

CALIFORNIA LEGISLATURE
1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, July 16, 1998

**TWO HUNDRED FORTY-SECOND SESSION DAY
FIVE HUNDRED NINETY-SECOND CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, July 16, 1998

The Assembly met at 8:30 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Washington moved a quorum call of the Assembly.

Motion carried. Time, 8:31 a.m.

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

Quorum Present

At 8:48 a.m., Speaker pro Tempore Kuehl declared a quorum of the Assembly present.

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

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

PRAYER

Speaker pro Tempore Kuehl offered the following morning prayer:

God, Grant us each day the will to do our jobs, to speak our piece and make our calls. Grant us the humility to accept rebuff with grace, discourtesy with a grin, disappointment with resolve.

Grant us the courage to face all obstacles, competitive or otherwise, with determination and grit.

Grant us loyalty to family, our principles, and our associates. Grant us stability that we may remain true to ourselves in times of success. Grant us vision that we may conserve the profit of today's success against the expense of tomorrow's failure.

Grant us the respect of good men and women.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Honda 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 Washington, seconded by Assembly Member Granlund.

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.

Because of illness in her family: Assembly Member Alquist.

The following Assembly Members were excused for the day, and their per diem was waived: Aroner, Baugh, Campbell, and Kaloogian.

COMMUNICATIONS

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

July 14, 1998

E. Dotson Wilson

Chief Clerk

State Capitol, Room 3196

Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to the Appropriations Committee in place of Assemblymember Joe Baca for all hearings occurring this week.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

July 14, 1998

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

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Bordonaro to the Appropriations Committee in place of Assemblymember Fred Aguiar for the hearing on Wednesday, July 15, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

July 14, 1998

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

Dear Dotson: Please be advised that I have appointed Assemblymember Sheila Kuehl to the Revenue and Taxation Committee in place of Assemblymember Rod Wright for the hearing on Wednesday, July 15, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

July 14, 1998

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

Dear Dotson: Please be advised that I have appointed Assemblymember Steve Baldwin to the Revenue and Taxation Committee in place of Assemblymember Nao Takasugi for all hearings occurring this week.

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

July 15, 1998

E. Dotson Wilson
Chief Clerk
State Capitol
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Kevin Shelley to the Revenue and Taxation Committee in place of Assemblymember Elaine Alquist for the July 15, 1998 hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

July 15, 1998

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

Dear Mr. Wilson: Please be advised that pursuant to State Constitution, Code Sec. 8 (Ch. 67 of 1988, SCA 6—Davis; Government Code, Sec. 68701 et seq. (Ch. 454 of 1982); (amended by: Ch. Res. 111 of 1994, ACA 46—W. Brown), I have named Ms. Ramona Ripston to serve on the Commission on Judicial Performance.

Ms. Ripston will be replacing Mr. Alan Barcelona who resigned from the Commission.

The effective date of the appointment is July 15, 1998, and this is a term appointment ending March 1, 2001.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

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

Bill Jones, Secretary of State, dated June 24, 1998, transmitting a copy of the following qualified initiative entitled:

**State and County Early Childhood Development Programs.
Additional Tobacco Surtax.
Initiative Constitutional Amendment and Statute.**

Referred pursuant to Elections Code, Section 9034, to the Committees on Human Services, Revenue and Taxation, and Elections, Reapportionment and Constitutional Amendments.

Assembly Chamber, July 16, 1998

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

Assembly Concurrent Resolution No. 106

Assembly Concurrent Resolution No. 130

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, July 16, 1998

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

Assembly Concurrent Resolution No. 107

Assembly Concurrent Resolution No. 165

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered to the Consent Calendar.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 15, 1998

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

Assembly Concurrent Resolution No. 84

And reports the same correctly enrolled, and presented to the Secretary of State on the 15th day of July, 1998, at 11:45 a.m.

E. DOTSON WILSON, Chief Clerk

SENATE BILL NO. 143—An act to amend Sections 6252 and 6258 of, to amend and renumber Section 6253 of, to add Sections 6252.5 and 6253 to, to add a heading as Article 1 (commencing with Section 6250) to Chapter 3.5 of, to add Article 2 (commencing with Section 6275) to Chapter 3.5 of, Division 7 of Title 1 of, and to repeal Sections 6253.1, 6256, 6256.1, 6256.2, and 6257 of, the Government Code, relating to records.

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. 1520—An act to amend Section 631.3 of the Code of Civil Procedure, and to repeal Section 27081.5 of the Government Code, relating to jury fees.

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. 1681—An act relating to school district reorganization.

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 16, 1998

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

Senate Bill No. 1878

Senate Bill No. 1868

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

MIGDEN, Chairwoman

SENATE BILL NO. 1878—An act to amend Section 190.2 of the Penal Code, relating to murder, and declaring the urgency thereof, to take effect immediately.

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

SENATE BILL NO. 1868—An act to add and repeal Chapter 4 (commencing with Section 2950) of Part 5 of Division 4 of the Probate Code, relating to elder and dependent adult abuse, 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.

AUTHOR'S AMENDMENTS
Committee on Health

July 16, 1998

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

Senate Bill No. 2238

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

GALLEGOS, Chairman

SENATE BILL NO. 2238—An act to amend Sections 1207, 2532.2, 2960, 2960.1, 3356, 4826.1, 4980.40, 4980.80, 4980.90, 4982.25, 4984.1, 4984.4, 4984.7, 4986.70, 4986.80, 4992.36, 4996.3, 4996.4, 4996.6, 4996.7, 5615, 5616, 5621, 5622, 5624, 5626, 5629, 5630, 5640, 5641, 5642, 5644, 5652, 5653, 5654, 5655, 5656, 5657, 5659, 5660, 5662, 5665, 5666, 5667, 5668, 5669, 5670, 5671, 5672, 5673, 5676, 5678.5, 5679.5, 5680, 5680.05, 5680.1, 5680.2, 5681, 7536, 8698.6, 9880.1, 9882.5, 9884.7, 13660, and 18643 of, to add Sections 138, 2532.3, 2532.5, 4980.31, 4984.8, 4986.41, 4986.82, 4997, 5675.5, and 22448 to, and to repeal Sections 5677, 5678, 5679, 9889.30, 9889.31, 9889.32, and 9889.33 of, the Business and Professions Code, to amend Sections 8214.1, 8214.15, 8219.5, and 8223 of the Government Code, and to amend Section 803 of the Penal Code, relating to professions, 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.

AUTHOR'S AMENDMENTS
Committee on Judiciary

July 16, 1998

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 1508

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

ESCUTIA, Chairwoman

SENATE BILL NO. 1508—An act to add and repeal Section 11475.17 of the Welfare and Institutions Code, relating to support, 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.

AUTHOR'S AMENDMENTS
Committee on Transportation

July 16, 1998

Mr. Speaker: The Chair of your Committee on Transportation reports:
Senate Bill No. 1488

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

MURRAY, Chairman

SENATE BILL NO. 1488—An act to add Title 7.96 (commencing with Section 67960) to the Government Code, relating to transportation.

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

AUTHOR'S AMENDMENTS
Committee on Insurance

July 16, 1998

Mr. Speaker: The Chair of your Committee on Insurance reports:
Senate Bill No. 272

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

FIGUEROA, Chairwoman

SENATE BILL NO. 272—An act to add Section 733.1 to the Insurance Code, relating to insurance.

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

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: July 15, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Concurrent Resolution No. 64

Senate Concurrent Resolution No. 92

With the recommendation: Be adopted.

MIGDEN, Chairwoman

Above resolutions ordered to third reading.

Date of Hearing: July 15, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1849

Senate Bill No. 1852

Senate Bill No. 1932

Senate Bill No. 1945

Senate Bill No. 1987

Senate Bill No. 2015

Senate Bill No. 2023

Senate Bill No. 2078

Senate Bill No. 2085

Senate Bill No. 2093

Senate Bill No. 2101

Senate Bill No. 2134

Senate Bill No. 2240

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: July 15, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 28

Senate Bill No. 29

Senate Bill No. 55

Senate Bill No. 452

Senate Bill No. 529

Senate Bill No. 844

Senate Bill No. 924

Senate Bill No. 1156

Senate Bill No. 1203

Senate Bill No. 1363

Senate Bill No. 1389

Senate Bill No. 1390

Senate Bill No. 1404

Senate Bill No. 1407

Senate Bill No. 1483

Senate Bill No. 1503

Senate Bill No. 1535

Senate Bill No. 1539

Senate Bill No. 1554

Senate Bill No. 1621

Senate Bill No. 1626

Senate Bill No. 1627

Senate Bill No. 1630

Senate Bill No. 1645

Senate Bill No. 1692

Senate Bill No. 1729

Senate Bill No. 1750

Senate Bill No. 1780

Senate Bill No. 1782

Senate Bill No. 1784

Senate Bill No. 1791

Senate Bill No. 1792

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: July 15, 1998

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|----------------------|----------------------|
| Senate Bill No. 117 | Senate Bill No. 1716 |
| Senate Bill No. 490 | Senate Bill No. 1813 |
| Senate Bill No. 1169 | Senate Bill No. 1924 |
| Senate Bill No. 1362 | Senate Bill No. 2017 |
| Senate Bill No. 1367 | Senate Bill No. 2028 |
| Senate Bill No. 1471 | Senate Bill No. 2047 |
| Senate Bill No. 1476 | Senate Bill No. 2060 |
| Senate Bill No. 1482 | Senate Bill No. 2111 |
| Senate Bill No. 1486 | Senate Bill No. 2150 |
| Senate Bill No. 1491 | Senate Bill No. 2161 |
| Senate Bill No. 1662 | Senate Bill No. 2187 |
| Senate Bill No. 1682 | |

With the recommendation: Do pass.

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: July 15, 1998

Mr. Speaker: Your Committee on Appropriations reports:

- Senate Concurrent Resolution No. 70

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.

MIGDEN, Chairwoman

Above resolution ordered to Consent Calendar.

Date of Hearing: July 15, 1998

Mr. Speaker: Your Committee on Appropriations reports:

- Assembly Concurrent Resolution No. 171
- Assembly Concurrent Resolution No. 172
- Assembly Joint Resolution No. 58

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 resolutions be placed on the Consent Calendar.

MIGDEN, Chairwoman

Above resolutions ordered to Consent Calendar.

Committee on Rules

Date of Hearing: July 16, 1998

Mr. Speaker: Your Committee on Rules reports:

- Assembly Concurrent Resolution No. 91

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.

Committee on Revenue and Taxation

Date of Hearing: July 15, 1998

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

- Senate Bill No. 664

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

KNOX, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: July 15, 1998

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

Senate Bill No. 1496

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 Rules

Date of Hearing: July 16, 1998

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 81

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.

Committee on Governmental Organization

Date of Hearing: July 16, 1998

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 27

Senate Bill No. 1468

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

BROWN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: July 16, 1998

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 249

Senate Bill No. 1405

Senate Bill No. 1449

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

BROWN, Chairwoman

Above bills re-referred to the Committee on Appropriations.

Committee on Appropriations

Date of Hearing: July 15, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1548

Senate Bill No. 2103

Senate Bill No. 1639

Senate Bill No. 2128

Senate Bill No. 1790

Senate Bill No. 2174

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, July 9, 1998

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

Assembly Bill No. 247
 Assembly Bill No. 681
 Assembly Bill No. 771
 Assembly Bill No. 913
 Assembly Bill No. 1382
 Assembly Bill No. 1683
 Assembly Bill No. 1721
 Assembly Bill No. 1739
 Assembly Bill No. 1825
 Assembly Bill No. 1837
 Assembly Bill No. 1907
 Assembly Bill No. 1975

Assembly Bill No. 1995
 Assembly Bill No. 2099
 Assembly Bill No. 2153
 Assembly Bill No. 2157
 Assembly Bill No. 2230
 Assembly Bill No. 2285
 Assembly Bill No. 2498
 Assembly Bill No. 2571
 Assembly Bill No. 2637
 Assembly Bill No. 2648
 Assembly Bill No. 2748
 Assembly Bill No. 2759

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, July 9, 1998

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

Assembly Concurrent Resolution No. 105

And respectfully requests the Assembly to concur in said amendments.

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

Above resolution ordered to unfinished business file.

July 14, 1998

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

Dear Dotson: By direction of the Senate I am returning Senate Bill 405 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT
 Secretary of the Senate

Above bill held at the Desk.

ADJOURN IN MEMORY

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 Alfred Fromm, 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 Marianne C. Nix, of Knights Landing.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 1456, on request of Assembly Member Mazzoni.

SPECIAL RECOGNITION

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

ADJOURN IN MEMORY

Assembly Member Scott was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Patrick Bradley, of Altadena.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

July 13, 1998

Mr. Speaker: Your Committee on Rules recommends that the requests to suspend Joint Rule 61(b)(12), as it relates to the following bills be granted: Senate Bills Nos. 27, 249, 262, 272, 312, 491, 570, 681, 933, 955, 956, 977, 1011, 1083, 1140, 1190, 1250, 1375, 1376, 1405, 1449, 1468, 1477, 1488, 1504, 1508, 1529, 1536, 1551, 1622, 1624, 1638, 1652, 1653, 1683, 1702, 1717, 1724, 1730, 1742, 1754, 1886, 1887, 1917, 2010, 2016, 2198, 2207, 2236, 2238, and 2239.

HERTZBERG, Chairman

RESOLUTIONS

The following resolutions were offered:

Resolutions to Suspend Joint Rules

By Assembly Member Papan:

Resolved, That Joint Rule 61 be suspended to permit the Committee on Banking and Finance to meet, consider, and report Senate Bills Nos. 1622 and 1624 for further action.

By Assembly Member Davis:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Consumer Protection, Governmental Efficiency and Economic Development to meet, consider, and report Senate Bill No. 491 for further action.

By Assembly Member Brown:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Governmental Organization to meet, consider, and report Senate Bills Nos. 27, 249, 1405, 1449, 1468, and 1652 for further action.

By Assembly Member Brown:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Governmental Organization to meet, consider, and report Senate Bill No. 1375 for further action.

By Assembly Member Gallegos:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Health to meet, consider, and report Senate Bills Nos. 1140, 1504, 1653, 1724, 1887, 2238, and 2239 for further action.

By Assembly Member Aroner:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Human Services to meet, consider, and report Senate Bill No. 933 for further action.

By Assembly Member Figueroa:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Insurance to meet, consider, and report Senate Bills Nos. 272, 570, 956, 1551, and 1683 for further action.

By Assembly Member Bowen:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Natural Resources to meet, consider, and report Senate Bills Nos. 1190 and 1376 for further action.

By Assembly Member Bowen:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Natural Resources to meet, consider, and report Senate Bill No. 681 for further action.

By Assembly Member Bowen:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Natural Resources to meet, consider, and report Senate Bill No. 2010 for further action.

By Assembly Member Escutia:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Judiciary to meet, consider, and report Senate Bills Nos. 262, 955, 977, 1504, 1508, 1529, 1536, 1638, 1653, 1702, 1717, 1730, and 1917 for further action.

By Assembly Member Perata:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Public Safety to meet, consider, and report Senate Bill No. 2016 for further action.

By Assembly Member Knox:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Revenue and Taxation to meet, consider, and report Senate Bill No. 2236 for further action.

By Assembly Member Murray:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Transportation to meet, consider, and report Senate Bills Nos. 2198, 1250, 1488, 1742, 1886, and 2207 for further action.

By Assembly Member Murray:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Transportation to meet, consider, and report Senate Bill No. 1754 for further action.

By Assembly Member Murray:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Transportation to meet, consider, and report Senate Bill No. 1477 for further action.

By Assembly Member Murray:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Transportation to meet, consider, and report Senate Bill No. 1083 for further action.

By Assembly Member Machado:

Resolved, That Joint Rule 61(b)(12) be suspended to permit the Committee on Water, Parks and Wildlife to meet, consider, and report Senate Bills Nos. 312 and 1011 for further action.

Resolutions read, and adopted by the following vote:

AYES—67

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

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Shelley was granted unanimous consent that the following communication from the Chief Clerk, and Opinion of Legislative Counsel be printed in the Journal:

July 15, 1998

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

Dear Mr. Speaker: Please find attached a Legislative Counsel opinion that should clarify the “in print” and public notice requirements for conference reports that are submitted to the Assembly Desk in accordance with Joint Rule 30 and Assembly Rule 68.8. I respectfully request that this enclosed letter and the Legislative Counsel opinion be entered in the Daily Journal to assist the public and membership in applying the aforementioned rules relative to conference committees.

Joint Rule 30 requires the following:

“The consideration of a committee on conference shall not be in order until the bill in the form recommended by the report of the committee on conference has both been in print and been **noticed in the Daily File for not less than one legislative day.**”

In addition, Assembly Rule 68.8 specifies the following:

“No conference report may be heard by the Assembly until it has been in print for **two days** (i.e., calendar) prior to being taken up by the House.” (Senate Rule 29.9 requires a similar two-calendar day waiting period.)

Over the past twelve years the Senate and Assembly have interpreted these rules in a differing fashion. This has resulted in unnecessary confusion and conflicting advice on procedural questions involving joint actions by both Houses. In some instances, a conference report submitted on a Thursday was eligible in the Senate on the following Tuesday, but not eligible in the Assembly until that Wednesday, almost a week after the report was submitted. This is because the Assembly

interpreted Joint Rule 30 to require that the conference report be in print for what in effect is two (rather than one) legislative days in addition to two calendar days.

The Legislative Counsel opinion offers a pragmatic application of the conference committee procedures. Based on this opinion, the two-Houses could adhere to a uniform interpretation of the rules. Under any scenario, a conference report would not be eligible to be taken up until the third day after it is submitted to the Assembly or Senate Desk, at the earliest. For example, a conference report submitted on a Thursday (assume no Friday–Sunday Session) would be eligible on the following Tuesday, one legislative day after Monday’s session.

Thank you for your attention to this request.

Sincerely,

E. DOTSON WILSON, Chief Clerk

CC: Honorable Bill Leonard, Minority Leader

Legislative Counsel of California

Sacramento, July 10, 1998

Mr. E. Dotson Wilson

Chief Clerk of the Assembly

State Capitol, Room 3196

Legislative Procedure: Conference Committee Reports—#10443

Dear Mr. Wilson: You have asked whether, under the requirements of Joint Rule 30 and Assembly Rule 68.8, a conference committee report that is submitted to the Assembly Desk on a Tuesday and is both in print and noticed in the Assembly Daily File on the next day, Wednesday, may be taken up by the Assembly on Thursday of the same week, assuming that each day to which your question refers is a legislative day.

Rule 30 of the Joint Rules of the Senate and Assembly for the 1997–98 Regular Session¹ (hereafter Joint Rule 30) reads, in pertinent part, as follows:

“30. Upon submission of any report of a committee on conference recommending that the bill be further amended, the bill shall be reprinted incorporating the amendments recommended by the conference committee. The consideration of the report of a committee on conference shall not be in order until the bill, in the form recommended by the report of the committee on conference, has both been in print and been noticed in the Daily File for not less than one legislative day.

* * *

Rule 68.8 of the Standing Rules of the Assembly for the 1997–98 Regular Session² (hereafter Assembly Rule 68.8) reads as follows:

“68.8. No conference report may be heard by the Assembly until it has been in print for two days prior to being taken up by the house.”

¹ Res. Ch. 41, Stats. 1997.

² H.R. 1, adopted Dec. 2, 1996. See also Rule 29.9 of the Standing Rules of the Senate for the 1997–98 Regular Session (S.R. 4, adopted Dec. 2, 1996).

Under Joint Rule 30, a conference committee report may not be heard by the Assembly until the report has both been in print and been noticed in the Daily File for not less than one legislative day. Under Assembly Rule 68.8, a conference committee report may not be heard by the Assembly until it has been in print for two days prior to being taken up by the house.

A legislative day is defined as the period beginning with the convening of at least one house of the Legislature in session and extending until the adjournment of that session (see *Mason's Manual of Legislative Procedure* (1989), Sec. 271; hereafter *Mason's Manual*).

However, no provision of the Joint Rules or Assembly Rules for the 1997–98 Regular Session, or of *Mason's Manual*, prescribes how a period of one or more “days” is to be calculated. Section 10 of the Civil Code, Section 12 of the Code of Civil Procedure, and Section 6800 of the Government Code all provide that “[t]he time in which any act provided by law is to be done is computed by excluding the first day, and including the last, unless the last day is a holiday, and then it is also excluded.” Thus, in the computation of a period of time after a particular event, the generally accepted rule is that the day of the “event is excluded and the computation of time is commenced on the following day” (*Kuhs v. Superior Court* (1988) 201 Cal.App.3d 966, 972, quoting *Ziganto v. Taylor* (1961) 198 Cal.App.2d 603, 607). Any fraction of a day is deemed a day (*People v. Smith* (1989) 211 Cal.App.3d 523, 526, quoting *Municipal Imp. Co. v. Thompson* (1927) 201 Cal. 629, 632).

Under these provisions, when a conference committee report is first in print and noticed in the Assembly Daily File on a Wednesday, that day is excluded in computing the number of days the report is in print and noticed in the File, but any fraction of any subsequent day is included. Thus, the first day that is included in computing the number of days the report is in print and noticed in the File is Thursday; the second day is Friday. In this scenario, a conference committee report first in print and noticed in the Assembly Daily File on Wednesday could not be taken up by the Assembly on the following day. While the requirement of Joint Rule 30, that a conference committee report may not be heard by the Assembly until the report has both been in print and been noticed in the Daily File for not less than one legislative day, is met by the report being in print and noticed in the Daily File on Thursday, the requirement of Assembly Rule 68.8, that a conference report may not be heard by the Assembly until it has been in print for two days, is not met until Friday.

We are informed that the practice of the Assembly has been to calculate time under Joint Rule 30 and Assembly Rule 68.8 accordingly, so that a conference committee report that is first in print and noticed in the Assembly Daily File on a Wednesday is not taken up by the Assembly until that Friday at the earliest. It is our understanding that this practice has been consistent, and is a precedent that governs the house unless the house decides otherwise (see *Mason's Manual*, Sec. 39).

However, as a legislative body, each house of the Legislature possesses the power to govern its internal affairs, including the adoption and revision of rules for that purpose (see *In re Collie* (1952) 38 Cal.2d 396, 398). Subdivision (a) of Section 7 of Article IV of the California Constitution states that each house of the Legislature “shall choose its officers and adopt rules for its proceedings.”

The difference between a statute and a rule adopted by the Legislature to govern its procedures has been discussed by the Court of Appeal for the Third Appellate District in *People's Advocate, Inc. v. Superior Court* (1986) 181 Cal.App.3d 316, 325, as follows:

“The subjects of statutes are categorically different from the subjects of the rule-making powers of article IV, sections 7 and 11 [of the California Constitution]. The subjects of statutes are laws. (Art. IV, sec. 8: ‘The Legislature may make no law except by statute . . .’; [citation].) The kinds of rules and principles which are subsumed under the statutory ‘law’ are addressed to the world *outside* the Legislature. [Citations.] Conversely, the internal rules of the Legislature do not have the force of law except as they may bind the house which adopted them. [Citation.] Since the subjects of statutory laws and rules of internal procedure *categorically* differ, a statute may not control a rule of internal proceeding.” (Emphasis in original.)

The holding in *People's Advocate, Inc. v. Superior Court*, *supra*, is consistent with *Mason's Manual*, Sections 3, 22, and 71. In particular, Paragraph 6 of Section 3 provides that “[u]nder the power to determine the rules of its own procedure, each house of the legislature has the power to determine how it will handle conference committee reports including a minority report.”

Thus, a house of the Legislature may, under its rulemaking authority, determine for itself how a day is to be computed for purposes of Joint Rule 30 and Assembly Rule 68.8. The house may reject the statutory rule that the time in which an act is to be done is computed by excluding the first day and including the last, and may decide, for example, to include the first day in computing the time. If the Assembly chooses to compute time in this manner, the legislative day after the legislative day on which the report is both in print and noticed in the Assembly Daily File meets the requirements not only of the one legislative day provision of Joint Rule 30, but also of the two-day in print provision of Assembly Rule 68.8 and, in that event, the Assembly properly may take up the report on the second legislative day.

To summarize, if the Assembly follows the statutory rule, and its own past practice, that the time in which an act is to be done is computed by excluding the first day and including the last, a conference committee report that is submitted to the Assembly Desk on a Tuesday and is both in print and noticed in the Assembly Daily File on the next day, Wednesday, may not be taken up by the Assembly on that Thursday under the requirements of Joint Rule 30 and Assembly Rule 68.8 because it will not have been in print for two days. On the other hand, the Assembly may elect to revise its practice regarding that computation so as to include the first day in computing the time requirements of Joint Rule 30 and Assembly Rule 68.8, in which event the time requirements of both rules will be met on the legislative day after the legislative day on which a conference committee report is both in print and noticed in the Assembly Daily File and, consequently, a report that is submitted to

the Assembly Desk on a Tuesday and is in print and noticed in the Assembly Daily File on the next day, Wednesday, may be taken up by the Assembly on Thursday of the same week.

Very truly yours,

BION M. GREGORY
Legislative Counsel

By
RICHARD THOMSON
Deputy Legislative Counsel

SPECIAL COMMITTEE MEETINGS

Assembly Member Shelley was granted unanimous consent that the Committee on Governmental Organization be permitted to hold a special meeting today, upon adjournment of Floor session, and that Joint Rule 62(a) be waived for the purpose of setting the following bills for hearing:

Senate Bills Nos. 27, 249, 1375, 1405, 1449, 1468, and 1652.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Brown announced that the Committee on Governmental Organization would meet today, upon adjournment of Floor session, in Room 4202.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 2724

Upon request of Assembly Member Shelley, Assembly Member Cardenas was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 2724; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on July 10, 1998 (Assembly Journal, page 7905); and whereby on July 8, 1998 (Assembly Journal, page 7863), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be returned to the Senate for further action.

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Knox announced his intention to request that Senate Bill No. 235 be removed from the inactive file.

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 106—Relative to the state ski industry.

Resolution read; amendments proposed by the Committee on Rules read and adopted, resolution ordered reprinted and to be placed upon the Consent Calendar.

ASSEMBLY CONCURRENT RESOLUTION NO. 130—Relative to the 1998 World Gold Panning Championships.

Resolution read; amendments proposed by the Committee on Rules read and adopted, resolution ordered reprinted and to be placed upon the Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 705—An act to amend Sections 1621.5 and 120290 of, and to add Sections 120291 and 120292 to, the Health and Safety Code, relating to human immunodeficiency virus.

Bill read second time, and ordered to third reading.

UNFINISHED BUSINESS**CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1373 (Granlund)—An act to amend Section 12693.37 of the Insurance Code, relating to children, and declaring the urgency thereof, to take effect immediately.

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

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—66

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

NOES—1

Morrow

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

AYES—66

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

NOES—1

Morrow

Vote Changes

By unanimous consent, the following vote change was permitted on the urgency clause and concurrence in Senate amendments to Assembly Bill No. 1373: Assembly Member Poochigian, from “Aye” to “Not Voting”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 521 (Lempert)—An act to amend Section 66025 of, and to add Section 70901.1 to, the Education Code, relating to postsecondary education, 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—72

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

NOES—None

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

AYES—72

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 531 (Knox)—An act to amend Section 4532 of the Penal Code, relating to home detention.

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

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

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

AYES—68

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 744 (Washington)—An act to add Section 1308.8 to the Labor Code, relating to employees.

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

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

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

AYES—68

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

NOES—2

Ackerman Morrow

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1246 (Olberg)—An act to add Section 53.5 to the Revenue and Taxation Code, relating to taxation.

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

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:17 a.m.

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

ASSEMBLY BILL NO. 1255 (Davis)—An act to add Section 1771.9 to the Health and Safety Code, relating to continuing care.

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—51

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

NOES—16

Ackerman	Brewer	McClintock	Oller
Alby	Granlund	Miller	Poochigian
Ashburn	House	Morrow	Pringle
Bowler	Leonard	Olberg	Runner

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1634 (Ortiz)—An act to add Sections 462, 12517.5, 34501.17, and 34520.5 to the Vehicle Code, relating to vehicles.

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

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

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

AYES—68

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

NOES—2

Ackerman	McClintock
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Above bill ordered enrolled.

ASSEMBLY BILL NO. 1703 (Leach)—An act to amend Sections 15674, 15681, 17051, 17103, 17350, 17352, 17356, and 17357 of the Corporations Code, relating to legal entities.

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

NOES—1

Martinez

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1797 (Davis)—An act to amend Section 140 of the Penal Code, relating to violence against crime victims or witnesses.

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2523 (Ackerman)—An act to add Section 26915 to the Government Code, relating to counties.

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—72

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

NOES—None

Above bill ordered enrolled.

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

Assembly Member Pacheco was granted unanimous consent that the notice of motion to withdraw Assembly Bill No. 1735 from the Committee on Public Safety be continued until Monday, July 20, 1998.

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 20, 1998.

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

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

Resolution read.

Roll Call Demanded

Assembly Members Machado, Thompson, and Kuykendall, demanded a roll call.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:28 a.m.

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

ASSEMBLY CONCURRENT RESOLUTION NO. 174 (Strom-Martin)—
Relative to the women's rights movement.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 174**

Assembly Member Strom-Martin was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 174.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Ackerman, Aguiar, Alby, Ashburn, Baldwin, Battin, Bordonaro, Bowler, Brewer, Bustamante, Cardenas, Cardoza, Cedillo, Cunneen, Ducheny, Escutia, Firestone, Frusetta, Gallegos, Goldsmith, Granlund, Havice, Hertzberg, Honda, Kuehl, Leach, Lempert, Leonard, Machado, Margett, Martinez, McClintock Miller, Morrissey, Morrow, Murray, Napolitano, Olberg, Oller, Ortiz, Pacheco, Papan, Prenter, Pringle, Richter, Runner, Scott, Thompson, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wildman, and Woods.

Request for Unanimous Consent

Assembly Member Strom-Martin was granted unanimous consent to take up Assembly Concurrent Resolution No. 174, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 174, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 174—Relative to the women's rights movement.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 175 (Ashburn)—Relative to Valley Fever Awareness Month.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 175**

Assembly Member Ashburn was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 175.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

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

Request for Unanimous Consent

Assembly Member Ashburn was granted unanimous consent to take up Assembly Concurrent Resolution No. 175, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 175, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 175—Relative to Valley Fever Awareness Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 63 (Peace)—An act to amend Sections 12070, 12071, 12072, and 12078 of the Penal Code, relating to firearms.

Bill read third time.

Motion to Amend

Assembly Member Perata moved the adoption of amendments.

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

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, and presented by Assembly Member Cardoza.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—71

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—71

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 139 (Kopp)—An act to amend Sections 54953, 54954, 54954.5, 54956.8, 54957.5, and 54957.6 of the Government Code, relating to public meetings.

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

Bill passed by the following vote:

AYES—69

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

NOES—3

Ackerman	Ashburn	Brewer
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Bill ordered transmitted to the Senate.

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

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

Call of the Assembly

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

Motion carried. Time, 9:43 a.m.

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

**At 9:46 a.m., Assistant Speaker pro Tempore Joe Baca,
62nd District, presiding**

SENATE BILL NO. 1510 (Polanco)—An act to amend Section 34457 of the Government Code, relating to voting.

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

Bill passed by the following vote:

AYES—61

Ackerman	Figueroa	Machado	Prenter
Aguiar	Firestone	Margett	Pringle
Alby	Floyd	McClintock	Richter
Ashburn	Frusetta	Migden	Runner
Baca	Gallegos	Miller	Scott
Baldwin	Goldsmith	Morrissey	Sweeney
Battin	Granlund	Morrow	Thompson
Bordonaro	Havice	Murray	Thomson
Bowler	Hertzberg	Napolitano	Torlakson
Bustamante	Honda	Olberg	Vincent
Cardenas	Keeley	Oller	Washington
Cardoza	Knox	Ortiz	Wayne
Cedillo	Kuykendall	Pacheco	Mr. Speaker
Cunneen	Leach	Papan	
Ducheny	Lempert	Perata	
Escutia	Leonard	Poochigian	

NOES—6

Bowen	Brown	Kuehl
Brewer	House	Martinez

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1493 (Rosenthal)—An act to amend Section 1107 of the Corporations Code, relating to corporate mergers.

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

Bill passed by the following vote:

AYES—72

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1685 (Burton)—An act to amend Sections 21051, 21201, and 21201.5 of, to repeal Sections 21200.5 and 21200.7 of, and to repeal and add Section 21200 of, the Financial Code, relating to pawnbrokers.

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

Bill passed by the following vote:

AYES—70

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

NOES—2

Baldwin	McClintock
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Bill ordered transmitted to the Senate.

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

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

Bill passed by the following vote:

AYES—68

Ackerman	Davis	Kuykendall	Perata
Aguiar	Ducheny	Leach	Poochigian
Alby	Escutia	Lempert	Prenter
Ashburn	Figueroa	Machado	Runner
Baca	Firestone	Margett	Scott
Baldwin	Floyd	Martinez	Shelley
Battin	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
Cardenas	House	Oller	Wayne
Cardoza	Keeley	Ortiz	Wildman
Cedillo	Knox	Pacheco	Woods
Cunneen	Kuehl	Papan	Mr. Speaker

NOES—3

Leonard	McClintock	Morrow
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Bill ordered transmitted to the Senate.

At 9:59 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

SENATE BILL NO. 658 (Sher)—An act to amend Section 57004 of the Health and Safety Code, relating to environmental protection.

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

Bill passed by the following vote:

AYES—72

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1441 (Kopp)—An act to amend Section 987.9 of, and to amend and renumber Section 969½ of, the Penal Code, relating to criminal procedure.

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

Bill passed by the following vote:

AYES—64

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

NOES—7

Baldwin	Kuehl	McClintock	Washington
Floyd	Martinez	Migden	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1360 (Alpert)—An act to amend Sections 7100 and 7100.1 of the Health and Safety Code, and to amend Section 7600.6 of the Probate Code, relating to human remains.

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

Bill passed by the following vote:

AYES—65

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

NOES—3

Ashburn	Brewer	Morrissey
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Bill ordered transmitted to the Senate.

SENATE BILL NO. 1387 (Karnette)—An act to amend Section 781 of the Welfare and Institutions Code, relating to minors.

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

Bill passed by the following vote:

AYES—70

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

NOES—2

Migden Washington

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1885 (Ayala)—An act relating to the Metropolitan Water District of Southern California.

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

Bill passed by the following vote:

AYES—68

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

NOES—3

Ackerman Margett McClintock

Bill ordered transmitted to the Senate.

BILLS PLACED ON INACTIVE FILE

The following bills were placed upon the inactive file.

Senate Bill No. 1555, on request of Assembly Member Figueroa;

Senate Bill No. 1965, on request of Assembly Member Keeley.

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

SENATE BILL NO. 2056 (Brulte)—An act to amend Section 121135 of the Health and Safety Code, relating to health.

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

Bill passed by the following vote:

AYES—67

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

NOES—2

Knox	Migden
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Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 2056: Assembly Member Knox, from "Aye" to "No".

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1436 (Thompson)—An act to amend Section 19418 of the Business and Professions Code, to add Section 4163 to the Food and Agricultural Code, to add Section 116556 to the Health and Safety Code, to amend Section 5782.27 of the Public Resources Code, and to amend Section 55310.2 of the Water Code, relating to government, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—72

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—72

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 661 (O'Connell)—An act relating to the Department of Pesticide Regulation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—63

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

NOES—6

Baldwin	McClintock	Olberg
Brewer	Morrow	Poochigian

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—63

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

NOES—6

Baldwin	McClintock	Olberg
Brewer	Morrow	Poochigian

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1836 (Johnston)—An act to add Chapter 29 (commencing with Section 22930) to Division 8 of the Business and Professions Code, relating to donated property.

Bill read third time.

Motion to Amend

Assembly Member Shelley moved the adoption of amendments.

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

SENATE BILL NO. 1427 (Rainey)—An act to amend Section 48918 of the Education Code, relating to education.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 10:31 a.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1246**

At 10:33 a.m., on motion of Assembly Member Olberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1246 by the following vote:

AYES—50

Ackerman	Figueroa	Machado	Pringle
Aguiar	Firestone	Margett	Richter
Alby	Frusetta	McClintock	Runner
Ashburn	Goldsmith	Miller	Strom-Martin
Baldwin	Granlund	Morrissey	Thompson
Battin	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Olberg	Torlakson
Bowler	House	Oller	Vincent
Brewer	Keeley	Pacheco	Washington
Bustamante	Knox	Papan	Woods
Cardenas	Kuykendall	Perata	Mr. Speaker
Cardoza	Leach	Poohigian	
Cunneen	Leonard	Prenter	

NOES—11

Baca	Escutia	Migden	Wayne
Bowen	Lempert	Ortiz	Wildman
Cedillo	Martinez	Sweeney	

Above bill ordered enrolled.

CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 58

At 10:34 a.m., on motion of Assembly Member Sweeney, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

House Resolution No. 58 adopted by the following vote:

AYES—45

Baca	Gallegos	Martinez	Sweeney
Baldwin	Goldsmith	Mazzoni	Thomson
Bowen	Granlund	Migden	Torlakson
Brown	Havice	Morrissey	Vincent
Cardoza	Hertzberg	Morrow	Washington
Cunneen	Honda	Murray	Wayne
Davis	Keeley	Napolitano	Wildman
Ducheny	Knox	Ortiz	Woods
Escutia	Kuehl	Perata	Mr. Speaker
Figueroa	Leach	Scott	
Firestone	Lempert	Shelley	
Frusetta	Margett	Strom-Martin	

NOES—25

Ackerman	Brewer	McClintock	Pringle
Aguiar	Cardenas	Miller	Richter
Alby	Cedillo	Olberg	Runner
Ashburn	House	Oller	Thompson
Battin	Kuykendall	Papan	
Bordonaro	Leonard	Poochigian	
Bowler	Machado	Prenter	

Vote Changes

By unanimous consent, the following vote change was permitted on House Resolution No. 58: Assembly Member Oller, from "Aye" to "No".

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1498

At 10:34 a.m., on motion of Assembly Member Machado, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1498 passed by the following vote:

AYES—43

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

NOES—28

Ackerman	Bowler	Leonard	Oller
Aguiar	Brewer	Margett	Pacheco
Alby	Cunneen	McClintock	Poochigian
Ashburn	Firestone	Miller	Prenter
Baldwin	Goldsmith	Morrissey	Pringle
Battin	Granlund	Morrow	Runner
Bordonaro	Kuykendall	Olberg	Thompson

Bill ordered transmitted to the Senate.

**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, and presented by Assembly Member Miller.

Bill passed by the following vote:

AYES—73

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 2005 (Kopp)—An act to amend Sections 65940.5, 65950, 65951, and 65957 of the Government Code, relating to land use.

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

Bill passed by the following vote:

AYES—66

Ackerman	Ducheny	Leonard	Poochigian
Aguiar	Escutia	Machado	Prenter
Alby	Figueroa	Margett	Pringle
Ashburn	Firestone	Martinez	Richter
Baca	Floyd	Mazzoni	Runner
Baldwin	Frusetta	McClintock	Scott
Battin	Gallegos	Miller	Shelley
Bordonaro	Goldsmith	Morrissey	Strom-Martin
Bowler	Granlund	Morrow	Thompson
Brewer	Hertzberg	Murray	Thomson
Brown	Honda	Napolitano	Torlakson
Bustamante	House	Olberg	Vincent
Cardenas	Keeley	Oller	Wayne
Cardoza	Knox	Ortiz	Wildman
Cedillo	Kuykendall	Pacheco	Woods
Cunneen	Leach	Papan	
Davis	Lempert	Perata	

NOES—1

Havice

Bill ordered transmitted to the Senate.

SENATE BILL NO. 2054 (Thompson)—An act to amend Section 1393.5 of the Labor Code, relating to employment.

Bill read third time, and presented by Assembly Member Strom-Martin.

Bill passed by the following vote:

AYES—61

Ackerman	Ducheny	Margett	Richter
Aguiar	Figueroa	Mazzoni	Runner
Alby	Firestone	McClintock	Scott
Ashburn	Frusetta	Migden	Strom-Martin
Baca	Gallegos	Miller	Sweeney
Baldwin	Goldsmith	Morrissey	Thompson
Battin	Granlund	Morrow	Thomson
Bordonaro	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	Keeley	Olberg	Washington
Brown	Kuehl	Oller	Wayne
Bustamante	Kuykendall	Papan	Woods
Cardenas	Leach	Perata	Mr. Speaker
Cardoza	Lempert	Poochigian	
Cunneen	Leonard	Prenter	
Davis	Machado	Pringle	

NOES—5

Bowen	House	Pacheco
Floyd	Martinez	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 2054: Assembly Member Shelley, from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate

SENATE BILL NO. 86 (Monteith)—An act to amend and add Section 41851 of the Education Code, relating to education.

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

Bill passed by the following vote:

AYES—67

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

NOES—2

Granlund	McClintock
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Bill ordered transmitted to the Senate.

SENATE BILL NO. 1542 (Knight)—An act to amend Section 9543 of the Welfare and Institutions Code, relating to aging.

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

Bill passed by the following vote:

AYES—72

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

NOES—None

Bill ordered transmitted to the Senate.

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

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

Bill passed by the following vote:

AYES—62

Ackerman	Ducheny	Lempert	Poochigian
Aguiar	Figueroa	Leonard	Prenter
Alby	Firestone	Margett	Pringle
Ashburn	Frusetta	Mazzoni	Richter
Baca	Gallegos	McClintock	Runner
Baldwin	Goldsmith	Migden	Shelley
Battin	Granlund	Miller	Strom-Martin
Bordonaro	Havice	Morrissey	Thompson
Bowler	Hertzberg	Morrow	Thomson
Brewer	Honda	Murray	Torlakson
Brown	House	Napolitano	Vincent
Bustamante	Keeley	Olberg	Washington
Cardoza	Knox	Oller	Wayne
Cedillo	Kuehl	Pacheco	Woods
Cunneen	Kuykendall	Papan	
Davis	Leach	Perata	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 2035 (Peace)—An act to add Section 56.115 to the Civil Code, relating to mental health records.

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

Bill passed by the following vote:

AYES—63

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

NOES—5

Ackerman	Leonard	Olberg
House	McClintock	

Bill ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION NO. 67 (Polanco)—Relative to the Joint Legislative Committee on Prison Construction and Operations.

Resolution read, and presented by Assembly Member Washington.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 10:55 a.m.

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

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 92
WITHOUT REFERENCE TO FILE**

Upon request of Assembly Member Shelley, Assembly Member Ducheny was granted unanimous consent to take up Senate Concurrent Resolution No. 92, without reference to file, for purpose of consideration.

SENATE CONCURRENT RESOLUTION NO. 92 (Peace)—Relative to the proposed City of Chula Vista site as a future University of California campus.

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

AYES—69

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

NOES—None

Resolution ordered transmitted to the Senate.

SENATE BILL NO. 1251 REMOVED FROM INACTIVE FILE AND TAKEN UP

Upon request of Assembly Member Shelley, Assembly Member Ducheny was granted unanimous consent that Senate Bill No. 1251 be withdrawn from the inactive file, and to take the bill up at this time, without reference to file, for purpose of amendments.

SENATE BILL NO. 1251 (Calderon)—An act to amend Sections 12965, 12970, and 12989.2 of the Government Code, relating to fair employment and housing.

Bill read third time.

Motion to Amend

Assembly Member Ducheny moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Further Consideration of Senate Bill No. 1251, As Amended,
By Unanimous Consent**

Assembly Member Ducheny was granted unanimous consent to take up Senate Bill No. 1251, as amended, without reference to file.

SENATE BILL NO. 1251 (Calderon)—An act relating to education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—59

Ackerman	Figueroa	Lempert	Perata
Aguiar	Firestone	Leonard	Prenter
Alby	Floyd	Machado	Richter
Ashburn	Frusetta	Margett	Scott
Baca	Gallegos	Martinez	Shelley
Bordonaro	Granlund	Mazzoni	Strom-Martin
Bowen	Havice	Migden	Sweeney
Bowler	Hertzberg	Miller	Thomson
Brown	Honda	Morrissey	Torlakson
Bustamante	House	Murray	Vincent
Cardenas	Keeley	Napolitano	Washington
Cardoza	Knox	Oller	Wayne
Cunneen	Kuehl	Ortiz	Wildman
Davis	Kuykendall	Pacheco	Mr. Speaker
Escutia	Leach	Papan	

NOES—4

Baldwin	McClintock	Morrow	Thompson
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The question being on the passage of the bill.
 Bill passed by the following vote:

AYES—59

Ackerman	Figueroa	Lempert	Perata
Aguiar	Firestone	Leonard	Prenter
Alby	Floyd	Machado	Richter
Ashburn	Frusetta	Margett	Scott
Baca	Gallegos	Martinez	Shelley
Bordonaro	Granlund	Mazzoni	Strom-Martin
Bowen	Havice	Migden	Sweeney
Bowler	Hertzberg	Miller	Thomson
Brown	Honda	Morrissey	Torlakson
Bustamante	House	Murray	Vincent
Cardenas	Keeley	Napolitano	Washington
Cardoza	Knox	Oller	Wayne
Cunneen	Kuehl	Ortiz	Wildman
Davis	Kuykendall	Pacheco	Mr. Speaker
Escutia	Leach	Papan	

NOES—4

Baldwin	McClintock	Morrow	Thompson
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Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1427**

At 11:05 a.m., on motion of Assembly Member Scott, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1427 refused passage by the following vote:

AYES—28

Aguiar	Firestone	Leach	Ortiz
Alby	Frusetta	Lempert	Richter
Bordonaro	Goldsmith	Leonard	Scott
Bowler	Granlund	Miller	Thompson
Cunneen	Hertzberg	Morrissey	Torlakson
Davis	House	Morrow	Wayne
Ducheny	Kuykendall	Olberg	Woods

NOES—36

Ackerman	Figuroa	Martinez	Poochigian
Ashburn	Floyd	Mazzoni	Prenter
Baca	Gallegos	McClintock	Pringle
Baldwin	Havice	Migden	Runner
Bowen	Honda	Murray	Strom-Martin
Brown	Keeley	Napolitano	Thomson
Bustamante	Kuehl	Oller	Vincent
Cedillo	Machado	Pacheco	Washington
Escutia	Margett	Papan	Wildman

**Motion to Reconsider Senate Bill No. 1427
on Next Legislative Day**

Assembly Member Scott moved to reconsider on Monday, July 20, 1998 the vote whereby Senate Bill No. 1427 was this day refused passage.

Senate Bill No. 1427 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON SENATE CONCURRENT RESOLUTION NO. 67**

At 11:06 a.m., on motion of Assembly Member Washington, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Concurrent Resolution No. 67 adopted by the following vote:

AYES—43

Aguiar	Frusetta	Martinez	Shelley
Baca	Gallegos	Mazzoni	Strom-Martin
Bowen	Goldsmith	McClintock	Thomson
Brown	Havice	Migden	Torlakson
Cardenas	Hertzberg	Morrissey	Vincent
Cedillo	Honda	Murray	Washington
Davis	Keeley	Napolitano	Wayne
Ducheny	Knox	Ortiz	Wildman
Escutia	Kuehl	Papan	Woods
Figueroa	Lempert	Perata	Mr. Speaker
Floyd	Machado	Scott	

NOES—20

Ackerman	Brewer	Leach	Oller
Baldwin	Cardoza	Leonard	Poochigian
Battin	Firestone	Margett	Prenter
Bordonaro	Granlund	Miller	Pringle
Bowler	House	Morrow	Thompson

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Concurrent Resolution No. 67: Assembly Member Bustamante, from "Aye" to "Not Voting".

Resolution ordered transmitted to the Senate.

SESSION SCHEDULE AND OTHER ANNOUNCEMENTS

Speaker pro Tempore Kuehl announced the following session schedule:

Sunday, July 19, 1998, Check-in Session, 4 p.m.—11 p.m.;

Monday, July 20, 1998, Floor Session, 10 a.m.

VOTE ADDS

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

Resolutions to Suspend Joint Rule 61: Battin, Bustamante, Cardenas, Figueroa, Goldsmith, Martinez, Murray, and Napolitano—Aye.

Assembly Bill No. 1373, Urgency and Concurrence: Battin, Bustamante, Cardenas, Goldsmith, Martinez, Murray, Napolitano, Olberg, Pacheco, and Pringle—Aye; Morrow—No.

Assembly Bill No. 521, Urgency and Concurrence: Battin, Bustamante, Cardenas, Goldsmith, Martinez, Morrow, Murray, Napolitano, Pacheco, and Pringle—Aye.

Assembly Bill No. 531, Concurrence: Battin, Bustamante, Cardenas, Goldsmith, Martinez, Morrow, Murray, Napolitano, Pacheco, and Pringle—Aye.

Assembly Bill No. 744, Concurrence: Battin, Bustamante, Cardenas, Goldsmith, Martinez, Murray, Napolitano, Oller, Pacheco, and Pringle—Aye; Morrow—No.

Assembly Bill No. 1255, Concurrence: Bustamante, Cardenas, Goldsmith, Martinez, Murray, and Napolitano—Aye; Morrow and Pringle—No.

Assembly Bill No. 1634, Concurrence: Ashburn, Baldwin, Battin, Bustamante, Cardenas, Goldsmith, Martinez, Morrow, Murray, and Napolitano—Aye.

Assembly Bill No. 1703, Concurrence: Battin, Bustamante, Cardenas, Goldsmith, Morrow, Murray, Napolitano, Pringle, and Strom-Martin—Aye; Martinez—No.

Assembly Bill No. 1797, Concurrence: Battin, Bustamante, Cardenas, Goldsmith, Machado, Martinez, Morrow, Murray, and Napolitano—Aye.

Assembly Bill No. 2523, Concurrence: Battin, Bowen, Bustamante, Cardenas, Goldsmith, Machado, Martinez, Morrow, Murray, and Napolitano—Aye.

Assembly Concurrent Resolution No. 174, Coauthors: Battin, Bustamante, Cardenas, Goldsmith, Machado, Martinez, Morrow, Napolitano, and Pacheco—Aye.

Assembly Concurrent Resolution No. 175, Coauthors: Battin, Bustamante, Cardenas, Cunneen, Goldsmith, Martinez, Morrow, Pacheco, and Torlakson—Aye.

Senate Bill No. 1182 and Urgency: Bowen, Bustamante, Cunneen, Goldsmith, Martinez, and Pacheco—Aye.

Senate Bill No. 139: Bustamante, Cunneen, Goldsmith, Martinez, and Pacheco—Aye.

Senate Bill No. 1510: Bustamante, Cunneen, Goldsmith, and Oller—Aye; Martinez—No.

Senate Bill No. 1493: Bustamante, Cardenas, Cunneen, Goldsmith, Machado, and Martinez—Aye.

Senate Bill No. 1685: Bustamante, Cardoza, Cunneen, Goldsmith, Honda, Martinez, and Murray—Aye; Baldwin—No.

Senate Bill No. 155: Baldwin, Bustamante, Cunneen, Goldsmith, Martinez, and Murray—Aye.

Senate Bill No. 658: Bustamante, Cardoza, Cunneen, Goldsmith, and Martinez—Aye.

Senate Bill No. 1441: Bowen, Bustamante, Cunneen, and Goldsmith—Aye; Martinez—No.

Senate Bill No. 1360: Bustamante, Cunneen, Goldsmith, and Martinez—Aye.

Senate Bill No. 1387: Bustamante, Cunneen, and Goldsmith—Aye.

Senate Bill No. 1885: Bowen, Bustamante, Cunneen, Goldsmith, and Martinez—Aye.

Senate Bill No. 2056: Bustamante, Cunneen, and Goldsmith—Aye.

Senate Bill No. 1436 and Urgency: Bustamante, Cunneen, Goldsmith, and Martinez—Aye.

Senate Bill No. 661 and Urgency: Bustamante, Martinez, and Oller—Aye.

Assembly Bill No. 1246, Concurrence: Martinez and Sweeney—No.

House Resolution No. 58: Martinez and Woods—Aye.

Senate Bill No. 1498: Martinez—Aye; Cunneen—No.

Senate Bill No. 776: Bustamante, Martinez, Scott, and Sweeney—Aye.

Senate Bill No. 2005: Bustamante and Martinez—Aye; Havice—No.

Senate Bill No. 2054: Bustamante and Strom-Martin—Aye; Martinez—No.

Senate Bill No. 86: Martinez—Aye.

Senate Bill No. 1542: Bustamante and Martinez—Aye.

Senate Bill No. 678: Bustamante, Frusetta, and Poochigian—Aye.

Senate Bill No. 2035: Martinez, Oller, and Poochigian—Aye; Olberg—No.

Senate Concurrent Resolution No. 92: Cardenas and Machado—Aye.

MOTION TO ADJOURN

At 11:07 a.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Woods seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Hertzberg, Leonard, Poochigian, Pacheco, and Goldsmith arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

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

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:17 a.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

REQUEST TO SUSPEND THE LIMIT ON THE INTRODUCTION OF BILLS

To the Committee on Rules:

Pursuant to Assembly Rule 49, I request permission to suspend the bill introduction limitation with respect to the following bill:

RN 9816117.

DEBORAH ORTIZ

Permission of Rules Committee

Assembly Chamber, July 16, 1998

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 9816117.

ROBERT M. HERTZBERG, Chairman

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 2817—Ortiz. An act relating to state contracts, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 182—Perata. Relative to Stephen Lindheim.

ASSEMBLY JOINT RESOLUTION NO. 74—Ashburn. Relative to terminating the Internal Revenue Code of 1986.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 16, 1998

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

Assembly Bill No. 1377

And reports the same correctly enrolled, and presented to the Governor at 9:45 a.m., July 16, 1998.

E. DOTSON WILSON, Chief Clerk

AUTHOR'S AMENDMENTS**Committee on Human Services**

July 16, 1998

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

Senate Bill No. 933

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

ARONER, Chairwoman

SENATE BILL NO. 933—An act to add Section 7911 to the Family Code, to amend Sections 1522, 1522.03, 1522.04, 1522.4, 1534, 1538, 1538.5, 1550, 1558, 1558.1, 1563, 1568.082, 1568.09, 1568.092, 1568.093, 1569.17, 1569.172, 1569.50, 1569.58, 1569.59, 1569.617, 1596.603, 1596.871, 1596.8713, 1596.885, 1596.8897, and 1596.8898 of, to add Sections 1520.1, 1520.11, 1522.02, 1522.41, 1522.42, 1522.43, 1534.5, 1568.042, 1569.1515, and 1596.952 to, the Health and Safety Code, to amend Section 11174.3 of the Penal Code, and to amend Sections 366, 727.1, 827, 10609.3, 11402, 11462, 16501, and 16501.1 of, to add Sections 361.21, 5867.5, 11402.4, 11466.21, 16501.2, and 16516.5 to, to add Chapter 5 (commencing with Section 1350) to part 1 of Division 2 of, to add Chapter 2.5 (commencing with Section 16160) to Part 4 of, and to add Chapter 12.86 (commencing with Section 18987.6) to Part 6 of, Division 9 of, and to repeal Sections 11404.5 and 11467 of, the Welfare and Institutions Code, relating to human 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.

MESSAGES FROM THE SENATE

Senate Chamber, July 16, 1998

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

Senate Bill No. 50

GREG P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Consumer Protection, Governmental Efficiency and Economic Development, on August 7, 1998, in San Diego;

Insurance, on July 22, 1998;

Judiciary, on July 28, 1998, at 9 a.m.

INTRODUCTION OF GUESTS

Speaker pro Tempore Kuehl introduced former Members of the Assembly David Knowles and Insurance Commissioner Chuck Quackenbush.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Woods, the Assembly adjourned until 4 p.m., Sunday, July 19, 1998, out of respect to the memory of Alfred Fromm, on motion of Assembly Member Shelley; out of respect to the memory of Marianne C. Nix, on motion of Assembly Member Thomson; and out of respect to the memory of Patrick Bradley, on motion of Assembly Member Scott.

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JULY 16, 1998

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

ACR	RN
106	9816238
130	9816210

SB	RN
2	9815518
63	9816229
143	9814202
272	9816467
933	9816182
1251	9816346
1488	9816278
1508	9816254
1520	9814610
1681	9815652
1836	9815774
1868	9816026
1878	9815455
2238	9815719

Daily Total:	16
Cumulative Total:	7256

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