

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, July 8, 1998**

**TWO HUNDRED THIRTY-SEVENTH SESSION DAY  
FIVE HUNDRED EIGHTY-FOURTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, July 8, 1998

The Assembly met at 4:12 p.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Cardoza moved a quorum call of the Assembly. Motion carried. Time, 4:13 p.m.

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

#### Quorum Present

At 4:15 p.m., Assistant Speaker pro Tempore Baca declared a quorum of the Assembly present.

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

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

#### PRAYER

Upon invitation of Assistant Speaker pro Tempore Baca, the following prayer was offered by Assembly Member Elaine Alquist, of the 22nd Assembly District:

*Dear Heavenly Father, We ask You to guide us this day that we might fill our hearts and minds with wisdom and courage: The courage to do what we know is right and the wisdom to know when we are wrong.*

*Help us find peace of mind and give us a contented heart. Grant this we pray.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Assistant Speaker pro Tempore Baca, Assembly Member Woods 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 Shelley, seconded by Assembly Member Morrissey.

**LEAVES OF ABSENCE FOR THE DAY**

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

*Because of illness: Assembly Members Takasugi and Wright.*

*The following Assembly Members were excused for the day, and their per diem was waived: Aroner, Ashburn, House, Morrow, and Perata.*

**COMMUNICATIONS**

The following qualified initiatives were received by the Chief Clerk from Bill Jones, Secretary of State:

**Public Schools. Class Size Reduction. Parent-Teacher Council. Teacher Credentialing. Initiative Statute.**

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

**Electric Utilities. Assessments. Bonds. Initiative Statute.**

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

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 8, 1998

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

Assembly Constitutional Amendment No. 32

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, July 8, 1998

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

Assembly Concurrent Resolution No. 20

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to third reading.

Assembly Chamber, July 8, 1998

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

Assembly Bill No. 333

Assembly Bill No. 609

Assembly Bill No. 1199

Assembly Bill No. 1307

Assembly Bill No. 1658

Assembly Bill No. 1817

Assembly Bill No. 1819

Assembly Bill No. 1826

Assembly Bill No. 1860

Assembly Bill No. 2046

Assembly Bill No. 2326

Assembly Bill No. 2334

Assembly Bill No. 2460

And reports the same correctly enrolled, and presented to the Governor at 12 m., July 8, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, July 8, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Concurrent Resolution No. 97

And reports the same correctly enrolled, and presented to the Secretary of State on the 8th day of July, 1998, at 10:30 a.m.

E. DOTSON WILSON, Chief Clerk

### **REQUEST TO SUSPEND JOINT RULES**

The following requests were received, and read:

Assembly Chamber, July 8, 1998

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12) as it relates to Senate Bills Nos. 272, 570, 956, 1551, and 1683.

LIZ FIGUEROA

Assembly Chamber, July 8, 1998

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12) as it relates to Senate Bill No. 2236.

WALLY KNOX

Above requests ordered transmitted to the Committee on Rules.

### **AUTHOR'S AMENDMENTS**

#### **Committee on Governmental Organization**

July 8, 1998

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:  
Senate Bill No. 1405

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

BROWN, Chairwoman

**SENATE BILL NO. 1405**—An act to amend Section 13113.9 of, and to add Sections 13114.1, 13114.2, and 13114.3 to, the Health and Safety Code, relating to housing.

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

### **AUTHOR'S AMENDMENTS**

#### **Committee on Appropriations**

July 8, 1998

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

Senate Bill No. 180

Senate Bill No. 1692

Senate Bill No. 1630

Senate Bill No. 2039

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

MIGDEN, Chairwoman

**SENATE BILL NO. 180**—An act to amend Sections 17260, 17303, 17305, 17306, and 17262 of, to add Sections 17009.3, 17009.5, 81134, 81135, and 81136 to to add Chapter 12.5 (commencing with Section 17070.10) to Part 10 of, to add Part 68 (commencing with Section 100400) to, to repeal Section 15101 of, and to repeal and add Section 17261 of, the Education Code, and to amend Section 1003 of the Elections Code, and to amend Section 4420 of the Government Code, relating to education facilities funding, making an appropriation therefor, and by providing the funds necessary therefor through an election for, and the issuance and sale of, bonds of the State of California and by providing for the handling and disposition of those funds.

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. 1630**—An act to amend Section 1569.38 of, and to add Section 1569.61 to, the Health and Safety Code, relating to residential care facilities.

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

**SENATE BILL NO. 1692**—An act relating to emergency services, and making an appropriation therefor.

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

**SENATE BILL NO. 2039**—An act to amend Sections 19809, 19841, 19841A, 19846, 19850, 19850A, 19852.1, and 19855 of the Business and Professions Code, relating to gambling.

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

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

July 8, 1998

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

Senate Joint Resolution No. 38

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

MIGDEN, Chairwoman

**SENATE JOINT RESOLUTION NO. 38**—Relative to Lyme disease.

Resolution read; 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 8, 1998

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

Senate Bill No. 55

Senate Bill No. 2111

Senate Bill No. 1362

Senate Bill No. 1485

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

MIGDEN, Chairwoman

**SENATE BILL NO. 55**—An act to amend Section 1275 of, and to add Section 1275.1 to, the Penal Code, relating to bail.

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. 1362**—An act to amend Section 17621 of the Education Code, to amend Sections 65039, 65850, 65860, 65915, 66007, 66021, 66452.6, 66477, and 66498.5 of, to add Section 65850.3 to, and to repeal Section 65587.1 of, the Government Code, to amend Sections 18035.3, 18062.2, 18070.5, and 116049.1 of, to amend and repeal Section 17959.3 of, to add and repeal Section 50710.2 of, and to repeal Section 18202 of, the Health and Safety Code, and to amend Section 423.3 of the Revenue and Taxation Code, relating to housing and land use.

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. 2111**—An act to amend Sections 25200.3 and 25201.5 of, to add Section 25143.13 to, and to repeal Section 25201.5.1 of, the Health and Safety Code, relating to hazardous waste.

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

**SENATE BILL NO. 1485**—An act to add and repeal Article 4 (commencing with Section 6045) of Chapter 5 of Title 7 of Part 3 of the Penal Code, relating to mentally ill criminal offenders, 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**

July 8, 1998

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

Senate Bill No. 1916

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

MIGDEN, Chairwoman

**SENATE BILL NO. 1916**—An act to amend Sections 25173.6, 25173.7, 25205.15, 25244.13, 25244.14, 25244.22, and 57000 of, and to add Sections 25244.1, 25244.17.1, 25244.17.2, 25244.24, and 57007 to, the Health and Safety Code, relating to environmental protection.

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

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

July 8, 1998

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

Senate Bill No. 1898

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

MIGDEN, Chairwoman

**SENATE BILL NO. 1898**—An act to amend Sections 33459, 33459.1, 33459.3, 33459.3, 33459.4, and 33459.7 of the Health and Safety Code, relating to hazardous substances.

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 Appropriations**

July 2, 1998

Mr. Speaker: Your Committee on Appropriations reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2361

Assembly Bill No. 2400

MIGDEN, Chairwoman

Above bills ordered filed with the Chief Clerk.

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

July 1, 1998

Mr. Speaker: Your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports the following bills pursuant to the provisions of Joint Rule 62(a):

- Senate Bill No. 288
- Senate Bill No. 289

DAVIS, Chairwoman

Above bills ordered filed with the Chief Clerk.

**Committee on Water, Parks and Wildlife**

Date of Hearing: June 30, 1998

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

- Senate Bill No. 1875

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

MACHADO, Chairman

Above bill ordered to second reading.

**Committee on Education**

Date of Hearing: July 1, 1998

Mr. Speaker: Your Committee on Education reports:

- Senate Bill No. 1774

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

MAZZONI, Chairwoman

Above bill ordered to second reading.

Date of Hearing: July 1, 1998

Mr. Speaker: Your Committee on Education reports:

- Senate Bill No. 1370

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.

**Committee on Revenue and Taxation**

Date of Hearing: June 29, 1998

Mr. Speaker: Your Committee on Revenue and Taxation reports:

- Senate Bill No. 2080

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

KNOX, Chairman

Above bill ordered to second reading.

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

Date of Hearing: June 29, 1998

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

- Senate Bill No. 2090

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

VINCENT, Chairman

Above bill ordered to second reading.

**Committee on Human Services**

Date of Hearing: July 1, 1998

Mr. Speaker: Your Committee on Human Services reports:

Senate Bill No. 309

Senate Bill No. 1911

Senate Bill No. 1955

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

ARONER, Chairwoman

Above bills ordered to second reading.

**Committee on Public Safety**

Date of Hearing: June 30, 1998

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 1550

Senate Bill No. 1976

Senate Bill No. 1768

Senate Bill No. 2116

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

PERATA, Chairman

Above bills ordered to second reading.

Date of Hearing: June 30, 1998

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 2210

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

PERATA, Chairman

Above bill ordered to second reading.

**Committee on Public Employees, Retirement and Social Security**

Date of Hearing: July 1, 1998

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 1879

Senate Bill No. 2083

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

HONDA, Chairman

Above bills ordered to second reading.

**Committee on Transportation**

Date of Hearing: June 29, 1998

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 1964

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

MURRAY, Chairman

Above bill ordered to second reading.

**Committee on Local Government**

Date of Hearing: July 1, 1998

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1760

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

SWEENEY, Chairman

Above bill ordered to second reading.



Date of Hearing: July 1, 1998

Mr. Speaker: Your Committee on Local Government reports:  
Senate Bill No. 1656

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

SWEENEY, Chairman

Above bill ordered to second reading.

**Committee on Health**

Date of Hearing: June 30, 1998

Mr. Speaker: Your Committee on Health reports:  
Senate Bill No. 2004

With the recommendation: Do pass, as amended.

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

GALLEGOS, Chairman

Above bill ordered to second reading.

Date of Hearing: June 30, 1998

Mr. Speaker: Your Committee on Health reports:  
Senate Bill No. 983  
Senate Bill No. 2092

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

GALLEGOS, Chairman

Above bills ordered to second reading.

**Committee on Public Safety**

Date of Hearing: June 30, 1998

Mr. Speaker: Your Committee on Public Safety reports:  
Senate Bill No. 822  
Senate Bill No. 1700  
Senate Bill No. 2168

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

PERATA, Chairman

Above bills ordered to second reading.

**Committee on Revenue and Taxation**

Date of Hearing: June 29, 1998

Mr. Speaker: Your Committee on Revenue and Taxation reports:  
Senate Bill No. 1103

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

KNOX, Chairman

Above bill ordered to second reading.

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

Date of Hearing: June 30, 1998

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

Senate Bill No. 1982

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

DAVIS, Chairwoman

Above bill ordered to second reading.

Date of Hearing: June 30, 1998

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

Senate Bill No. 2075

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

DAVIS, Chairwoman

Above bill ordered to second reading.

Date of Hearing: June 30, 1998

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

Senate Bill No. 937

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

DAVIS, Chairwoman

Above bill ordered to second reading.

### **Committee on Appropriations**

Date of Hearing: July 1, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 610

Senate Bill No. 1469

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

### **Committee on Banking and Finance**

Date of Hearing: June 29, 1998

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

Senate Bill No. 930

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

PAPAN, Chairman

Above bill ordered to second reading.

### **Committee on Education**

Date of Hearing: July 1, 1998

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 224

Senate Bill No. 1467

Senate Bill No. 1412

Senate Bill No. 1751

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

MAZZONI, Chairwoman

Above bills ordered to second reading.

Date of Hearing: July 1, 1998

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 1832

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.

**Committee on Local Government**

Date of Hearing: July 1, 1998

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 549

With the recommendation: Do pass, as amended.

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

SWEENEY, Chairman

Above bill ordered to second reading.

Date of Hearing: June 24, 1998

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1907

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 30, 1998

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 555

Senate Bill No. 1194

Senate Bill No. 1537

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

GALLEGOS, Chairman

Above bills ordered to second reading.

**MOTION BY ASSEMBLY MEMBER FLOYD**

Assembly Member Floyd moved that the Assembly convene in regular session Monday through Thursday until a Budget is adopted by both Houses, unless otherwise called by the Speaker.

Assembly Member Granlund seconded the motion.

**Point of Order**

Assembly Member Floyd arose to the following point of order:

Assembly Member Morrissey is not limiting debate to the merits of the motion.

**Ruling by Assistant Speaker pro Tempore Baca**

The Assistant Speaker pro Tempore ruled the point of order not well-taken.

**Point of Order**

Assembly Member Martinez arose to the following point of order:

That debate is not being confined to the motion by Assembly Member Floyd.

**Ruling by Assistant Speaker pro Tempore Baca**

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

**Demand for Previous Question**

Assembly Members Washington, Escutia, Mazzone, Alquist, and Papan demanded the previous question. Demand sustained.

The question being on the motion by Assembly Member Floyd.

Floyd motion lost by the following vote:

**AYES—4**

Campbell	Floyd	Granlund	Woods
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**NOES—36**

Ackerman	Gallegos	Machado	Papan
Alby	Goldsmith	McClintock	Prenter
Baca	Havice	Migden	Shelley
Baugh	Honda	Miller	Strom-Martin
Bowler	Keeley	Morrissey	Torlakson
Cardoza	Knox	Murray	Vincent
Cedillo	Kuehl	Napolitano	Washington
Cunneen	Kuykendall	Olberg	Wayne
Frusetta	Lempert	Ortiz	Mr. Speaker

**At 4:42 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**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 Bob Molina, President, Local 63 Teamsters, of Rialto.

**BILLS REMOVED FROM CONSENT CALENDAR**

The following bill was removed from the Consent Calendar, pursuant to Joint Rule 22.2, and placed upon the inactive file:

**Senate Bill No. 1606**, on request of Assembly Member Ackerman.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Assembly Concurrent Resolution No. 20**, on request of Assembly Member Cardoza.

**PARLIAMENTARY INQUIRY**

Assembly Member Aguiar arose to the following parliamentary inquiry:

Does the authority of the Speaker to determine the time to convene session, pursuant to Assembly Rule 2, not supersede the Morrissey motion adopted on Monday, July 6, 1998 that the Assembly convene in regular session every day until a Budget is signed by the Governor?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative.

**JOINT RULE 62(a) WAIVED**

Assembly Member Shelley was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 786 for hearing in the Committee on Governmental Organization.

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

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

**Legislative Intent—Senate Bill No. 1493**

July 7, 1998

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

Dear Mr. Speaker: As the author of Senate Bill 1493, this is to set forth the intent of the legislation.

SB 1493 allows a surviving corporation, which results from a merger or acquisition that does not involve a change of ownership, to succeed to all licenses, permits, registrations and other privileges granted by and local government agency without payment of any fee for such succession. Mergers not involving a change of ownership are defined in the bill as mergers between (1) a corporation and its wholly owned subsidiary; (2) a corporation and the wholly owned subsidiary of that corporation's wholly owned subsidiary; or (3) two wholly owned subsidiaries of the same parent corporation.

The purpose is to prevent the charging of fees for licenses, permits, registrations, etc., already obtained validly by essentially the same business enterprise. In such transactions, the operations of the business usually continue as before the merger and usually are carried out by the same personnel with little outward appearance of change except for the business name. Under these circumstances requiring additional fees is neither fair nor equitable and serve to impose an unnecessary cost on a fully legal and appropriate internal reorganization.

Safeguards are provided in the bill to allow tax assessors to reassess real property upon transfer of title and to allow local agencies to reevaluate privileges previously granted a disappearing corporation if deemed by the affected local agencies as necessary "to public health, safety, or welfare purposes."

Sincerely,

HERSCHEL ROSENTHAL  
Senator, 20th District

**ADJOURN IN MEMORY**

Assembly Member Martinez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Keiji Higashi.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Assembly Bill No. 438 to the Committee on Local Government.

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 121 to the Committee on Public Safety.

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

Assembly Member Migden was granted unanimous consent that Senate Bills Nos. 1070 and 2035, be withdrawn from the Committee on Appropriations and placed on the second reading file.

**ADJOURN IN MEMORY**

Assembly Member Brown was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Wing “John” Duck Young, of Vallejo.

**BILLS REMOVED FROM CONSENT CALENDAR**

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

**Senate Bill No. 1410**, on request of Assembly Member Escutia.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 1196**, on request of Assembly Member Bowler.

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

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

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1735  
FROM COMMITTEE**

Pursuant to the provisions of Assembly Rule 96, Assembly Member Pacheco gave notice that he would move to withdraw Assembly Bill No. 1735 from the Committee on Public Safety.

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

Pursuant to Assembly Rule 78, Assembly Member Gallegos announced his intention to request that Senate Bill No. 379 be removed from the inactive file.

**ORDERS OF THE DAY DEMANDED**

Speaker pro Tempore Kuehl demanded the Orders of the Day.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY CONCURRENT RESOLUTION NO. 155**—Relative to breast feeding.

Resolution read; amendments proposed by the Committee on Health read and adopted, resolution ordered reprinted and to be re-referred to the Committee on Appropriations.

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

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

**Senate Bills Nos. 2005, 1456, 1561, 1963, 1874, 86, and 1542**, ordered to third reading.

(NOTE: Later this day Senate Bill No. 1874 was re-referred to the Committee on Appropriations.)

**Senate Bills Nos. 237, 1851, and 971** ordered to the Consent Calendar.

(NOTE: Later this day Senate Bill No. 971 was re-referred to the Committee on Appropriations.)

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 1890**—An act to amend Section 655.1 of the Harbors and Navigations Code, to amend Section 21407.2 of the Public Utilities Code, and to amend Sections 21200.5, 23152, and 23157 of the Vehicle Code, relating to vehicles.

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 Appropriations.

**SENATE BILL NO. 1927**—An act to add Section 1054.8 to the Penal Code, relating to criminal procedure.

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 Appropriations.

**SENATE BILL NO. 2098**—An act to amend Sections 5330 and 5610 of the Welfare and Institutions Code, relating to mental health, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 1704**—An act to amend Sections 11517, 12995.1, 12999.4, and 13000 of, to add Section 12995.1 to, and to add Article 4 (commencing with Section 11480) to Chapter 1 of Division 6 of, the Food and Agricultural Code, relating to pesticides.

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

**SENATE BILL NO. 1647**—An act to add Section 1367.64 to the Health and Safety Code, and to add Section 10123.875 to the Insurance Code, relating to reconstructive surgery.

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

**SENATE BILL NO. 678**—An act to amend Sections 703 and 1760.5 of, and to add Sections 703.1 and 1773 to, the Insurance Code, relating to insurance.

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

**SENATE BILL NO. 17**—An act to add Section 12921.8 to the Insurance Code, and to amend Section 13152 of the Revenue and Taxation Code, relating to insurance.

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

**SENATE BILL NO. 213**—An act to amend Section 11040 of the Government Code, and to amend Section 1036 of the Insurance Code, relating to legal services.

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

**SENATE BILL NO. 1430**—An act to amend Section 138.7 of the Labor Code, relating to workers' compensation.

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

**SENATE BILL NO. 1530**—An act to amend Section 1523 of the Code of Civil Procedure, and to amend Section 12936 of, and to add Sections 790.15 and 12967 to, the Insurance Code, relating to insurance practices, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 1765**—An act to amend Sections 116760.20, 116761.50, and 116761.65 of, to add Sections 116760.35, 116761.45, and 116761.46 to, and to repeal and add Section 116760.41 of, the Health and Safety Code, relating to drinking water, and making an appropriation therefor.

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

**SENATE BILL NO. 378**—An act to add Section 2889.4 to the Public Utilities Code, relating to public utilities.

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

**SENATE BILL NO. 405**—An act to add Section 2889.4 to the Public Utilities Code, relating to public utilities.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

**SENATE BILL NO. 2166**—An act to amend Sections 10009.6, 12811.1, and 12822.6 of, and to repeal Sections 10016 and 12811.5 of, the Public Utilities Code, relating to public utilities.

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

**SENATE BILL NO. 1466**—An act to add Section 4420.5 to the Government Code, relating to public construction.

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

**SENATE BILL NO. 1373**—An act to add Sections 8760 and 8761 to the Government Code, relating to the California Arts Council.

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

**SENATE BILL NO. 149**—An act to amend Section 7319 of the Business and Professions Code, relating to corrections.

Bill read second time; amendments proposed by the Committee on Consumer Protection, Governmental Efficiency and Economic Development read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.



**SENATE BILL NO. 648**—An act to add Sections 10354.1, 10354.2, 10354.3, and 10354.4 to the Public Contract Code, relating to personal services contracts.

Bill read second time; amendments proposed by the Committee on Consumer Protection, Governmental Efficiency and Economic Development read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 1930**—An act to amend Sections 2534.2, 2895, and 3456 of, and to add Sections 3753.8 and 3766 to, the Business and Professions Code, relating to professional license fees, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Consumer Protection, Governmental Efficiency and Economic Development read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 1984**—An act to amend Sections 7841 and 7887 of the Business and Professions Code, relating to regulated professions, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Consumer Protection, Governmental Efficiency and Economic Development read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 2024**—An act to amend Section 1739.7 of the Civil Code, relating to collectibles.

Bill read second time; amendments proposed by the Committee on Consumer Protection, Governmental Efficiency and Economic Development read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 2119**—An act to amend Section 9795 of the Government Code, relating to public records.

Bill read second time; amendments proposed by the Committee on Consumer Protection, Governmental Efficiency and Economic Development read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 2181**—An act to amend Sections 9880.1, 9882.5, and 9884.7 of, and to add and repeal Article 2.5 (commencing with Section 9883) of Chapter 20.3 of Division 3 of, the Business and Professions Code, relating to automotive technicians.

Bill read second time; amendments proposed by the Committee on Consumer Protection, Governmental Efficiency and Economic Development read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

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

On advice of the Legislative Counsel, and pursuant to the provisions of Joint Rule 10.5, the following bills were ordered re-referred to the Committee on Appropriations:

**Senate Bills Nos. 971, and 1874.**

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

**ASSEMBLY BILL NO. 583 (DAVIS)**—An act to amend Section 890 of the Civil Code, and to add Section 602.9 to the Penal Code, relating to rent skimming.

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2724 (Cardenas)**—An act to amend Section 704.080 of the Code of Civil Procedure, relating to debtor-creditor relations.

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

**NOES—2**

Baldwin                      McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 732 (Granlund)**—An act to amend Section 121745 of, and to repeal Sections 121725, 121730, 121735, 121740, and 121755 of, the Health and Safety Code, relating to communicable diseases.

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—69**

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

**NOES—None**

Above bill ordered enrolled.

**BILLS STRICKEN FROM FILE**

Assembly Member Shelley was granted unanimous consent that Assembly Bill No. 2409 be stricken from file.

**MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 23, Senate Constitutional Amendment No. 13, and Senate Bill No. 1419 were continued until the next legislative day.

**THIRD READING OF ASSEMBLY BILLS**

**HOUSE RESOLUTION NO. 58 (Sweeney)**—Relative to anticompetitive practices in the California oil industry.

Resolution read.

**Motion to Amend**

Assembly Member Sweeney moved the adoption of amendments.

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

**ASSEMBLY JOINT RESOLUTION NO. 48 (Richter)**—Relative to medical savings accounts.

Resolution read, and adopted by the following vote:

**AYES—42**

Ackerman	Brewer	Kuykendall	Pacheco
Aguiar	Campbell	Leach	Poochigian
Alby	Cunneen	Leonard	Prenter
Alquist	Figueroa	Margett	Pringle
Baca	Firestone	Mazzoni	Richter
Baldwin	Frusetta	McClintock	Runner
Battin	Goldsmith	Miller	Scott
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Murray	Woods
Bowen	Kaloogian	Olberg	
Bowler	Keeley	Oller	

**NOES—21**

Brown	Gallegos	Migden	Torlakson
Cardenas	Honda	Napolitano	Washington
Cedillo	Knox	Ortiz	Wildman
Ducheny	Kuehl	Papan	
Escutia	Machado	Strom-Martin	
Floyd	Martinez	Thomson	

Resolution ordered transmitted to the Senate.

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 50 (O'Connell)**—An act to add Part 68 (commencing with Section 100400) to the Education Code, relating to education facilities funding, by providing the funds necessary therefor through an election for, and the issuance and sale of, bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend by Assembly Member Prenter**

Assembly Member Prenter moved the adoption of amendments.

Amendments read.

**Motion to Table Prenter Amendments to Senate Bill No. 50**

Assembly Member Shelley moved that the amendments offered by Assembly Member Prenter to Senate Bill No. 50 be laid upon the table.

Assembly Member Baca seconded the motion.

Motion carried by the following vote:

**AYES—40**

Alquist	Escutia	Lempert	Shelley
Baca	Figueroa	Machado	Strom-Martin
Bowen	Floyd	Martinez	Sweeney
Brown	Gallegos	Mazzoni	Thomson
Bustamante	Havice	Migden	Torlakson
Cardenas	Hertzberg	Murray	Vincent
Cardoza	Honda	Napolitano	Washington
Cedillo	Keeley	Ortiz	Wayne
Davis	Knox	Papan	Wildman
Ducheny	Kuehl	Scott	Mr. Speaker

**NOES—33**

Ackerman	Campbell	Leonard	Prenter
Aguiar	Cunneen	Margett	Pringle
Alby	Firestone	McClintock	Richter
Baldwin	Frusetta	Miller	Runner
Battin	Goldsmith	Morrissey	Thompson
Baugh	Granlund	Olberg	Woods
Bordonaro	Kaloogian	Oller	
Bowler	Kuykendall	Pacheco	
Brewer	Leach	Poochigian	

**Objection to Vote Adds**

Assembly Member Thompson withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Shelley motion to table Prenter amendments to Senate Bill No. 50.

**Motion to Amend by Assembly Member Olberg**

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

**Motion to Table Olberg Amendments to Senate Bill No. 50**

Assembly Member Shelley moved that the amendments offered by Assembly Member Olberg to Senate Bill No. 50 be laid upon the table.

Assembly Member Washington seconded the motion.

Motion carried by the following vote:

**AYES—37**

Alquist	Escutia	Martinez	Sweeney
Baca	Figueroa	Mazzoni	Thomson
Bowen	Havice	Migden	Torlakson
Brown	Hertzberg	Murray	Vincent
Bustamante	Honda	Napolitano	Washington
Cardenas	Keeley	Ortiz	Wildman
Cardoza	Knox	Papan	Mr. Speaker
Cedillo	Kuehl	Scott	
Davis	Lempert	Shelley	
Ducheny	Machado	Strom-Martin	

**NOES—32**

Ackerman	Brewer	Leach	Pacheco
Aguiar	Campbell	Leonard	Poochigian
Alby	Cunneen	Margett	Prenter
Baldwin	Firestone	McClintock	Pringle
Battin	Frusetta	Miller	Richter
Baugh	Granlund	Morrissey	Runner
Bordonaro	Kaloogian	Olberg	Thompson
Bowler	Kuykendall	Oller	Woods

### Objection to Vote Adds

Assembly Member Thompson withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Shelley motion to table Olberg amendments to Senate Bill No. 50.

### Motion to Amend by Assembly Member Villaraigosa

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

### Roll Call Demanded

Assembly Members Richter, Margett, and Pringle, demanded a roll call.

The roll was called, and the Villaraigosa amendments to Senate Bill No. 50 were adopted by the following vote:

#### AYES—42

Alquist	Figueroa	Lempert	Strom-Martin
Baca	Floyd	Machado	Sweeney
Bowen	Frusetta	Martinez	Thomson
Brown	Gallegos	Mazzoni	Torlakson
Bustamante	Havice	Migden	Vincent
Cardenas	Hertzberg	Murray	Washington
Cardoza	Honda	Napolitano	Wayne
Cedillo	Keeley	Ortiz	Wildman
Davis	Knox	Papan	Mr. Speaker
Ducheny	Kuehl	Scott	
Escutia	Kuykendall	Shelley	

#### NOES—23

Ackerman	Bowler	Margett	Prenter
Aguiar	Brewer	Miller	Pringle
Alby	Campbell	Olberg	Richter
Baldwin	Granlund	Oller	Runner
Baugh	Kaloogian	Pacheco	Thompson
Bordonaro	Leonard	Poochigian	

Bill ordered reprinted, and to be returned to the third reading file.

### MOTION TO TEMPORARILY SUSPEND THE RULES

Assembly Member Thompson moved that the rules be temporarily suspended for the purpose of permitting consideration of Senate Bill No. 50, as amended, without reference to file.

Assembly Member Morrissey seconded the motion.

### Parliamentary Inquiry

Assembly Member Pringle arose to the following parliamentary inquiry:

If the Thompson motion for temporary suspension of the rules carries, does that permit immediate consideration of Senate Bill No. 50?

### Reply by Speaker pro Tempore Kuehl

The Speaker pro Tempore replied that a temporary suspension of the Rules would permit immediate consideration of Senate Bill No. 50, if the author requests to take up the bill. The author may, however, wish to have public input on the bill, as amended.

**Parliamentary Inquiry**

Assembly Member Pringle arose to the following parliamentary inquiry:

Were the amendments to Senate Bill No. 50 not received at the Desk today?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative.

**Parliamentary Inquiry**

Assembly Member Pringle arose to the following parliamentary inquiry:

Was the Minority Party not prepared to review and vote on the amendments to Senate Bill No. 50 which were placed across the Desk today?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative.

**Further Consideration of Thompson Motion**

The question being on the Thompson motion for temporary suspension of the rules as they relate to Senate Bill No. 50.

Motion for temporary suspension of the rules lost by the following vote:

**AYES—32**

Ackerman	Brewer	Kuykendall	Pacheco
Aguiar	Campbell	Leach	Poochigian
Alby	Cunneen	Leonard	Prenter
Baldwin	Firestone	Margett	Pringle
Battin	Frusetta	Miller	Richter
Baugh	Goldsmith	Morrissey	Runner
Bordonaro	Granlund	Olberg	Thompson
Bowler	Kaloogian	Oller	Woods

**NOES—40**

Alquist	Escutia	Lempert	Shelley
Baca	Figuroa	Martinez	Strom-Martin
Bowen	Floyd	Mazzoni	Sweeney
Brown	Gallegos	McClintock	Thomson
Bustamante	Havice	Migden	Torlakson
Cardenas	Hertzberg	Murray	Vincent
Cardoza	Honda	Napolitano	Washington
Cedillo	Keeley	Ortiz	Wayne
Davis	Knox	Papan	Wildman
Ducheny	Kuehl	Scott	Mr. Speaker

**Objection to Vote Adds**

Assembly Member Olberg withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Thompson motion to temporarily suspend the rules as they relate to Senate Bill No. 50.

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

**SENATE BILL NO. 1182 (Costa)**—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 amend Section 426 of, and to add Section 423.4 to, the Revenue and Taxation Code, relating to agricultural land, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly member Cardoza moved the adoption of amendments.

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

**Objection to Vote Adds**

Assembly Member Shelley withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Villaraigosa motion to amend Senate Bill No. 50.

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

**SENATE BILL NO. 2192 (Vasconcellos)**—An act to add Section 12941.2 to the Government Code, relating to employment.

Bill read third time.

**Motion to Amend**

Assembly Member Escutia moved the adoption of amendments.

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

**SENATE BILL NO. 1873 (Alpert)**—An act to add Section 96.18 to the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend by Assembly Member Villaraigosa**

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

**At 6 p.m., Assistant Speaker pro Tempore Joe Baca,  
62nd District, presiding**

**Point of Order**

Assembly Member Campbell arose to the following point of order:

It is the practice of the House that questions of Members be directed to the author.

**Ruling by Assistant Speaker pro Tempore Baca**

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



**Point of Order**

Assembly Member Martinez arose to the following point of order:

It has been the practice that Members have been permitted to ask questions of Members other than the author.

**Reply by Speaker pro Tempore Baca**

The Assistant Speaker pro Tempore replied that questions of Members other than the author have been permitted in the absence of objection.

**At 6:10 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**Announcement**

Speaker pro Tempore Kuehl announced that an additional amendment to add coauthors was placed on the Members' desks, and would be incorporated in the amendment presented by Assembly Member Villaraigosa.

**Amendments Adopted**

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

**MOTION TO ADJOURN**

At 6:15 p.m., Assembly Member Shelley moved that the Assembly do now adjourn.

Assembly Member Escutia seconded the motion.

**Motion Withdrawn**

Assembly Member Shelley withdrew his motion to adjourn, with the consent of the second to the motion.

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Senate Bills**

**SENATE BILL NO. 1781 (Peace)**—An act to amend Section 9606 of the Public Utilities Code, relating to public utilities.

Bill read third time, passed, and ordered transmitted to the Senate.

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

**SENATE BILL NO. 2084 (Costa)**—An act to amend Section 9080.3 of the Insurance Code, relating to insurance.

Bill read third time, passed, and ordered transmitted to the Senate.

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

**SENATE BILL NO. 440 (Maddy)**—An act to amend Sections 4027 and 4052 of the Business and Professions Code, relating to pharmacy.

Bill read third time, passed, and ordered transmitted to the Senate.

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

**SENATE BILL NO. 2223 (Committee on Health and Human Services)**—An act relating to the University of California.

Bill read third time, passed, and ordered transmitted to the Senate.

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

#### Consent Calendar Roll Call

The roll was called, and the above bills on the Consent Calendar passed, by the following vote:

#### AYES—72

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

#### NOES—None

#### COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Wildman announced that the Joint Legislative Audit Committee would reconvene today, upon adjournment of Floor session.

#### VOTE ADDS

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

**Motion by Assembly Member Floyd:** Miller and Olberg—No.

**Assembly Bill No. 583, Concurrence:** Bustamante and Mazzoni—Aye.

**Assembly Bill No. 2724, Concurrence:** Bowen, Bustamante, Martinez, and Mazzoni—Aye; Baldwin—No.

**Assembly Bill No. 732, Concurrence:** Baldwin, Bowen, and Mazzoni—Aye.

**Senate Bill No. 50, Villaraigosa amendments:** Prenter—No.

#### MOTION TO ADJOURN

At 6:16 p.m., Assembly Member Shelley moved that the Assembly do now adjourn.

Assembly Member Papan seconded the motion.

Motion carried.

#### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 6:17 p.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 8, 1998

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

Assembly Bill No. 322

Assembly Bill No. 1314

Assembly Bill No. 632

Assembly Bill No. 1329

Assembly Bill No. 903

Assembly Bill No. 1531

And reports the same correctly enrolled, and presented to the Governor at 5 p.m., July 8, 1998.

E. DOTSON WILSON, Chief Clerk

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 179—Perata.** Relative to Domestic Violence Prevention Week.

**ASSEMBLY CONCURRENT RESOLUTION NO. 180—Oller.** Relative to Historic U.S. Highway Route 40.

**SPECIAL COMMITTEE MEETINGS**

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

Higher Education, on July 13, 1998.

**ADJOURNMENT**

At 6:18 p.m., pursuant to the motion by Assembly Member Shelley, the Assembly adjourned until 3 p.m., Thursday, July 9, 1998, out of respect to the memory of Bob Molina, on motion of Assembly Member Baca; out of respect to the memory of Keiji Higashi, on motion of Assembly Member Martinez; and out of respect to the memory of Wing “John” Duck Young, on motion of Assembly Member Brown.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JULY 8, 1998

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

<b>HR</b>	<b>RN</b>	<b>SB</b>	<b>RN</b>
58	9815643	1630	9815658
		1647	9815239
<b>ACR</b>	<b>RN</b>	1692	9815654
155	9815411	1704	9815297
		1765	9815321
<b>SB</b>	<b>RN</b>	1873	9815802
17	9814974	1890	9815209
50	9815540	1898	9815706
55	9815202	1916	9814924
149	9815224	1927	9815245
180	9815384	1930	9815205
213	9815037	1984	9815210
378	9815112	2024	9815458
405	9815156	2039	9814927
648	9815396	2098	9815341
678	9815236	2111	9815126
1182	9815496	2119	9815397
1362	9815686	2166	9815444
1373	9815479	2181	9815323
1405	9815482	2192	9815703
1430	9814765		
1466	9815251	<b>SJR</b>	<b>RN</b>
1485	9815671	38	9815372
1530	9815363		

**Daily Total: 41**

**Cumulative Total: 7180**

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

**SB**

- 50 (Prenter amendments—Set 9, RN 9806494, laid upon the table)
- (Olberg amendments—Set 11, RN 9815494, laid upon the table)