

CALIFORNIA LEGISLATURE
1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, June 11, 1998

**TWO HUNDRED TWENTY-SECOND SESSION DAY
FIVE HUNDRED FIFTY-SEVENTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, June 11, 1998

The Assembly met at 8:30 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 Firestone moved a quorum call of the Assembly. Motion carried. Time, 8:31 a.m.

CAUCUS ANNOUNCEMENTS

At 8:35 a.m., Assembly Member Aguiar announced that the Republican Caucus would meet in the Tom Bane Rules Committee Room.

At 8:55 a.m., Speaker pro Tempore Kuehl announced that the Democratic Caucus would meet in the Assembly Lounge.

QUORUM PRESENT

At 10:40 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—77:

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

PRAYER

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Assembly Member Tom Woods, of the Second Assembly District:

Our Most Heavenly Lord God, Omniscient, Omnipresent, You are worshipped and glorified at all times and at every hour, in Heaven and on earth. You love the righteous and have mercy on sinners. Heavenly Father, receive our prayer at this hour and guide our life toward Your commandments. Sanctify our souls, correct our thoughts, purify our intentions, and deliver us from every sorrow, evil and pain. For You are long-suffering and most compassionate and we praise Your name forever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Frusetta 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 Baca, seconded by Assembly Member Thompson.

LEAVES OF ABSENCE FOR THE DAY

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

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

Because of illness: Assembly Members Gallegos and Wright.

COMMUNICATIONS

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

June 10, 1998

E. Dotson Wilson

Chief Clerk

State Capitol, Room 3196

Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Kerry Mazzoni to the Governmental Organization Committee in place of Assemblymember Roderick Wright for the hearing on Monday, June 15, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

June 11, 1998

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

Dear Dotson: Please be advised that I have appointed Assemblymember Carl Washington to the Human Services Committee in place of Assemblymember Roderick Wright for the month of June.

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

June 11, 1998

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

Dear Dotson: Please be advised that I have appointed Assemblymember Kevin Shelley to the Revenue and Taxation Committee in place of Assemblymember Roderick Wright for the hearing on Monday, June 15, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

June 11, 1998

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

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Elections, Reapportionment and Constitutional Amendments Committee in place of Assemblymember Roderick Wright for Monday, June 15, 1998 hearing, only.

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

The following qualified initiative was received by the Chief Clerk from:

Bill Jones, Secretary of State, dated May 27, 1998, transmitting a copy of the following qualified initiative entitled:

Tribal-State Gaming Compacts. Tribal Casinos.
Initiative Statute.

Referred pursuant to Elections Code, Section 9034, to the Committees on Governmental Organization and Elections, Reapportionment and Constitutional Amendments.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly Concurrent

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

Senate

<i>Bill No.</i>	<i>Committee</i>
1365 -----	P.E.,R. & S.S.
1393 -----	Health
1406 -----	Ins.
1407 -----	Pub. S.
1415 -----	W.,P. & W.
1416 -----	P.E.,R. & S.S.
1446 -----	W.,P. & W.
1448 -----	Ed.
1461 -----	Agri.
1467 -----	Ed.
1482 -----	Jud.
1483 -----	Hum. S.
1485 -----	Pub. S.
1492 -----	Health
1496 -----	Rev. & Tax.
1497 -----	Pub. S.
1513 -----	G.O.
1521 -----	Jud.
1530 -----	Ins.
1536 -----	Jud.
1546 -----	W.,P. & W.
1562 -----	L. & E.
1607 -----	Health
1628 -----	Health
1629 -----	Ed.
1630 -----	Hum. S.
1635 -----	W.,P. & W.
1639 -----	Pub. S.
1645 -----	C.P.,G.E. & E.D. and Nat. Res.
1666 -----	Higher Ed.
1668 -----	Pub. S.
1691 -----	Pub. S.
1692 -----	G.O.
1694 -----	Health
1702 -----	Health and Jud.
1712 -----	Nat. Res.
1724 -----	Hum. S. and Health
1733 -----	Ed.
1740 -----	Higher Ed.
1751 -----	Ed.
1756 -----	Ed.
1775 -----	C.P.,G.E. & E.D. and B. & F.
1791 -----	Hum. S.
1799 -----	Pub. S.
1818 -----	G.O.

1823	-----	Hum. S.
1824	-----	E.S. & T.M.
1825	-----	Jud.
1832	-----	Ed.
1839	-----	Health
1848	-----	Higher Ed.
1852	-----	E.S. & T.M.
1854	-----	W.,P. & W. and E.S. & T.M.
1887	-----	Health
1897	-----	Hum. S.
1900	-----	Pub. S.
1901	-----	Jud. and Hum. S.
1909	-----	Ins.
1913	-----	Pub. S.
1933	-----	Ins.
1941	-----	Nat. Res.
1947	-----	Jud.
1950	-----	H. & C.D.
1966	-----	W.,P. & W. and Nat. Res.
1968	-----	L. & E.
1973	-----	Health
1976	-----	Pub. S.
1979	-----	E.,R. & C.A.
1981	-----	Health
1991	-----	Pub. S.
1997	-----	Rev. & Tax.
2016	-----	Pub. S.
2020	-----	Ins.
2022	-----	L. Gov.
2042	-----	Ed.
2047	-----	P.E.,R. & S.S.
2048	-----	Pub. S.
2055	-----	Pub. S.
2064	-----	Higher Ed.
2070	-----	Health
2080	-----	W.,P. & W. and Rev. & Tax.
2081	-----	Pub. S.
2085	-----	P.E.,R. & S.S.
2092	-----	Health
2115	-----	Jud.
2116	-----	Pub. S.
2120	-----	E.,R. & C.A.
2138	-----	Ed.
2143	-----	Pub. S.
2145	-----	Jud.
2147	-----	Pub. S.
2159	-----	Ed.
2177	-----	Hum. S.
2180	-----	Hum. S.
2187	-----	Pub. S.
2188	-----	Hum. S.
2200	-----	Ed.
2222	-----	Health and Jud.

*Senate Concurrent
Resolution No.*

Committee

64 ----- Rls.

80 ----- Trans.

82 ----- Rls.

MESSAGES FROM THE SENATE

Senate Chamber, June 11, 1998

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

Senate Bill No. 432
Senate Bill No. 625

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

Senate Chamber, June 11, 1998

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

Assembly Bill No. 1694
Assembly Bill No. 1874
Assembly Bill No. 1898

Assembly Bill No. 2038
Assembly Bill No. 2240

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

Above bills ordered enrolled.

Senate Chamber, June 11, 1998

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

Assembly Joint Resolution No. 61

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

Above resolution ordered enrolled.

Senate Chamber, June 11, 1998

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

Assembly Bill No. 1100

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

Senate Chamber, June 11, 1998

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

Assembly Concurrent Resolution No. 168

And respectfully requests the Assembly to concur in said amendments.

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

Above resolution ordered to unfinished business file.

June 11, 1998

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

Dear Dotson: The Senate this day rescinded the action whereby it refused to concur in Assembly amendments to SB 190. The Senate then ordered the bill returned to the Assembly.

Sincerely,

GREGORY SCHMIDT
 Secretary of the Senate

Above bill held at the Desk.

ADJOURN IN MEMORY

Assembly Member Aroner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Debutante "Debi" Burnett Coln, of Richmond.

Assembly Member Papan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Edward J. Dennis, of Daly City.

Assembly Member Thomson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Muriel R. Coady, of Davis; Brigitte Hirschfeld Bodenheimer, of Davis; Daniel Isaac Axelrod, Ph.D, Professor Emeritus, UCD, of Davis; and Reverend Norman Schnaible, of Woodland.

**At 10:45 a.m., Assistant Speaker pro Tempore Joe Baca,
 62nd District, presiding**

REQUEST FOR PHOTOGRAPHER

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

RECESS FOR SPECIAL GUESTS

By unanimous consent, at 10:46 a.m., Assistant Speaker pro Tempore Baca declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Kuehl introduced the following students from El Camino Real High School whereupon she presented a resolution commending them for winning the U.S. Academic Decathlon:

Taimur Baig, Michael Beatty, Steve Chae, Nancy Fu, Bruce Ngo, Elana Pelman, Carina Yuen, and Adi Zarchi.

The students were accompanied by coaches Mark Johnson, David Roberson, and Rebecca Gessert; Assistant Principal Penny Gwin; Judy Combs, Executive Director of the California Academic Decathlon; and John Schade and Chuck Smithers, of the California Lottery Commission (sponsors of the California Academic Decathlon).

REASSEMBLED

At 10:47 a.m., the Assembly reconvened.

Hon. Joe Baca, Assistant Speaker pro Tempore of the Assembly, presiding.

RE-REFERENCE OF BILLS

Assembly Member Shelley was granted unanimous consent that Senate Bill No. 2223 be re-referred from the Committee on Higher Education to the Committee on Health.

VOTE ADDS PERMITTED BY UNANIMOUS CONSENT

Assembly Member Shelley was granted unanimous consent that the Budget conferees, Assembly Members Ducheny, Migden, and Runner, be permitted to add their votes to roll call votes taken on any session day while they are attending the Budget Conference Committee on Assembly Bill No. 1656, and that their votes not be recorded separately in that day's Journal.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

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

Senate Bill No. 1182

June 8, 1998

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

Dear Dotson: We are writing to clarify amendments to Senate Bill 1182 (Costa) taken today in the Assembly Natural Resources Committee.

As presented to the Committee, SB 1182 established within the Williamson Act a "farmland security zone" contract and exempted the conversion of a Williamson Act contract to a farmland security zone contract from review under the California Environmental Quality Act (CEQA).

We agree that the conversion of a Williamson Act contract to a farmland security zone contract is not likely to have a significant adverse effect on the environment. However, a categorical exemption currently exists within CEQA's regulatory guidelines for "the making and renewing of open space contracts under the Williamson Act" (CCR Title 14, Chapter 3, Section 15317).

We believe it is clear that this existing categorical exemption includes the process established by 1182. As a result, we concluded that it was unnecessary and potentially confusing to establish a duplicate exemption in statute and elected to remove those sections from the bill.

If any question arises as to CEQA's applicability to making or renewing farmland security zone contracts pursuant to SB 1182, we suggest that it be addressed by a minor revision of the existing CEQA guideline.

Sincerely,

DEBRA BOWEN, Chairwoman
Assembly Natural Resources Committee

JIM COSTA, Senator
Sixteenth District

ACTION RESCINDED ON SENATE BILL NO. 1089

Assembly Member Kuehl was granted unanimous consent to rescind the action whereby the Assembly, on April 30, 1998 (Assembly Journal, page 6529), adopted the urgency clause and passed Senate Bill No. 1089, and whereby the bill was ordered transmitted to the Senate.

Consideration of Senate Bill No. 1089 Without Reference to File

Upon request of Assembly Member Shelley, Assembly Member Kuehl was granted unanimous consent to take up Senate Bill No. 1089, without reference to file, for purpose of amendment.

SENATE BILL NO. 1089 (Lockyer)—An act to add Section 11380.5 to the Health and Safety Code, relating to controlled substances, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Kuehl moved the adoption of amendments.

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

ADJOURN IN MEMORY

Assembly Member Baldwin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of CHP Officer Chris Lydon, of El Cajon.

ADJOURN IN MEMORY

Moment of Silence

Assembly Member Cardenas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Emil Roberti, of Los Angeles, and that the Assembly observe a moment of silence in his honor.

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. 2053, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 1182—An act to amend Sections 16140, 16141, 16142, and 16146 of, to add Sections 56375.4 and 56375.45 to, and to add Article 7 (commencing with Section 51296) to Chapter 7 of Part 7 of Division 1 of Title 5 of, the Government Code, to add Section 21080.34 to the Public Resources Code, to amend Section 426 of, and to add Section 423.4 to, the Revenue and Taxation Code, relating to agricultural land.

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

SENATE BILL NO. 1403—An act to amend Section 27491.47 of the Government Code, and to amend Section 7151.5 of the Health and Safety Code, relating to anatomical gifts.

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

SENATE BILL NO. 676—An act to add Section 16304.02 to the Government Code, relating to resources.

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

SENATE BILL NO. 2031—An act relating to victims of crime, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 974 (Gallegos)—An act to add Sections 1363.01, 1367.20, and 1367.22 to the Health and Safety Code, relating to health care service plans.

Bill presented by Assembly Member Shelley.

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

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

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

AYES—71

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

NOES—1

McClintock

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1044 (Knox)—An act relating to taxation.

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

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

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

AYES—3

Keeley	Knox	Martinez
--------	------	----------

NOES—71

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

At 10:58 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

ASSEMBLY BILL NO. 1056 (Mazzoni)—An act to add Article 6 (commencing with Section 60675) to Chapter 5 of Part 33 of the Education Code, relating to school accountability.

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

Martinez	Mazzoni
----------	---------

NOES—70

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

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.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 687 (Hughes)—An act to add Section 1374.14 to the Health and Safety Code, and to add Section 10123.86 to the Insurance Code, relating to health coverage.

Bill read third time.

Motion to Amend

Assembly Member Murray moved the adoption of amendments.

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

SENATE BILL NO. 305 (Sher)—An act to amend Section 49426 of, and to add Section 33126.1 to, the Education Code, relating to education.

Bill read third time.

Motion to Amend

Assembly Member Thomson moved the adoption of amendments.

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

SENATE BILL NO. 867 (Alpert)—An act relating to taxation.

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

Bill passed by the following vote:

AYES—70

Ackerman	Cedillo	Kuykendall	Preter
Aguiar	Davis	Leach	Richter
Alby	Ducheny	Lempert	Runner
Alquist	Escutia	Leonard	Scott
Aroner	Figuroa	Machado	Shelley
Ashburn	Firestone	Margett	Strom-Martin
Baca	Floyd	Martinez	Sweeney
Baldwin	Frusetta	Mazzoni	Takasugi
Battin	Goldsmith	Migden	Thomson
Baugh	Granlund	Miller	Torlakson
Bordonaro	Havice	Morrissey	Vincent
Bowen	Hertzberg	Morrow	Washington
Bowler	Honda	Murray	Wayne
Brewer	House	Olberg	Wildman
Brown	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Mr. Speaker
Cardenas	Knox	Perata	
Cardoza	Kuehl	Poochigian	

NOES—3

Cunneen	McClintock	Thompson
---------	------------	----------

Bill ordered transmitted to the Senate.

SENATE BILL NO. 2201 (Monteith)—An act to amend, repeal, and add Section 115825 of, and to add and repeal Section 115840.5 of, the Health and Safety Code, relating to public health.

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

Bill passed by the following vote:

AYES—67

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

NOES—3

Aroner	Bowen	Martinez
--------	-------	----------

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Assembly Resolutions

ASSEMBLY CONCURRENT RESOLUTION NO. 157 (Wayne)—Relative to the Fourth of July.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 162 (Wildman)—Relative to Sober Graduation.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 167 (Machado)—Relative to California Pear Day.

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

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

Consent Calendar—Senate Resolution

SENATE JOINT RESOLUTION NO. 41 (Thompson)—Relative to marine weather buoys.

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

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

Consent Calendar Roll Call

The roll was called, and the above resolutions on the Consent Calendar adopted, by the following vote:

AYES—76

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

NOES—None**ADJOURN IN MEMORY**

Assembly Members Bustamante and Ashburn were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mayor Claude Retherford, of the City of Tulare and that the following statement be printed in the Journal:

*In Memoriam**City of Tulare Mayor Claude Retherford**Born 12-18-25**Died 6-10-98*

City of Tulare flags are flying at half-staff in honor of the passing of Tulare Mayor Claude Retherford.

First elected to the Tulare City Council in November 1981, Mr. Retherford was subsequently reelected in November of 1985, 1990 and, most recently, in 1994. Mr. Retherford served as Vice Mayor from November 1983 until November 1985 and then served as Mayor from November 1992 until his passing. In addition to being Mayor for the City of Tulare, Mr. Retherford was currently the Executive Director for the National Council on Alcoholism and Drug Dependence, Inc.

Always dedicated to his community, Mr. Retherford was active in a number of service oriented boards. He was a member of the Board of Governors for the Tulare County Association of Governments, a member of the San Joaquin Valley Air Pollution Control District Board, a member of the Tulare County Local Agency Formation Commission, the Tulare County Mayors Committee for Employment of Persons with Disabilities and the Citizens Advisory Committee for the Tulare County Master Plan.

Mr. Retherford coached against the legendary Jerry Tarkanian from French Lick, Indiana. He was a basketball pioneer—a person to whom Larry Bird looked up.

Mr. Retherford leaves his wife Reatha, his daughter and son-in-law Karla and Brian Parreria and his grandson Jonathan. Mr. Retherford will be greatly missed by his community and his family.

VOTE ADDS

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

Assembly Bill No. 974, Concurrence: Keeley—Aye; McClintock—No.

Assembly Bill No. 1044, Concurrence: Keeley—Aye; Hertzberg and McClintock—No.

Assembly Bill No. 1056, Concurrence: Keeley and McClintock—No.

Senate Bill No. 867: Keeley—Aye, McClintock—No.

Senate Bill No. 2201: Brown, Davis, and Keeley—Aye.

Consent Calendar: Papan—Aye.

MOTION TO ADJOURN

At 11:10 a.m., Assembly Member Woods moved that the Assembly do now adjourn.

Assembly Member Washington seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:11 a.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

AUTHOR'S AMENDMENTS**Committee on Health**

June 11, 1998

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

Senate Bill No. 1194

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

GALLEGOS, Chairwoman

SENATE BILL NO. 1194—An act to amend Section 14087.325 of, and to add Section 14087.326 to, the Welfare and Institutions Code, relating to public social services.

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 11, 1998

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

Senate Bill No. 2194

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

ARONER, Chairwoman

SENATE BILL NO. 2194—An act to amend Sections 1569.17 and 1569.725 of the Health and Safety Code, relating to community care.

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

AUTHOR'S AMENDMENTS
Committee on Public Safety

June 11, 1998

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Senate Bill No. 1734

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

PERATA, Chairman

SENATE BILL NO. 1734—An act to amend Sections 502.01, 13848, 13848.2, 13848.4, and 13848.6 of the Penal Code, relating to computer crimes, 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 Appropriations

June 11, 1998

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 155
Senate Bill No. 409

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

MIGDEN, Chairwoman

SENATE BILL NO. 155—An act to add Section 4846.5 to the Business and Professions Code, relating to veterinary medicine.

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

SENATE BILL NO. 409—An act to add Chapter 4.5 (commencing with Section 18800) to Part 11 of the Education Code, relating to libraries.

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 11, 1998

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:
Senate Bill No. 2224

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

HONDA, Chairman

SENATE BILL NO. 2224—An act to add Section 24312 to the Education Code, relating to the State Teachers' Retirement System, and making an appropriation therefor.

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

REPORTS OF STANDING COMMITTEES**Committee on Environmental Safety and Toxic Materials**

Date of Hearing: June 9, 1998

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:
Senate Bill No. 1033

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

WAYNE, Chairman

Above bill ordered to second reading.

Committee on Local Government

Date of Hearing: June 10, 1998

Mr. Speaker: Your Committee on Local Government reports:
Senate Bill No. 1805

With the recommendation: Do pass.

SWEENEY, Chairman

Above bill ordered to second reading.

Date of Hearing: June 10, 1998

Mr. Speaker: Your Committee on Local Government reports:
Senate Bill No. 120
Senate Bill No. 1380
Senate Bill No. 1381

With the recommendation: Do pass.

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.

SWEENEY, Chairman

Above bills ordered to second reading.

Committee on Judiciary

Date of Hearing: June 9, 1998

Mr. Speaker: Your Committee on Judiciary reports:
Senate Bill No. 1410

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

ESCUTIA, Chairwoman

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: June 11, 1998

Mr. Speaker: Your Committee on Rules reports:
Assembly Joint Resolution No. 67

With the recommendation: Be adopted.

HERTZBERG, Chairman

Above resolution ordered on file.

Committee on Budget

Date of Hearing: May 19, 1998

Mr. Speaker: Your Committee on Budget reports:
Senate Constitutional Amendment No. 13

With amendments with the recommendation: Amend, and be adopted, as amended.

DUCHENY, Chairwoman

Above resolution ordered to second reading.

Committee on Local Government

Date of Hearing: June 10, 1998

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1860

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

SWEENEY, Chairman

Above bill ordered to second reading.

Committee on Health

Date of Hearing: June 9, 1998

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 694

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

GALLEGOS, Chairman

Above bill ordered to second reading.

Committee on Education

Date of Hearing: June 3, 1998

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 1507

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

MAZZONI, Chairwoman

Above bill ordered to second reading.

Date of Hearing: June 3, 1998

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 1866

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

MAZZONI, Chairwoman

Above bill ordered to second reading.

SPECIAL COMMITTEE MEETINGS

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

Environmental Safety and Toxic Materials, on June 30, 1998.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Woods, the Assembly adjourned until 11 a.m., Monday, June 15, 1998, out of respect to the memory of Edward J. Dennis, on motion of Assembly Member Papan; out of respect to the memory of Muriel R. Coady, Brigitte Hirschfeld Bodenheimer, Daniel Isaac Axelrod, Ph.D., and Rev. Norman Schnaible, on motion of Assembly Member Thomson; out of respect to the memory of CHP Officer Chris Lydon, on motion of Assembly Member Baldwin; out of respect to the memory of Emil Roberti, on motion of Assembly Member Cardenas; out of respect to the memory of Mayor Claude Retherford, on motion of Assembly Members Bustamante and Ashburn; and out of respect to the memory of Debutante "Debi" Burnett Coln, on motion of Assembly Member Aroner.

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 11, 1998**

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

SB	RN
155	9812983
305	9811379
409	9812959
676	9812972
687	9812662
1089	9811678
1182	9812887
1194	9812915
1403	9812895
1734	9811112
2031	9813071
2194	9812931
2224	9812582

Daily Total: 13
Cumulative Total: 5742

O