vote:

# AYES-40

Ducheny	Katz	Murray, Kevin
Escutia	Knox	Murray, Willard
Figueroa	Kuehl	Napolitano
Friedman	Kuykendall	Pringle
Gallegos	Lee	Setencich
Goldsmith	Machado	Speier
Granlund	Margett	Sweeney
Harvey	Martinez	Tucker
Hawkins	Mazzoni	Villaraigosa
Isenberg	Morrow	Mme. Speaker
	Escutia Figueroa Friedman Gallegos Goldsmith Granlund Harvey Hawkins	Escutia Knox Figueroa Kuehl Friedman Kuykendall Gallegos Lee Goldsmith Machado Granlund Margett Harvey Martinez Hawkins Mazzoni

### NOES-20

Aguiar Alby	Bordonaro Bowler	House Kaloogian	Olberg Poochigian
Baldwin	Brulte	Knight	Rogan
Battin	Cunneen	Knowles	Thompson
Boland	Hoge	McPherson	Weggeland

Bill ordered reprinted.

# Request to Take Up Senate Bill No. 1345, As Amended, by Unanimous Consent

Assembly Member Valerie Brown requested unanimous consent to take up Senate Bill No. 1345, as amended, without reference to file for purpose of consideration at this time.

Assembly Member Knowles withheld unanimous consent.

# CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Bowler was granted unanimous consent to take up Assembly Bill No. 904, without reference to file, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 904 (Bowler)—An act to amend Section 290 of, and to repeal and add Sections 207.1, 872, 885, 886.5, and 896 of, the Welfare and Institutions Code, relating to minors, 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, and the Assembly concurred in Senate amendments by the following vote:

	v		~
A	. Т	E3-	-68

Aguiar	Cannella	House	Murray, Willard
AĬby	Conroy	Isenberg	Napolitano
Alpert	Cortese	Kaloogian	Olberg
Baca	Cunneen	Katz	Poochigian
Baldwin	Davis	Knight	Pringle
Battin	Ducheny	Knowles	Rainey
Boland	Figueroa	Kuehl	Richter
Bordonaro	Firestone	Kuykendall	Rogan
Bowen	Friedman	Machado	Setencich
Bowler	Frusetta	Margett	Speier
Brewer	Gallegos	Martinez	Sweeney
Brown, Valerie	Goldsmith	Mazzoni	Takasugi
Brown, Willie	Granlund	McPherson	Thompson
Brulte	Hannigan	Miller	Villaraigosa
Burton	Harvey	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mme. Speaker

# **NOES—None**

Above bill ordered enrolled.

# Further Consideration of Senate Bill No. 1345, As Amended, by Unanimous Consent

Assembly Member Valerie Brown was granted unanimous consent to take up Senate Bill No. 1345, as amended, without reference to file for purpose of consideration at this time.

SENATE BILL NO. 1345 (Boatwright)—An act to repeal Chapter 28 (commencing with Section 17870) of Part 10 of Division 1 of Title 1 of, Article 17 (commencing with Section 69905) of Chapter 2 of Part 42 of Division 5 of Title 3 of, and Chapter 2 (commencing with Section 94100) of Part 59 of Division 10 of Title 3 of, the Education Code, to amend Sections 5104, 5106, 5310, 5320, 5762, 8000, 8009.5, 8032, 8034, 8035, 8036, 8037, 8050, 8053, 8152, 8154, 8155, 8250, and 9000 of, and to repeal Sections 8038, 8052, 8054, and 8252 of, the Financial Code, to amend Sections 8855, 8856, 8857, 15430, 15431, 15432, 15433, 15436, 15438, 15438.5, 15439, 15440, 15449, 15451, 15451.5, 15452, 15459, 91504, 91531, and 91532 of, to amend the heading of Part 7.2 (commencing with Section 15430) of Division 3 of Title 2 of, to add Section 15437.5 to, to add headings to Article 1 (commencing with Section 8750) of Chapter 9 of Division 1 of Title 2 of, Chapter 1 (commencing with Section 15430) of Part 7.2 of Division 3 of Title 2 of, to Chapter 3 (commencing with Section 15438) of Part 7.2 of Division 3 of Title 2 of, and to Chapter 3 (commencing with Section 15438) of Part 7.2 of Division 3 of Title 2 of, and to Chapter

4 (commencing with Section 15441) of Part 7.2 of Division 3 of Title 2 of, to add Article 2 (commencing with Section 8757) to Chapter 9 of Division 1 of Title 2 of, Chapter 5 (commencing with Section 15465) to Part 7.2 of Division 3 of Title 2 of, Chapter 6 (commencing with Section 15470) to Part 7.2 of Division 3 of Title 2 of, Chapter 7 (commencing with Section 15480) to Part 7.2 of Division 3 of Title 2 of, and Chapter 2 (commencing with Section 91550) to Title 10 of, to repeal Sections 8855.5, 8855.7, 8855.8, 8858, 15438.1, 15438.2, 15453, 15453.5, 15453.6, 15453.7, 15453.8, 15453.9, 15453.10, 15454, and 15461 of, and to repeal Article 6.5 (commencing with Section 16496) of Chapter 3 of Part 2 of Division 4 of Title 2 of, Article 3 (commencing with Section 91550) of Chapter 1 of Title 10 of, Article 5 (commencing with Section 91570) of Chapter 1 of Title 10 of, Article 5 (commencing with Section 91570) of Chapter 1 of Title 10 of, and to repeal Section 91300 of, and to repeal Division 27 (commencing with Section 44500) of, the Health and Safety Code, to amend Section 1148 of, and to add Section 1160.31 to, the Labor Code, to repeal Division 16 (commencing with Section 26000) of, the Public Resources Code, and to amend Section 19272 of the Revenue and Taxation Code, relating to state and local finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Valerie Brown.

# **Urgency Clause**

Urgency clause read, and adopted by the following vote:

<b>^</b> V	FS.	_70

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

### NOES-4

Hoge House Kaloogian Woods

The question being on the passage of the bill.

Bill passed by the following vote:

ΑY	ES-	<b>-70</b>
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Aguiar Alby	Cannella Conroy	Katz Knight	Napolitano Olberg
Alpert	Cortese	Knowles	Poochigian
Archie-Hudson	Cunneen	Knox	Rainey
Baca	Davis	Kuehl	Richter
Baldwin	Ducheny	Kuykendall	Rogan
Battin	Escutia	Lee	Setencich
Boland	Figueroa	Machado	Speier
Bordonaro	Firestone	Margett	Sweeney
Bowen	Friedman	Martinez	Takasugi
Bowler	Frusetta	Mazzoni	Thompson
Brewer	Gallegos	McDonald	Tucker
Brown, Valerie	Goldsmith	McPherson	Vasconcellos
Brown, Willie	Granlund	Miller	Villaraigosa
Brulte	Hannigan	Morrissey	Weggeland
Burton	Harvey	Morrow	Mme. Speaker
Bustamante	Hawkins	Murray, Kevin	
Caldera	Isenberg	Murray, Willard	
		NOES—4	
Hoge	House	Kaloogian	Woods

# Vote Changes

By unanimous consent, the following vote changes were permitted on the urgency clause to Senate Bill No. 1345, and on passage of the bill: Assembly Members Kaloogian and Woods, from "Aye" to "No".

Bill ordered transmitted to the Senate immediately.

# CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Poochigian was granted unanimous consent to take up Assembly Bill No. 905, without reference to file, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 905 (Poochigian)—An act to add Sections 6051.15 and 6201.05 to the Revenue and Taxation Code, to amend Sections 8200, 10100, 10101, 15200, 15204.2, 16101, 17600, 17600.10, 17600.15, 17600.20, 17602, 17605, 17606.20, 17608.15, and 17609.01 of, to add Sections 17602.01 and 17605.06 to, and to add Chapter 5.8 (commencing with Section 16560) to Part 4 of Division 9 of, and the Welfare and Institutions Code, relating to social services, and making an appropriation therefor.

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

 $({\it NOTE: Text of Senate amendments on file with the Secretary of the Senate.})$ 

The roll was opened.

## Call of the Assembly

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

Motion carried. Time, 7:50 p.m.

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

# CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Aguiar was granted unanimous consent to take up Assembly Bill No. 906, without reference to file, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 906 (Aguiar)—An act to add Section 18025.05 to the Education Code, and to add and repeal Article 1.5 (commencing with Section 55620) of Chapter 4 of Division 2 of Title 5 of the Government Code, and to amend Section 4497.38 of the Penal Code, to amend Sections 4703 and 4703.2 of, and to add Section 93.31 to, the Revenue and Taxation Code, to amend Section 2105 of, and to repeal Section 2105.1 of, the Streets and Highways Code, to amend Sections 912, 1731.5, 16990, 17000.5, 17000.6, 17001.5, and 17608.05 of, to add Sections 912.5 and 17001.51 to, and to add and repeal Section 881.25 of, the Welfare and Institutions Code, relating to local government assistance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

# **Urgency Clause**

Urgency clause read.

## Demand for Previous Question

Assembly Members Kaloogian, Machado, Escutia, Isenberg, and Ducheny demanded the previous question. Demand sustained.

The question being on the adoption of the urgency clause.

The roll was opened.

# Call of the Assembly

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

Motion carried. Time, 8:15 p.m.

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

### RECESS

By unanimous consent, at 8:16 p.m., Majority Speaker pro Tempore Setencich declared the Assembly recessed.

### REASSEMBLED

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

Hon. Brian Setencich, Majority Speaker pro Tempore of the Assembly, presiding.

### **MESSAGES FROM THE SENATE**

Senate Chamber, July 29, 1995

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

Assembly Bill No. 668

Assembly Bill No. 817

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 29, 1995

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

Assembly Bill No. 687

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

### CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Goldsmith was granted unanimous consent to take up Assembly Bill No. 687, without reference to file, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 687 (Goldsmith)—An act to add Sections 48204.5 and 48204.6 to the Education Code, and to amend Sections 97.2 and 97.3 of the Revenue and Taxation Code, relating to education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

# **Urgency Clause**

Urgency clause read, and adopted by the following vote:

### AYES-66

NOES-1

Villaraigosa

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

	v	E	C.	66
-	т.	ᆮ	Э-	-00

Aguiar	Cunneen	Knowles	Poochigian
Alpert	Davis	Knox	Pringle
Archie-Hudson	Ducheny	Kuehl	Rainey
Baca	Figueroa	Kuykendall	Richter
Baldwin	Friedman	Lee	Rogan
Boland	Frusetta	Machado	Setencich
Bordonaro	Gallegos	Margett	Speier
Bowen	Goldsmith	Martinez	Sweeney
Bowler	Granlund	Mazzoni	Takasugi
Brown, Valerie	Hannigan	McDonald	Thompson
Brown, Willie	Harvey	McPherson	Tucker
Brulte	Hawkins	Miller	Vasconcellos
Burton	Hoge	Morrissey	Weggeland
Campbell	House	Morrow	Woods
Cannella	Isenberg	Murray, Kevin	Mme. Speaker
Conroy	Kaloogian	Napolitano	-
Cortese	Knight	Olberg	

### NOES-1

Villaraigosa

# **Vote Changes**

By unanimous consent, the following vote change was permitted on the urgency clause and concurrence in Senate amendments to Assembly Bill No. 687: Assembly Member Villaraigosa, from "Aye" to "No".

Above bill ordered enrolled immediately.

# CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Kuykendall was granted unanimous consent to take up Assembly Bill No. 504, without reference to file, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 504 (Kuykendall)—An act to repeal Chapter 3 (commencing with Section 66100) of Part 40 of Division 5 of Title 3 of the Education Code, and to repeal Sections 16352.5, 16353, and 16354 of, and to repeal Article 1.8 (commencing with Section 16368) of Chapter 2 of Division 4 of Title 2 of, the Government Code, and to amend Section 6217 of, to add Sections 5002.6 and 5009.3 to add Chapter 3.1 (commencing with Section 6230) to Division 6 of, and to repeal Division 16 (commencing with Section 26400) of, the Public Resources Code, and to amend Sections 4201, 4227, 4250, 4327, and 4405 of, and to repeal Section 4357 of, the Water Code, relating to state finances, 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 Kuykendall moved a call of the Assembly.

Motion carried. Time, 9:58 p.m.

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

### CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Speier was granted unanimous consent to take up Assembly Bill No. 910, without reference to file, for purpose of consideration of Senate amendments.

ASSSEMBLY BILL NO. 910 (Speier)—An act to amend Sections 125.9, 8514, and 8516 of, to add Sections 102.1, 102.2, 8514.5, and 8519.5 to, and to add and repeal Section 117 of, the Business and Professions Code, relating to consumer affairs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

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

# AYES-68

Aguiar	Cannella	Hoge	Murray, Kevin
Alpert	Conroy	Isenberg	Napolitano
Archie-Hudson	Cortese	Katz	Olberg
Baca	Cunneen	Knight	Poochigian
Baldwin	Davis	Knox	Rainey
Boland	Ducheny	Kuehl	Richter
Bordonaro	Escutia	Kuykendall	Rogan
Bowen	Figueroa	Lee	Setencich
Bowler	Firestone	Machado	Speier
Brewer	Friedman	Margett	Sweeney
Brown, Valerie	Frusetta	Martinez	Takasugi
Brown, Willie	Gallegos	Mazzoni	Tucker
Brulte	Goldsmith	McDonald	Vasconcellos
Burton	Granlund	McPherson	Villaraigosa
Bustamante	Hannigan	Miller	Weggeland
Caldera	Harvey	Morrissey	Woods
Campbell	Hawkins	Morrow	Mme. Speaker

#### **NOES—None**

Above bill ordered enrolled.

## CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Vasconcellos was granted unanimous consent to take up Assembly Bill No. 911, without reference to file, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 911 (Vasconcellos)—An act to amend Sections 11818, 11987.3, and 11987.5 of, to add Chapter 3.4 (commencing with Section 11758.40) to Part 1 of Division 10.5 of, and to add Part 5 (commencing with Section 1179) to Division 1 of, the Health and Safety Code, to amend Sections 4112, 4681.1, 14021, 14105, 14132.06, 14132.44, 14132.47, and 14161 of, to add Sections 7353, 10743.5, 14021.6, 14087.325, 14132.22, and 14132.90 to, to add and repeal Section 14105.981 of, and to add Article 4.1 (commencing with Section 14139.7) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to human services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

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

A	۱Y	E	S-	 57

		<del>-</del>	
Alpert Archie-Hudson	Cunneen Davis	Knox Kuehl	Rainey Richter
Baca	Ducheny	Kuykendall	Setencich
Bowen	Escutia	Lee	Speier
Brewer	Figueroa	Machado	Sweeney
Brown, Valerie	Firestone	Margett	Takasugi
Brown, Willie	Friedman	Martinez	Thompson
Brulte	Frusetta	Mazzoni	Tucker
Burton	Gallegos	McDonald	Vasconcellos
Bustamante	Goldsmith	McPherson	Villaraigosa
Caldera	Hannigan	Morrissey	Weggeland
Campbell	Harvey	Murray, Kevin	Mme. Speaker
Cannella	Isenberg	Napolitano	
Conroy	Katz	Poochigian	
Cortese	Knight	Pringle	

# NOES-12

Aguiar	Granlund	House	Miller
Bordonaro	Hawkins	Kaloogian	Morrow
Bowler	Hoge	Knowles	Olberg

Above bill ordered enrolled.

### CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Hoge was granted unanimous consent to take up Assembly Bill No. 817, without reference to file, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 817 (Hoge)—An act to amend Sections 13966.01 and 50050 of, and to add Section 13969.4 to, the Government Code, to amend Sections 1202.4, 1203, 1203.3, 1214, 1297, 2085.5, 3000, and 11177.2 of, to add Sections 1202.45 and 3060.1 to, to add Chapter 2.95 (commencing with Section 1001.90) to Title 6 of Part 2 of, and to repeal Section 1203.04 of, the Penal Code, to amend Section 1095 of the Unemployment Insurance Code, and to amend Sections 656, 659, 700, and 730.6 of, to add Section 730.7 to, and to repeal Sections 729.6 and 731.1 of, the Welfare and Institutions Code, relating to restitution for victims of crime, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

# **Urgency Clause**

Urgency clause read, and adopted by the following vote:

# AYES-67

Aguiar	Conroy	Isenberg	Olberg
Alpert	Cortese	Kaloogian	Poochigian
Archie-Hudson	Cunneen	Katz	Pringle
Baca	Davis	Knight	Rainey
Baldwin	Ducheny	Knowles	Richter
Boland	Figueroa	Knox	Rogan
Bordonaro	Firestone	Kuehl	Setencich
Bowen	Friedman	Kuykendall	Speier
Bowler	Frusetta	Machado	Sweeney
Brewer	Gallegos	Margett	Takasugi
Brown, Valerie	Goldsmith	Martinez	Thompson
Brown, Willie	Granlund	Mazzoni	Tucker
Brulte	Hannigan	McPherson	Villaraigosa
Burton	Harvey	Miller	Weggeland
Bustamante	Hawkins	Morrissey	Woods
Caldera	Hoge	Morrow	Mme. Speaker
Cannella	House	Napolitano	_

# NOES-None

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

# AYES-67

		~ · = 0 · 0 ·	
Aguiar	Conroy	Isenberg	Olberg
Alpert	Cortese	Kaloogian	Poochigian
Archie-Hudson	Cunneen	Katz	Pringle
Baca	Davis	Knight	Rainey
Baldwin	Ducheny	Knowles	Richter
Boland	Figueroa	Knox	Rogan
Bordonaro	Firestone	Kuehl	Setencich
Bowen	Friedman	Kuykendall	Speier
Bowler	Frusetta	Machado	Sweeney
Brewer	Gallegos	Margett	Takasugi
Brown, Valerie	Goldsmith	Martinez	Thompson
Brown, Willie	Granlund	Mazzoni	Tucker
Brulte	Hannigan	McPherson	Villaraigosa
Burton	Harvey	Miller	Weggeland
Bustamante	Hawkins	Morrissey	Woods
Caldera	Hoge	Morrow	Mme. Speaker
Cannella	House	Napolitano	•

# NOES-None

Above bill ordered enrolled.

# FURTHER CONSIDERATION OF SENATE BILL NO. 1337, AS AMENDED, BY UNANIMOUS CONSENT

Assembly Member Knowles was granted unanimous consent to take up Senate Bill No. 1337, as amended, without reference to file for purpose of further amendments at this time.

SENATE BILL NO. 1337 (Wright)—An act to amend Section 14007.5 of the Welfare and Institutions Code, and to repeal Section 1 of Chapter 1441 of the Statutes of 1988, relating to health services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

## **Motion to Amend**

Assembly Member Knowles moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

# Request to Take Up Senate Bill No. 1337, As Amended, by Unanimous Consent

Assembly Member Knowles requested unanimous consent to take up Senate Bill No. 1337, as amended, without reference to file for purpose of consideration at this time.

Assembly Member Martinez withheld unanimous consent.

# CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Knowles was granted unanimous consent to take up Assembly Bill No. 668, without reference to file, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 668 (Knowles)—An act to amend Section 14007.5 of the Welfare and Institutions Code, and to repeal Section 1 of Chapter 1441 of the Statutes of 1988, relating to health services.

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 Knowles moved a call of the Assembly.

Motion carried. Time, 10: 15 p.m.

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

# CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 905

At 10:16 p.m., on motion of Assembly Member Poochigian, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

# **Call of the Assembly Continued**

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

Motion carried. Time, 10:16 p.m.

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

# CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 906

At 10:16 p.m., on motion of Assembly Member Aguiar, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

# **Call of the Assembly Continued**

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

Motion carried. Time, 10:17 p.m.

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

# CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 504

At 10:17 p.m., on motion of Assembly Member Kuykendall, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with:

The roll was opened.

# **Call of the Assembly Continued**

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

Motion carried. Time, 10:17 p.m.

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

# CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 668

At 10:17 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 roll was opened.

# **Call of the Assembly Continued**

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

Motion carried. Time, 10:18 p.m.

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

### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 29, 1995

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 904

And reports the same correctly enrolled, and presented to the Governor at 11:15 p.m., July 29, 1995.

E. DOTSON WILSON, Chief Clerk

### MESSAGES FROM THE SENATE

Senate Chamber, July 29, 1995

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

Assembly Bill No. 1218

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

# Above bill ordered to unfinished business file.

Senate Chamber, July 29, 1995

Assembly Bill No. 681	Assembly Bill No. 1440
Assembly Bill No. 723	Assembly Bill No. 1633
Assembly Bill No. 729	Assembly Bill No. 1870
Assembly Bill No. 952	Assembly Bill No. 1884
Assembly Bill No. 1297	•

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

# Above bills ordered enrolled.

Senate Chamber, July 29, 1995

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

Assembly Bill No. 105	Assembly Bill No. 847
Assembly Bill No. 162	Assembly Bill No. 985
Assembly Bill No. 256	Assembly Bill No. 1167
Assembly Bill No. 301	Assembly Bill No. 1237
Assembly Bill No. 306	Assembly Bill No. 1316
Assembly Bill No. 313	Assembly Bill No. 1395
Assembly Bill No. 371	Assembly Bill No. 1452
Assembly Bill No. 400	Assembly Bill No. 1515
Assembly Bill No. 603	Assembly Bill No. 1528
Assembly Bill No. 752	Assembly Bill No. 1711
Assembly Bill No. 830	Assembly Bill No. 1965

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

# Above bills ordered to unfinished business file.

Senate Chamber, July 29, 1995

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

Assembly Bill No. 948

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

# Above bill ordered enrolled.

Senate Chamber, July 29, 1995

Assembly Bill No. 415

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

# Above bill ordered enrolled.

Senate Chamber, July 29, 1995

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

Assembly Bill No. 28 Assembly Bill No. 624 Assembly Bill No. 778 Assembly Bill No. 796

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate By John W. Royane, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, July 29, 1995

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

Assembly Bill No. 977

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, July 29, 1995

Mme. 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. 266.

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

Senate Chamber, July 29, 1995

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

Senate Bill No. 1243
Senate Bill No. 1244
Senate Bill No. 1245
Senate Bill No. 1286
Senate Bill No. 1344
Senate Bill No. 1345
Senate Bill No. 1346
Senate Bill No. 1360

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

# TWO HUNDRED THIRTY-EIGHTH CALENDAR DAY AT SACRAMENTO, CALIFORNIA

Assembly Chamber, Sacramento Sunday, July 30, 1995

In Assembly, 12:01 a.m.

Hon. Brian Setencich, Majority Speaker pro Tempore of the Assembly, presiding

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

SENATE BILL NO. 75 (Kopp)—An act to amend Section 2150 of, and to add Section 2144 to, the Elections Code, relating to voter registration.

Bill read third time.

### Motion to Amend

Assembly Member Escutia moved the adoption of amendments. Amendments read and adopted by the following vote:

# AYES-39

Alpert	Ducheny
Archie-Hudson	Escutia
Boland	Figueroa
Bowen	Firestone
Brewer	Friedman
Brown, Willie	Gallegos
Bustamante	Hannigan
Caldera	Hawkins
Campbell	Isenberg
Conroy	Katz

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# NOES-22

Cortese Cunneen Goldsmith Granlund
Harvey Hoge

Kaloogian Knowles Kuykendall Olberg Poochigian Richter

Rogan Thompson Woods Mme. Speaker

Murray, Kevin Napolitano Pringle Rainey Speier Sweeney Tucker Vasconcellos Villaraigosa

Bill ordered reprinted.

# Further Consideration of Senate Bill No. 75, As Amended, by Unanimous Consent

Assembly Member Escutia was granted unanimous consent to take up Senate Bill No. 75, as amended, without reference to file for purpose of consideration at this time.

SENATE BILL NO. 75 (Polanco)—An act to add and repeal Sections 29530.3 and 29530.5 of the Government Code, to add and repeal Sections 99310.55 and 180205.5 of the Public Utilities Code, to add and repeal Section 96.19 of the Revenue and Taxation Code, and to add and repeal Section 188.95 of the Streets and Highways Code, relating to local government finance.

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

#### AYES-41

Alpert	Cunneen	Knight	Napolitano
Archie-Hudson	Ducheny	Knox	Pringle
Baldwin	Escutia	Kuehl	Rainey
Boland	Figueroa	Margett	Speier
Bowen	Firestone	Martinez	Tucker
Brewer	Friedman	Mazzoni	Vasconcellos
Brown, Valerie	Gallegos	McPherson	Villaraigosa
Brown, Willie	Hannigan	Miller	Weggeland
Bustamante	Hawkins	Morrissey	00
Campbell	Isenberg	Morrow	
Conroy	Katz	Murray, Kevin	

#### NOES-22

Alby	Cortese	Knowles	Setencich
Bordonaro	Goldsmith	Kuykendall	Thompson
Bowler	Granlund	Olberg	Woods
Brulte	Harvey	Poochigian	Mme. Speaker
Burton	Hoge	Richter	-
Cannella	Kaloogian	Rogan	

## **Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Bill No. 75: Assembly Member Harvey, from "Aye" to "No"; Assembly Members Caldera, Davis, Lee, and Machado, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate immediately.

## **MESSAGES FROM THE SENATE**

Senate Chamber, July 30, 1995

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

Assembly Bill No. 908

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, July 30, 1995

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

Senate Bill No. 2 Senate Bill No. 75 Senate Bill No. 179 Senate Bill No. 240 Senate Bill No. 289 Senate Bill No. 352 Senate Bill No. 360	Senate Bill No. 558 Senate Bill No. 572 Senate Bill No. 648 Senate Bill No. 781 Senate Bill No. 822 Senate Bill No. 1025 Senate Bill No. 1148

RICK ROLLENS, Secretary of the Senate By John W. Rovane, Assistant Secretary

Senate Chamber, July 30, 1995

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

Senate Concurrent Resolution No. 42

JOHN ROVANE, Assistant Secretary

# FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 42—Relative to Joint Rule 51.

# CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Brulte was granted unanimous consent to take up Assembly Bill No. 908, without reference to file, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 908 (Brulte)—An act to amend Sections 1523.2 and 1569.617 of the Health and Safety Code, to amend Section 1611.5 of the Unemployment Insurance Code, to amend Sections 11450, 11462, 14005.21, 14005.21, 14132.95, 16504, 16506, 16525.10, 16525.40, and 19806 of, and to add Sections 11052.1, 11254, 11334.51, 11450.018, 11450.019, 11452.018, 12200.018, 12302.3, and 14132.96 to, the Welfare and Institutions Code, relating to public services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

# **Urgency Clause**

Urgency clause read.

The roll was opened.

# Call of the Assembly

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

Motion carried. Time, 12:50 a.m.

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

14. 77

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

SENATE BILL NO. 1330 (Committee on Budget and Fiscal Review)—An act relating to postsecondary education, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Motion to Amend

Assembly Member Villaraigosa moved the adoption of amendments.

Amendments read.

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# **Demand for Previous Question**

Assembly Members Burton, Hannigan, Napolitano, Friedman, and Hawkins demanded the previous question. Demand sustained.

The question being on the Villaraigosa motion to amend Senate Bill No. 1330.

Motion lost by the following vote:

D. C. J. . . . .

### AYES—15

T7 . .

Archie-Hudson Brown, Willie Campbell Escutia	Friedman Hannigan Isenberg Katz	Knox Kuehl Lee McDonald	Murray, Kevin Tucker Villaraigosa
	NO	ES—50	
Aguiar Alby Alpert Baldwin Boland Bordonaro Bowler Brewer Brown, Valerie Brulte Cannella Conroy Cortese	Cunneen Davis Ducheny Firestone Frusetta Goldsmith Granlund Harvey Hawkins Hoge House Kaloogian Knight	Knowles Kuykendall Machado Margett Martinez Mazzoni McPherson Miller Morrissey Morrow Olberg Poochigian Pringle	Rainey Richter Rogan Setencich Speier Sweeney Takasugi Thompson Weggeland Woods Mme. Speaker

# Motion to Reconsider Villaraigosa Amendments to Senate Bill No. 1330 on Next Legislative Day

Assembly Member Villaraigosa moved to reconsider on the next legislative day the vote whereby his motion to amend Senate Bill No. 1330 lost.

Senate Bill No. 1330 ordered to the unfinished business file.

# CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 905

At 1:19 a.m., on motion of Assembly Member Poochigian, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly refused to concur in Senate amendments to Assembly Bill No. 905 by the following vote:

## AYES—39

Aguiar	Firestone	Knowles	Rainey
Alby	Frusetta	Kuykendall	Richter
Baldwin	Goldsmith	Margett	Rogan
Boland	Granlund	McPherson	Setencich
Bordonaro	Harvey	Miller	Takasugi
Bowler	Hawkins	Morrissey	Thompson
Brewer	House	Morrow	Weggeland
Brulte	Isenberg	Olberg	Woods
Conroy	Kaloogian	Poochigian	Mme. Speaker
Cunneen	Knight	Pringle	. <b>.</b>

# NOES-36

Campbell	Hannigan	McDonald
Cannella	Hoge	Murray, Kevin
Cortese	Katz	Murray, Willard
Davis	Knox	Napolitano
Ducheny	Kuehl	Speier
Escutia	Lee	Sweeney
Figueroa	Machado	Tucker
Friedman	Martinez	Vasconcellos
Gallegos	Mazzoni	Villaraigosa
	Cortese Davis Ducheny Escutia Figueroa Friedman	Cannella Hoge Cortese Katz Davis Knox Ducheny Kuehl Escutia Lee Figueroa Machado Friedman Martinez

# Motion to Reconsider Assembly Bill No. 905 on Next Legislative Day

Assembly Member Poochigian moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Bill No. 905 were this day refused concurrence.

Assembly Bill No. 905 ordered to the unfinished business file.

# CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 906

At 1:19 a.m., on motion of Assembly Member Aguiar, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly refused to concur in Senate amendments which add an urgency clause to Assembly Bill No. 906 by the following vote:

AYES38	
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Aguiar	Brulte	Hoge	Olberg
Alby	Conroy	Isenberg	Pringle
Alpert	Cortese	Kaloogian	Rainey
Baldwin	Davis	Knight	Richter
Boland	Ducheny	Knowles	Rogan
Bordonaro	Firestone	Kuykendall	Takasugi
Bowler	Goldsmith	Margett	Thompson
Brewer	Granlund	Miller	Weggeland
Brown, Valerie	Harvey	Morrissey	00
Brown, Willie	Hawkins	Morrow	

#### NOES-27

Baca	Escutia	Kuehl	Napolitano
Bowen	Figueroa	Lee	Setencich
Burton	Friedman	Machado	Speier
Bustamante	Gallegos	Martinez	Tucker
Caldera	Hannigan	Mazzoni	Vasconcellos
Campbell	Katz	Murray, Kevin	Villaraigosa
Cannella	Knox	Murray. Willard	· ·

# Motion to Reconsider Assembly Bill No. 906 on Next Legislative Day

Assembly Member Aguiar moved to reconsider on the next legislative day the vote whereby the Assembly refused to concur in Senate amendments which add an urgency clause to Assembly Bill No. 906.

Assembly Bill No. 906 ordered to the unfinished business file.

# CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 504

At 1:20 a.m., on motion of Assembly Member Kuykendall, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly refused to concur in Senate amendments to Assembly Bill No. 504 by the following vote:

AY	ES-	-31
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Aguiar Baldwin Boland Bordonaro Bowler Brewer Brulte Caldera	Conroy Goldsmith Granlund Harvey Hawkins Isenberg Kaloogian Knight	Knowles Knox Kuykendall Margett Miller Morrissey Morrow Olberg	Poochigian Pringle Rainey Rogan Takasugi Thompson Weggeland

# NOES-31

Archie-Hudson	Cannella	Hoge	McPherson
Baca	Cortese	Katz	Murray, Kevin
Bowen	Cunneen	Kuehl	Napolitano
Brown, Valerie	Escutia	Lee	Speier
Brown, Willie	Figueroa	Machado	Sweeney
Burton	Friedman	Martinez	Tucker
Bustamante	Gallegos	Mazzoni	Woods
Campbell	Hannigan	McDonald	

# Motion to Reconsider Assembly Bill No. 504 on Next Legislative Day

Assembly Member Kuykendall moved to reconsider on the next legislative day the vote whereby the Assembly refused to concur in Senate amendments to Assembly Bill No. 504.

Assembly Bill No. 504 ordered to the unfinished business file.

# CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 668

At 1:21 a.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 Assembly refused to concur in Senate amendments to Assembly Bill No. 668 by the following vote:

# AYES-35

Aguiar Alby	Goldsmith Granlund	Kuykendall Margett	Richter Rogan
Baldwin Boland	Harvey Hawkins	Miller Morrissey	Setencich Takasugi
Bordonaro	Hoge	Morrow	Thompson
Bowler	House	Olberg	Weggeland
Brewer	Kaloogian	Poochigian	Woods
Brulte Conroy	Knight Knowles	Pringle Rainey	Mme. Speaker
Comby	Knowics	Hantey	

## NOES-35

Alpert	Campbell	Hannigan	McDonald
Archie-Hudson	Cannella	Isenberg	Murray, Kevin
Baca	Cortese	Katz	Napolitano
Bowen	Davis	Knox	Spêier
Brown, Valerie	Ducheny	Kuehl	Sweeney
Brown, Willie	Escutia	Lee	Tucker
Burton	Figueroa	Machado	Vasconcellos
Bustamante	Friedman	Martinez	Villaraigosa
Caldera	Gallegos	Mazzoni	

# Motion to Reconsider Assembly Bill No. 668 on Next Legislative Day

Assembly Member Knowles moved to reconsider on the next legislative day the vote whereby the Assembly refused to concur in Senate amendments to Assembly Bill No. 668.

Assembly Bill No. 668 ordered to the unfinished business file.

# CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 908

At 1:22 a.m., on motion of Assembly Member Brulte, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly refused to concur in Senate amendments which add an urgency clause to Assembly Bill No. 908 by the following vote:

# AYES—38

Aguiar Alpert Baldwin Boland Bowler Brewer Brulte Cunneen Davis Firestone	Frusetta Goldsmith Granlund Harvey Hawkins Hoge House Isenberg Kaloogian Knight	Knowles Kuykendall Machado Margett McPherson Miller Morrissey Morrow Olberg Poochigian	Pringle Rainey Rogan Takasugi Thompson Weggeland Woods Mme. Speaker
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## NOES-28

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Archie-Hudson	Campbell	Katz	Murray, Kevin
Baca	Cannella	Knox	Napolitano
Brown, Valerie	Escutia	Kuehl	Speier
Brown, Willie	Figueroa	Lee	Sweeney
Burton	Friedman	Martinez	Tucker
Bustamante	Gallegos	Mazzoni	Vasconcellos
Caldera	Hannigan	McDonald	Villaraigosa

# Motion to Reconsider Assembly Bill No. 908 on Next Legislative Day

Assembly Member Brulte moved to reconsider on the next legislative day the vote whereby the Assembly refused to concur in Senate amendments which add an urgency clause to Assembly Bill No. 908.

Assembly Bill No. 908 ordered to the unfinished business file.

# CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 903

At 1:22 a.m., on motion of Assembly Member Pringle, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

# Record Expunged and Action Rescinded on Assembly Bill No. 903

Unanimous consent was granted that the record be expunged and the action rescinded whereby a roll call vote was taken on this day on Assembly Bill No. 903, and that the bill be passed on file, to retain its place on file.

# SENATE CONCURRENT RESOLUTION NO. 42 TAKEN UP BY UNANIMOUS CONSENT

Speaker Emeritus Brown was granted unanimous consent to take up Senate Concurrent Resolution No. 42, without reference to committee, print, or file.

SENATE CONCURRENT RESOLUTION NO. 42—Relative to Joint Rule 51. Resolution read.

# **Parliamentary Inquiry**

Assembly Member Burton arose to the following parliamentary inquiry:

Does Senate Concurrent Resolution No. 42 permit the Senate to be in recess for more than 10 days with the consent of the Assembly and permit the Assembly to remain in session to consider the Budget bill?

# Reply by Majority Speaker pro Tempore Setencich

The Majority Speaker pro Tempore replied in the affirmative.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

# AYES-59

Aguiar	Cortese	Knight	Poochigian
Alpert	Davis	Knowles	Pringle
Archie-Hudson	Ducheny	Knox	Rainey
Baca	Escutia	Kuehl	Richter
Baldwin	Figueroa	Lee	Rogan
Boland	Friedman	Machado	Setencich
Brewer	Gallegos	Margett	Speier
Brown, Valerie	Goldsmith	Martinez	Sweeney
Brown, Willie	Granlund	Mazzoni	Takasugi
Brulte	Hannigan	McDonald	Tucker
Burton	Harvey	Miller	Villaraigosa
Bustamante	Hawkins	Morrow	Weggeland
Caldera	Isenberg	Murray, Kevin	Woods
Campbell	Kaloogian	Napolitano	Mme. Speaker
Cannella	Katz	Olberg	•

## **NOES—None**

Resolution ordered transmitted to the Senate.

### **VOTE ADDS**

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

Senate Joint Resolution No. 2: Aguiar, Alpert, Archie-Hudson, Battin, Bowen, Burton, Bustamante, Davis, Kuehl, McDonald, Rogan, Speier, and Weggeland—Aye; Lee—No.

Senate Bill No. 1315: Alpert, Archie-Hudson, Burton, Bustamante, Davis, Knox, Lee, McDonald, Rogan, Speier, Tucker, and Weggeland—Aye.

Senate Bill No. 699: Alpert, Burton, Bustamante, Davis, Granlund, Rogan, and Speier—Aye; Baca, Gallegos, and McDonald—No.

Assembly Bill No. 861 and Urgency: Alpert, Valerie Brown, Bustamante, Escutia, Granlund, McDonald, Rogan, Speier, and Weggeland—Aye.

Assembly Bill No. 825, Urgency and Concurrence: Alpert, Bates, Kevin Murray, Napolitano, and Mme. Speaker—Aye.

Senate Joint Resolution No. 9: Speier—No.

Senate Bill No. 2: Alby, Boland, and Bowler—Aye; Speier—No.

Senate Bill No. 903 and Urgency: Bowen, Goldsmith, Granlund, McDonald, Speier, and Tucker—Aye; Lee—No.

Senate Bill No. 1170: Weggeland—Aye; Woods—No.

Senate Bill No. 1344, Friedman Amendments: Machado and Olberg—Aye.

Senate Bill No. 1344 and Urgency: Alby, Baldwin, Escutia, and Machado—Aye.

Senate Bill No. 1346: Aguiar, Cunneen, Goldsmith, Harvey, and McPherson—Aye; Morrow and Olberg—No.

Senate Bill No. 1345, Valerie Brown Amendments: Cunneen, Granlund, and McPherson—Aye; Kaloogian—No.

Senate Bill No. 1345, Willard Murray Amendments: Kuykendall and Speier—Aye; Cunneen and Poochigian—No.

Assembly Bill No. 904, Concurrence: Valerie Brown, Poochigian, and Woods—Aye.

Senate Bill No. 1345 and Urgency: Lee, Poochigian, and Tucker—Aye.

Assembly Bill No. 687, Urgency and Concurrence: Baca, Bordonaro, Valerie Brown, Granlund, Knowles, Morrow, Napolitano, Olberg, Poochigian, and Rogan—Aye.

Assembly Bill No. 910, Concurrence: Boland, Goldsmith, Granlund, Morrow, Olberg, Rogan, and Tucker—Aye.

Assembly Bill No. 911, Concurrence: Escutia and Tucker—Aye; Granlund, Hawkins, Morrow, and Olberg—No.

Assembly Bill No. 817, Urgency and Concurrence: Archie-Hudson, Valerie Brown, Cunneen, Granlund, Machado, Mazzoni, Morrow, Rogan, Speier, Sweeney, and Tucker—Aye.

Senate Bill No. 75, Escutia Amendments: Granlund—No.

Senate Bill No. 75: Burton and Hoge—No.

Senate Bill No. 1330, Villaraigosa Amendments: Alpert and Davis—No.

# QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:32 a.m., Majority Speaker pro Tempore Setencich declared the quorum call of the Assembly dispensed with.

### INTRODUCTION OF GUESTS

Assembly Member Isenberg, of the 9th Assembly District, introduced former Member of the Assembly Lloyd Connelly.

### **ADJOURNMENT**

At 1:33 a.m., the Assembly adjourned until 12 m., Sunday, July 30, 1995.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

# AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JULY 29, 1995

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

Assembly Bill

538

Assembly Constitutional Amendment

8

Senate Bills

120

623

1158

1170

1337

1344

1345

1346

# **AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JULY 30, 1995**

The following measure was amended in the Assembly on this day:

Senate Bill

75

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

Senate Bill 1330