

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 26, 1998

ONE HUNDRED FIFTY-FIRST SESSION DAY

FOUR HUNDRED TWENTY-FIRST 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, January 26, 1998

The Assembly met at 12:14 p.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 Wayne moved a quorum call of the Assembly.

Motion carried. Time, 12:15 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 Shelley announced that the Democratic Caucus would meet at this time in the Assembly Lounge.

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

QUORUM PRESENT

At 2:10 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—79:

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

PRAYER

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

O Lord, Our God, You have existed before all ages and You remain forever. We know Your unending love for mankind and Your inexhaustible goodness. Look mercifully upon our lowliness and show us how to rise above both the visible and invisible enemies. Place in us, power from on high and encompass us with Your loving care.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Bustamante 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 Wildman, seconded by Assembly Member Richter.

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 Margett.

COMMUNICATIONS

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

January 26, 1998

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

Dear Dotson: Please be advised that I am appointing Assemblymember George Runner to replace Assemblymember Tom Bordonaro on the Assembly Appropriations Committee for today, January 26, 1998, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

January 26, 1998

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

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to replace Assemblymember Antonio Villaraigosa on the Assembly Appropriations Committee for today, January 26, 1998, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
 Speaker of the Assembly

The following proposed initiative was received from the Chief Clerk from:

Rosemary R. Calderon, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title, summary, and text of the following proposed initiative pursuant to Elections Code, Section 9007:

**School District Budgeting. Administrative Costs.
 Initiative Statute.**

Referred by the Speaker to the Committee on Education.

REPORTS

The following reports were presented by the Chief Clerk:

**Report to the Legislature on New CEA Positions
 (Pursuant to the Supplemental Report of the 1997 Budget Act
 Item 1880-001-0001)**

Above transmitted report, together with letter of transmittal from Walter Vaughn, Acting Executive Officer, California State Personnel Board, Sacramento, dated December 31, 1997, referred by the Speaker to the Committee on Budget.

**Olympic Training Center Plates, December 1997
 (Pursuant to Assembly Bill 3911, Chapter 706, Statutes of 1990)**

Above transmitted report, together with letter of transmittal from Sally R. Reed, Director, Department of Motor Vehicles, Sacramento, dated January 1, 1998, referred by the Speaker to the Committee on Transportation.

Assumption Program of Loans for Education, 1996-97

Above transmitted report, together with letter of transmittal from Jon Shaver, Executive Director, California Student Aid Commission, Rancho Cordova, dated January 14, 1998, referred by the Speaker to the Committee on Higher Education.

**Department of General Services—
Procurement Division Surplus Property Warehouse Reduction Study
(Pursuant to the Supplemental Report to the Budget Act of 1997
Item 1760-001-0666)**

Above transmitted report, together with letter of transmittal from Peter G. Stamison, Director, Department of General Services, Sacramento, dated January 14, 1998, referred by the Speaker to the Committee on Budget.

**California Coastal Conservancy Proposition 204 Expenditures
(Pursuant to the Supplemental Report of the 1997 Budget Act
Items 0540-001-0001 and 3940-001-0001)**

Above transmitted report, together with letter of transmittal from Douglas P. Wheeler, Secretary for Resources, Sacramento, dated January 8, 1998, referred by the Speaker to the Committee on Budget.

**California Law Revision Commission, 1997–98 Annual Report
(Pursuant to Government Code Section 8291 and 9795)**

Above transmitted report, together with letter of transmittal from Nathaniel Sterling, Executive Secretary, California Law Revision Commission, Palo Alto, dated January 16, 1998, referred by the Speaker to the Committee on Judiciary.

**South Spit Management Plan
(Pursuant to SB 39, Chapter 1022, Statutes of 1996)**

Above transmitted report, together with letter of transmittal from Steve Horn, Interim Executive Officer, Coastal Conservancy, Oakland, dated October 10, 1997, referred by the Speaker to the Committee on Natural Resources.

**A Report to the Senate Committee on Natural Resources and Wildlife and
the Assembly Committee on Water, Parks and Wildlife
(Pursuant to SB 123, Chapter 827, Statutes of 1995)**

Above transmitted report, together with letter of transmittal from Jacqueline E. Schafer, Director, Department of Fish and Game, Sacramento, dated January 7, 1998, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Department of Consumer Affairs Annual Report
Fiscal Year 1996–97**

Above transmitted report, together with letter of transmittal from Marjorie M. Berte, Director, Department of Consumer Affairs, Sacramento, dated January 12, 1998, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**Employment Training Panel, 1996–97 Annual Report
(Pursuant to Unemployment Insurance Code Section 10205)**

Above transmitted report, together with letter of transmittal from Gerald G. Geismar, Executive Director, Employment Training Panel, Sacramento, dated January 20, 1998, referred by the Speaker to the Committee on Labor and Employment.

**California Law Revision Commission Report
Public Utility Deregulation
(Pursuant to Government Code Sections 8291 and 9795)**

Above transmitted report, together with letter of transmittal from Nathaniel Sterling, Executive Secretary, California Law Revision Commission, Palo Alto, dated January 20, 1998, referred by the Speaker to the Committee on Judiciary.

**Department of California Highway Patrol
Report to the Governor and the Legislature
in Compliance with AB 1933
(Pursuant to Public Contract Code Section 10115.5)**

Above transmitted report, together with letter of transmittal from D.O. Helmick, Commissioner, Department of California Highway Patrol, Sacramento, dated January 20, 1998, referred by the Speaker to the Committee on Utilities and Commerce.

**Internal Affairs Investigations
Status Report to the Legislature, December 1997
(Pursuant to 1997-98 Budget Act, Item 5240-001-0001)**

Above transmitted report, together with letter of transmittal from C.A. Terhune, Director, Department of Corrections, Sacramento, dated January 20, 1998, referred by the Speaker to the Committee on Budget.

**1998 Report on the Loss Control Consultation Certification and
Targeted Inspection and Consultation Programs
(Pursuant to Labor Code Sections 62.9(i)(1) and (2))**

Above transmitted report, together with letter of transmittal from John C. Duncan, Acting Director, Office of the Director, Department of Industrial Relations, San Francisco, dated January 22, 1998, referred by the Speaker to the Committee on Insurance.

**Commission on Peace Officer Standards and Training
Basic Certificates Issued by the Commission to Peace Officers
(Pursuant to Government Code Section 15378)**

Above transmitted report, together with letter of transmittal from Kenneth J. O'Brien, Executive Director, Commission on Peace Officer Standards and Training, Sacramento, dated January 14, 1998, referred by the Speaker to the Committee on Public Safety.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 26, 1998

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

Assembly Bill No. 66	Assembly Bill No. 809
Assembly Bill No. 194	Assembly Bill No. 867
Assembly Bill No. 218	Assembly Bill No. 945
Assembly Bill No. 228	Assembly Bill No. 1062
Assembly Bill No. 511	Assembly Bill No. 1384
Assembly Bill No. 668	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, January 26, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 126
Assembly Bill No. 506
Assembly Bill No. 771

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, January 26, 1998

Mr. Speaker: Pursuant to your instruction, the Chief Clerk has examined:
Assembly Bill No. 1120
Assembly Bill No. 1615

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, January 26, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1030

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, January 26, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 83

And reports the same correctly enrolled, and presented to the Secretary of State on the 26th day of January, 1998, at 11:15 a.m.

E. DOTSON WILSON, Chief Clerk

REPORTS OF STANDING COMMITTEES
Committee on Rules

January 26, 1998

Mr. Speaker: Your Committee on Rules recommends that the requests to suspend Joint Rule 61(b)(2), as it relates to the following bills be granted:
Assembly Bills Nos. 118, 506, and 1412.

DON PERATA, Chairman

Committee on Appropriations

Date of Hearing: January 21, 1998

Mr. Speaker: Your Committee on Appropriations reports:
Assembly Bill No. 50 Assembly Bill No. 583
Assembly Bill No. 254 Assembly Bill No. 1381
Assembly Bill No. 384

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

SECOND READING OF BILLS BY UNANIMOUS CONSENT

Pursuant to unanimous consent granted on Thursday, January 22, 1998 the following bills were taken up, without reference to file, for purpose of second reading and adoption of committee amendments:

ASSEMBLY BILL NO. 50—An act to amend Section 530.5 of the Penal Code, relating to crimes.

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.

ASSEMBLY BILL NO. 254—An act to add Division 26 (commencing with Section 79000) to the Water Code, relating to financing a flood protection program, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 384—An act to amend Section 3301 of 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.

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

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.

ASSEMBLY BILL NO. 1381—An act to add Chapter 3 (commencing with Section 100600) to Part 66 of the Education Code, relating to child care facilities funding, by providing the funds necessary therefor through an election for, and the issuance and sale of bonds, of the State of California and by providing for the handling and disposition of those funds.

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.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolutions were referred to Committee:

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
88 -----	Rls.

House

<i>Resolution No.</i>	<i>Committee</i>
50 -----	Rls.

REQUEST FOR PHOTOGRAPHER

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

At 2:12 p.m., Speaker Cruz M. Bustamante, 31st District, presiding

NOMINATIONS FOR SPEAKER OF THE ASSEMBLY

Speaker Bustamante announced that, without objection, nominations are now open for the Office of Speaker, to be sworn in on February 26, 1998, or upon a vacancy, whichever occurs first.

Nominations from the Floor

Assembly Member Hertzberg nominated Assembly Member Antonio R. Villaraigosa for the Office of Speaker of the Assembly.

Nomination Seconded

Assembly Members Mazzoni and Wright seconded the nomination of Antonio R. Villaraigosa for the Office of Speaker of the Assembly.

Request for Unanimous Consent

Assembly Member Bowler requested unanimous consent to ask a question of Assembly Member Villaraigosa.

Request Ruled Out of Order

Speaker Bustamante replied that Assembly Member Bowler would be in order to state a parliamentary inquiry of the Chair or place a name in nomination, but ruled the request to ask a question of the nominee, out of order.

Nomination Seconded

Assembly Member Martinez seconded the nomination of Assembly Member Antonio R. Villaraigosa for the Office of Speaker of the Assembly.

At 2:26 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

Nomination Seconded

Speaker Bustamante seconded the nomination of Assembly Member Antonio R. Villaraigosa for the Office of Speaker of the Assembly.

At 2:33 p.m., Speaker Cruz M. Bustamante, 31st District, presiding

Further Nominations for Speaker

Assembly Member Thompson nominated Assembly Member Bill Leonard for the Office of Speaker of the Assembly.

Nomination Seconded

Assembly Member Bowler seconded the nomination of Assembly Member Bill Leonard for the Office of the Speaker of the Assembly.

Point of Order

Assembly Member Bowen arose to the following point of order:

Assembly Member Bowler is not confining remarks to the second of the nomination of Assembly Member Bill Leonard for the Office of Speaker of the Assembly.

Ruling By Speaker Bustamante

The Speaker ruled the point of order well-taken.

Point of Personal Privilege

Assembly Member Floyd arose to a point of personal privilege.

Ruling by Speaker Bustamante

The Speaker ruled the point of personal privilege not well-taken.

NOMINATIONS CLOSED

There being no further nominations, the Speaker declared nominations for the Office of Speaker of the Assembly closed.

Speaker Bustamante announced that pursuant to long-standing usage and custom of the House, the roll for election of Speaker would be called orally, and that each Member should respond by stating the name of the candidate of their choice.

ELECTION OF SPEAKER OF THE ASSEMBLY

The roll was called, with the following result:

For Assembly Member Villaraigosa:

AYES: Assembly Members Alquist, Aroner, Baca, Bowen, Brown, Cardenas, Cardoza, Cedilla, Davis, Ducheny, Escutia, Figueroa, Floyd, Gallegos, Havice, Hertzberg, Honda, Keeley, Knox, Kuehl, Lempert, Machado, Martinez, Mazzoni, Migden, Murray, Napolitano, Ortiz, Papan, Perata, Scott, Shelley, Strom-Martin, Sweeney, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wildman, Wright, and Bustamante—43.

For Assembly Member Bill Leonard:

AYES: Assembly Members Ackerman, Aguiar, Alby, Baldwin, Battin, Baugh, Bordonaro, Bowler, Brewer, Campbell, Cunneen, Firestone, Frusetta, Goldsmith, Granlund, House, Kaloogian, Kuykendall, Leach, Leonard, McClintock, Miller, Morrissey, Morrow, Olberg, Oller, Pacheco, Poochigian, Prenter, Pringle, Richter, Runner, Takasugi, Thompson, and Woods—35.

Whereupon Speaker Bustamante announced the vote and declared Assembly Member Antonio R. Villaraigosa the choice of the Assembly for the Office of Speaker of the Assembly.

(NOTE: Pursuant to the announcement at opening of nominations, Speaker-elect Villaraigosa will take and subscribe to the oath of office on February 26, 1998, or upon a vacancy, whichever occurs first.)

ADDRESS BY SPEAKER-ELECT ANTONIO R. VILLARAIGOSA

Speaker-Elect Antonio R. Villaraigosa introduced his wife Corina, daughter Natalia, and son Antonio, whereupon he then addressed the assemblage.

REMARKS ON CONDITION OF THE FILE

Assembly Member Leonard was granted unanimous consent to speak on the condition of the file, relative to the election of Assembly Member Villaraigosa to the Office of Speaker of the Assembly.

At 2:56 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

RESOLUTIONS

The following resolution was offered:

Resolution to Suspend Joint Rules

By Assembly Member Migden:

Resolved, That Joint Rule 61(b)(2) be suspended to permit the Committee on Appropriations to meet, consider, and report Assembly Bills Nos. 118, 506, and 1412 for further action.

Resolution read, and adopted by the following vote:

AYES—78

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

NOES—None

SPECIAL RECOGNITION

The Members of the Assembly joined in extending best wishes to Assembly Members Prenter and Goldsmith on the occasion of their birthdays.

ADJOURN IN MEMORY

Assembly Member Brewer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of James Emerson, of Costa Mesa; and Dr. Robert Sheridan, of Newport Beach.

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 Lisa Liu of Cerritos; and Donna Hinch, of Cerritos.

Assembly Member McClintock was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Edwards, of Thousand Oaks.

Assembly Member Sweeney was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Emily Morgenroth, of Pleasanton; and Vanessa Samson, of Pleasanton.

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 Stanley Giles, of Vacaville; Ignatius Monteleone, of Fairfield; and Grace Powell, of Vacaville.

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Thomson was granted unanimous consent that the Governor's vetoes of Assembly Bills Nos. 999, 931, and 736 be stricken from file.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 532, on request of Assembly Member Knox.

ADJOURN IN MEMORY

Assembly Member Cardoza was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Haden, of Merced.

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Cardoza was granted unanimous consent that the Governor's vetoes of Assembly Bills Nos. 1508, 1507, and 472 be stricken from file.

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Ducheny announced her intention to request that Assembly Bill No. 435 be removed from the inactive file.

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Floyd was granted unanimous consent that the Governor's veto of Assembly Bill No. 1568 be stricken from file.

SPECIAL RECOGNITION

Assembly Member Ducheny was joined by the Members of the Assembly in recognizing Terrell Davis, MVP of Super Bowl XXXII, who was a graduate of Lincoln High School in her district.

ADJOURN IN MEMORY

Assembly Members Prenter and Ashburn were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rod Grimm, of Bakersfield.

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 Maj. Gen. Ralph Corbett Smith, of Palo Alto, and that the following be printed in the Journal:

Oldest U.S. Army Officer Dies at 104

Maj. Gen Ralph Corbett Smith, the oldest surviving general officer of the U.S. Army who served in both world wars and did much to establish CARE for war-torn Europe in the mid-1940s, has died. He was 104.

Smith died Wednesday in his Palo Alto, Calif., home where he had lived since his retirement in 1947, said Roger Mansell of the American Legion's Fremont Post 52.

The centenarian's military career began when he joined the Colorado National Guard in 1916.

Orville Wright taught him to fly, and Smith's pilot's license was No. 13 in the country.

During World War II, Smith led his 27th Infantry Division landing on Makin Atoll in late 1943 as part of the American assault against Japanese forces in the Gilbert Islands.

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Wildman was granted unanimous consent that the Governor's vetoes of Assembly Bills Nos. 452, 428, 498, and 504 be stricken from file.

ADJOURN IN MEMORY

Assembly Member Washington was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rev. Clarence Walker of the True Life Missionary Baptist Church of Los Angeles.

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Davis was granted unanimous consent that the Governor's veto of Assembly Bill No. 1354 be stricken from file.

Assembly Member Napolitano was granted unanimous consent that the Governor's veto of Assembly Bill No. 652 be stricken from file.

Assembly Member Ducheny was granted unanimous consent that the Governor's vetoes of Assembly Bills Nos. 107, 1587, and 1571 be stricken from file.

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

Pursuant to Assembly Rule 78, Assembly Member Migden announced her intention to request that Assembly Bill No. 550 be removed from the inactive file.

JOINT RULE 62(a) WAIVED

Assembly Member Migden was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting the following bills for hearing in the Committee on Appropriations on Monday, January 26, 1998 and Tuesday, January 27, 1998:

Assembly Bills Nos. 26, 118, 457, 506, 987, 1063, 1069, 1236, 1384, and 1412.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Migden announced that the Committee on Appropriations would meet today, one-half hour after adjournment of Floor session.

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Sweeney was granted unanimous consent that the Governor's veto of Assembly Bill No. 1407 be stricken from file.

Assembly Member Strom-Martin was granted unanimous consent that the Governor's vetoes of Assembly Bills Nos. 917, 705, 1464, and 629 be stricken from file.

RESOLUTIONS

The following resolution was offered:

Resolution to Suspend Joint Rules

By Assembly Member Hertzberg:

Resolved, That Joint Rule 61(b)(2) be suspended to permit the Committee on Public Safety to meet, consider, and report Assembly Bill No. 247 for further action.

Resolution read, and adopted by the following vote:

AYES—78

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

NOES—None

SPECIAL COMMITTEE MEETINGS

Assembly Member Hertzberg was granted unanimous consent that the Committee on Public Safety be permitted to hold a special meeting on Tuesday, January 27, 1998, off the Floor, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 247 for hearing.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1532, on request of Assembly Member Shelley;

Assembly Bills Nos. 714 and 499, on request of Assembly Member Kuehl;

Assembly Bill No. 332, on request of Assembly Member Figueroa;

Senate Bill No. 317, on request of Assembly Member Gallegos;

Assembly Bill No. 835, on request of Assembly Member Wright;

Assembly Bill No. 481, on request of Assembly Member Kuehl.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

ASSEMBLY BILL NO. 1577 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given, Assembly Member Ducheny was granted unanimous consent that the vote be reconsidered whereby Senate amendments to Assembly Bill No. 1577 were refused concurrence; and that the bill be placed upon the inactive file.

CONSIDERATION OF DAILY FILE

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

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

Assembly Bills Nos. 126, 506, and 771, ordered to third reading;

(NOTE: Later this day Assembly Bill No. 506 was re-referred to the Committee on Appropriations.)

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 565—An act to amend Section 1016 of the Penal Code, relating to criminal procedure.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 390—An act relating to taxation.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 609—An act to amend Sections 13575, 13576, 13579, 13580, and 13581 of the Water Code, relating to water.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1449—An act to add Section 4980.08 to the Business and Professions Code, relating to healing arts.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 812—An act to amend Sections 26840.7 and 26840.8 of the Government Code, and to amend Section 18305 of the Welfare and Institutions Code, relating to human services, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 40—An act to add Part 68 (commencing with Section 100400) to the Education Code, relating to education facilities funding, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 68—An act to add Section 6010.40 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 88—An act to add Sections 24205.5, 44928.5, and 87489 to the Education Code, relating to the State Teachers' Retirement System.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 110—An act to add Chapter 2 (commencing with Section 100400) to Part 66 of the Education Code, relating to education facilities funding, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 164—An act to amend Sections 404 and 404.6 of, and to add Section 4019.1 to, the Penal Code, relating to crimes.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 192—An act to add Section 102101 to the Health and Safety Code, relating to vital records.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 261—An act to add Chapter 2 (commencing with Section 100200) to Part 66 of the Education Code, relating to the financing of educational technology infrastructure, through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 285—An act to add Sections 32232.5, 44276.8, and 56524.1 to the Education Code, relating to education.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 417—An act to amend Sections 17052.15, 17052.18, 17053.10, 17053.17, 17053.45, 17053.46, 17053.49, 23456, 23612.6, 23617.5, 23623.5, 23625, 23645, 23646, and 23649 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 569—An act to amend Section 25658.1 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 697—An act to add Section 15314.5 to the Government Code, relating to state government.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 744—An act to amend Section 1308.7 of the Labor Code, relating to employees.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 871—An act to amend Section 53321.5 of the Government Code, and to amend Sections 25220, 25301, 25355, 33459.1, 33459.3, and 33459.4 of, and to repeal Sections 33459.2 and 33459.7 of, the Health and Safety Code, relating to hazardous substances.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 921—An act to add Section 13554.4 to the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 933—An act to add Section 1596.872 to the Health and Safety Code, relating to child day care facilities.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 983—An act to amend Section 25181 of the Health and Safety Code, relating to hazardous waste.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1000—An act to add Chapter 1.692 (commencing with Section 5096.300) to Division 5 of the Public Resources Code, relating to financing a program for the planning, acquisition, development, restoration, enhancement, and protection of real property and related facilities, and for the implementation of programs, for the restoration, enhancement, and protection of coastal and riparian resources, and for the prevention of pollution to coastal waters and rivers, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1180—An act to add Chapter 8 (commencing with Section 117135) to Part 12 of Division 104 of, the Health and Safety Code, relating to financing a safe drinking water program by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1322—An act to add Section 11404.3 to the Welfare and Institutions Code, relating to human services.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1336—An act to amend Sections 84211 and 84215 of, and to add Section 84101.5 to, the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1389—An act to amend Section 1808.4 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1424—An act to add Article 9 (commencing with Section 885) to Chapter 4 of Part 1 of Division 1 of the Public Utilities Code, relating to telecommunications.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1450—An act to amend Section 422.6 of the Penal Code, relating to civil rights.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1528—An act to add Chapter 11.7 (commencing with Section 66970) to Part 40 of the Education Code, relating to financing a program for postsecondary education.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 162—An act to add Chapter 9 (commencing with Section 11840) to Part 1 of Division 3 of Title 2 of the Government Code, and to add Section 1342.8 to the Health and Safety Code, relating to health care.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 346—An act to amend Sections 35401.3 and 35401.5 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 632—An act to amend Section 1231 of the Unemployment Insurance Code, relating to employment.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 681—An act to add Sections 25297.15, 25299.37.2, and 25355.8 to the Health and Safety Code, and to add Section 13307.1 to the Water Code, relating to the environment.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1068—An act to amend Sections 1265.5 and 1276.5 of the Health and Safety Code, relating to health facilities.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1091—An act to amend Sections 300, 300.1, 300.5, 301, 302, 304, 309, 319, 325, 328, 329, 331, 331.5, 332, 341, 358, 358.1, 360, 361.2, 362, 362.8, 364, 365, 366.1, 366.21, 366.22, 366.26, 366.3, 367, 368, 369, 370, 380, 386, and 387 of, and to repeal Sections 332.5, 351.5, 353.5, 360.5, 362.5, 366.2, and 366.25 of, the Welfare and Institutions Code, relating to dependent children.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1307—An act to amend Sections 1173, 1177, and 1184 of, and to repeal and add Section 1183 of, the Labor Code, relating to employment.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1329—An act to amend Section 22850.5 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1454—An act to amend Section 11752.8 of the Insurance Code, relating to workers' compensation.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1497—An act to amend Section 11005.3 of the Government Code, relating to state government.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 425—An act to amend Sections 8093, 16322, 17022.7, 17281, 81033, 81160, 81162, 81177, 81332, 81348, 81401, 81523, 81528, 81529, and 81530 of, to add Article 3 (commencing with Section 81050) to, and to repeal Article 7 (commencing with Section 81130) of Chapter 1 of Part 49 of, the Education Code, and to amend Sections 13143 and 19168 of the Health and Safety Code, relating to community colleges.

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.

ASSEMBLY BILL NO. 894—An act to amend Sections 15311, 15315, 15363.6, 15364.3, 15364.4, 15364.8, 15364.9, 15364.71, 15364.74, and 15365 of, to amend the heading of Chapter 1 (commencing with Section 15310) of Part 6.7 of Division 3 of Title 2 of, to add Section 15363.5 to, and to repeal Section 15364.2 of, the Government Code, relating to state government.

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.

ASSEMBLY BILL NO. 895—An act to amend Section 15333.5 of, and to add Chapter 1.14 (commencing with Section 15365.75) to Part 6.7 of Division 3 of Title 2 of, the Government Code, relating to international trade, and 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.

ASSEMBLY BILL NO. 901—An act to add Section 15364.10 to the Government Code, relating to international trade.

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.

ASSEMBLY BILL NO. 1212—An act to add Chapter 2.5 (commencing with Section 990) to Part 1 of Division 2 of the Welfare and Institutions Code, relating to financing the construction of county juvenile facilities, youth centers, and Department of the Youth Authority facilities, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

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

ASSEMBLY BILL NO. 231—An act to amend Sections 350 and 12022.6 of the Penal Code, relating to crimes.

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.

ASSEMBLY BILL NO. 521—An act to add Section 70901.1 to the Education Code, relating to postsecondary education.

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.

ASSEMBLY BILL NO. 743—An act to add and repeal Section 1203.1abc of the Penal Code, relating to criminal offenders.

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.

ASSEMBLY BILL NO. 1373—An act to amend Section 12693.32 of the Insurance Code, relating to children.

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.

ASSEMBLY BILL NO. 224—An act to add Section 1342.2 to the Health and Safety Code, relating to health care service plans.

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

ASSEMBLY BILL NO. 26—An act to amend Sections 182.22 and 629.52 of, and to add Section 182.5 to, the Penal Code, relating to juveniles.

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

ASSEMBLY BILL NO. 457—An act to amend Sections 629, 654.3, 660, 663, and 777 of, and to add Article 20.5 (commencing with Section 790) to Chapter 1 of Part 1 of Division 2 of, the Welfare and Institutions Code, relating to juveniles.

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

ASSEMBLY BILL NO. 987—An act to amend Sections 602 and 707 of the Welfare and Institutions Code, relating to minors.

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

ASSEMBLY BILL NO. 190—An act to amend Section 803 of the Penal Code, relating to fraud.

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

SECOND READING OF SENATE BILLS

SENATE BILL NO. 1311—An act to add Section 827.3 to the Welfare and Institutions Code, relating to juveniles.

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.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

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

Assembly Bill No. 506.

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

ASSEMBLY BILL NO. 822 (Aroner)—An act to amend Sections 11331.5, 11332.7, and 11333.7 of, and to add Section 11251.4 to, the Welfare and Institutions Code, relating to human services.

Bill read third time.

Motion to Amend

Assembly Member Aroner moved the adoption of amendments.

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

ASSEMBLY BILL NO. 1531 (Shelley)—An act to amend Section 6380 of the Family Code, relating to domestic violence.

Bill read third time, and passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1615 (Papan)—An act relating to land use.

Bill read third time.

Assembly Bill No. 1615 Passed Temporarily

By unanimous consent Assembly Bill No. 1615 was passed temporarily on file.

ASSEMBLY BILL NO. 338 (Sweeney)—An act to add Chapter 4.8 (commencing with Section 19750) to Division 8 of the Business and Professions Code, relating to professional sports franchises.

Bill read third time.

Motion to Amend

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

Parliamentary Inquiry

Assembly Member Perata arose to the following parliamentary inquiry:

Will Assembly Bill No. 338 be re-referred to committee if amendments to the bill are adopted?

Reply by Speaker pro Tempore Kuehl

The Speaker pro Tempore replied that it is the intention of the Chair to re-refer the bill to committee under Assembly Rule 77.2 if the proposed amendments are adopted.

Parliamentary Inquiry

Assembly Member Leonard arose to the following parliamentary inquiry:

Is it possible to re-refer Assembly Bill No. 338, with the proposed amendments, to committee?

Reply by Speaker pro Tempore Kuehl

The Speaker pro Tempore replied in the affirmative, stating that a waiver of Joint Rule 61 would be required prior to hearing.

Parliamentary Inquiry

Assembly Member Murray arose to the following parliamentary inquiry:

Is it not possible to vote procedurally to grant the necessary rule waivers to permit the bill, with amendments, to be heard in committee?

Reply by Speaker pro Tempore Kuehl

The Speaker pro Tempore replied that a procedural vote on a Resolution to suspend rules would be contingent upon a meeting of the Rules Committee to grant permission of the request.

Parliamentary Inquiry

Assembly Member Papan arose to the following parliamentary inquiry:

Has the deadline not passed to hear bills in policy committee?

Reply by Speaker pro Tempore Kuehl

The Speaker pro Tempore replied that the request before the Body is to suspend the rules to permit Assembly Bill No. 338 to be heard, after the deadline.

RESOLUTIONS

The following resolution was taken up, without reference to committee:

Resolution to Suspend Joint Rules

By Assembly Member Sweeney:

Resolved, That Joint Rule 61(b)(2) be suspended to permit the Committee on Local Government to meet, consider, and report Assembly Bill No. 338 for further action.

Resolution read, and adopted by the following vote:

AYES—69

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

NOES—None**RE-REFERENCE OF BILLS FROM FILE TO COMMITTEE**

Assembly Member Sweeney was granted unanimous consent that Assembly Bill No. 338, with amendments, be referred from the third reading file to the Committee on Local Government.

SPECIAL COMMITTEE MEETINGS

Assembly Member Sweeney was granted unanimous consent that the Committee on Local Government be permitted to hold a special meeting on Tuesday, January 27, 1998, at 11:30 a.m., in Room 437, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 338 for hearing.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1615

ASSEMBLY BILL NO. 1615 (Papan)—An act relating to land use.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 3:30 p.m.

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

**CONSIDERATION OF ASSEMBLY BILL NO. 1265
BY UNANIMOUS CONSENT**

Assembly Member Torlakson was granted unanimous consent to take up Assembly Bill No. 1265, out of order.

ASSEMBLY BILL NO. 1265 (Torlakson)—An act to amend Section 33031 of the Health and Safety Code, relating to redevelopment.

Bill read third time, and passed by the following vote:

AYES—41

Alquist	Figueroa	Mazzoni	Torlakson
Aroner	Frusetta	Migden	Villaraigosa
Baca	Gallegos	Murray	Vincent
Battin	Havice	Napolitano	Washington
Brown	Hertzberg	Ortiz	Wayne
Cardenas	Honda	Papan	Wildman
Cardoza	Keeley	Perata	Wright
Cedillo	Knox	Scott	Mr. Speaker
Davis	Kuehl	Shelley	
Ducheny	Lempert	Strom-Martin	
Escutia	Machado	Thomson	

NOES—32

Ackerman	Campbell	Leach	Pacheco
Aguiar	Cunneen	Leonard	Poochigian
Alby	Firestone	Martinez	Pringle
Baldwin	Floyd	McClintock	Richter
Baugh	Granlund	Miller	Runner
Bordonaro	House	Morrow	Takasugi
Bowler	Kaloogian	Olberg	Thompson
Brewer	Kuykendall	Oller	Woods

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 1615**

At 3:47 p.m., on motion of Assembly Member Papan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1615 passed by the following vote:

AYES—42

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

NOES—31

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

Bill ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 1218 (Alquist)—An act relating to taxation.

Bill read third time, and passed by the following vote:

AYES—56

Ackerman	Davis	Machado	Scott
Alquist	Escutia	Mazzoni	Shelley
Aroner	Figueroa	McClintock	Strom-Martin
Baca	Firestone	Migden	Sweeney
Baldwin	Gallegos	Miller	Takasugi
Battin	Granlund	Morrissey	Thomson
Bowen	Havice	Napolitano	Torlakson
Bowler	House	Olberg	Villaraigosa
Brewer	Kaloogian	Oller	Vincent
Brown	Keeley	Ortiz	Washington
Campbell	Knox	Perata	Wayne
Cardoza	Kuehl	Poochigian	Wildman
Cedillo	Leach	Pringle	Wright
Cunneen	Lempert	Runner	Mr. Speaker

NOES—3

Baugh	Floyd	Martinez
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Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 726 (Baugh)—An act to amend Sections 318.5 and 318.6 of the Penal Code, relating to adult entertainment.

Bill read third time.

Motion to Amend

Assembly Member Baugh moved the adoption of amendments.

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

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 1094 (Committee on Judiciary)—An act to amend Section 6301.1 of the Business and Professions Code, to amend Section 3144 of the Civil Code, to amend Sections 437c, 438, 704.090, 760.010, 904.2, 2024, and 2031 of, and to repeal Section 87 of, the Code of Civil Procedure, to amend Sections 4251 and 4508 of the Family Code, to amend Sections 21290, 53069.4, 68511.3, 69845.5, 75050, 76219, and 77200 of the Government Code, to repeal Section 101 of the Labor Code, and to amend Sections 40230 and 40256 of the Vehicle Code, and to amend Section 602 of the Welfare and Institutions Code, relating to civil law.

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

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

ASSEMBLY BILL NO. 1199 (Alby)—An act to amend Section 170.6 of the Code of Civil Procedure, relating to court proceedings.

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

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

Consent Calendar Roll Call

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

AYES—77

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

NOES—None**SESSION SCHEDULE AND OTHER ANNOUNCEMENTS**

Speaker pro Tempore Kuehl announced the following session schedule:

Tuesday, January 27, 1998, Floor Session, 1 p.m.;

Wednesday, January 28, 1998, Floor Session, 9 a.m.;

Thursday, January 29, 1998, Floor Session, 9 a.m.

Speaker pro Tempore Kuehl also announced that tomorrow is the last day to notice removal of Assembly bills from the inactive file for purpose of amendment.

CAUCUS ANNOUNCEMENTS

Speaker pro Tempore Kuehl announced that the Democratic Caucus and Republican Caucus would convene as regularly scheduled on Tuesday, January 27, 1998, at 12 noon.

VOTE ADDS

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

Assembly Bill No. 1531: Pacheco and Richter—Aye.

Resolution to Suspend Joint Rules: Pacheco and Richter—Aye.

Assembly Bill No. 1615: House—Aye; Aguiar, Granlund, and Olberg—No.

Assembly Bill No. 1218: Aroner, Kaloogian, Machado, and Olberg—Aye.

Consent Calendar: Migden—Aye.

MOTION TO ADJOURN

At 3:59 p.m., Assembly Member House moved that the Assembly do now adjourn.

Assembly Member Hertzberg seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4 p.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

REQUEST TO SUSPEND THE LIMIT ON THE INTRODUCTION OF BILLS

To the Committee on Rules:

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

RN 9800140.

DEBORAH ORTIZ

Permission of Rules Committee

Assembly Chamber, January 26, 1998

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 9800140.

DON PERATA, Chairman

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1693—Sweeney. An act to amend Section 12022.1 of the Penal Code, relating to punishment.

ASSEMBLY BILL NO. 1694—Ackerman. An act to amend Sections 18633 and 18633.5 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1695—Knox. An act to add Section 653.23 to the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 1696—Alquist. An act to add Section 52520 to the Health and Safety Code, relating to housing, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1697—Torlakson. An act relating to housing finance.

ASSEMBLY BILL NO. 1698—Lempert. An act to amend Section 190.2 of the Penal Code, relating to murder, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1699 (RN 9800140)—Ortiz. An act to amend Section 41865 of, and to add Section 41867 to, the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 1700—Richter. An act to amend Sections 8630, 8631, 8650, 8651, 11003, 44390, 66021.4, 66202, 66721, 66732, 66743, 69560, 69561, 69640, 69670, 69674, and 87663 of, to repeal Section 71028 of, to repeal Article 4 (commencing with Section 44100) of Chapter 1 of Part 25 of, to repeal Article 4 (commencing with Section 87100) of Chapter 1 of Part 51 of, and to repeal Chapter 6.5 (commencing with Section 52060) of Part 28 of, the Education Code, to amend Sections 6522, 14132, 19130, and 19790 of, to repeal Article 5 (commencing with Section 8790.70) and Article 6 (commencing with Section 8790.80) of Chapter 9.7 of Division 1 of Title 2 of, and to repeal Chapter 6 (commencing with Section 16850) of Part 3 of Division 4 of Title 2 of, the Government Code, to amend the heading of Article 1 (commencing with Section 128330) of Chapter 5 of Part 3 of Division 107 of, and to amend Sections 128330, 128335, 128345, 128350, 128355, 128385, 128390, 128395, and 128435 of, the Health and Safety Code, to amend Sections 1777.5 and 3075.1 of the Labor Code, to amend Section 5075 of the Penal Code, to amend Sections 10108.7, 10115, 10115.1, 10115.2, 10115.4, 10115.5, 10115.10, 10115.12, 10115.13, and 10115.15 of, to amend the heading of Article 1.5 (commencing with Section 10115) of Chapter 1 of Part 2 of Division 2 of, and to repeal Chapter 2 (commencing with Section 2000) and Chapter 2.5 (commencing with Section 2050) of Part 1 of Division 2 of, the Public Contract Code, to amend Section 180.1 of the Streets and Highways Code, and to amend Section 1717 of the Welfare and Institutions Code, relating to civil rights.

ASSEMBLY BILL NO. 1701—Alquist. An act to add Section 50506.3 to the Health and Safety Code, relating to housing, and making an appropriation therefor.

ASSEMBLY BILL NO. 1702—Figueroa. An act to add and repeal Sections 17053 and 23605 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, January 26, 1998

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(2) as it relates to Assembly Bill No. 266.

CAROLE MIGDEN

Above request ordered transmitted to the Committee on Rules.

AUTHOR'S AMENDMENTS

Committee on Elections, Reapportionment and Constitutional Amendments

January 26, 1998

Mr. Speaker: The Chair of your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 304

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

VINCENT, Chairman

SENATE BILL NO. 304—An act to amend Sections 84102 of the Government Code, relating to the Political Reform Act of 1974.

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 Education

January 26, 1998

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

Senate Bill No. 180

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

MAZZONI, Chairwoman

SENATE BILL NO. 180—An act to add Chapter 12.5 (commencing with Section 17070) to Part 10 of the Education Code, relating to school facilities, and making an appropriation therefor.

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

AUTHOR'S AMENDMENTS
Committee on Rules

January 26, 1998

Mr. Speaker: The Chair of your Committee on Rules reports:
House Resolution No. 50

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

PERATA, Chairman

HOUSE RESOLUTION NO. 50—Relative to professional golf.

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

AUTHOR'S AMENDMENTS
Committee on Public Safety

January 26, 1998

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 247

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

HERTZBERG, Chairman

ASSEMBLY BILL NO. 247—An act to amend Section 53071 of the Government Code, relating to firearms.

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

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: January 26, 1998

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 88

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.

PERATA, Chairman

Above resolution ordered on file.

INTRODUCTION OF GUESTS

Assembly Member Aguiar, of the 61st Assembly District, introduced Sonia Marcelo and Anita Roberts of California State Polytechnic University, Pomona.

Assembly Member Machado, of the 17th Assembly District, introduced Christina Kozycki, of Tracy.

ADJOURNMENT

At 4:01 p.m., pursuant to the motion by Assembly Member House, the Assembly adjourned until 1 p.m., Tuesday, January 27, 1998 out of respect to the memory of James Emerson and Dr. Robert Sheridan, on motion of Assembly Member Brewer; out of respect to the memory of Lisa Liu and Donna Hinch, on motion of Assembly Member Havice; out of respect to the memory of Robert Edwards, on motion of Assembly Member McClintock; out of respect to the memory of Emily Morgenroth and Vanessa Samson, on motion of Assembly Member Sweeney; out of respect to the memory of Stanley Giles, Ignatius Monteleone, and Grace Powell, on motion of Assembly Member Thomson; out of respect to the memory of Robert Haden, on motion of Assembly Member Cardoza; out of respect to the memory of Rod Grimm, on motion of Assembly Members Prenter and Ashburn; out of respect to the memory of Major General Ralph Corbett Smith, on motion of Assembly Member Floyd; and out of respect to the memory of Reverend Clarence Walker, on motion of Assembly Member Washington.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JANUARY 26, 1998

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

AB	RN	AB	RN
26	9804824	895	9802900
50	9804857	901	9804753
190	9804802	987	9804815
224	9804791	1212	9801313
231	9803044	1373	9801275
247	9804881	1381	9804852
254	9804829		
384	9804837	HR	RN
425	9802282	50	9804961
457	9804808		
521	9801371	SB	RN
583	9804827	180	9804864
726	9804887	304	9800599
743	9803009	1311	9800562
822	9800437		
894	9802921		

Daily Total:	26
Cumulative Total:	3745

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