

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, August 10, 1998**

**TWO HUNDRED FIFTY-SECOND SESSION DAY**

**SIX HUNDRED SEVENTEENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, August 10, 1998

The Assembly met at 11:30 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 Keeley moved a quorum call of the Assembly.

Motion carried. Time, 11:31 a.m.

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

**At 11:38 a.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

#### Quorum Present

At 11:38 a.m., Assistant Speaker pro Tempore Baca declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—79:

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

**PRAYER**

Upon invitation of Assistant Speaker pro Tempore Baca, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*Eternal God, You created the first human because You wanted someone to whom You could show Your generosity and love. Lord, You have told us to follow You, not because You needed our help, but because You knew that loving You would make us whole. Show us how to love You more completely, Lord, and in turn to love those around us.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Assistant Speaker pro Tempore Baca, Assembly Member Oller 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 Aguiar, seconded by Assembly Member Granlund.

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

*Because of illness: Assembly Member Takasugi.*

**COMMUNICATIONS**

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

August 10, 1998

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

Dear Dotson: Please be advised that I have appointed Assemblymember Scott Baugh to the Transportation Committee in place of Assemblymember Nao Takasugi for the hearing on Wednesday, August 12, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**CONFERENCE COMMITTEE REPORTS RECEIVED**

Assembly Chamber, Received at Desk: August 10, 1998

Mr. Speaker: The Committee on Conference has met concerning:

**Assembly Bill No. 1656**, as amended in Senate June 3, 1998, and agreed to recommend that the amendments of the Senate be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

MIKE THOMPSON  
STEVE PEACE  
CATHIE WRIGHT

DENISE MORENO DUCHENY  
CAROLE MIGDEN  
GEORGE RUNNER

Senate Committee on Conference

Assembly Committee on Conference

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 10, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Concurrent Resolution No. 183

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to third reading.

Assembly Chamber, August 10, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Concurrent Resolution No. 99

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following resolution was referred to Committee:

*Assembly Concurrent  
Resolution No.*

*Committee*

**186** ----- Rls.

**REQUEST TO SUSPEND JOINT RULES**

The following request was received, and read:

Assembly Chamber, August 10, 1998

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12) as it relates to Senate Bill No. 1854.

MICHAEL J. MACHADO

Above request ordered transmitted to the Committee on Rules.

**AUTHOR'S AMENDMENTS  
Committee on Appropriations**

August 10, 1998

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

- Senate Bill No. 1038
- Senate Bill No. 1064
- Senate Bill No. 1835

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

MIGDEN, Chairwoman

**SENATE BILL NO. 1038**—An act to amend Sections 4512, 4640, 4646, 4646.5, 4648, 4648.1, 4670, 4675, 4676, 4677, 4681.1, 4685, 4712, 4712.5, 4740, 4741, 4742, 4743, 4744, 4745, and 4747 of, to add Sections 4685.1, 4685.2, 4697, and 4742.1 to, to add and repeal Section 4685.5 of, to repeal Section 4541 of, and to repeal and add Section 4696.1 of, the Welfare and Institutions Code, relating to human services.

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

**SENATE BILL NO. 1064**—An act to amend Sections 2551.3, 39141.15, 49553, and 49559 of, to amend and renumber Section 8901 of, to add Article 7.1 (commencing with Section 54740) to Chapter 9 of Part 29 of, to repeal Sections 8900 and 8902 of, to repeal Article 17 (commencing with Section 8390) of Chapter 2 of, to repeal the heading of Chapter 6 (commencing with Section 8900) of, and to repeal Chapter 6.5 (commencing with Section 8910) of, Part 6 of, the Education Code, relating to education.

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. 1835**—An act to amend Sections 51201, 51243, 51243.5, 51255, 51257, 51290, 51290.5, 51291, and 51295 of the Government Code, relating to land use.

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

**AUTHOR’S AMENDMENTS**

**Committee on Rules**

August 10, 1998

Mr. Speaker: The Chair of your Committee on Rules reports:  
Assembly Concurrent Resolution No. 79

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

HERTZBERG, Chairman

**ASSEMBLY CONCURRENT RESOLUTION NO. 79**—Relative to the International Day of Prayer for the Persecuted Church.

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

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

August 10, 1998

Mr. Speaker: Your Committee on Rules recommends that the request to suspend Joint Rule 61(b)(12), as it relates to the following bill be granted:

Senate Bill No. 598.

HERTZBERG, Chairman

August 10, 1998

Mr. Speaker: Your Committee on Rules recommends that the requests to suspend Joint Rule 61 (b)(12) and (13), as it relates to the following bills be granted:

Senate Bills Nos. 1696 and 1854.

HERTZBERG, Chairman

Date of Hearing: August 10, 1998

Mr. Speaker: Your Committee on Rules reports:  
Assembly Concurrent Resolution No. 145

With the recommendation: Be adopted.

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

HERTZBERG, Chairman

Above resolution ordered on file.

Date of Hearing: August 10, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Joint Resolution No. 76

With the recommendation: Be adopted.

HERTZBERG, Chairman

Above resolution ordered on file.

### **SPECIAL COMMITTEE MEETINGS**

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

Transportation, on August 12, 1998, at 1:30 p.m., in Room 4202.

### **MESSAGES FROM THE GOVERNOR**

The following message from the Governor was received and ordered printed in the Journal:

Governor's Office, Sacramento

August 7, 1998

*To the Members of the Assembly:*

Assembly Bill 2775 in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore, recommend consideration of Assembly Bill 2775 as an emergency measure.

Sincerely,

PETE WILSON

### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 7, 1998

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

Assembly Bill No. 2775

And reports the same correctly enrolled, and presented to the Governor at 4:15 p.m., August 7, 1998.

E. DOTSON WILSON, Chief Clerk

### **ADJOURN IN MEMORY**

Assembly Member Frusetta was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sergio Casacca of Soledad.

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 Lulann Sapp McGriff, of San Francisco.

Assembly Member Migden was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kenneth J. Miller, of Weaverville.

Assembly Member Wayne was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Warren Sarvis, of San Diego.

Assembly Member Wildman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of L.A.P.D. Officer Filberto Cuesta, of Norwalk.

**RECESS**

By unanimous consent, at 11:42 a.m., Assistant Speaker pro Tempore Baca declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Keeley introduced California Department of Forestry and Fire Protection Engineer/Paramedic Shawn Norman, Engineer/Paramedic Jim Mathias, and Fire Captain Tom Oldag and presented a resolution to them commending the courage and decisive action they displayed during the February 1998 flood in the Santa Cruz area.

Richard A. Wilson, Director of California Department of Forestry and Fire Protection then addressed the assemblage.

**REASSEMBLED**

At 11:46 a.m., the Assembly reconvened.

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

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Cunneen was granted unanimous consent that family members be permitted to sit at his Desk during today's Floor proceedings.

**ADJOURN IN MEMORY**

Assembly Member Oller was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jacque Jorgensen, of Fortuna, and that the following statement be printed in the Journal:

*In Memoriam  
Jacque Jorgensen*

I ask today that we adjourn in the memory of Jacque Jorgensen of Fortuna, California. Jacque was the cousin of my district field representative, Dana Jorgensen. She passed away this past Monday, August 3rd at the very young age of 18 in an automobile accident. She had just graduated this past June from Eureka High School. She was active in theater, and was a friend to all who knew her.

She is survived by her parents, Tom and Dawn Jorgensen, Grandmother, Mary Jorgensen and Great Grandmother, Mae Bugbee, sisters Julie, Jolynn and little brother Tommy, Jr.

**ADJOURN IN MEMORY**

Speaker pro Tempore Kuehl was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Shari Lewis, of Beverly Hills, and that the following statement be printed in the Journal:

*In Memoriam*

*Shari Lewis*

Shari Lewis brought a wonderful gift to the children of this country—children of all ages. Her gentle humor, her friends Lamb Chop and Charlie Horse, her warmth and wisdom, all brought home to us the value of friendship, of honesty, and of love. Quite awhile ago, in a previous avatar, I was privileged to do a pilot for a new series with Shari Lewis. She brought Lamb Chop to the first reading to read all her lines for us and we were totally charmed. I know that thousands of children are sending sympathy letters to Lamb Chop and Charlie Horse and I want to join those kids in saying how much we will all miss the gentle spirit of Shari Lewis.

**ADJOURN IN MEMORY**

Assembly Member Wright was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the victims of the recent terrorist bombings of U.S. Embassies in Kenya and Tanzania.

**At 11:55 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**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. 1742 for hearing in the Committee on Consumer Protection, Governmental Efficiency and Economic Development on Tuesday, August 11, 1998.

**BILLS REMOVED FROM CONSENT CALENDAR**

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

**Senate Bill No. 1823**, on request of Assembly Member Wayne.

**ACTION RESCINDED ON SENATE BILL NO. 1660**

Assembly Member Shelley was granted unanimous consent to rescind the action whereby on July 10, 1998 (Assembly Journal, page 7902), Senate Bill No. 1660 was read a third time, amendments to the bill read and adopted and the bill ordered reprinted, and whereby the bill was re-referred to the Committee on Local Government pursuant to Assembly Rule 77.2.

**ACTION RESCINDED ON ASSEMBLY BILL NO. 1233**

Assembly Member Shelley was granted unanimous consent to rescind the action whereby on August 3, 1998 (Assembly Journal, page 8163), Assembly Bill No. 1233 was re-referred to the Committee on Elections, Reapportionment and Constitutional Amendments pursuant to Assembly Rule 77.2, and that the bill be returned to the Senate for further action.



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

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

**Legislative Intent—Assembly Bill No. 833**

August 5, 1998

*E. Dotson Wilson*

*Chief Clerk of the California State Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: I write to clarify a provision in my AB 833 (Chapter 754, Statutes of 1997), relating to the mandate that would require physicians to provide a woman with a standardized summary of the signs, symptoms and methods of diagnoses of gynecological cancers at the time of an annual gynecological examination.

Specifically, a point of clarification has been requested as to whether or not physicians shall supply the information if it is not yet available. The material is being developed and it is my intent that it be distributed by physicians when it becomes available.

I hope this provides sufficient clarification concerning the issue.

Sincerely,

DEBORAH V. ORTIZ, Assembly Member  
Ninth District

**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. 227 to the Committee on Health.

**RE-REFERENCE OF BILLS**

Assembly Member Kuehl was granted unanimous consent that Senate Bill No. 1069 be re-referred from the Committee on Consumer Protection, Governmental Efficiency and Economic Development to the Committee on Governmental Organization.

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

Pursuant to Assembly Rule 78, Assembly Member Keeley announced his intention to request that Senate Bills Nos. 2203 and 2078 be removed from the inactive file.

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

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

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

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

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

**Senate Bills Nos. 159, 1760, 1875, 1968, 2021, 2024 and 2166**, ordered to third reading.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 1083**—An act to amend Section 39662 of the Health and Safety Code, relating to public health.

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

**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, and ordered to third reading.

**SENATE BILL NO. 1754**—An act to add Section 44011.3 to the Health and Safety Code, and to amend Section 4000.3 of the Vehicle Code, relating to air resources.

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

**SENATE BILL NO. 262**—An act to add Section 1708.8 to the Civil Code, relating to privacy.

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

**SENATE BILL NO. 2239**—An act to amend Sections 120, 125.7, 1621.1, 1632, 1633.5, 1763, 2067, 2103, 2225.5, 2239, 2242, 2350, 2355, 3512, 3516.5, 3517, 3519, 3520, 3521.2, 3523, 3524, 3526, 3527, 3528, 3530, 3534.1, 3534.3, 4301, 4322, 5053, 5055, 5056, 5060, 5070.6, 5072, 5073, 5104, 5134, 7622.3, 7651, 8742, 8773.1, 8773.2, and 13660 of, to add Sections 4301.5, and 5058.1 to, and to repeal Sections 1621.2, 5059, 5070.1, 5071, 5074, 5075, 5076, and 5153 of, the Business and Professions Code, to amend Sections 11371 and 11529 of the Government Code, and to amend Section 11166 of, and to repeal and add Section 11167 of, the Health and Safety Code, relating to professions and vocations.

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

**SENATE BILL NO. 930**—An act to amend Sections 1785.5, 1785.16, 1758.19, 1785.31, and 1785.35 of, and to add Sections 1747.82 and 1785.11.5 to, the Civil Code, relating to consumer credit.

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

**SENATE BILL NO. 1540**—An act to amend Sections 1505, 11834.01, 11834.02, 11834.09, 11834.10, 11834.17, 11834.18, 11834.20, 11834.21, 11834.22, 11834.23, 11834.24, 11834.25, 11835.26, 11834.29, 11834.30, 11834.31, 11834.32, 11834.36, and 11834.50 of, and to add Sections 1520.4, 11834.11, and 11834.265 to, the Health and Safety Code, relating to residential facilities.

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

**SENATE BILL NO. 1793**—An act to amend Sections 53601 and 53635 of the Government Code, relating to local agency investments.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1338**—An act to amend Section 97.36 of the Revenue and Taxation Code, relating to local government finance.

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

**SENATE BILL NO. 559**—An act to amend Sections 11713 and 24007 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1047**—An act to amend Section 21087 of the Public Resources Code, relating to environmental protection, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1103**—An act to amend Sections 64, 465, 834, 995.2, and 5802 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1489**—An act to amend Section 1602.5 of, and to repeal Section 1602 of, the Health and Safety Code, relating to health services.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1649**—An act to amend Sections 1481, 5956.3, 6505, 14670.15, 24352, 25332, 25537, 29065.5, 53750, and 61601.25 of, and to repeal Section 17580 of, the Government Code, to amend Section 6840 of, and to repeal Sections 6831 and 6842 of, the Harbors and Navigation Code, to amend Section 40002 of, and to add Sections 39014.3 and 39014.5 to, the Health and Safety Code, to amend Sections 1600 and 21061 of the Public Contract Code, to amend Sections 5540.5 and 6217 of the Public Resources Code, to amend Section 95.31 of the Revenue and Taxation Code, to amend Sections 8320, 8322, 8323, and 8324 of the Streets and Highways Code, to amend Section 21101 of the Vehicle Code, and to amend Section 1 of Chapter 213 of the Statutes of 1907, relating to local and state agencies.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1654**—An act to amend and repeal Sections 1374.7 of the Health and Safety Code, and to amend Sections 742.405 and 10148 of, and to amend and repeal Sections 10123.3 and 10140 of, the Insurance Code, relating to health insurance.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1683**—An act to add Section 12406.5 to the Insurance Code, relating to title insurance.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1707**—An act to add Section 2080.10 to the Civil Code, relating to safekeeping of property.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1734**—An act to amend Sections 502.01, 13848, 13848.2, 13848.4, and 13848.6 of the Penal Code, relating to computer crimes, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1741**—An act to amend Section 17935 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1817**—An act to amend Section 3368 of the Labor Code, relating to workers' compensation.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1824**—An act to amend Sections 25250.1, 25250.4, and 25250.7 of the Health and Safety Code, and to amend Section 48620 of the Public Resources Code, relating to used oil.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1830**—An act to add Article 2.3 (commencing with Section 11163.6) to Chapter 2 of Title 1 of Part 4 of the Penal Code, relating to domestic violence.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1880**—An act to amend Section 219 of the Code of Civil Procedure, to amend Section 1231.2 of the Evidence Code, to amend Section 3579 of the Government Code, to amend Section 1797.187 of the Health and Safety Code, to amend Section 6404.5 of the Labor Code, to amend Sections 76, 148.10, 11105, 11105.2, 12028.5, 13300, and 13519 of, and to amend, repeal, and add Section 831.5 of, the Penal Code, and to amend Sections 1807.5 and 13351.5 of the Vehicle Code, relating to crimes.

Bill read second time, and ordered to Consent Calendar.

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

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 2139**—An act to amend Sections 470.3, 6152, 6301, 6302.5, 6321, 6322, 6341, 7028.2, 17209, 17536.5, and 25762 of the Business and Professions Code, to amend Sections 798.61, 1181, 1719, 1780, 1812.10, 2984.4, and 3342.5 of the Civil Code, to amend Sections 77, 82, 84, 86, 86.1, 91, 116.120, 116.210, 116.231, 116.250, 116.760, 116.770, 116.940, 116.950, 134, 166, 170.5, 170.6, 170.7, 179, 194, 195, 198.5, 200, 215, 217, 234, 269, 274a, 274c, 392, 393, 395, 396, 396a, 400, 402, 422.30, 425.10, 425.11, 489.220, 564, 575, 575.1, 580, 581d, 594, 628, 631, 632, 655, 668, 670, 685.030, 688.010, 697.310, 697.350, 697.540, 703.600, 706.105, 708.180, 720.160, 720.260, 720.420, 871.3, 904.1, 904.2, 904.5, 911, 912, 996.430, 1014, 1033, 1052, 1052.5, 1060, 1068, 1085, 1103, 1134, 1140, 1141.11, 1141.12, 1161.2, 1167.2, 1171, 1206, 1281.5, 1283.05, 1287.4, 1710.20, 1775.1, and 2015.3 of, to amend the heading of Chapter 5 (commencing with Section 81) of Title 1 of Part 1 of, to add Sections 32.5, 38, 395.9, 399.5, 402.5, and 582.5 to, to add Chapter 5.1 (commencing with Section 85) to Title 1 of Part 1 of, and to add a heading to Article 1 (commencing with Section 85) and Article 2 (commencing with Section 90) to Chapter 5.1 of Title 1 of Part 1 of, and to repeal Sections 83, 85, 87, 88, 89, and 422.20 of, and to repeal the headings of Article 1 (commencing with Section 81) and Article 2 (commencing with Section 90) of Chapter 5 of Title 1 of Part 1 of, the Code of Civil Procedure, to amend Sections 44944, 45312, 48294, 48295, 87675, 87679, and 88131 of the Education Code, to amend Sections 325, 327, 8203, 13107, 13109, and 13111 of the Elections Code, to amend Section 300 of the Evidence Code, to amend Section 400 of the Family Code, to amend Sections 1785, 1824, 1893, 3102, 16154, 17335, 18415.2, 18495, 31713, and 34113 of the Financial Code, to amend Sections 210, 309, 2357, 4341, 4755, 5934, 12150, and 12151 of the Fish and Game Code, to amend Sections 7581, 12647, 25564, 27601, 29733, 30801, 31503, 31621, 31622, 43039, 52514, 53564, and 59289 of the Food and Agricultural Code, to amend Sections 910, 945.3, 990.2, 1770, 3501.6, 6701, 11189, 11511, 12965, 12972, 12980, 15422, 18671, 23220, 23296, 23398, 23579, 24055, 24057, 25351.3, 25560.4, 26299.008, 26524, 26665, 26806, 26820, 26820.4, 26824, 26826, 26826.01, 26863, 27082, 27647, 27706, 28003, 29603, 29610, 31469, 41606, 50920, 53069.4, 53075.6, 53075.61, 53679, 68071, 68072, 68074.1, 68081, 68084, 68086, 68090.7, 68093, 68098, 68108, 68112, 68114, 68114.5, 68114.6, 68115, 68152, 68206.2, 68505, 68513, 68540, 68542, 68542.5, 68546, 68551, 68620, 68902, 69510, 69744.5, 69746.5, 69753, 69957, 70141, 71002, 71004, 71010, 71040, 71042.5, 71045, 71080, 71083, 71085, 71088, 71091, 71092, 71093, 71094, 71095, 71098, 71099, 71100, 71140, 71141, 71143, 71145, 71180.5, 71181, 71220, 71221, 71264, 71267, 71280, 71280.1, 71280.2, 71280.3, 71280.4, 71280.5, 71340, 71341, 71380, 71381, 71382, 71384, 71386, 72055, 72056, 72056.01, 72056.1, 72060, 72190, 72190.1, 72190.2, 72193, 72194.5, 72196, 72197, 72198, 72301, 72302, 72604, 75101, 75103, 75602, 77003, and 77007 of, to amend the headings of Chapter 6 (commencing with Section 71001) of Title 8 of, Article 7 (commencing with Section 71260) of Chapter 6 of Title 8 of, Article 10 (commencing with Section 71380) of Chapter 6 of Title 8 of, and Chapter 8 (commencing with Section 72000) of Title 8 of, to add Section 3075 to, to repeal and add Chapter 5.1 (commencing with Section 70200) of Title 8 of, to repeal Sections 29605, 68078, 68202.5, 68541, 69741.7, 71080.5, 71080.6, 71080.7, 71084, 71087, 71091.1, 71096, 71097, 71180.3, 71180.4, 71181.1, and 72785 of, and to repeal Chapter 7 (commencing with Section 71600) of Title 8 of, the Government Code, to amend Sections 664 and 667 of the Harbors and Navigation Code, to amend Sections 108580, 111880, 111895, 117070, and 117120 of the Health and Safety Code, to amend Section 12961 of the Insurance Code, to amend Sections 98, 98.2, 3352, 5710, and 6613 of the Labor Code, to amend Section 467 of the Military and Veterans Code, to amend Sections 190.9, 682, 691, 726, 737, 740, 804, 806, 808, 810, 813, 827, 829, 830.1, 832.4, 851.8, 859, 859a, 860, 869, 949, 977, 977.2, 977.4, 987.1, 987.2, 988, 990, 1000, 1007, 1009, 1010, 1016, 1038, 1050, 1130, 1150, 1187, 1191, 1203.1, 1203.1c, 1214, 1235,

1269, 1269b, 1278, 1281a, 1327, 1368.1, 1382, 1424, 1427, 1428, 1429, 1429.5, 1447, 1449, 1458, 1459, 1462, 1462.2, 1463, 1463.1, 1463.22, 1466, 1468, 1471, 1538.5, 2620, 2621, 2623, 3076, 4004, 4022, 4024.1, 4112, 13125, 13151, and 14154 of, to amend the headings of Title 9 (commencing with Section 1235) and Title 11 (commencing with Section 1427) of Part 2 of, Chapter 1 (commencing with Section 1427), Chapter 2 (commencing with Section 1466), and Chapter 3 (commencing with Section 1471) of, Title 11 of Part 2 of, to add Sections 859c and 1039 to, and to repeal Sections 97, 1309, and 1462.1 of, the Penal Code, to amend Sections 3357, 3769, and 5560 of the Public Resources Code, to amend Sections 1794, 5411.5, and 103100 of the Public Utilities Code, to amend Sections 6776, 6777, 19232, 19233, and 19280 of the Revenue and Taxation Code, to amend Sections 1785 and 1786 of the Unemployment Insurance Code, to amend Sections 2802.5, 9872.1, 10751, 11205, 14607.6, 27360, 40230, 40256, 40502, 40506.5, 40508.6, 42008, and 42203 of the Vehicle Code, to amend Sections 310 and 1100 of the Water Code, to amend Sections 245, 255, 601.4, 603.5, 656, 661, 742.16, 3050, 3051, 3200, and 11350.7 of the Welfare and Institutions Code, to amend Section 22 of Chapter 201 of the Statutes of 1895, and to amend Section 4 of Chapter 238 of the Statutes of 1903, relating to courts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 2147**—An act to amend Sections 207.1, 207.5, 209, 210, 851, 871, 871.5, 880, 881, 881.5, 882, 883, 885, 888, 889, 891, and 893 of the Welfare and Institutions Code, relating to juvenile facilities.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 2230**—An act to amend Sections 64769.3, 8131, 9156, 30009, 30016, 30367, 32406, 40117, 41106, 43456, 45656, 46507, 55226, and 60525 of, and to add Section 50142.2 to, the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 2232**—An act to amend Sections 7308, 7313, 7314, 7355, 7356, 7506.5, 7651, 7855, 8171, 8172, 8173, 8708, 8957, 9181, 9182, 9183, 9255.1, 30315, 30381, 30383, 32387, 32431, 40155, 41123.5, 43444.2, 43481, 45605, 45751, 46406, 46541, 50136, 51050, 55205, 55261, 60122, 60407, 60561, and 60608 of, and to add Sections 7305.5, 7316, 7652.5, 7983, 30382, 32432, 32433, 43482, 43483, 45752, 45753, 46542, 46543, 50150.1, 50150.2, 55262, 55263, 60562, and 60563 to, to add Article 4 (commencing with Section 40135) to Chapter 5 of Part 19 of, and to add Article 4 (commencing with Section 41114.1) to Chapter 5 of Part 20 of, Division 2 of, and to repeal Section 7356.5 of, the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 2233**—An act to amend Section 53356.2 of the Government Code, to amend Sections 2196, 2511.1, 3372, 3691.1, 3691.2, 3691.4, 3691.5, 3692, 3694, 3700, 3701, 3708, 3731, 3793.1, 4106, 4112, 4807, and 4992 of, to add Sections 3691.6 and 3700.5 to, and to repeal Sections 3446, 3447, 3448, 3715, 4803, and 4839 of, the Revenue and Taxation Code, and to amend Section 8833 of the Streets and Highways Code, relating to taxation.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 2235**—An act to amend Sections 214, 254.5, 275.5, 619, and 1605.6 of, to amend and renumber Sections 11472 and 11473 of, to add Sections 11472 and 11475 to, and to repeal and add Section 11471 of, the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 184**—An act to amend Sections 7301, 7348, 7358, 7362.1, 7362.2, 7362.3, 7390, 7391, 7392, 7393, 7394, 7395, and 7423.5 of, to add Sections 7302 and 7427 to, and to repeal and add Section 7303 of, the Business and Professions Code, relating to barbering and cosmetology.

Bill read second time and ordered to third reading.

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

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 295**—An act to amend Section 16373 of the Government Code, and to amend Sections 1170 and 2900.5 of, and to repeal Sections 2057 and 2058 of, the Penal Code, relating to corrections.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 436**—An act to add Section 40511 to the Public Resources Code, relating to solid waste.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 704**—An act to amend Section 3260.1 of the Civil Code, relating to contracting.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 791**—An act to amend Section 14550 of, and to add Section 14450.1 to, the Welfare and Institutions Code, relating to human services.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 814**—An act to amend Section 1371 of the Health and Safety Code, relating to health care coverage.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1176**—An act to amend Section 11836 of the Health and Safety Code, and to amend Section 23103.5 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1340**—An act to add Section 40059.1 to the Public Resources Code, relating to solid waste, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1374**—An act to amend Section 530.5 of the Penal Code, relating to personal information.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1375**—An act to amend Section 19596.1 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Bill read second time and ordered to third reading.

**SENATE BILL NO. 1537**—An act to amend Section 10232.25 of, and to add and repeal Section 10232.23 of, the Insurance Code, relating to long-term care insurance.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1557**—An act to add Section 33492.116 to the Health and Safety Code, relating to redevelopment, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1560**—An act to amend Sections 10201, 10205, 10214.5, and 10214.7 of, and to add Section 10200.5 to, the Unemployment Insurance Code, relating to the Employment Training Panel.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1646**—An act to add Section 49471.5 to the Education Code, relating to school athletic injuries.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1667**—An act to add Section 637.7 to the Penal Code, relating to privacy.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1691**—An act to amend Section 11100 of the Health and Safety Code, relating to controlled substances.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1735**—An act to add Section 11139.6 to the Government Code, relating to civil rights.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1744**—An act to amend Sections 11010, 11011, and 15037 of, and to repeal Section 15076.7 of, the Unemployment Insurance Code, relating to job training.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1751**—An act to add Section 17052 to the Education Code, relating to school facilities.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1816**—An act to amend Section 2810 of the Business and Professions Code, relating to nursing, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1915**—An act to add Section 113946 to the Health and Safety Code, relating to environmental health.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1916**—An act to amend Sections 25173.6, 25173.7, 25205.15, 25244.13, 25244.14, 25244.22, and 57000 of, and to add Sections 25244.15.1, 25244.17.1, 25244.17.2, 25244.24, and 57007 to, the Health and Safety Code, relating to environmental protection.

Bill read second time, and ordered to third reading.

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

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1942**—An act to add Section 49411.3 to the Education Code, relating to school pest management practices, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1948**—An act to add Section 12921.15 to the Insurance Code, relating to the Insurance Commissioner.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1956**—An act to add Section 5003.04 to the Public Resources Code, relating to parks and recreation, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 2034**—An act to amend Section 186.22a of the Penal Code, relating to criminal street gangs.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 2048**—An act relating to sentencing.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 2172**—An act to amend Section 25150.6 of the Health and Safety Code, relating to hazardous waste.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 7**—An act to amend Sections 3018, 3021, and 18370 of the Elections Code, relating to elections.

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

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

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

**SENATE BILL NO. 1663**—An act to amend Section 3765 of the Business and Professions Code, and to add Section 1596.798 to the Health and Safety Code, relating to child day care facilities, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 1800**—An act to amend Sections 124975 and 124980 of, and to amend and renumber Section 125005 of, the Health and Safety Code, relating to hereditary disorders, making an appropriation therefor.

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

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

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

**SENATE BILL NO. 1898**—An act to amend Sections 33459, 33459.1, 33459.2, 33459.3, 33459.4, and 33459.7 of the Health and Safety Code, relating to hazardous substances.

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

**SENATE BILL NO. 1951**—An act to add Section 512 to the Business and Professions Code, to add Section 1395.5 to the Health and Safety Code, and to add Section 10127.4 to the Insurance Code, relating to health coverage.

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

**SENATE BILL NO. 1976**—An act to add Section 4536.5 to the Penal Code, and to amend Sections 6600.05, 6601, 6602, 6602.5, 6603, 6609.1, 6609.2, and 6609.3 of, and to amend, repeal, and add Section 6604.1 of, the Welfare and Institutions Code, relating to sex offenses.

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

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

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



**SENATE BILL NO. 2204**—An act to add Section 8036.5 to the Public Utilities Code, relating to public utilities.

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

**SENATE BILL NO. 266**—An act to amend Sections 10089.40 and 10089.84 of the Insurance Code, relating to insurance.

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

**SENATE BILL NO. 1021**—An act to amend Sections 9350.56, 21752 and 21757 of, and to add Sections 7514.5 and 9356.16 to, the Government Code, relating to public employees.

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

**SENATE BILL NO. 1386**—An act to amend Section 1798.16 of the Civil Code, to add Section 18030.5 to the Education Code, and to amend Section 11785 of, and to add Sections 6254.20, 6254.21, and 11015.5 to, the Government Code, relating to state computer technology.

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

**SENATE BILL NO. 2237**—An act to amend Section 25105.5 of the Government Code, to amend Section 4582.8 of the Public Resources Code, and to amend Sections 64, 75.21, 95.31, 452, and 5802 of, and to add Sections 207.1 and 38116 to, the Revenue and Taxation Code, relating to taxation.

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

**SENATE BILL NO. 1981**—An act to amend Sections 651, 2001, 2020, 2066, 2102, 2135, 2151, 2185, 2225.5, 2428, 2460, 2462, 2472, 2475, 2496, 2569, 3501, 3504, 3505, and 3540 of, to amend and repeal Sections 3514 and 3515 of, to amend, repeal, and add Sections 2475 and 3535 of, to add Sections 473.17, 3503.5, and 3514.1 to, to repeal Sections 2101, 2148, 2473, and 2497.1 of, to repeal Article 23 (commencing with Section 2500) of Chapter 5 of Division 2 of, and to repeal and add Section 3513 of, the Business and Professions Code, relating to healing arts.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1623**—An act to add Sections 68705, 68706, 68707, 68708, and 68709 to the Government Code, relating to the Commission on Judicial Performance.

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

**SENATE BILL NO. 2198**—An act to amend Sections 25299.50, 25299.81, and 40440.8 of, to add Section 43830.5 to, and to repeal, add, and repeal Article 13 (commencing with Section 25299.99) of Chapter 6.75 of Division 20 of, the Health and Safety Code, relating to pollution.

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

**SENATE BILL NO. 491**—An act to add Sections 14672.14 and 14672.16 to the Government Code, relating to state property.

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

#### CAUCUS ANNOUNCEMENTS

At 12 noon, by unanimous consent, the Democratic Caucus was permitted to meet in the Assembly Lounge, and the Republican Caucus was permitted to meet in the Tom Bane Rules Committee Room.

#### RECESS

By unanimous consent, at 12 noon, Speaker pro Tempore Kuehl declared the Assembly recessed.

#### ANNOUNCEMENTS

Speaker pro Tempore Kuehl announced that the House is in recess until 4 p.m. today.

#### RESOLUTIONS

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 187**—Papan. Relative to oversized highway vehicles.

**ASSEMBLY JOINT RESOLUTION NO. 77**—Granlund, Bordonaro, Battin, Goldsmith, Alby, Bowler, Campbell, Cunneen, Ducheny, Leach, Leonard, Morrow, Oller, Pacheco, Papan, Perata, Poochigian, Pringle, Runner, Scott, Vincent, Woods, and Wright. Relative to the Forest Tax Relief Act.

#### REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, August 10, 1998

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12) as it relates to Senate Bill No. 1069.

VALERIE K. BROWN

Above request ordered transmitted to the Committee on Rules.

#### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 10, 1998

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

Assembly Bill No. 1701

Assembly Bill No. 2214

Assembly Bill No. 1844

Assembly Bill No. 2374

Assembly Bill No. 1848

Assembly Bill No. 2746

Assembly Bill No. 2188

Assembly Bill No. 2761

And reports the same correctly enrolled, and presented to the Governor at 1:45 p.m., August 10, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 10, 1998

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

Assembly Concurrent Resolution No. 175

Assembly Joint Resolution No. 56

And reports the same correctly enrolled, and presented to the Secretary of State on the 10th day of August, 1998, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 10, 1998

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

- Assembly Bill No. 182
- Assembly Bill No. 635
- Assembly Bill No. 983
- Assembly Bill No. 1731
- Assembly Bill No. 1881
- Assembly Bill No. 1933

- Assembly Bill No. 1964
- Assembly Bill No. 1987
- Assembly Bill No. 2090
- Assembly Bill No. 2097
- Assembly Bill No. 2179
- Assembly Bill No. 2573

And reports the same correctly enrolled, and presented to the Governor at 3:15 p.m., August 10, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 10, 1998

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

- Assembly Bill No. 346
- Assembly Bill No. 1614
- Assembly Bill No. 1977

- Assembly Bill No. 2394
- Assembly Bill No. 2747

And reports the same correctly enrolled, and presented to the Governor at 4:45 p.m., August 10, 1998.

E. DOTSON WILSON, Chief Clerk

**AUTHOR'S AMENDMENTS**

**Committee on Governmental Organization**

August 10, 1998

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Senate Bill No. 1069

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

BROWN, Chairwoman

**SENATE BILL NO. 1069**—An act to amend Section 13337 of, and to add Article 4 (commencing with Section 13350) and Article 5 (commencing with Section 13360) to Chapter 3 of Part 3 of Division 3 of Title 2 of, the Government Code, relating to state finance, 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.

**REPORTS OF STANDING COMMITTEES**

**Committee on Banking and Finance**

Date of Hearing: August 3, 1998

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

- Senate Bill No. 1624

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

PAPAN, Chairman

Above bill ordered to second reading.

**Committee on Appropriations**

Date of Hearing: August 5, 1998

Mr. Speaker: Your Committee on Appropriations reports:

- Senate Bill No. 1664
- Senate Bill No. 1991
- Senate Bill No. 2003
- Senate Bill No. 2098

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

**Committee on Transportation**

Date of Hearing: August 3, 1998

Mr. Speaker: Your Committee on Transportation reports:

Assembly Concurrent Resolution No. 182

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

MURRAY, Chairman

Above resolution ordered to second reading.

**Committee on Appropriations**

Date of Hearing: July 29, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1847

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

**APPOINTMENT OF COMMITTEE ON CONFERENCE**

The Speaker appointed the following Assembly Members as a Committee on Conference concerning Assembly Bill No. 224:

Gallegos, Davis, and Baugh.

**MESSAGES FROM THE SENATE**

August 10, 1998

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

Dear Dotson: The Senate this day rescinded the action whereby it concurred in Assembly amendments to Senate Bill 1385. The Senate then ordered the bill returned to the Assembly.

Sincerely,

GREGORY SCHMIDT  
Secretary of the Senate

Above bill held at the Desk.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 10, 1998

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

Assembly Bill No. 858  
Assembly Bill No. 862  
Assembly Bill No. 1331  
Assembly Bill No. 1428  
Assembly Bill No. 1590  
Assembly Bill No. 1756  
Assembly Bill No. 2041  
Assembly Bill No. 2261

Assembly Bill No. 2284  
Assembly Bill No. 2442  
Assembly Bill No. 2594  
Assembly Bill No. 2778  
Assembly Bill No. 2781  
Assembly Bill No. 2784  
Assembly Bill No. 2793

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, August 10, 1998

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

Assembly Bill No. 1368  
Assembly Bill No. 2779  
Assembly Bill No. 2780

Assembly Bill No. 2789  
Assembly Bill No. 2797  
Assembly Bill No. 2798

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, August 10, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1656

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

Senate Chamber, August 10, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Karnette, McPherson and Polanco as a Committee on Conference concerning:

**Assembly Bill No. 1864.**

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

**REASSEMBLED**

At 9:05 p.m., the Assembly reconvened.

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

**BILLS WITHDRAWN FROM COMMITTEE BY UNANIMOUS CONSENT**

By unanimous consent, the following bills were withdrawn from committees for purpose of amendment, without reference to file:

Senate Bills Nos. 12, 27, 34, 1193, 1628, 1657, 1756, and 2064, from the Committee on Appropriations;

Senate Bill No. 933, from the Committee on Human Services;

Senate Bills Nos. 1564, 1573, 1584, 1589, and 1603, from the Committee on Budget.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense with Constitutional Provision**

By Assembly Member Shelley.

*Resolved*, That Senate Bills Nos. 34, 1564, 1565, 1573, 1574, 1577, 1584, 1587, 1589, 1600, 1602, 1603, 1605, 1628, 1657, and 1756, present cases of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read, and adopted by the following vote:

**AYES—79**

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

**NOES—None**

Article IV, Section 8(b) of the Constitution was declared dispensed with.

**SECOND READING OF BILLS BY UNANIMOUS CONSENT**

The following bills were taken up by unanimous consent, without reference to file, for purpose of second reading and adoption of amendments:

**SENATE BILL NO. 12**—An act to amend Sections 52084 and 52086 of, to add Section 45023.4 to, and to repeal Section 52090 of, the Education Code, relating to schools.

Bill read second time; amendments to be placed upon the third reading file.

**SENATE BILL NO. 27**—An act to amend Sections 19400, 19401, 19531, 19596, 19596.2, 19601, 19601.2, 19605.6, 19605.7, 19605.71, 19605.8, 19606, 19606.3, 19611, 19611.5, 19612, 19614, 19614.2, 19614.4, 19616, 19616.1, and 19617.2 of, to add Sections 19605.35, 19605.72, 19607.2, and 19607.3 to, to add and repeal Section 19605.73 of, to repeal Sections 19571, 19608.9, 19610.5, 19614.1, 19616.51, 19617.3, 19619.7 and 19619.8 of, the Business and Professions Code, relating to horse racing.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 933**—An act to add Sections 7911, 7911.1, and 7912 to the Family Code, to amend Sections 1522, 1522.03, 1522.04, 1522.1, 1522.4, 1534, 1538, 1538.5, 1548, 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, 1596.877, 1596.885, 1596.889, 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, 11461, 11462, 11463, 11465, 16501.1, and 18358.30 of, to add Sections 361.21, 5867.5, 11466.21, 16501.2, and 16516.5, to, 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; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1193**—An act to amend Sections 44579.1 and 44579.5 of, and to amend and repeal Sections 44670.6, 52022, 52854, and 56242 of, the Education Code, relating to education finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1564**—An act relating to education finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1565**—An act relating to education finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1573**—An act relating to health, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1574**—An act relating to the Department of Fish and Game, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1577**—An act relating to conservation, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1584**—An act relating to the Department of General Services, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1587**—An act relating to public social services, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1589**—An act relating to state government administration, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1602**—An act relating to the Public Utilities Commission, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1603**—An act relating to the state budget, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1605**—An act relating to the Department of the Youth Authority, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1628**—An act to add Article 6.5 (commencing with Section 14198) to Chapter 7 of Part 3 of Division 9 of, and to add and repeal Section 14198 of, the Welfare and Institutions Code, relating to health.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1657**—An act to add Article 18.8 (commencing with Section 749.4) to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to female juvenile offenders, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1756**—An act to add Article 23 (commencing with Section 8490) to Part 6 of the Education Code, relating to after school programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 2064**—An act to amend Sections 66021.2, 69532, 69535, and 69538 of, and to add Sections 66021.2 and 69540 to, the Education Code, relating to student financial aid, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**CONSIDERATION OF SENATE BILL NO. 295 WITHOUT REFERENCE TO FILE**

Unanimous consent was granted to take up Senate Bill No. 295, without reference to file, for purpose of amendment.

**SENATE BILL NO. 295 (Raine)**—An act to amend Section 16373 of the Government Code, and to amend Sections 1170 and 2900.5 of, and to repeal Sections 2057 and 2058 of, the Penal Code, relating to corrections.

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

**REQUEST TO SET BILLS FOR SPECIAL ORDER OF BUSINESS**

Assembly Member Leonard requested unanimous consent that the Budget bill and all Budget trailer bills be set for Special Order of Business, Tuesday, August 11, 1998, at 8:30 a.m.

**Parliamentary Inquiry**

Assembly Member Martinez arose to the following parliamentary inquiry:

Is it Assembly Member Leonard's intention that the Budget and Budget trailer bills be taken up for consideration at 8:30 a.m.?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative.

**Parliamentary Inquiry**

Assembly Member Escutia arose to the following parliamentary inquiry:

Is it Assembly Member Leonard's intention that rule waivers will be granted permitting committees to meet upon adjournment of Floor session, or on Wednesday, August 12, 1998, for those committees that are currently scheduled to convene at 8:30 a.m. tomorrow?



**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore deferred to Assembly Member Leonard whereupon he replied that the appropriate rule waivers permitting committees to meet would be granted.

**BILLS SET FOR SPECIAL ORDER**

Assembly Member Leonard was granted unanimous consent that the following bills be made a special order of business for Tuesday, August 11, 1998, at 8:30 a.m.:

Assembly Bill No. 1656; Senate Bills Nos. 12, 27, 34, 295, 752, 933, 1193, 1564, 1565, 1573, 1574, 1575, 1577, 1584, 1587, 1589, 1600, 1602, 1603, 1605, 1628, 1657, 1756, and 2064; Assembly Bills Nos. 858, 862, 1331, 1368, 1428, 1590, 1756, 2041, 2216, 2261, 2284, 2442, 2594, 2778, 2779, 2780, 2781, 2784, 2789, 2793, 2797, and 2798.

**RULES SUSPENDED BY UNANIMOUS CONSENT**

Assembly Member Shelley was granted unanimous consent that all rules be suspended to permit consideration of the Budget bill and all Budget trailer bills on Tuesday, August 11, 1998, and specifically that Assembly Rule 77 be suspended as it relates to Assembly Bills Nos. 858, 862, 1331, 1368, 1428, 1590, 1756, 2041, 2216, 2261, 2284, 2442, 2594, 2778, 2779, 2780, 2781, 2784, 2789, 2793, 2797, and 2798 (Budget trailer bills).

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Honda announced that the Committee on Public Employees, Retirement and Social Security would meet on Wednesday, August 12, 1998 at 9:30 a.m. instead of 9 a.m.

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

Pursuant to Assembly Rule 78, Assembly Member Gallegos announced his intention to request that Senate Bill No. 277 be removed from the inactive file.

**BILLS REMOVED FROM CONSENT CALENDAR**

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

**Senate Bill No. 2194**, on request of Assembly Member Woods.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS****NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1735  
FROM COMMITTEE CONTINUED**

By unanimous consent, the notice of motion to withdraw Assembly Bill No. 1735 from the Committee on Public Safety was 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 and Senate Bill No. 1427 were continued until the next legislative day.

**MOTION TO ADJOURN**

At 9:18 p.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Migden seconded the motion.

**REMARKS ON CONDITION OF THE FILE**

Assembly Members Floyd, Papan, Pringle, Shelley, and McClintock 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 9:29 p.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

**INTRODUCTION OF GUESTS**

Speaker pro Tempore Kuehl introduced former Member of the Assembly, Congressman James E. Rogan.

On behalf of Assembly Member Takasugi, Assembly Member Firestone, of the 35th Assembly District introduced Dayne Hinojosa, of Moor Park.

Assembly Member Battin, of the 80th Assembly District, introduced Indy Adams, of Palm Springs.

**ADJOURNMENT**

At 9:29 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 8:30 a.m., Tuesday, August 11, 1998, out of respect to the memory of Lulann Sapp McGriff, on motion of Assembly Members Migden and Shelley; out of respect to the memory of Kenneth J. Miller, on motion of Assembly Member Migden; out of respect to the memory of Robert Warren Sarvis, on motion of Assembly Member Wayne; out of respect to the memory of Jacque Jorgensen, on motion of Assembly Member Oller; out of respect to the memory of Shari Lewis, on motion of Speaker pro Tempore Kuehl; out of respect to the memory of the victims of recent terrorist bombings in Tanzania and Kenya, on motion of Assembly Member Wright; out of respect to the memory of Officer Filberto Cuesta, on motion of Assembly Member Wildman; and out of respect to the memory of Sergio Casacca, on motion of Assembly Member Frusetta.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

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

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

<b>ACR</b>	<b>RN</b>	<b>SB</b>	<b>RN</b>
79	9806109	1574	9818158
180	9817619	1577	9818155
		1584	9818186
		1587	9818141
		1589	9818126
		1602	9818128
		1603	9818178
		1605	9818118
		1623	9817577
		1628	9817763
		1657	9817469
		1663	9817562
		1754	9817428
		1756	9818146
		1800	9817593
		1835	9817584
		1890	9817579
		1898	9816129
		1951	9815373
		1976	9817466
		2064	9818108
		2119	9817578
		2198	9817664
		2204	9817499
		2237	9817739
		2239	9817521

<b>Daily Total:</b>	<b>50</b>
<b>Cumulative Total:</b>	<b>7483</b>