

CALIFORNIA LEGISLATURE
1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, June 4, 1998

**TWO HUNDRED EIGHTEENTH SESSION DAY
FIVE HUNDRED FIFTIETH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, June 4, 1998

The Assembly met at 10 a.m.

Hon. Sheila James Kuehl, 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 Morrissey moved a quorum call of the Assembly. Motion carried. Time, 10:01 a.m.

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

Quorum Present

At 10:16 a.m., Speaker pro Tempore Kuehl declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—73:

Ackerman	Cedillo	Leonard	Runner
Aguiar	Cunneen	Machado	Scott
Alby	Davis	Margett	Shelley
Alquist	Ducheny	Martinez	Strom-Martin
Aroner	Figueroa	Mazzoni	Sweeney
Ashburn	Floyd	McClintock	Takasugi
Baca	Gallegos	Migden	Thompson
Baldwin	Goldsmith	Morrissey	Thomson
Battin	Granlund	Morrow	Torlakson
Baugh	Havice	Murray	Vincent
Bordonaro	Hertzberg	Olberg	Washington
Bowen	Honda	Oller	Wayne
Bowler	House	Ortiz	Wildman
Brewer	Keeley	Pacheco	Woods
Brown	Knox	Papan	Wright
Bustamante	Kuehl	Perata	Mr. Speaker
Campbell	Kuykendall	Poohigian	
Cardenas	Leach	Prenter	
Cardoza	Lempert	Richter	

PRAYER

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

O Lord, Our God, You are faithful in Your words and truthful in Your promises. You call all of us to fight the good fight, to fulfill the course of godliness and to keep the true faith. Will You, Lord, grant us a share of Your inheritance, that being followers of Your commandments, we may obtain the good things which await Your faithful servants. For You are merciful, You love mankind, and we glorify You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Bordonaro 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 Scott, seconded by Assembly Member Aguiar.

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Members Frusetta, Kaloogian, Miller, and Pringle.

On personal business, and waiving per diem: Assembly Members Firestone and Napolitano.

Because of illness: Assembly Member Escutia.

EXPLANATIONS OF ABSENCE

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

June 4, 1998

*The Honorable Antonio Villaraigosa
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I humbly request that I be excused June 4, 1998 to continue to attend to legislative business in my district. As you know, my district has experienced heavy flood related damage weakening the structural integrity of levee systems. I plan on continuing my tour and inspection of portions of the Pajaro River and its tributaries to assess their status.

Thank you for your consideration of this request, Mr. Speaker.

Sincerely,

PETER FRUSETTA, Assembly Member
Twenty-eighth District

May 4, 1998

*Speaker Antonio Villaraigosa
State Capitol, Room 219
Sacramento, California*

Dear Speaker Villaraigosa,

This is to request that I be excused from session on Thursday, June 4, 1998 on legislative business.

Thank you for your attention to this matter.

Respectfully,

HOWARD KALOOGIAN, Assembly Member
Seventy-fourth District

June 3, 1998

*Speaker Antonio Villaraigosa
State Capitol, Room 219
Sacramento, California*

Dear Honorable Villaraigosa: Please excuse me from session on Thursday, June 4, 1998. I will be in my district on legislative business.

Thank you for your consideration of this request. Please do not hesitate to contact my office if you have any questions.

Sincerely,

GARY G. MILLER, Assembly Member
Sixtieth District

May 29, 1998

*Honorable Antonio Villaraigosa
Speaker, California Assembly
Room 219, State Capitol
Sacramento, California*

Dear Speaker Villaraigosa: Please excuse me from session Thursday, June 4, 1998 as I will be in Washington, D.C. attending the National Summit on Retirement Savings.

Thank you for your consideration.

Sincerely,

CURT PRINGLE, Assembly Member
Sixty-eighth District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 4, 1998

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

Assembly Bill No. 2072

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 4, 1998

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

Assembly Constitutional Amendment No. 43

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, June 4, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Joint Resolution No. 67

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, June 4, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
House Resolution No. 29

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly Constitutional

<i>Amendment No.</i>	<i>Committee</i>
46 -----	E.,R. & C.A.
48 -----	E.,R. & C.A.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
161 -----	Trans.
162 -----	Rls.
163 -----	Trans.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
68 -----	Rls.

Senate

<i>Bill No.</i>	<i>Committee</i>
1383 -----	Rev. & Tax.
1401 -----	Jud.
1404 -----	Pub. S.
1424 -----	Rev. & Tax.
1430 -----	Ins.
1449 -----	E.,R. & C.A. and G.O.
1454 -----	C.P.,G.E. & E.D.
1468 -----	Ed. and G.O.
1479 -----	Ins.
1488 -----	L. Gov.
1501 -----	P.E.,R. & S.S.
1504 -----	Jud. and Health
1508 -----	Jud. and Rev. & Tax.
1557 -----	H. & C.D.
1560 -----	L. & E.
1612 -----	Pub. S. and Jud.
1622 -----	Jud. and B. & F.
1626 -----	Pub. S. and Ed.
1648 -----	Health and Hum. S.
1649 -----	L. Gov. and C.P.,G.E. & E.D.
1650 -----	Trans.
1653 -----	Jud. and Health
1654 -----	Health

1675	-----	Nat. Res.
1729	-----	Higher Ed. and Pub. S.
1734	-----	Pub. S.
1735	-----	Jud.
1760	-----	L. Gov.
1767	-----	Trans.
1768	-----	Pub. S.
1785	-----	Jud.
1835	-----	Agri. and Nat. Res.
1849	-----	Higher Ed. and C.P.,G.E. & E.D.
1850	-----	Pub. S.
1851	-----	Trans.
1876	-----	Jud.
1880	-----	Pub. S.
1915	-----	Health
1916	-----	E.S. & T.M.
1924	-----	E.S. & T.M.
1932	-----	Ed.
1939	-----	Jud.
1945	-----	P.E.,R. & S.S.
1951	-----	Health
2003	-----	Agri.
2004	-----	L. Gov. and Health
2005	-----	Jud. and L. Gov.
2009	-----	U. & C.
2010	-----	Nat. Res.
2021	-----	Pub. S.
2024	-----	C.P.,G.E. & E.D.
2028	-----	W.,P. & W.
2034	-----	Pub. S. and Jud.
2051	-----	Ins.
2067	-----	Trans.
2068	-----	Higher Ed.
2090	-----	E.,R. & C.A.
2095	-----	H. & C.D. and Jud.
2099	-----	L. Gov.
2103	-----	W.,P. & W. and Jud.
2111	-----	E.S. & T.M.
2119	-----	C.P.,G.E. & E.D.
2134	-----	Rev. & Tax.
2150	-----	U. & C.
2155	-----	Hum. S.
2163	-----	P.E.,R. & S.S.
2166	-----	Jud. and U. & C.
2168	-----	Pub. S.
2174	-----	G.O.
2178	-----	Ed.
2189	-----	B. & F.
2198	-----	E.S. & T.M. and Trans.
2201	-----	W.,P. & W.
2203	-----	E.,R. & C.A.
2215	-----	Pub. S.
2223	-----	Higher Ed. and Health
2227	-----	L. Gov. and Agri.

- 2230 ----- Rev. & Tax. and Trans.
- 2231 ----- Rev. & Tax.
- 2232 ----- Rev. & Tax. and Trans.
- 2233 ----- Rev. & Tax.

AUTHOR’S AMENDMENTS
Committee on Local Government

June 4, 1998

Mr. Speaker: The Chair of your Committee on Local Government reports:
Senate Bill No. 1805
Senate Bill No. 1860

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

SWEENEY, Chairman

SENATE BILL NO. 1805—An act to amend Section 21166 of the Water Code, relating to water.

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. 1860—An act to amend Sections 20581, 20631, and 21031 of the Public Contract Code, relating to public works.

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

AUTHOR’S AMENDMENTS
Committee on Judiciary

June 4, 1998

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 1098

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

ESCUZIA, Chairwoman

SENATE BILL NO. 1098—An act to amend Section 12941 of the Government Code, relating to employment.

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

AUTHOR’S AMENDMENTS
Committee on Health

June 4, 1998

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Constitutional Amendment No. 38

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

GALLEGOS, Chairman

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 32 to Article I thereof, relating to abortion.

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 Elections, Reapportionment and Constitutional Amendments**

June 4, 1998

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

Senate Bill No. 627

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

VINCENT, Chairman

SENATE BILL NO. 627—An act to amend Sections 2142, 14405, 15500, 15501, 15505, and 15642 of, to amend the heading of Division 15 (commencing with Section 15000) of, to amend and renumber Sections 14421 and 14423 of, to amend and renumber the headings of Chapter 8 (commencing with Section 15400), Chapter 9 (commencing with Section 15450), Chapter 10 (commencing with Section 15500), Chapter 11 (commencing with Section 15550), Chapter 12 (commencing with Section 15600), and Chapter 13 (commencing with Section 15650) of Division 15 of, to add Sections 335.5, 336.5, and 353.5 to, to add Article 3 (commencing with Section 14430) and Article 4 (commencing with Section 14400) to Chapter 4 of Division 14 of, to add Chapter 2 (commencing with Section 15100) and Chapter 4 (commencing with Section 15300) to Division 15 of, to repeal Sections 13245, 14406, 14420, 14422, 15552, and 17500 of, to repeal Article 6 (commencing with Section 14320) of Chapter 3 of Division 14 of, to repeal Article 5 (commencing with Section 15645) of Chapter 12 of Division 15 of, to repeal Chapter 2 (commencing with Section 15050), Chapter 4 (commencing with Section 15200), Chapter 5 (commencing with Section 15250), Chapter 6 (commencing with Section 15300), and Chapter 7 (commencing with Section 15350) of Division 15 of, to repeal and add Sections 301, 14403, and 14404 of, and to repeal and add Chapter 1 (commencing with Section 15000) and Chapter 3 (commencing with Section 15150) of Division 15 of, the Elections Code, relating to elections.

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

AUTHOR'S AMENDMENTS**Committee on Environmental Safety and Toxic Materials**

June 4, 1998

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

Senate Bill No. 1033

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

WAYNE, Chairman

SENATE BILL NO. 1033—An act to amend Section 116275 of, and to add Section 116611 to, the Health and Safety Code, relating to drinking water.

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

AUTHOR'S AMENDMENTS**Committee on Judiciary**

June 4, 1998

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

Senate Bill No. 1620

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

ESCUTIA, Chairwoman

SENATE BILL NO. 1620—An act to amend Section 3482.1 of the Civil Code, relating to nuisance, and declaring the urgency thereof, to take effect immediately.

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

AUTHOR'S AMENDMENTS
Committee on Health

June 4, 1998

Mr. Speaker: The Chair of your Committee on Health reports:
Senate Bill No. 1443
Senate Bill No. 1541

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

GALLEGOS, Chairman

SENATE BILL NO. 1443—An act to amend Section 1368 of, and to amend, repeal, and add Section 1368.02 of, the Health and Safety Code, relating to health care service plans.

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. 1541—An act to add Section 1259.3 to the Health and Safety Code, relating to health facilities.

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

AUTHOR'S AMENDMENTS
Committee on Judiciary

June 4, 1998

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 1661
Senate Bill No. 1707

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

ESCUZIA, Chairwoman

SENATE BILL NO. 1661—An act to add and repeal Section 1021.1 of the Code of Civil Procedure, relating to attorney's fees, 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. 1707—An act to add Section 2080.10 to the Civil Code, relating to safekeeping of property.

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

AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife

June 4, 1998

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Senate Bill No. 1475

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

MACHADO, Chairman

SENATE BILL NO. 1475—An act to amend Sections 8496 and 8837 of the Fish and Game Code, relating to fishing.

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

AUTHOR'S AMENDMENTS
Committee on Human Services

June 4, 1998

Mr. Speaker: The Chair of your Committee on Human Services reports:
Senate Bill No. 1522

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

ARONER, Chairwoman

SENATE BILL NO. 1522—An act to amend Sections 8277.5 and 8277.6 of, and to add Section 8277.65 to, the Education Code, relating to child care and development, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

AUTHOR'S AMENDMENTS
Committee on Judiciary

June 4, 1998

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 2192

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

ESCUTIA, Chairwoman

SENATE BILL NO. 2192—An act to amend Section 12941 of the Government Code, relating to employment.

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

AUTHOR'S AMENDMENTS
Committee on Rules

June 4, 1998

Mr. Speaker: The Chair of your Committee on Rules reports:
Senate Concurrent Resolution No. 86

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

HERTZBERG, Chairman

SENATE CONCURRENT RESOLUTION NO. 86—Relative to school safety.

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

ADJOURN IN MEMORY

Assembly Member Wayne was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Eugenia Lopez, of Chula Vista.

Speaker pro Tempore Kuehl was granted unanimous consent that when the Assembly adjourn on this day it do so out of respect to the memory of Rose M. McKinney, of Sacramento.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 2638, on request of Assembly Member Gallegos.

ADJOURN IN MEMORY

Assembly Member Ackerman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard E. "Red" Darringer, of Fullerton.

Assembly Member Aguiar was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Elizabeth Kathryn Clark, longtime resident of Chino, survived by two daughters and a sister; and Peter J. Setlich of Claremont, a longtime area football coach, survived by his wife.

Assembly Member Bowler was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of retired Sacramento County Sheriff Detective Gordon H. Lewis.

Assembly Member Shelley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John B. Cella II, of San Francisco; and George David Hart, of San Francisco.

SPECIAL RECOGNITION

The Members of the Assembly joined in extending best wishes to Assembly Member Aroner on the occasion of her birthday.

ADJOURN IN MEMORY

Assembly Members Aroner and Honda were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kerman Lew, of Los Gatos.

RE-REFERENCE OF BILLS

Assembly Member Shelley was granted unanimous consent that the following bills be re-referred as noted:

Senate Bill No. 1730 from the Committee on Housing and Community Development, to the Committee on Judiciary;

Senate Bill No. 1855 from the Committee on Education, to the Committee on Budget.

RE-REFERENCE OF BILLS FROM FILE TO COMMITTEE

Assembly Member Shelley was granted unanimous consent that Senate Bill No. 184 be re-referred from the third reading file to the Committee on Consumer Protection, Governmental Efficiency and Economic Development; and that Senate Bill No. 549 be referred from the third reading file to the Committee on Local Government.

ADJOURN IN MEMORY

Assembly Member Baca was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Don Rusk, Professor at San Bernardino Valley College, Redlands.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Upon request of Assembly Member Shelley, Assembly Member Knox was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 2318

June 4, 1998

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

Dear Mr. Wilson: On May 27, 1998 I introduced, and this house unanimously approved, Assembly Bill 2318. It was my intent to inform the house that technical amendments are necessary and have been agreed to by the counties, the airline industry and other concerned parties. These amendments will be introduced in the Senate Committee on Revenue and Taxation.

Sincerely,

WALLY KNOX, Assembly Member
Forty-second District

ADJOURN IN MEMORY

Assembly Member Prenter was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Paul Lee Bradford, of Bakersfield.

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1211 (Committee on Public Safety)—An act to amend Sections 832.3 and 832.4 of the Penal Code, relating to peace officers.

Bill presented by Assembly Member Washington.

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—64

Ackerman	Cunneen	Leonard	Prenter
Aguiar	Davis	Machado	Runner
Alby	Ducheny	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Gallegos	Mazzoni	Strom-Martin
Baca	Goldsmith	McClintock	Sweeney
Baldwin	Granlund	Migden	Thompson
Battin	Havice	Morrissey	Thomson
Bordonaro	Honda	Morrow	Torlakson
Bowen	House	Olberg	Vincent
Bowler	Keeley	Oller	Washington
Brown	Knox	Ortiz	Wayne
Campbell	Kuehl	Pacheco	Wildman
Cardenas	Kuykendall	Papan	Woods
Cardoza	Leach	Perata	Wright
Cedillo	Lempert	Poohigian	Mr. Speaker

NOES—None

Above bill ordered enrolled.

CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Upon request of Assembly Member Shelley, Assembly Member Ducheny was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 1656, without reference to file.

ASSEMBLY BILL NO. 1656 (Ducheny)—An act 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.

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

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

The roll was opened, and the Assembly refused to concur in Senate amendments by the following vote:

AYES—2

Ducheny Martinez

NOES—60

Ackerman	Cunneen	Machado	Runner
Aguiar	Davis	Margett	Scott
Alby	Figueroa	Mazzoni	Shelley
Alquist	Gallegos	McClintock	Strom-Martin
Aroner	Goldsmith	Migden	Sweeney
Ashburn	Granlund	Morrissey	Takasugi
Baca	Havice	Morrow	Thompson
Baldwin	Honda	Olberg	Thomson
Battin	House	Oller	Torlakson
Bordonaro	Keeley	Ortiz	Vincent
Bowen	Kuehl	Pacheco	Washington
Bowler	Kuykendall	Papan	Wayne
Campbell	Leach	Perata	Woods
Cardenas	Lempert	Poohigian	Wright
Cedillo	Leonard	Prenter	Mr. Speaker

APPOINTMENT OF COMMITTEE ON CONFERENCE

The Speaker appointed the following Assembly Members as a Committee on Conference concerning Assembly Bill No. 1656:

Ducheny, Runner, and Migden.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 2064 FROM COMMITTEE

In compliance with a notice given on a previous day, Assembly Member Morrissey moved that Assembly Bill No. 2064 be withdrawn from the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

Assembly Member Cunneen seconded the motion.

Motion lost by the following vote:

AYES—30

Ackerman	Campbell	Margett	Poochigian
Aguiar	Cunneen	Martinez	Prenter
Alby	Goldsmith	McClintock	Runner
Ashburn	Granlund	Morrissey	Takasugi
Baldwin	House	Morrow	Thompson
Battin	Kuykendall	Olberg	Woods
Bordonaro	Leach	Oller	
Bowler	Leonard	Pacheco	

NOES—13

Bowen	Knox	Papan	Mr. Speaker
Davis	Kuehl	Thomson	
Ducheny	Mazzoni	Washington	
Floyd	Migden	Wright	

MOTION TO RECONSIDER ASSEMBLY BILL NO. 23 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 23 was continued until the next legislative day.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1699, on request of Assembly Member Ortiz.

REQUEST FOR PHOTOGRAPHER

Assembly Member Figueroa was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

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

SENATE BILL NO. 190 (Alpert)—An act to add Article 6 (commencing with Section 60675) to Chapter 5 of Part 33 of the Education Code, relating to academic achievement.

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

Bill passed by the following vote:

AYES—69

Aguiar	Davis	Margett	Scott
Alby	Ducheny	Martinez	Shelley
Alquist	Figueroa	Mazzoni	Strom-Martin
Aroner	Floyd	McClintock	Sweeney
Ashburn	Gallegos	Migden	Takasugi
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Murray	Torlakson
Bordonaro	Hertzberg	Olberg	Vincent
Bowen	Honda	Oller	Washington
Bowler	House	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Bustamante	Knox	Papan	Woods
Campbell	Kuehl	Perata	Wright
Cardenas	Kuykendall	Poochigian	Mr. Speaker
Cardoza	Leach	Prenter	
Cedillo	Lempert	Richter	
Cunneen	Machado	Runner	

NOES—1

Ackerman

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1505 (Lewis)—An act to amend Sections 2151, 13203, 13206, 13300, 13301, and 13302 of the Elections Code, as amended by Proposition 198 of the March 26, 1996, primary election, relating to elections, and calling a special election to be consolidated with the general election of November 3, 1998, to take effect immediately, as an act called an election.

Bill read third time.

Motion to Amend

Assembly Member Leonard moved the adoption of amendments.

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

SENATE BILL NO. 1186 (Committee on Public Safety)—An act to amend Section 25666.5 of the Business and Professions Code, to amend Section 655.6 of the Harbors and Navigation Code, to amend Sections 11836, 11837, 11837.1, 11837.2, and 11837.4 of the Health and Safety Code, to amend Sections 670 and 1861.025 of the Insurance Code, to amend Sections 191.5, 193.7, 647.2, and 1203.1bb of the Penal Code, and to amend Sections 1803, 12802.5, 13106, 13202.8, 13350, 13352, 13352.3, 13352.4, 13352.5, 13353, 13353.1, 13353.2, 13353.3, 13353.7, 13551, 13557, 13558, 14601.2, 14601.3, 14905, 22651, 23103.5, 23158, 23217, and 23247 of, to add Sections 13380, 13382, 13384, 13386, 13388, 13390, and 13392 to, to add Division 11.5 (commencing with Section 23500) to, and to repeal Sections 13106, 13352.2, 14602, 23137, 23138, 23139, 23141, 23142, 23143, 23144, 23145, 23145.2, 23145.3, 23145.5, 23145.6, 23145.8, 23146, 23147, 23154, 23155, 23156, 23157, 23157.5, 23158.2, 23158.5, 23159, 23159.5, 23160, 23161, 23165, 23166, 23167, 23170, 23171, 23175, 23175.5, 23176, 23180, 23181, 23182, 23185, 23186, 23187, 23190, 23191, 23192, 23194, 23195, 23196, 23197, 23198, 23199, 23200, 23201, 23202, 23203, 23204, 23205, 23206, 23206.1, 23206.5, 23207, 23208, 23209, 23210, 23211, 23212, 23235, 23246, 23248, 23249, 23249.52, 23249.53, 23249.54, 23249.55, 23249.56, 23249.57, and 23249.58 of, the Vehicle Code, relating to vehicles.

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

Bill passed by the following vote:

AYES—70

Ackerman	Cunneen	Machado	Runner
Aguiar	Davis	Margett	Scott
Alby	Ducheny	Martinez	Shelley
Alquist	Figueroa	Mazzoni	Strom-Martin
Aroner	Floyd	McClintock	Sweeney
Ashburn	Gallegos	Migden	Takasugi
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Murray	Torlakson
Bordonaro	Hertzberg	Olberg	Vincent
Bowen	Honda	Oller	Washington
Bowler	House	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Bustamante	Kuehl	Papan	Woods
Campbell	Kuykendall	Perata	Wright
Cardenas	Leach	Poochigian	Mr. Speaker
Cardoza	Lempert	Prenter	
Cedillo	Leonard	Richter	

NOES—None

Bill ordered transmitted to the Senate.

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Washington announced his intention to request that Senate Bill No. 687 be removed from the inactive file.

Pursuant to Assembly Rule 78, Assembly Member Thomson announced her intention to request that Senate Bill No. 305 be removed from the inactive file.

Pursuant to Assembly Rule 78, Assembly Member Aroner announced her intention to request that Senate Bill No. 867 be removed from the inactive file.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Senate Resolution

SENATE CONCURRENT RESOLUTION NO. 89 (Johnston)—Relative to America’s Filipino Soldiers.

Resolution read, and adopted by the following vote:

AYES—71

Ackerman	Cunneen	Leonard	Richter
Aguiar	Davis	Machado	Runner
Alby	Ducheny	Margett	Scott
Alquist	Figueroa	Martinez	Shelley
Aroner	Floyd	Mazzoni	Strom-Martin
Ashburn	Gallegos	McClintock	Sweeney
Baca	Goldsmith	Migden	Takasugi
Baldwin	Granlund	Morrissey	Thompson
Battin	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Murray	Torlakson
Bowen	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brown	Keeley	Ortiz	Wayne
Bustamante	Knox	Pacheco	Wildman
Campbell	Kuehl	Papan	Woods
Cardenas	Kuykendall	Perata	Wright
Cardoza	Leach	Poohigian	Mr. Speaker
Cedillo	Lempert	Prenter	

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:

Assembly Bill No. 1211, Concurrence: Bowen, Brown, Martinez, Olberg, Pacheco, and Wildman—Aye.

Assembly Bill No. 1656, Concurrence: Martinez—Aye; Pacheco—No.

Senate Bill No. 190: Olberg, Pacheco, and Woods—Aye.

Senate Bill No. 1186: Brown, Cardenas, Ducheny, Pacheco, and Woods—Aye.

Consent Calendar: Pacheco and Woods—Aye.

MOTION TO ADJOURN

At 10:54 a.m., Assembly Member House moved that the Assembly do now adjourn.

Assembly Member Washington seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:55 a.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 168—Cardoza (Principal Senate coauthor: Costa) Brown, Machado, and Thomson. Relative to June is Dairy Month.

AUTHOR'S AMENDMENTS
Committee on Education

June 4, 1998

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

Senate Bill No. 12

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

MAZZONI, Chairwoman

SENATE BILL NO. 12—An act relating to education facilities funding.

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

AUTHOR'S AMENDMENTS
Committee on Health

June 4, 1998

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

Senate Bill No. 1658

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

GALLEGOS, Chairman

SENATE BILL NO. 1658—An act to amend Section 1345 of, and to add Section 1351.2 to, the Health and Safety Code, relating to health care service plans.

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

AUTHOR'S AMENDMENTS
Committee on Human Services

June 4, 1998

Mr. Speaker: The Chair of your Committee on Human Services reports:

Senate Bill No. 2031

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

ARONER, Chairwoman

SENATE BILL NO. 2031—An act to add Section 13967.6 to the Government Code, to amend and renumber Sections 18966 and 18966.1 of, to amend, renumber, and add Section 18965 of, and to add Sections 18965.1, 18965.2, and 18965.3 to, the Welfare and Institutions Code, relating to victims of crime, and declaring the urgency thereof, to take effect immediately.

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

AUTHOR'S AMENDMENTS
Committee on Public Employees, Retirement and Social Security

June 4, 1998

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 610

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

HONDA, Chairman

SENATE BILL NO. 610—An act to amend Sections 22134, 23201, and 24201 of the Education Code, and to add Section 31840.8 to, the Government Code, relating to public employees.

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

**AUTHOR’S AMENDMENTS
Committee on Judiciary**

June 4, 1998

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 1707

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

ESCUZIA, Chairwoman

SENATE BILL NO. 1707—An act to add Section 2080.10 to the Civil Code, relating to safekeeping of property.

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

**AUTHOR’S AMENDMENTS
Committee on Judiciary**

June 4, 1998

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 1622

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

ESCUZIA, Chairwoman

SENATE BILL NO. 1622—An act to add Title 1.81 (commencing with Section 1798.80) to Part 4 of Division 3 of the Civil Code, relating to biometric identifiers.

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

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

June 4, 1998

Mr. Speaker: The Chair of your Committee on Local Government reports:
Senate Bill No. 1498

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

SWEENEY, Chairman

SENATE BILL NO. 1498—An act to add Section 8961.13 to the Health and Safety Code, relating to dead bodies.

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

AUTHOR'S AMENDMENTS
Committee on Judiciary

June 4, 1998

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

Senate Bill No. 1418
Senate Bill No. 1939

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

ESCUTIA, Chairwoman

SENATE BILL NO. 1418—An act to amend Section 6405 of, to amend the heading of Chapter 5.5 (commencing with Section 6400) of Division 3 of, to amend, repeal, and add Sections 6401, 6402, 6403, 6407, 6408, 6409, 6410, 6411, 6412, 6413, and 6415 of, to add and repeal Sections 6401.6, and 6412.1 of, and to repeal and add Section 6400 of, the Business and Professions Code, relating to legal document assistants.

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. 1939—An act to amend Section 340.15 of the Code of Civil Procedure, relating to limitations of actions.

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

AUTHOR'S AMENDMENTS
Committee on Insurance

June 4, 1998

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

Senate Bill No. 1555

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

FIGUEROA, Chairwoman

SENATE BILL NO. 1555—An act to amend Section 779.14 of, and to add Sections 779.34 and 779.35 to, the Insurance Code, relating to insurance.

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

AUTHOR'S AMENDMENTS
Committee on Governmental Organization

June 4, 1998

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

Senate Bill No. 27
Senate Bill No. 28
Senate Bill No. 957

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

BROWN, Chairwoman

SENATE BILL NO. 27—An act to add Section 19616.52 to the Business and Professions Code, relating to horseracing.

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. 28—An act to amend Sections 19535, 19607, and 19607.1 of the Business and Professions Code, relating to horseracing.

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. 957—An act to amend Section 25501 of the Business and Professions Code, relating to alcoholic beverages.

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

AUTHOR'S AMENDMENTS
Committee on Appropriations

June 4, 1998

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

Senate Bill No. 117

Senate Bill No. 661

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

MIGDEN, Chairwoman

SENATE BILL NO. 117—An act to amend Sections 7500.1 and 7503.3 of the Business and Professions Code, to amend Section 22202 of the Financial Code, and to amend Sections 14602.6, 14607.6, and 23198 of the Vehicle Code, relating to collateral recovery.

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. 661—An act to add Section 13307.1 to the Water Code, relating to water.

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

REPORTS OF STANDING COMMITTEES
Committee on Education

Date of Hearing: June 3, 1998

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 86

Senate Bill No. 2082

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

MAZZONI, Chairwoman

Above bills re-referred to the Committee on Appropriations.

Committee on Rules

Date of Hearing: June 4, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 157

With the recommendation: Be adopted.

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

HERTZBERG, Chairman

Above resolution ordered on file.

MESSAGES FROM THE SENATE

Senate Chamber, June 4, 1998

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

Assembly Bill No. 1656.

GREG P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

INTRODUCTION OF GUESTS

Assembly Member Bordonaro, of the 33rd Assembly District, introduced 8th grade students from Lillian Larsen School in San Miguel, who were accompanied by their teacher, Gary Shepard.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member House, the Assembly adjourned until 11 a.m., Monday, June 8, 1998, out of respect to the memory of Eugenia Lopez, on motion of Assembly Member Wayne; out of respect to the memory of Rose M. McKinney, on motion of Speaker pro Tempore Kuehl; out of respect to the memory of Gordon H. Lewis, on motion of Assembly Member Bowler; out of respect to the memory of Richard E. "Red" Darringer, on motion of Assembly Member Ackerman; out of respect to the memory of John B. Cella II and George David Hart, on motion of Assembly Member Shelley; out of respect to the memory of Kerman Lew, on motion of Assembly Members Aroner and Honda; out of respect to the memory of Elizabeth Kathryn Clark and Peter J. Setlich, on motion of Assembly Member Aguiar; out of respect to the memory of Professor Don Rusk, on motion of Assembly Member Baca; and out of respect to the memory of Paul Lee Bradford, on motion of Assembly Member Prenter.

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 4, 1998**

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

ACA	RN
38	9814524

SB	RN
12	9812581
27	9810534
28	9810444
117	9812611
610	9812439
627	9812502
661	9812591
957	9811151
1033	9812570
1098	9812630
1418	9812366
1443	9810241
1475	9812314
1498	9812619
1505	9811813
1522	9812572
1541	9812178
1555	9812367
1620	9812528
1622	9812546
1658	9812604
1661	9812483
1707	9812415
1707	9812663
1805	9812535
1860	9812498
1939	9812580
2031	9812565
2192	9812515

SCR	RN
86	9812501

Daily Total:	30
Cumulative Total:	5680