

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, July 10, 1998

TWO HUNDRED THIRTY-NINTH SESSION DAY

FIVE HUNDRED EIGHTY-SIXTH 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
Friday, July 10, 1998

The Assembly met at 8 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

At 8:01 a.m., Speaker pro Tempore Kuehl placed a quorum call upon the Assembly.

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

Quorum Present

At 8:17 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—74:

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

PRAYER

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Assembly Member Debra Bowen, of the 53rd Assembly District:

Your grace sustains us throughout every difficulty and supplies our needy hearts with encouragement. Give us wisdom for the work that is before us. Calm our attitudes; bless us with strength to do the work of this new day.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

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: Floyd, Granlund, Kaloogian, and Morrow.

COMMUNICATIONS

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

July 10, 1998

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

Dear Mr. Wilson,

Due to the late enactment of a state budget, please be advised that I will be donating all pay and per diem from July 1, 1998 until the budget is signed.

In lieu of refusing the pay and returning it to the Assembly operating budget, I will donate it to the Boys and Girls Clubs in my district. I strongly believe that these organizations will be better able to spend these funds in a more responsible fashion than the State Assembly.

Sincerely,

JIM MORRISSEY, Assembly Member
Sixty-ninth District

REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, July 10, 1998

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12) as it relates to Senate Bill No. 1083.

KEVIN MURRAY

Above request ordered transmitted to the Committee on Rules.

AUTHOR'S AMENDMENTS
Committee on Transportation

July 10, 1998

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

Senate Bill No. 1083

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

MURRAY, Chairman

SENATE BILL NO. 1083—An act 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 Governmental Organization

July 10, 1998

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

Senate Bill No. 1375

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

BROWN, Chairwoman

SENATE BILL NO. 1375—An act to amend Section 19596.1 of the Business and professions Code, relating to horse racing.

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 Rules

Date of Hearing: July 9, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 178

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

HERTZBERG, Chairman

Above resolution ordered on file.

Date of Hearing: July 9, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 175

Assembly Concurrent Resolution No. 177

Assembly Concurrent Resolution No. 179

With the recommendation: Be adopted.

HERTZBERG, Chairman

Above resolutions ordered on file.

Date of Hearing: July 9, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Joint Resolution No. 43

With the recommendation: Be adopted.

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

HERTZBERG, Chairman

Above resolution ordered on file.

Date of Hearing: July 9, 1998

Mr. Speaker: Your Committee on Rules reports:
 Assembly Joint Resolution No. 72
 Assembly Joint Resolution No. 73

With the recommendation: Be adopted.

HERTZBERG, Chairman

Above resolutions ordered on file.

Date of Hearing: July 9, 1998

Mr. Speaker: Your Committee on Rules reports:
 Senate Concurrent Resolution No. 82

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

HERTZBERG, Chairman

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: July 9, 1998

Mr. Speaker: Your Committee on Rules reports:
 Senate Concurrent Resolution No. 67

With the recommendation: Be adopted.

HERTZBERG, Chairman

Above resolution ordered on file.

ADJOURN IN MEMORY

Assembly Member Aguiar was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Christopher De Leon, of Montclair, survived by his parents and his brother and sister.

Assembly Member Frusetta was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Tanillia Margaret Shiver, Talejah Jacklyn Simpson, and Taeya Rayshawn Parks, of Salinas and Stanley C. Guidici, of King City.

Assembly Member Shelley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of George D. Hart, Sandy Sugrue, and Louise M. Davies, of San Francisco.

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 Brandon Ervin, of Citrus Heights.

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 Frank Moser and Haralson Smith, of Coronado.

Assembly Member Napolitano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Beverly Medina, of La Mirada.

RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2 AND UNANIMOUS CONSENT GRANTED

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 1873 to the Committee on Appropriations, and was granted unanimous consent that the bill be returned to the third reading file upon being reported from the Committee on Appropriations.

SPECIAL COMMITTEE MEETINGS

Assembly Member Migden was granted unanimous consent that the Committee on Appropriations be permitted to hold a special meeting today, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 1873 for hearing.

RE-REFERENCE OF BILLS

Assembly Migden was granted unanimous consent that Senate Bill No. 1623 be re-referred from the Committee on Appropriations to the Committee on Judiciary.

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. 2082, on request of Assembly Member Shelley.

SPECIAL RECOGNITION

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

ASSEMBLY CONCURRENT RESOLUTION NO. 179 TAKEN UP BY UNANIMOUS CONSENT

Upon request of Assembly Member Shelley, Assembly Member Perata was granted unanimous consent to take up Assembly Concurrent Resolution No. 179, without reference to file, and that the same be considered engrossed.

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

Resolution read, and adopted by the following vote:

AYES—65

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

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR PHOTOGRAPHER

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

**CONSIDERATION OF DAILY FILE
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. 2210, 610, 1469, 930, and 1907, ordered to third reading;

Senate Bills Nos. 2004 and 549, ordered to the Consent Calendar.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 8:33 a.m., by unanimous consent, the members of the Committee on Appropriations were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

At 8:34 a.m., Hon. Fred Keeley, 27th District, presiding

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

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 23, Senate Constitutional Amendment No. 13, and Senate Bill No. 1419 were continued until Monday, July 13, 1998.

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

Unanimous consent was granted that the notice of motion to withdraw Assembly Bill No. 1735 from the Committee on Public Safety be continued until Monday, July 13, 1998.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 10 (Runner)—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 29 of Article XIII thereof, relating to taxation.

Resolution read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 8:50 a.m.

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

At 8:51 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 21 BY UNANIMOUS CONSENT

Assembly Member Papan was granted unanimous consent to take up Assembly Constitutional Amendment No. 21, out of order.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 21 (Papan)—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending and repealing Section 2 of, and by adding Section 2.1 to, Article IV thereof, and by amending Section 7 of Article XX thereof, relating to state government.

Resolution read third time.

Motion to Amend

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

Request for Division of the Question

Assembly Member McClintock requested that the question be divided to permit consideration of amendments prohibiting the California Citizens Compensation Commission from increasing for any year the salary of a Member of the Legislature by more than 5% from the current salary of the Member, separately.

Ruling by Speaker pro Tempore Kuehl

The Speaker pro Tempore ruled that the question is divisible, as requested.

Question 1

Shall amendments relative to limitation of salary increases for Members of the Legislature be adopted?

Roll Call Demanded

Assembly Members McClintock, Richter, and Morrissey, demanded a roll call.

The roll was called, and the amendments contained in Question 1 were adopted by the following vote:

AYES—64

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

NOES—None

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 Question 1, as it relates to Assembly Constitutional Amendment No. 21.

Question 2

Shall the amendments that require that the 40 Assembly Members elected from even-numbered districts to terms commencing on December 4, 2000, shall serve two-year terms, in order to provide for staggered elections of Assembly Members, be adopted?

Roll Call Demanded

Assembly Members McClintock, Richter, and Morrissey, demanded a roll call.

The roll was called, and the amendments contained in Question 2 were adopted by the following vote:

AYES—32

Alquist	Figueroa	Leonard	Strom-Martin
Aroner	Gallegos	Martinez	Thompson
Bowen	Hertzberg	Mazzoni	Thomson
Brown	Honda	Migden	Torlakson
Cardoza	Keeley	Napolitano	Vincent
Cedillo	Knox	Papan	Washington
Ducheny	Kuehl	Perata	Wildman
Escutia	Lempert	Shelley	Mr. Speaker

NOES—27

Ackerman	Campbell	Leach	Pacheco
Aguiar	Cunneen	Margett	Poochigian
Baldwin	Firestone	McClintock	Prenter
Battin	Frusetta	Miller	Pringle
Baugh	Goldsmith	Morrissey	Richter
Bordonaro	House	Olberg	Woods
Brewer	Kuykendall	Oller	

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

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 9:01 a.m., by unanimous consent, the members of the Committee on Governmental Organization were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: July 10, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1873

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to third reading, pursuant to unanimous consent granted earlier this day.

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

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

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

**At 9:13 a.m., Assistant Speaker pro Tempore Joe Baca,
62nd District, presiding**

Bill passed by the following vote:

AYES—52

Ackerman	Brewer	Kuykendall	Pacheco
Aguiar	Campbell	Leach	Perata
Alby	Cunneen	Leonard	Poochigian
Alquist	Davis	Machado	Prenter
Aroner	Ducheny	Margett	Pringle
Ashburn	Escutia	Martinez	Runner
Baca	Figueroa	Mazzoni	Shelley
Baldwin	Frusetta	McClintock	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Honda	Murray	Wayne
Bowen	House	Olberg	Woods
Bowler	Keeley	Oller	Mr. Speaker

NOES—12

Bustamante	Havice	Ortiz	Strom-Martin
Cardenas	Kuehl	Richter	Thomson
Cardoza	Migden	Scott	Wildman

Bill ordered transmitted to the Senate

At 9:33 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

**REPORTS OF STANDING COMMITTEES
Committee on Governmental Organization**

Date of Hearing: June 10, 1998

Mr. Speaker: Your Committee on Governmental Organization reports:
Assembly Bill No. 786

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

BROWN, Chairwoman

Above bill ordered to unfinished business.

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

SENATE BILL NO. 50 (O'Connell)—An act to amend Sections 17014, 17260, 17262, 17303, 17305, and 17306 of, to add Sections 17005.6, 17005.7, 17005.8, 17009.5, 17030.1, and 17060.5 to, 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, to amend Section 1003 of the Elections Code, and to amend Section 4420 of the Government Code, relating to education facilities, 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, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

Demand for Previous Question

Assembly Members Campbell, Bowler, Thompson, Bordonaro, and Vincent demanded the previous question. Demand sustained.

Roll Call Demanded

Assembly Member Baca demanded a roll call.

Demand not sustained.

Additional Time for Debate Granted

Assembly Member Villaraigosa was granted unanimous consent that Assembly Member Mazzoni be granted 5 minutes additional time to close debate.

The question being on the adoption of the urgency clause.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11 a.m.

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

CAUCUS ANNOUNCEMENTS

At 11:01 a.m., Assembly Member Shelley was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

RECESS

By unanimous consent, at 11:01 a.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

REASSEMBLED

At 12:10 p.m., the Assembly reconvened.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 10**

At 12:11 p.m., on motion of Assembly Member Runner, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Constitutional Amendment No. 10 adopted by the following vote:

AYES—64

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

NOES—4

Martinez	McClintock	Murray	Sweeney
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Resolution ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO SENATE BILL NO. 50**

At 12:11 p.m., on motion of Assembly Member Shelley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 50 refused adoption by the following vote:

AYES—46

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

NOES—24

Ackerman	Bordonaro	Margett	Prenter
Aguiar	Bowler	McClintock	Pringle
Alby	Brewer	Miller	Richter
Ashburn	Campbell	Olberg	Runner
Baldwin	House	Oller	Thompson
Baugh	Leonard	Poohigian	Woods

**Request for Immediate Reconsideration
of Urgency Clause to Senate Bill No. 50**

Assembly Member Mazzoni requested unanimous consent that the vote be immediately reconsidered whereby the urgency clause to Senate Bill No. 50 was this day refused adoption.

Assembly Member Olberg withheld unanimous consent.

Objection Withdrawn

Objection to the request by Assembly Member Mazzoni for immediate reconsideration of the vote on Senate Bill No. 50, was withdrawn.

Urgency Clause to Senate Bill No. 50 Reconsidered Immediately

Assembly Member Mazzoni was granted unanimous consent that the vote be immediately reconsidered whereby the urgency clause to Senate Bill No. 50 was this day refused adoption, and that the bill be passed on file, to retain its place on file.

Objection to Vote Adds

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

CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Upon request of Assembly Member Shelley, Assembly Member Ortiz was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 1301.

ASSEMBLY BILL NO. 1301 (Ortiz)—An act to amend Sections 24353, 26857, 27361, 68085, 68085.5, 68547, 77200, 77201.1, 77204, 77205, 77205.5, 77207, 77209, 77212, and 77654 of, and to add Section 77201 to, the Government Code, and to amend Section 1463.001 of, and to add Section 1463.007 to, the Penal Code, relating to trial court funding, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—70

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

NOES—1

Campbell

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

AYES—70

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

NOES—1

Campbell

Above bill ordered enrolled.

CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Upon request of Assembly Member Shelley, Assembly Member Machado was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 786, without reference to file.

ASSEMBLY BILL NO. 786 (Machado)—An act to amend Section 402 of the Government Code, relating to state government, and declaring the urgency thereof, to take effect immediately.

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

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—71

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

NOES—None

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

AYES—71

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

NOES—None

Above bill ordered enrolled immediately.

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

SENATE BILL NO. 1660 (Lewis)—An act to amend Sections 66458, 66462, and 66477.1 of the Government Code, relating to local agencies.

Rules Temporarily Suspended

Assembly Member Aguiar was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of amendments to Senate Bill No. 1660.

Bill read third time.

Motion to Amend

Assembly Member Aguiar moved the adoption of amendments.

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

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

Upon request of Assembly Member Aguiar, pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 1660 to the Committee on Local Government.

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

SENATE BILL NO. 1338 (Johannessen)—An act relating to state purchases, and declaring the urgency thereof, to take effect immediately.

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.

**ASSEMBLY CONCURRENT RESOLUTION NO. 178 TAKEN UP BY
UNANIMOUS CONSENT FOR SECOND READING**

Assembly Member Pacheco was granted unanimous consent to take up Assembly Concurrent Resolution No. 178 without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

ASSEMBLY CONCURRENT RESOLUTION NO. 178—Relative to the City of Riverside.

Resolution read; amendments proposed by the Committee on Rules read and adopted; resolution ordered reprinted.

Assembly Concurrent Resolution No. 178 Taken up by Unanimous Consent

Assembly Member Pacheco was granted unanimous consent to take up Assembly Concurrent Resolution No. 178, without reference to file, and that the same be considered engrossed.

ASSEMBLY CONCURRENT RESOLUTION NO. 178—Relative to the City of Riverside.

Resolution read, and adopted by the following vote:

AYES—68

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

NOES—1

Murray

Resolution ordered transmitted to the Senate immediately.

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 Assembly Concurrent Resolution No. 178.

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

SENATE BILL NO. 776 (Johannessen)—An act to add Sections 13332.19 and 14661 to the Government Code, relating to state property.

Bill read third time.

Motion to Amend

Assembly Member Campbell moved the adoption of amendments.

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

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 469, on request of Assembly Member Pacheco.

ADJOURN IN MEMORY

Assembly Member Morrissey was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Firefighter Robert Cournoyer, of Anaheim.

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. 1466, on request of Assembly Member Leonard.

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. 1385 (Alpert)—An act to amend Section 121135 of the Health and Safety Code, relating to AIDS.

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. 237 (Johnson)—An act to amend Section 1765.1 of, and to add Sections 1760.6, and 1760.7 to 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. 1851 (Kelley)—An act to amend Section 130053 of, to add Section 130053.7 to, and to repeal and add Section 130053.5 of, the Public Utilities Code, relating to transportation.

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—73

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

NOES—None

SESSION SCHEDULE AND OTHER ANNOUNCEMENTS

Speaker pro Tempore Kuehl announced the following session schedule:

- Sunday, July 12, 1998, Check-in Session 5 p.m.–12 midnight;
- Monday, July 13, 1998, Floor Session, 10 a.m.

VOTE ADDS

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

Assembly Concurrent Resolution No. 179: Alby, Aroner, Brewer, Bustamante, Campbell, Goldsmith, Martinez, Miller, Murray, Pacheco, Prenter, and Wayne—Aye.

Assembly Constitutional Amendment No. 21, Question 2: Aroner—Aye; Goldsmith and Prenter—No.

Senate Bill No. 1505: Aroner, Margett, and Martinez—Aye.

Assembly Constitutional Amendment No. 10: Frusetta and Goldsmith—Aye.

MOTION TO ADJOURN

At 12:44 p.m., Assembly Member Shelley moved that the Assembly do now adjourn.

Assembly Member Scott seconded the motion.

Motion carried.

REMARKS ON CONDITION OF THE FILE

Assembly Member House arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Shelley that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:46 p.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 10, 1998

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

Assembly Bill No. 583

Assembly Bill No. 2418

Assembly Bill No. 732

Assembly Bill No. 2724

And reports the same correctly enrolled, and presented to the Governor at 12:45 p.m., July 10, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, July 10, 1998

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

Assembly Bill No. 786

And reports the same correctly enrolled, and presented to the Governor at 1:30 p.m., July 10, 1998.

E. DOTSON WILSON, Chief Clerk

INTRODUCTION OF GUESTS

Assembly Member Thomson, of the 8th Assembly District, introduced her sister Audrey Mac Leod Pfieffer, of Middletown, Rhode Island.

Assembly Member Bordonaro, of the 33rd Assembly District, introduced Madyson Laura Brug, of Templeton.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Shelley, the Assembly adjourned until 5 p.m., Sunday, July 12, 1998, out of respect to the memory of Robert Cournoyer, on motion of Assembly Member Morrissey; out of respect to the memory of Christopher De Leon, on motion of Assembly Member Aguiar; out of respect to the memory of Tanillia Margaret Shiver, Talejah Jacklyn Simpson, Taeya Rayshawn Parks, and Stanley C. Guidici, on motion of Assembly Member Frusetta; out of respect to the memory of George D. Hart, Sandy Sugrue, Louise M. Davies, on motion of Assembly Member Shelley; out of respect to the memory of Brandon Ervin, on motion of Assembly Member Thomson; out of respect to the memory of Frank Moser and Haralson Smith, on motion of Assembly Member Baldwin; out of respect to the memory of Beverly Medina, on motion of Assembly Member Napolitano.

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 10, 1998**

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

ACA	RN
21	9815912

ACR	RN
178	9815866

SB	RN
776	9815854
1083	9815106
1338	9815707
1375	9815610
1660	9815129

Daily Total:	7
Cumulative Total:	7237

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