

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

---

---

# ASSEMBLY DAILY JOURNAL

---

---

**Monday, July 27, 1998**

**TWO HUNDRED FORTY-EIGHTH SESSION DAY**

**SIX HUNDRED THIRD 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  
Monday, July 27, 1998

The Assembly met at 12 noon.

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 Leach moved a quorum call of the Assembly.

Motion carried. Time, 12:01 p.m.

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

#### CAUCUS ANNOUNCEMENTS

Assembly Member Thompson announced that the Republican Caucus would meet at this time in the Tom Bane Rules Committee Room.

Speaker pro Tempore Kuehl announced that the Democratic Caucus would meet at this time in the Assembly Lounge.

#### RECESS

At 12:32 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

#### REASSEMBLED

At 2:14 p.m., the Assembly reconvened.

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

**QUORUM PRESENT**

At 2:15 p.m., Speaker pro Tempore Kuehl declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—72:

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

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Assembly Member Dennis Cardoza, of the 26th Assembly District:

*O Lord of Heaven and Earth, You would never come and knock at the door of our hearts unless You wished to enter. And if You do not always enter, then it is we who are to blame—our hearts are too hard, our sins too persistent. Help us come to our senses and draw near to You, Lord. Show us how to come to the knowledge of You, to open the door of our hearts to You through repentance, and to attain the true manner of life.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member McClintock 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 Mazzoni, seconded by Assembly Member Bordonaro.

**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 Bowen, Takasugi, and Wright.*

*The following Assembly Members were excused for the day, and their per diem was waived: Kuykendall, Martinez, Miller, Napolitano, and Papan.*

**COMMUNICATIONS**

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

July 27, 1998

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

Dear Dotson: Please be advised that I have appointed the following members to the Joint Committee on Prison Construction and Operations:

- Assembly Member Larry Bowler
- Assemblymember Jim Cunneen
- Assemblymember Kevin Murray
- Assemblymember Carl Washington

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 27, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 2808

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, July 27, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Concurrent Resolution No. 176

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, July 27, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 1956  
Assembly Bill No. 2355  
Assembly Bill No. 2397

And reports the same correctly enrolled, and presented to the Governor at 11:30 a.m., July 27, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, July 27, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Concurrent Resolution No. 146  
Assembly Concurrent Resolution No. 159

And reports the same correctly enrolled, and presented to the Secretary of State on the 27th day of July, 1998, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk



**AUTHOR'S AMENDMENTS**  
**Committee on Banking and Finance**

July 27, 1998

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Senate Bill No. 1624

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

PAPAN, Chairman

**ASSEMBLY BILL NO. 1624**—An act to amend Section 201, 202, and 206 of, and to add Section 163.5 to, the Corporations Code, to amend Sections 4828.3, 18000, 18003, 18011, 18014, 18023, 18023.1, 18024, 18025, 18040, 18060, 18061, 18100, 18100.5, 18101, 18115, 18117, 18119, 18190, 18205, 18205.5, 18208, 18210, 18216, 18218, 18265, 18266, 18266.1, 18268, 18269, 18271, 18290, 18293, 18315, 18317, 18321, 18341, 18436, 18438, 18441, 18445, 18446, 18447, 18448, 18450, 18451, 18452, 18454, 18455, 18563, 18583, 18586, and 18594, of, to add Sections 18001.3, 18001.7, 18002.2, 18002.4, 18002.6, 18012.3, 18012.5, 18012.7, 18014.3, 18014.6, 18014.9, 18016.5, 18019.1, 18020.2, 18020.6, 18020.8, 18022.3, 18022.7, 18105, 18448.1, and 18448.2 to add Chapter 1.5 (commencing with Section 18070), Chapter 2.3 (commencing with Section 18130.01), and Chapter 2.7 (commencing with Section 18160.01) to Division 7 of, to add Article 4 (commencing with Section 18245) to Chapter 3 of Division 7 of, to repeal Sections 18011.1, 18018.2, 18018.3, 18018.4, 18018.5, 18018.6, 18042, 18043, 18057, 18059, 18116, 18120, 18206, 18230, 18266.2, 18266.3, 18319, 18437, and 18582 of, to repeal Article 3 (commencing with Section 18130), Article 4 (commencing with Section 18145), and Article 5 (commencing with Section 18165), of Chapter 2 of Division 7 of, and to repeal and add Sections 18003.5, 18016, 18017, 18018, 18018.1, 18019, 18020, 18021, 18041, 18102, 18442, and Chapter 7 (commencing with Section 18475) of Division 7 of, the Financial Code, relating to industrial loan companies.

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 27, 1998

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

Senate Bill No. 645

Senate Bill No. 1386

Senate Bill No. 1879

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

MIGDEN, Chairwoman

**SENATE BILL NO. 645**—An act to amend Section 361.3 of, and to add Sections 324.5 and 361.4 to, the Welfare and Institutions Code, relating to children.

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. 1386**—An act to amend Section 1798.16 of the Civil Code, to add Section 18030.5 to the Education Code, and to add Sections 6254.20 and 11015.5 to the Government Code, relating to state computer technology.

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. 1879**—An act to amend Sections 20093 and 20153 of, and to add Sections 20154 and 20155 to, the Government Code, relating to the Public Employees' Retirement System.

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 Revenue and Taxation**

July 27, 1998

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Assembly Joint Resolution No. 74

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

KNOX, Chairman

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

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

**SPECIAL COMMITTEE MEETINGS**

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

Banking and Finance on August 4, 1998, at 1:30 p.m., in Room 437, and on August 3, 1998 at 4 p.m., in Room 437;

Environmental Safety and Toxic Materials, on August 11, 1998;

Natural Resources, to meet in August, day and time to be announced.

**APPOINTMENT OF COMMITTEE ON CONFERENCE**

The Speaker appointed the following Assembly Members as a Committee on Conference concerning Senate Bill No. 190:

Mazzoni, Strom-Martin, and Firestone.

**ACTION RESCINDED ON SENATE BILL NO. 155**

Assembly Member Thomson was granted unanimous consent to rescind the action whereby the Assembly, on July 16, 1998 (Assembly Journal, page 7970), passed Senate Bill No. 155, and whereby the bill was ordered transmitted to the Senate.

**ADJOURN IN MEMORY**

Assembly Member Bowler was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gene P. Kurilow, of Stockton.

Assembly Member Ducheny was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Anna Marie Major, of San Diego.

Assembly Member Lempert was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of George Dwyer, of San Jose.

Assembly Member Mazzoni was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jack Machado, of Novato.

Assembly Members Migden and Shelley were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ronald Agustus Colthirst, of San Francisco.

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 John Jacob Balian, of Pasadena; Robert Oliver, of Pasadena; and Donald Wheeldin, community activist, of Pasadena.

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 Tom Feeney, 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 Lynn White, M.D., of Davis; Robert N. Roland, of Woodland; and Barbara Burlison.

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

Pursuant to Assembly Rule 78, Assembly Member Cardoza announced his intention to request that Assembly Concurrent Resolution No. 20 be removed from the inactive file.

**ADJOURN IN MEMORY**

Assembly Members Alquist and Aroner were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kenneth Ishida, of Berkeley.

Assembly Member Floyd was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of James Dong Mark, of Sacramento.

Assembly Member Havice was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joseph Moss, of Long Beach.

**BILLS STRICKEN FROM FILE**

Assembly Member Wayne was granted unanimous consent that Assembly Bill No. 1649 be stricken from file.

Assembly Member Keeley was granted unanimous consent that Assembly Bill No. 1689 be stricken from file.

**ADJOURN IN MEMORY**

Assembly Member Washington was granted unanimous consent that when the Assembly adjourn on this day it do so out of respect to the memory of Morris Kelly, Sr., of Los Angeles.

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

Pursuant to Assembly Rule 78, Assemblymember Shelley announced his intention to request that Senate Bill No. 233 be removed from the inactive file.



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

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

**Legislative Intent—Assembly Bill No. 1226**

July 20, 1998

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

Dear Mr. Wilson: I respectfully request that this letter be printed in the Assembly Journal for purposes of clarifying the intent of AB 1226 which was signed into law as Chapter 583 on September 29, 1997.

I introduced AB 1226 to provide financial assistance to cities that incorporated after January 1, 1987. These cities, like many others, had reduced population growth during the recession of the early 1990s.

AB 1226 was in no way intended to provide this financial assistance to “no-growth” cities, i.e., those that had adopted an ordinance or resolution, or approved a ballot measure, or are subject to a consent decree or court order, that annually limits the number of housing units that may be constructed within the city.

It was my intent that any city using its political will to limit the number of housing units constructed in the city should be excluded from this legislation.

Thank you for your assistance in this matter.

Sincerely,

BRETT GRANLUND, Assemblymember  
Sixty-fifth District

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

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

**Legislative Intent—Assembly Bill No. 1739**

July 27, 1998

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

Dear Mr. Wilson: This letter is intended to clarify the use of the word “primarily” in AB 1739 Section 25143.2, (d)(2)(C)(iii). The word, as used in the context of the bill, is intended to limit this component of the exclusion to the used oil which is removed from equipment and vehicles dedicated to the refinery. This would include on site equipment which is owned or leased by the refinery as well as motor vehicles which are used by the refinery but which may occasionally be driven off the premises.

These provisions are not intended to allow recycling of used oil collected from offsite facilities or vehicles, from other company owned facilities or equipment, employee’s personal cars, or bulk shipment of any kind.

In addition, the specific reference to 40 CFR Section 279.22 is not meant to imply that the used oil does not also have to be managed in compliance with any other applicable provisions of Part 279.

Sincerely,

JACK SCOTT, Assembly Member  
Forty-fourth Assembly District

**BILL RETURNED TO SENATE**

Assembly Member Shelley was granted unanimous consent that Assembly Bill No. 1077 be returned to the Senate for further action.

**ACTION RESCINDED ON SENATE BILL NO. 453**

Upon request of Assembly Member Shelley, Assembly Member Wildman was granted unanimous consent to rescind the action whereby the Assembly, on September 8, 1997 (Assembly Journal, page 4196), passed Senate Bill No. 453, and whereby the bill was ordered transmitted to the Senate.

**Consideration of Senate Bill No. 453 Without Reference to File**

Assembly Member Wildman was granted unanimous consent to take up Senate Bill No. 453, without reference to file, for purpose of consideration.

**SENATE BILL NO. 453 (Solis)**—An act to add Article 16 (commencing with Section 11475.10) to Chapter 4.5 of Part 1 of Division 3 of Title 2 of the Government Code, and to amend Sections 27 and 123.6 of the Labor Code, relating to administrative law.

Bill read third time.

**Motion to Amend**

Assembly Member Wildman moved the adoption of amendments.

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

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Assembly Bill No. 508 to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**SPECIAL RECOGNITION**

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

**CONSIDERATION OF DAILY FILE  
SENATE BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

**Senate Bill No. 2141**, ordered to third reading.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 272**—An act to amend Section 11200.1 of the Government Code, and to add Section 733.1 to the Insurance Code, relating to insurance.

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

**SENATE BILL NO. 1855**—An act relating to state-mandated local programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 730**—An act to add Section 96.18 to the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 737**—An act to amend Section 96.31 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1517**—An act making an appropriation for the payment of claims against the State of California, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**UNFINISHED BUSINESS  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY CONCURRENT RESOLUTION NO. 105 (Oller)**—Relative to the Tom Taylor Bridge.

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

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

The Assembly concurred in Senate amendments.

Above resolution ordered enrolled.

**ASSEMBLY BILL NO. 1995 (Leach)**—An act to add Section 17049.5 to the Education Code, relating to library services.

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 745 (Thompson)**—An act to amend, repeal, and add Section 1646.7 of, and to add and repeal Sections 1646.9, 2079, and 2245 of, the Business and Professions Code, relating to outpatient care, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

### Urgency Clause

Urgency clause read, and adopted by the following vote:

#### AYES—69

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

#### NOES—None

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

#### AYES—69

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

#### NOES—None

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1871 (Baca)**—An act to amend Section 12071 of the Penal Code, relating to firearms.

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

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

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

**AYES—71**

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

**NOES—None**

Above bill ordered enrolled.

**BILLS STRICKEN FROM FILE**

Assembly Member Wildman was granted unanimous consent that Assembly Bill No. 1751 be stricken from file.

**NOTICES OF MOTIONS TO WITHDRAW BILLS  
FROM COMMITTEE CONTINUED**

Unanimous consent was granted that the notices of motions to withdraw Senate Bill No. 681 and Assembly Bill No. 1735 from committees be continued until the next legislative day.

**MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 23, Senate Constitutional Amendment No. 13, Senate Bills Nos. 1419 and 1427 were continued until the next legislative day.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY JOINT RESOLUTION NO. 73 (Olberg)**—Relative to the Kyoto Protocol.

Resolution read.

**Request for Unanimous Consent**

Assembly Member Wayne was granted unanimous consent to read a paper on the Floor of the Assembly.

**At 2:46 p.m., Assistant Speaker pro Tempore Joe Baca,  
62nd District, presiding**

**Point of Order**

Assembly Member Thompson arose to the following point of order:

Assembly Member Floyd used offensive language in the debate relative to Assembly Joint Resolution No. 73.

**Ruling by Assistant Speaker pro Tempore Baca**

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

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, 3:05 p.m.

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

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 1676 (Kopp)**—An act to amend Section 53635.7 of, and to add Sections 53601.3 and 53635.3 to, the Government Code, relating to local governmental finance.

Bill read third time.

**Motion to Amend**

Assembly Member Davis moved the adoption of amendments.

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

**At 3:10 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**SENATE CONCURRENT RESOLUTION NO. 90 (Alpert)**—Relative to safety of journalists in Mexico.

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

**AYES—68**

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

**NOES—None**

Resolution ordered transmitted to the Senate.

**SENATE BILL NO. 1989 (Polanco)**—An act to repeal and add Section 2079.10 of the Civil Code, relating to real property disclosure.

Bill read third time.

**Motion to Amend**

Assembly Member Cardenas moved the adoption of amendments.

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

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 1033**, on request of Assembly Member Margett.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)**

**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, and presented by Assembly Member Shelley.

Bill passed by the following vote:

**AYES—65**

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

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1561 (Leslie)**—An act relating to public school accountability.  
 Bill read third time, and presented by Assembly Member Mazzoni.  
 Bill passed by the following vote:

**AYES—65**

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

**NOES—2**

Firestone                      McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1514 (Solis)**—An act to amend Sections 2676 and 2678 of the Labor Code, relating to garment manufacturing.

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

Bill passed by the following vote:

**AYES—63**

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

**NOES—4**

Baugh                      Brewer                      McClintock                      Woods

Bill ordered transmitted to the Senate.



**SENATE BILL NO. 1963 (Vasconcellos)**—An act to add Chapter 6.1 (commencing with Section 52050) to Part 28 of the Education Code, relating to schools.

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

Bill passed by the following vote:

**AYES—55**

Ackerman	Cardoza	Lempert	Pringle
Aguiar	Davis	Leonard	Scott
Alquist	Ducheny	Machado	Shelley
Aroner	Escutia	Margett	Strom-Martin
Ashburn	Figueroa	Mazzoni	Sweeney
Baca	Floyd	Migden	Thompson
Battin	Gallegos	Morrissey	Thomson
Baugh	Granlund	Morrow	Torlakson
Bowler	Havice	Murray	Vincent
Brewer	Honda	Olberg	Washington
Brown	Keeley	Ortiz	Wayne
Bustamante	Knox	Perata	Wildman
Campbell	Kuehl	Poochigian	Mr. Speaker
Cardenas	Leach	Prenter	

**NOES—6**

Baldwin	Firestone	Kaloogian
Bordonaro	House	McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 397 (Rosenthal)**—An act relating to health care coverage.

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

Bill passed by the following vote:

**AYES—63**

Aguiar	Cardoza	Knox	Prenter
Alby	Cedillo	Kuehl	Pringle
Alquist	Davis	Leach	Richter
Aroner	Ducheny	Lempert	Scott
Ashburn	Escutia	Leonard	Shelley
Baca	Figueroa	Margett	Strom-Martin
Baldwin	Firestone	Mazzoni	Sweeney
Battin	Frusetta	Migden	Thompson
Baugh	Gallegos	Morrissey	Thomson
Bordonaro	Goldsmith	Morrow	Torlakson
Bowler	Granlund	Murray	Vincent
Brewer	Havice	Olberg	Washington
Brown	Honda	Oller	Wayne
Bustamante	House	Ortiz	Wildman
Campbell	Kaloogian	Perata	Woods
Cardenas	Keeley	Poochigian	

**NOES—3**

Ackerman	Machado	McClintock
----------	---------	------------

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2210 (O'Connell)**—An act to amend Section 832.7 of the Penal Code, relating to criminal procedure.

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

Bill passed by the following vote:

**AYES—68**

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

**NOES—None**

Bill ordered transmitted to the Senate.

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

Bill read third time.

**Motion to Amend**

Assembly Member Honda moved the adoption of amendments.

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

**SENATE CONCURRENT RESOLUTION NO. 64 (Alpert)**—Relative to the International Year of the Ocean.

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

**AYES—57**

Ackerman	Ducheny	Leonard	Scott
Aguiar	Escutia	Machado	Shelley
Alquist	Figueroa	Margett	Strom-Martin
Aroner	Firestone	Mazzoni	Sweeney
Baca	Floyd	McClintock	Thompson
Battin	Frusetta	Migden	Thomson
Bordonaro	Gallegos	Morrissey	Torlakson
Brewer	Goldsmith	Murray	Vincent
Brown	Havice	Olberg	Washington
Bustamante	Honda	Ortiz	Wayne
Campbell	Keeley	Pacheco	Wildman
Cardenas	Knox	Perata	Mr. Speaker
Cardoza	Kuehl	Poochigian	
Cedillo	Leach	Prenter	
Davis	Lempert	Pringle	

**NOES—11**

Alby	Baugh	House	Oller
Ashburn	Bowler	Kaloogian	Woods
Baldwin	Granlund	Morrow	

Resolution ordered transmitted to the Senate.

**REQUEST FOR PHOTOGRAPHER**

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

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

**SENATE BILL NO. 1945 (Karnette)**—An act to repeal and add Section 22360 of the Education Code, relating to the State Teachers' Retirement System.

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

Bill passed by the following vote:

**AYES—61**

Ackerman	Davis	Lempert	Runner
Aguiar	Ducheny	Leonard	Shelley
Alby	Escutia	Machado	Strom-Martin
Alquist	Figueroa	Mazzoni	Sweeney
Aroner	Firestone	Migden	Thompson
Ashburn	Frusetta	Morrissey	Thomson
Baca	Gallegos	Morrow	Torlakson
Baldwin	Goldsmith	Murray	Vincent
Battin	Granlund	Olberg	Washington
Bordonaro	Havice	Oller	Wayne
Bowler	Honda	Ortiz	Wildman
Brown	House	Pacheco	Woods
Bustamante	Keeley	Perata	Mr. Speaker
Campbell	Knox	Poochigian	
Cardenas	Kuehl	Prenter	
Cardoza	Leach	Pringle	

**NOES—6**

Baugh	Kaloogian	McClintock
Brewer	Margett	Richter

Bill ordered transmitted to the Senate.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 2078**, on request of Assembly Member Keeley.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 2101 (Peace)**—An act to amend Section 4600.7 of the Labor Code, relating to the Workers' Compensation Managed Care Fund.

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

Bill passed by the following vote:

**AYES—69**

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

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 452 (Maddy)**—An act to amend Section 23104.2 of the Business and Professions Code, relating to alcoholic beverages.

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

Bill passed by the following vote:

**AYES—65**

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

**NOES—3**

Havice	Thompson	Washington
--------	----------	------------

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 529 (Johnson)**—An act to amend Section 100 of the Revenue and Taxation Code, relating to taxation.

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

Bill passed by the following vote:

**AYES—69**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 844 (Burton)**—An act to add Section 5071 to, and to repeal Sections 5063, 5065, 5066, 5070, and 5080 of, the Vehicle Code, relating to vehicles.

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

Bill passed by the following vote:

**AYES—64**

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

**NOES—3**

Baldwin	House	McClintock
---------	-------	------------

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1156 (Costa)**—An act to amend Sections 7260 and 7262.5 of the Government Code, relating to housing.

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

Bill passed by the following vote:

**AYES—68**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1389 (Craven)**—An act to amend Section 18179 of, and to add Section 33315 to, the Education Code, and to amend Section 18816 of the Revenue and Taxation Code, relating to schools.

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

Bill passed by the following vote:

**AYES—61**

Aguiar	Escutia	Leonard	Scott
Alby	Figueroa	Machado	Shelley
Alquist	Firestone	Margett	Strom-Martin
Aroner	Floyd	Mazzoni	Sweeney
Baca	Frusetta	Migden	Thompson
Baldwin	Gallegos	Morrissey	Thomson
Bordonaro	Goldsmith	Morrow	Torlakson
Bowler	Granlund	Murray	Vincent
Brown	Havice	Oller	Washington
Bustamante	Honda	Ortiz	Wayne
Campbell	Kaloogian	Pacheco	Wildman
Cardenas	Keeley	Perata	Woods
Cardoza	Knox	Poohigian	Mr. Speaker
Cedillo	Kuehl	Prenter	
Davis	Leach	Richter	
Ducheny	Lempert	Runner	

**NOES—5**

Ackerman	Baugh	Olberg
Ashburn	McClintock	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1390 (Kopp)**—An act to amend Section 538d of, and to add Section 667.17 to, the Penal Code, relating to crimes.

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

Bill passed by the following vote:

**AYES—68**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY JOINT RESOLUTION NO. 73**

At 3:32 p.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.

Assembly Joint Resolution No. 73 refused adoption by the following vote:

**AYES—39**

Ackerman	Brewer	Leonard	Prenter
Aguiar	Campbell	Machado	Pringle
Alby	Cardoza	Margett	Richter
Ashburn	Frusetta	McClintock	Runner
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Olberg	Vincent
Baugh	House	Oller	Washington
Bordonaro	Kaloogian	Pacheco	Woods
Bowler	Leach	Poochigian	

**NOES—22**

Alquist	Floyd	Lempert	Strom-Martin
Aroner	Gallegos	Mazzoni	Sweeney
Brown	Honda	Migden	Wayne
Cedillo	Keeley	Perata	Wildman
Escutia	Knox	Scott	
Figueroa	Kuehl	Shelley	

**Motion to Reconsider Assembly Joint Resolution No. 73  
on Next Legislative Day**

Assembly Member Olberg moved to reconsider on the next legislative day the vote whereby Assembly Joint Resolution No. 73 was this day refused adoption.

Assembly Joint Resolution No. 73 ordered to the unfinished business file.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 3:33 p.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.



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

**SENATE BILL NO. 1407 (Lockyer)**—An act to amend Sections 192 and 193 of the Penal Code, relating to homicide.

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

Bill passed by the following vote:

**AYES—66**

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

**NOES—2**

Migden                      Washington

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Bill 1407: Assembly Members Migden and Washington, from “Aye” to “No”.

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1975 BY UNANIMOUS CONSENT**

Assembly Member Brewer was granted unanimous consent to take up Assembly Bill No. 1975, out of order, for purpose of consideration of Senate amendments.

**ASSEMBLY BILL NO. 1975 (Brewer)**—An act to amend Sections 1764.1 and 1765.1 of, and to add Section 47 to, the Insurance Code, relating to surplus line insurance brokers.

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—66**

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

**NOES—None**

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2153 BY UNANIMOUS CONSENT**

Assembly Member Brewer was granted unanimous consent to take up Assembly Bill No. 2153, out of order, for purpose of consideration of Senate amendments.

**ASSEMBLY BILL NO. 2153 (Brewer)**—An act to repeal and add Section 1063.6 of the Insurance Code, relating to insurer insolvency.

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—67**

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

**NOES—None**

Above bill ordered enrolled.

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

**SENATE BILL NO. 1483 (Ayala)**—An act to add Section 12304.6 to the Welfare and Institutions Code, relating to human services.

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

Bill passed by the following vote:

**AYES—65**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1621 (Rosenthal)**—An act to amend Section 25510 of the Business and Professions Code, relating to alcoholic beverages.

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

Bill passed by the following vote:

**AYES—60**

Ackerman	Cardenas	Leach	Poochigian
Aguiar	Cardoza	Lempert	Prenter
Alby	Cedillo	Leonard	Pringle
Alquist	Davis	Machado	Richter
Aroner	Ducheny	Margett	Runner
Ashburn	Escutia	Mazzoni	Scott
Baca	Figueroa	McClintock	Shelley
Baldwin	Frusetta	Migden	Strom-Martin
Baugh	Gallegos	Morrissey	Sweeney
Bordonaro	Goldsmith	Morrow	Thomson
Bowler	Granlund	Murray	Torlakson
Brewer	Honda	Olberg	Vincent
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Perata	Mr. Speaker

**NOES—4**

Havice	House	Thompson	Washington
--------	-------	----------	------------

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1630 (Rosenthal)**—An act to amend Section 1569.38 of, and to add Section 1569.61 to, the Health and Safety Code, relating to residential care facilities.

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

Bill passed by the following vote:

**AYES—61**

Aguiar	Ducheny	Leonard	Scott
Alby	Escutia	Machado	Shelley
Alquist	Figueroa	Margett	Strom-Martin
Aroner	Floyd	Mazzoni	Sweeney
Ashburn	Frusetta	Migden	Thompson
Baca	Gallegos	Morrissey	Thomson
Baldwin	Goldsmith	Morrow	Torlakson
Bordonaro	Granlund	Murray	Vincent
Bowler	Havice	Olberg	Washington
Brewer	Honda	Oller	Wayne
Brown	Kaloogian	Ortiz	Wildman
Campbell	Keeley	Perata	Woods
Cardenas	Knox	Poochigian	Mr. Speaker
Cardoza	Kuehl	Prenter	
Cedillo	Leach	Pringle	
Davis	Lempert	Richter	

**NOES—5**

Ackerman	House	Runner
Baugh	McClintock	

Bill ordered transmitted to the Senate.

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

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

Bill passed by the following vote:

**AYES—67**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1729 (Thompson)**—An act to add Section 67381 to the Education Code, relating to student safety.

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

Bill passed by the following vote:

**AYES—64**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1780 (Peace)**—An act to add Section 17539.15 to the Business and Professions Code, relating to contest advertising.

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

Bill passed by the following vote:

**AYES—64**

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

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

July 27, 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. 779, 1540, 1704, and 2102.

HERTZBERG, Chairman

**RESOLUTIONS**

The following resolutions were offered:

**Resolutions to Suspend Joint Rules**

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 Bill No. 779 for further action, and further if the measure is reported out of Judiciary Committee, it shall be re-referred back to the Rules Committee.

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. 1540 for further action.

By Assembly Member Wayne:

*Resolved*, That Joint Rule 61(b)(12) be suspended to permit the Committee on Environmental Safety and Toxic Materials to meet, consider, and report Senate Bill No. 1704 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. 2102 for further action.

Resolutions read, and adopted by the following vote:

**AYES—67**

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

**NOES—None**

**JOINT RULE 62(a) WAIVED**

Assembly Member Shelley was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 779 for hearing in the Committee on Judiciary on Tuesday, July 28, 1998, at 9 a.m., in Room 4202.

**COMMITTEE MEETING ANNOUNCEMENTS**

Speaker pro Tempore Kuehl announced that the Committee on Appropriations would meet on Wednesday, July 29, 1998, at 9:30 a.m.

**SESSION SCHEDULE ANNOUNCEMENT**

Speaker pro Tempore Kuehl announced that the House would adjourn today until Thursday, July 30, 1998, or upon Call of the Speaker.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 2174 (Rainey)**—An act to add Section 6257.5 to, and to add Chapter 3 (commencing with Section 15650) to Part 9 of Division 3 of Title 2 of, the Government Code, relating to the State Board of Equalization.

Bill read third time.

**Motion to Amend**

Assembly Member Leach moved the adoption of amendments.

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

**SENATE BILL NO. 117 (Kelley)**—An act to amend Sections 7500.1 and 7507.3 of the Business and Professions Code, to amend Sections 22202 and 22329 of the Financial Code, and to amend Sections 14602.6, 14607.6, and 23198 of the Vehicle Code, relating to collateral recovery.

Bill read third time.

**Motion to Amend**

Assembly Member Ackerman moved the adoption of amendments.

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

**VOTE ADDS**

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

**Assembly Bill No. 1995, Concurrence:** Ashburn, Baldwin, Battin, Gallegos, and Goldsmith—Aye.

**Assembly Bill No. 745, Urgency and Concurrence:** Ashburn, Bustamante, Gallegos, Goldsmith, and Washington—Aye.

**Assembly Bill No. 1871, Concurrence:** Ashburn and Gallegos—Aye.

**Senate Concurrent Resolution No. 90:** Bustamante, Honda, and Wildman—Aye.

**Senate Bill No. 1836:** Baugh, Bustamante, Honda, and Kaloogian—Aye; McClintock—No.

**Senate Bill No. 1561:** Baugh and Bustamante—Aye; McClintock—No.

**Senate Bill No. 1514:** Bustamante—Aye; Baugh—No.

**Senate Bill No. 1963:** Baugh and Bustamante—Aye; Baldwin—No.

**Senate Bill No. 379:** Bustamante and Kuehl—Aye.

**Senate Bill No. 2210:** Bustamante—Aye.

**Senate Concurrent Resolution No. 64:** Bustamante and Campbell—Aye; Ashburn, Granlund, and Oller—No.

**Senate Bill No. 1945:** Baldwin, Bustamante, and Oller—Aye.

**Senate Bill No. 2101:** Bustamante and Cardenas—Aye.

**Senate Bill No. 452:** Bustamante and Kaloogian—Aye.

**Senate Bill No. 529:** Bustamante—Aye.

**Senate Bill No. 844:** Bustamante—Aye; Baldwin—No.

**Senate Bill No. 1156:** Bustamante—Aye.

**Senate Bill No. 1389:** Baldwin, Bustamante, and Oller—Aye; Ashburn—No.

**Senate Bill No. 1390:** Bustamante—Aye.

**Senate Bill No. 1407:** Bustamante and Knox—Aye.

**Senate Bill No. 1975:** Bustamante and Sweeney—Aye.

**Senate Bill No. 2153:** Bustamante—Aye.

**Senate Bill No. 1483:** Bustamante and Machado—Aye.

**Senate Bill No. 1621:** Alby, Bustamante, and Kaloogian—Aye.

**Senate Bill No. 1729:** Alby, Kaloogian, and Oller—Aye.



**MOTION TO ADJOURN**

At 3:53 p.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member House seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 3:54 p.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 185—Washington and Hertzberg.** Relative to Arizona Boys Ranch.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

Date of Hearing: July 27, 1998

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 93

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

HERTZBERG, Chairman

Above resolution re-referred to the Committee on Appropriations.

**MESSAGES FROM THE SENATE**

Senate Chamber, July 27, 1998

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

Assembly Concurrent Resolution No. 179

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

Above resolution ordered enrolled.

July 27, 1998

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

Dear Dotson: By direction of the Senate I am returning Senate Bill 86 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT  
Secretary of the Senate

Above bill held at the Desk.

**MESSAGES FROM THE GOVERNOR**

The following veto message from the Governor was received and ordered printed in the Journal and the bill ordered to the unfinished business file:

**Veto Message—Assembly Bill No. 2615**

Governor's Office, Sacramento

July 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2615 without my signature.

This bill would authorize 1937 Act counties to "pre-fund" additional cost of living adjustments for retired beneficiaries.

Current law already authorizes counties to provide annual COLA benefits up to five percent on a discretionary basis, and even allows a banking procedure whereby special COLAs beyond any particular year's inflation rate can be paid.

This bill is identical to AB 3830 which was vetoed in 1994. That veto message is still applicable. This bill would provide automatic COLA increases in periods of high inflation. While I understand that these benefits would be pre-funded, it is unwise to strip local elected officials, who are responsible to taxpayers, of their discretion to decide the amount if any and indeed whether to provide the COLAs in the first place.

Cordially,

PETE WILSON

**RECEIPT**

I acknowledge receipt this 27th day of July 1998, at 2:40 p.m., of Assembly Bill No. 2615, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

LAWRENCE A. MURMAN  
Assistant Assembly Chief Clerk

**ADJOURNMENT**

At 3:55 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 8:30 a.m., Thursday, July 30, 1998, or upon Call of the Speaker, out of respect to the memory of Gene P. Kurilow, on motion of Assembly Member Bowler; out of respect to the memory of Jack Machado, on motion of Assembly Member Mazzoni; out of respect to the memory of Ronald Agustus Colthirst, on motion of Assembly Members Migden and Shelley; out of respect to the memory of John Jacob Balian, Robert Oliver, and Donald Wheeldin, on motion of Assembly Member Scott; out of respect to the memory of Tom Feeney, on motion of Assembly Member Shelley; out of respect to the memory of Lynn White, M.D., Robert N. Roland, and Barbara Burlison, on motion of Assembly Member Thomson; out of respect to the memory of Kenneth Ishida, on motion of Assembly Members Alquist and Aroner; out of respect to the memory of James Dong Mark, on motion of Assembly Member Floyd; of respect to the memory of Morris Kelly, Sr., on motion of Assembly Member Washington; out of respect to the memory of Joseph Moss, on motion of Assembly Member Havice; out of respect to the memory of George Dwyer, on motion of Assembly Member Lempert; and out of respect to the memory of Anna Marie Major, on motion of Assembly Member Ducheny.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JULY 27, 1998**

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

<b>AB</b>	<b>RN</b>
2085	9816977

<b>AJR</b>	<b>RN</b>
74	9816830

<b>SB</b>	<b>RN</b>
117	9816407
272	9816662
453	9816396
610	9816900
645	9816805
1386	9816753
1623	9817021
1624	9816565
1676	9816628
1717	9816912
1855	9816582
1879	9816920
1989	9816264
2174	9816583

<b>Daily Total:</b>	<b>16</b>
<b>Cumulative Total:</b>	<b>7348</b>

O