

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 29, 1998

ONE HUNDRED FIFTY-FOURTH SESSION DAY

FOUR HUNDRED TWENTY-FOURTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 29, 1998

The Assembly met at 9:35 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 Leach moved a quorum call of the Assembly.

Motion carried. Time, 9:36 a.m.

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

Quorum Present

At 10:18 a.m., Speaker pro Tempore Kuehl declared a quorum of the Assembly present.

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

Lord, You are the source of human redemption, the source of all our hopes. You have provided us with an example of a hope-filled future. You guide us along the right path and provide the good will for us to remain faithful to You and to our neighbor. Bless us this day, Lord, as we do the important work of this Assembly. Bless us and guide us in all that we do.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Knox 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 Thompson, seconded by Assembly Member Ackerman.

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:

Conference Committee Changes

January 28, 1998

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

Dear Dotson: Please be advised that I am removing Assemblymember Antonio Villaraigosa from the Special Committee on School Facilities Finance and appointing Assemblymember Jack Scott. I am also appointing Assemblymember Kerry Mazzoni as co-chair of the Committee.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

Conference Committee Changes

January 28, 1998

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

Dear Dotson: Please be advised that I am removing Assemblymember Antonio Villaraigosa from the Conference Committee on AB 234, AB 1580 and SB 1227 and appointing Assemblymember Jack Scott. I am also appointing Assemblymember Kerry Mazzoni as co-chair of the Committee.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

January 29, 1998

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

Dear Dotson: Please be advised that I am appointing Assemblymembers Nao Takasugi and Bill Campbell to the Assembly Legislative Ethics Committee.

Thank you for your attention to this matter.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

January 29, 1998

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

Dear Dotson: This is to advise you that I am establishing the Select Committee on Taxpayers' Rights and appointing Assemblymember Deborah Ortiz as the Chair.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

January 29, 1998

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

Dear Dotson: This is to advise you that I am expanding the size of the Select Committee on Coastal Protection by one member and appointing Assemblymember Michael Sweeney to fill that position.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

January 29, 1998

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

Dear Dotson: Attached is a copy of my letter appointing Assemblywoman Dion Aroner to the Welfare Reform Steering Committee pursuant to the provisions of Assembly Bill 1542.

It appears that through inadvertence this letter did not go across the Assembly Desk. Please accept this as verification that Ms. Aroner is hereby appointed to this committee.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

August 26, 1997

The Honorable Pete Wilson
Governor, State of California
State Capitol
Sacramento, California

Dear Governor Wilson: Pursuant to the provisions of AB 1542, the landmark legislation which reformed California's welfare system, please be advised that I have appointed Assemblywoman Dion Aroner to be our representative on the steering committee that will oversee the implementation of this legislation.

As you know, Ms. Aroner has gone above and beyond the call of duty in regards to this measure, and it is only fair and just that she be given a continuing role in its implementation.

Thanking you in advance for your courtesy and cooperation.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 29, 1998

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

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 40 | Assembly Bill No. 1180 |
| Assembly Bill No. 254 | Assembly Bill No. 1212 |
| Assembly Bill No. 261 | Assembly Bill No. 1381 |
| Assembly Bill No. 550 | Assembly Bill No. 1525 |
| Assembly Bill No. 981 | |

And reports the same corectly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, January 29, 1998

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

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 26 | Assembly Bill No. 668 |
| Assembly Bill No. 105 | Assembly Bill No. 785 |
| Assembly Bill No. 118 | Assembly Bill No. 796 |
| Assembly Bill No. 119 | Assembly Bill No. 828 |
| Assembly Bill No. 209 | Assembly Bill No. 903 |
| Assembly Bill No. 222 | Assembly Bill No. 910 |
| Assembly Bill No. 266 | Assembly Bill No. 1063 |
| Assembly Bill No. 305 | Assembly Bill No. 1102 |
| Assembly Bill No. 357 | Assembly Bill No. 1135 |
| Assembly Bill No. 457 | Assembly Bill No. 1229 |
| Assembly Bill No. 484 | Assembly Bill No. 1241 |
| Assembly Bill No. 496 | Assembly Bill No. 1276 |
| Assembly Bill No. 506 | Assembly Bill No. 1287 |
| Assembly Bill No. 511 | Assembly Bill No. 1290 |
| Assembly Bill No. 548 | Assembly Bill No. 1384 |
| Assembly Bill No. 599 | Assembly Bill No. 1386 |

And reports the same corectly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, January 29, 1998

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1412 | Assembly Bill No. 1494 |
| Assembly Bill No. 1440 | Assembly Bill No. 1608 |
| Assembly Bill No. 1477 | Assembly Bill No. 1613 |

And reports the same corectly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

Bill No.

Committee

- | | |
|-------------------|---------------------------|
| 1666 ----- | C.P.,G.E. & E.D. and Jud. |
| 1667 ----- | Health |
| 1668 ----- | Rev. & Tax. |
| 1670 ----- | Ins. |
| 1671 ----- | Nat. Res. |
| 1672 ----- | Rev. & Tax. |
| 1673 ----- | Ed. |
| 1675 ----- | Jud. |
| 1676 ----- | C.P.,G.E. & E.D. |
| 1677 ----- | H. & C.D. |
| 1678 ----- | Rev. & Tax. |

1679	-----	P.E.,R. & S.S.
1680	-----	Ins.
1681	-----	L. Gov.
1682	-----	Jud.
1683	-----	B. & F.
1684	-----	L. & E.
1685	-----	E.,R. & C.A.
1686	-----	Trans.
1687	-----	Ed.
1688	-----	Jud.
1689	-----	Nat. Res.
1690	-----	Trans. and Pub. S.
1691	-----	Rev. & Tax.

Assembly Constitutional

<i>Amendment No.</i>		<i>Committee</i>
29	-----	Budget and Rev. & Tax.

Assembly Concurrent

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

At 10:23 a.m., Hon. Fred Keeley, 27th District, presiding

At 10:30 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

POINT OF INFORMATION

Assembly Member Morrissey arose to the following point of information:

Pursuant to the Rules, if a Member is not on the attendance roll within 30 minutes after the scheduled start of session, the Member shall stand up before the Assembly and explain the reason he or she is late.

ADJOURN IN MEMORY

Assembly Member Aroner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of former Mayor of Oakland Lionel Wilson.

Moment of Silence Observed

Assembly Member Papan was granted unanimous consent that the Assembly observe a moment of silence in honor of former Mayor Lionel Wilson.

Assembly Members Brewer, Campbell, and Morrissey were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Maj. Joseph S. Boyd, U.S.M.C. (Ret.), of Lake Forest.

Assembly Member Napolitano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of William "Bill" Bauer, of Norwalk.

Assembly Members Poochigian and Ashburn were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Allan Grant, of Visalia, former President of the California Farm Bureau and the only Californian to serve as president of the American Farm Bureau.

Assembly Member Poochigian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of George “Barney” Finfrock, of Piedra, Fresno County.

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 Anthony “Tony” Jimenez, of Hayward/Manteca.

EXPLANATION OF ABSENCE EXPLAINED

Pursuant to Assembly Rule 110, Assembly Member Kaloogian arose to explain to the Body that he and Assembly Members Cunneen and Woods had attended the conference of the California Technology Commission earlier this day, which delayed their arrival on the Assembly Floor.

CAUCUS ANNOUNCEMENTS

At 10:39 a.m., Assembly Member Shelley was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

RECESS

By unanimous consent, at 10:40 a.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

REASSEMBLED

At 12:15 p.m., the Assembly reconvened.

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

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. 231 (Honda)—An act to amend Sections 350 and 12022.6 of the Penal Code, relating to crimes.

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. 521 (Lempert)—An act to add Section 70901.1 to the Education Code, relating to postsecondary education.

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. 743 (Washington)—An act to add and repeal Section 1203.1abc of the Penal Code, relating to criminal offenders.

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. 1373 (Granlund)—An act to amend Section 12693.32 of the Insurance Code, relating to children.

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. 16 (Kuykendall)—An act relating to tidelands and submerged lands granted by the state to the City of Long Beach.

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. 322 (Baca)—An act to amend Section 52335.4 of, and to repeal Sections 52318 and 52319 of, the Education Code, relating to vocational education.

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. 1314 (Leach)—An act to add Sections 9744.5 and 9749.3 to the Business and Professions Code, relating to cremated remains.

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 JOINT RESOLUTION NO. 44 (Knox)—Relative to Israel.

Resolution read, adopted, and ordered transmitted to the Senate.

Consent Calendar Roll Call

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

AYES—79

Ackerman	Davis	Lempert	Pringle
Aguiar	Ducheny	Leonard	Richter
Alby	Escutia	Machado	Runner
Alquist	Figuroa	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	

NOES—None

ADJOURN IN MEMORY

Assembly Member Napolitano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Homer Heacock, of Montebello.

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

ASSEMBLY BILL NO. 1120 (Knox)—An act to add Section 2071.5 to the Insurance Code, relating to insurance.

Bill read third time.

Demand for Previous Question

Assembly Members Shelley, Mazzoni, Morrissey, House, and Alquist demanded the previous question: Demand sustained.

The question being on the passage of the bill.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:40 p.m.

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

SPECIAL RECOGNITION

The Members of the Assembly joined in extending best wishes to Assembly Member Bernie Richter and his wife Rae who will celebrate their 45th wedding anniversary on Saturday January 31, 1998.

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

ASSEMBLY BILL NO. 822 (Aroner)—An act to amend Sections 11331.5 and 11333.7 of the Welfare and Institutions Code, relating to human services, and making an appropriation therefor.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:43 p.m.

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

RULES TEMPORARILY SUSPENDED

Assembly Member Brown was granted unanimous consent that Assembly Rule 77 be suspended to permit consideration of Senate Amendments to Assembly Bill No.142.

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

ASSEMBLY BILL NO. 142 (Brown)—An act to amend Section 42238.43 of the Education Code, relating to education and declaring the urgency thereof, to take effect immediately.

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

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

Urgency Clause

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

AYES—76

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

NOES—2

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

AYES—76

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

NOES—2

Baldwin McClintock

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY BILL NO. 771 (Margett)—An act to amend Sections 116.220, 116.340, and 116.570 of the Code of Civil Procedure, relating to small claims court.

Bill read third time, presented by Assembly Member Lempert, and passed by the following vote:

AYES—72

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

NOES—5

Alby McClintock Richter
Martinez Migden

Bill ordered transmitted to the Senate.

**At 12:52 p.m., Assistant Speaker pro Tempore Joe Baca,
62nd District, presiding**

ASSEMBLY BILL NO. 812 (Scott)—An act to add Section 18305.5 to the Welfare and Institutions Code, relating to human services.

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

AYES—47

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

NOES—31

Ackerman	Bowler	Leach	Prenter
Aguiar	Brewer	Leonard	Pringle
Alby	Campbell	McClintock	Richter
Ashburn	Cardoza	Miller	Runner
Baldwin	Floyd	Morrow	Takasugi
Battin	Goldsmith	Olberg	Thompson
Baugh	Granlund	Oller	Woods
Bordonaro	Kaloogian	Poochigian	

Bill ordered transmitted to the Senate.

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

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

AYES—76

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

NOES—1

Ackerman

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1000 (Keeley)—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.

Bill read third time.

Demand for Previous Question

Assembly Members Shelley, Honda, Strom-Martin, Brewer, and Morrissey demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—52

Alquist	Escutia	Kuykendall	Shelley
Aroner	Figueroa	Leach	Strom-Martin
Baca	Firestone	Lempert	Sweeney
Battin	Frusetta	Machado	Takasugi
Bordonaro	Gallejos	Martinez	Thomson
Bowen	Goldsmith	Mazzoni	Torlakson
Brown	Granlund	Migden	Villaraigosa
Cardenas	Havice	Murray	Vincent
Cardoza	Hertzberg	Napolitano	Washington
Cedillo	Honda	Ortiz	Wayne
Cunneen	Keeley	Papan	Wildman
Davis	Knox	Perata	Wright
Ducheny	Kuehl	Scott	Mr. Speaker

NOES—23

Ackerman	Campbell	Miller	Pringle
Alby	Floyd	Morrow	Richter
Ashburn	House	Olberg	Runner
Baldwin	Kaloogian	Oller	Thompson
Baugh	Leonard	Poochigian	Woods
Bowler	McClintock	Prenter	

Bill ordered transmitted to the Senate.

Objection to Vote Adds and Vote Changes

Assembly Member Shelley withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Bill No. 1000.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 714, on request of Assembly Member Kuehl.

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

ASSEMBLY BILL NO. 499 (Kuehl)—An act to amend Sections 200, 211, 212, 212.5, 213, 214, 220, 223, 224, 250, 251, 253, 262.3, and 72012 of, to amend the headings of Chapter 2 (commencing with Section 200) of, and Article 3 (commencing with Section 220) of, Chapter 2 of Part 1 of, to amend and renumber Sections 40, 41, 45, 210, 212.6, 222, 226, 227, 228, 232, 262, 262.1, 262.2, 263, 33032.5, 44806, 52905, 52906, 52907, 52908, 58508, and 72015 of, to amend and renumber the headings of Article 4 (commencing with Section 240) of, Article 5 (commencing with Section 250) of, and Article 6 (commencing with Section 260) of, Chapter 2 of Part 1 of, to add Sections 210, 262.4, and 264 to, and to add Article 10 (commencing with Section 270) to, Chapter 2 of Part 1 of, to add the headings of Article 4 (commencing with Section 221.5) of, Article 5 (commencing with Section 233) of, Article 6 (commencing with Section 235) of, and Article 11 (commencing with Section 280) of, Chapter 2 of Part 1 of, and to add Chapter 4.5 (commencing with Section 66250) to Part 40 of, and to repeal the headings of Article 4 (commencing with Section 40) of, and Article 4.5 (commencing with Section 45) of, Chapter 1 of Part 1 of, and Article 8 (commencing with Section 52905) of Chapter 12 of Part 28 of, the Education Code, relating to education.

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

AYES—41

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

NOES—37

Ackerman	Brewer	Leach	Prenter
Aguiar	Campbell	Leonard	Pringle
Alby	Cunneen	Machado	Richter
Ashburn	Firestone	McClintock	Runner
Baca	Frusetta	Miller	Takasugi
Baldwin	Goldsmith	Morrow	Thompson
Battin	Granlund	Olberg	Woods
Baugh	Havice	Oller	
Bordonaro	House	Pacheco	
Bowler	Kaloogian	Poochigian	

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 499: Assembly Member Baca, from "Aye" to "No".

Request to Re-open the Roll

Assistant Speaker pro Tempore Baca requested unanimous consent to re-open the roll on Assembly Bill No. 499, after the vote was announced.

**Unanimous Consent Withheld
and Objection to Vote Adds and Vote Changes**

Assembly Member Martinez withheld unanimous consent on the request to re-open the roll on Assembly Bill No. 499 and withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on Assembly Bill No. 499.

Assembly Bill No. 499 ordered transmitted to the Senate.

Objection Withdrawn

Assembly Member Shelley withdrew his objection to any requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Bill No. 1000.

At 1:50 p.m., Hon. Fred Keeley, 27th District, presiding

ASSEMBLY BILL NO. 332 (Figueroa)—An act to add Section 733 to the Business and Professions Code, to amend Section 1363.5 of, and to add Section 1368.07 to, the Health and Safety Code, and to add Sections 791.28 and 10123.91 to the Insurance Code, relating to health care.

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

AYES—52

Aguiar	Ducheny	Kuykendall	Scott
Alby	Escutia	Lempert	Shelley
Alquist	Figueroa	Martinez	Strom-Martin
Aroner	Floyd	Mazzoni	Sweeney
Baca	Frusetta	Migden	Thomson
Bordonaro	Gallegos	Morrissey	Torlakson
Bowen	Granlund	Murray	Villaraigosa
Brown	Havice	Napolitano	Vincent
Cardenas	Hertzberg	Ortiz	Washington
Cardoza	Honda	Pacheco	Wayne
Cedillo	Keeley	Papan	Wildman
Cunneen	Knox	Perata	Wright
Davis	Kuehl	Prenter	Mr. Speaker

NOES—24

Ackerman	Brewer	McClintock	Pringle
Ashburn	Campbell	Miller	Richter
Baldwin	House	Morrow	Runner
Battin	Kaloogian	Olberg	Takasugi
Baugh	Leonard	Oller	Thompson
Bowler	Machado	Poochigian	Woods

Bill ordered transmitted to the Senate.

OBJECTION WITHDRAWN

Assembly Member Martinez withdrew her objection to any requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Bill No. 499.

OBJECTION TO VOTE ADDS AND VOTE CHANGES

Assembly Member Pringle withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Bill No. 499.

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

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

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

AYES—78

Ackerman	Davis	Lempert	Richter
Aguiar	Ducheny	Leonard	Runner
Alby	Escutia	Machado	Scott
Alquist	Figuroa	Martinez	Shelley
Aroner	Firestone	Mazzoni	Strom-Martin
Ashburn	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	

NOES—1

McClintock

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 981 (Wildman)—An act to add Section 20910 to the Government Code, relating to public employees.

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

AYES—52

Alby	Davis	Knox	Scott
Alquist	Ducheny	Kuehl	Shelley
Aroner	Escutia	Lempert	Strom-Martin
Ashburn	Figueroa	Machado	Sweeney
Baca	Floyd	Martinez	Thomson
Bordonaro	Frusetta	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Villaraigosa
Bowler	Granlund	Morrissey	Vincent
Brown	Havice	Murray	Washington
Cardenas	Hertzberg	Napolitano	Wayne
Cardoza	Honda	Ortiz	Wildman
Cedillo	House	Papan	Wright
Cunneen	Keeley	Perata	Mr. Speaker

NOES—25

Ackerman	Firestone	Morrow	Richter
Aguiar	Kaloogian	Olberg	Runner
Baldwin	Kuykendall	Oller	Takasugi
Battin	Leach	Pacheco	Thompson
Baugh	Leonard	Poochigian	
Brewer	McClintock	Prenter	
Campbell	Miller	Pringle	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1236 (Floyd)—An act to amend Section 3303 of, and to add Sections 3303.1 and 3303.2 to, the Government Code, relating to public employees.

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

AYES—66

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

NOES—6

Ackerman	Kaloogian	Olberg
Baugh	Mazzoni	Pringle

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 1236: Assembly Member Kaloogian, from “Aye” to “No”.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Morrissey requested permission to eat lunch at his desk in the Assembly Chamber while the House is in Floor session.

Reply by Acting Speaker Keeley

Acting Speaker Keeley replied that lunch was available in the Assembly Lounge and that the House would continue in Floor session as Members were temporarily absent from the Floor.

Request for Recess

Assembly Member Martinez requested unanimous consent that the House recess for 30 minutes.

Reply by Acting Speaker Keeley

Acting Speaker Keeley replied that leadership agreed that Members would temporarily leave the Floor and, further that it was agreed that there would be no withholds on vote adds or vote changes during the period Members were excused for lunch.

Request for Democratic Caucus

Assembly Member Martinez requested unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

Motion to Recess

Assembly Member McClintock moved that the House recess for 30 minutes.

CAUCUS ANNOUNCEMENTS

At 2:17 p.m., Assembly Member Shelley announced that the Democratic Caucus would meet in the Assembly Lounge; and Assembly Member Leonard announced that the Republican Caucus would meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 2:18 p.m., Acting Speaker Keeley declared the Assembly recessed.

REASSEMBLED

At 3:05 p.m., the Assembly reconvened.

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

MESSAGES FROM THE SENATE

Senate Chamber, January 29, 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:

Senate Bill No. 1254

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

Senate Chamber, January 29, 1998

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

Senate Bill No. 2	Senate Bill No. 409
Senate Bill No. 12	Senate Bill No. 489
Senate Bill No. 17	Senate Bill No. 555
Senate Bill No. 34	Senate Bill No. 645
Senate Bill No. 63	Senate Bill No. 694
Senate Bill No. 149	Senate Bill No. 822
Senate Bill No. 157	Senate Bill No. 831
Senate Bill No. 164	Senate Bill No. 836
Senate Bill No. 165	Senate Bill No. 854
Senate Bill No. 224	Senate Bill No. 924
Senate Bill No. 234	Senate Bill No. 1143
Senate Bill No. 256	Senate Bill No. 1203
Senate Bill No. 274	Senate Bill No. 1247
Senate Bill No. 302	Senate Bill No. 1256
Senate Bill No. 312	Senate Bill No. 1340
Senate Bill No. 334	Senate Bill No. 1358
Senate Bill No. 395	

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

Senate Chamber, January 29, 1998

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

Senate Bill No. 27	Senate Bill No. 597
Senate Bill No. 28	Senate Bill No. 606
Senate Bill No. 29	Senate Bill No. 619
Senate Bill No. 103	Senate Bill No. 658
Senate Bill No. 120	Senate Bill No. 681
Senate Bill No. 139	Senate Bill No. 837
Senate Bill No. 155	Senate Bill No. 1011
Senate Bill No. 268	Senate Bill No. 1012
Senate Bill No. 351	Senate Bill No. 1019
Senate Bill No. 411	Senate Bill No. 1021
Senate Bill No. 460	Senate Bill No. 1103
Senate Bill No. 490	Senate Bill No. 1138
Senate Bill No. 539	Senate Bill No. 1158
Senate Bill No. 559	Senate Bill No. 1331

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

Senate Chamber, January 29, 1998

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

Senate Concurrent Resolution No. 61

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

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 2—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 acquisition, development, improvement, rehabilitation, restoration, enhancement, and protection of park, recreational, cultural, historical, fish and wildlife, lake, riparian, reservoirs, and coastal resources.

SENATE BILL NO. 12—An act relating to education facilities funding.

SENATE BILL NO. 17—An act to relating to insurance, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 34—An act to amend Section 14007.5 of, and to add Section 14007.7 to, the Welfare and Institution Code, relating to human services.

SENATE BILL NO. 63—An act to amend Sections 12071, 12072, 12077, 12082, and 12084 of the Penal Code, relating to firearms.

SENATE BILL NO. 149—An act to amend Section 7319 of the Business and Professions Code, relating to corrections.

SENATE BILL NO. 157—An act to add Section 1803 to the Fish and Game Code, relating to wildlife habitat, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 164—An act relating to unemployment compensation disability benefits.

SENATE BILL NO. 165—An act to amend Sections 1030, 1032, and 1256 of the Unemployment Insurance Code, relating to unemployment compensation.

SENATE BILL NO. 224—An act to amend Sections 41365 and 47612 of the Education Code, relating to charter schools.

SENATE BILL NO. 234—An act to amend Sections 20017 and 20178 of, and to repeal and add Section 21337 of, the Government Code, relating to the Public Employees' Retirement System, and making an appropriation therefor.

SENATE BILL NO. 256—An act relating to housing.

SENATE BILL NO. 274—An act to add Section 121461 to the Health and Safety Code, relating to public health, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 302—An act to amend Sections 50199.50, 50199.52, 50199.53, and 50199.55 of the Health and Safety Code, and to amend Sections 17053.14, 23608.2, and 23608.3 of the Revenue and Taxation Code, relating to farmworker housing.

SENATE BILL NO. 312—An act to add Division 26 (commencing with Section 79000) to the Water Code, relating to water.

SENATE BILL NO. 334—An act to amend Sections 550 and 1170.11 of the Penal Code, relating to insurance fraud.

SENATE BILL NO. 395—An act to add Section 42239.7 to the Education Code, relating to summer school.

SENATE BILL NO. 409—An act to add Chapter 4.5 (commencing with Section 18800) to Part 11 of the Education Code, relating to libraries.

SENATE BILL NO. 489—An act to add Section 2166.5 to the Elections Code, and to add Chapter 3.1 (commencing with Section 6205) to Division 7 of Title 1 of the Government Code, relating to domestic violence victims, and making an appropriation therefor.

SENATE BILL NO. 555—An act to amend Section 123975 of, and to add Article 6.5 (commencing with Section 124115) to Chapter 3 of Part 2 of Division 106 of, the Health and Safety Code, and to add Section 14132.26 to the Welfare and Institutions Code, relating to child health, making an appropriation therefor, and declaring the urgency thereof to take effect immediately.

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

SENATE BILL NO. 694—An act to add Part 7 (commencing with Section 122400) to Division 105 of the Health and Safety Code, relating to hepatitis.

SENATE BILL NO. 822—An act to add Chapter 3 (commencing with Section 2050) to Division 2.5 of the Welfare and Institutions Code, relating to youth.

SENATE BILL NO. 831—An act to amend Sections 8353, 8354, 8355, and 8358 of the Education Code, relating to human services.

SENATE BILL NO. 836—An act to amend Section 84207 of, and to add Article 1.5 (commencing with Section 84730) to Chapter 5 of Part 50 of, the Education Code, relating to postsecondary education, and making an appropriation therefor.

SENATE BILL NO. 854—An act to add Section 97.27 to the Revenue and Taxation Code, relating to local government finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 924—An act to amend Section 1872.83 of the Insurance Code, and to amend Section 3722 of the Labor Code, relating to workers' compensation, and making an appropriation therefor.

SENATE BILL NO. 1143—An act to amend Section 12005 of the Fish and Game Code, relating to wildlife, and making an appropriation therefor.

SENATE BILL NO. 1203—An act to add Sections 40429 and 40472 to the Health and Safety Code, relating to air pollution.

SENATE BILL NO. 1247—An act to amend Section 40451 of, and to add Sections 39047.2 and 40471 to, the Health and Safety Code, relating to air pollution.

SENATE BILL NO. 1256—An act to amend Section 14163 of the Welfare and Institutions Code, relating to human services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 1340—An act to amend Sections 752 and 753 of, and to add Section 68567 to, the Government Code, relating to courts.

SENATE BILL NO. 1358—An act to amend Sections 44003 and 44010.5 of the Health and Safety Code, relating to air pollution.

SENATE BILL NO. 27—An act to amend Section 19605.71 of the Business and Professions Code, relating to horseracing.

SENATE BILL NO. 28—An act to amend Sections 19535, 19607, and 19607.1 of the Business and Professions Code, relating to horseracing.

SENATE BILL NO. 29—An act to amend Section 19605.7 of the Business and Professions Code, relating to horseracing.

SENATE BILL NO. 103—An act to amend, repeal, and add Section 19613 of the Business and Professions Code, relating to horse racing.

SENATE BILL NO. 120—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced.

SENATE BILL NO. 139—An act to amend Sections 54954.5, 54956.8, and 54957.6 of the Government Code, relating to public meetings.

SENATE BILL NO. 155—An act to amend Section 8698.6 of the Business and Professions Code, relating to structural pest control.

SENATE BILL NO. 268—An act to add Section 42283.2 to the Education Code, relating to schools.

SENATE BILL NO. 351—An act to amend Section 51553 of the Education Code, and to amend Sections 1202.1 and 12022.85 of the Penal Code, relating to sexual crimes.

SENATE BILL NO. 411—An act to amend Sections 1562.3 and 1569.616 of the Health and Safety Code, relating to community care facilities.

SENATE BILL NO. 460—An act to amend, repeal, and add Sections 32121 and 32126 of the Health and Safety Code, relating to local health care districts, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 490—An act to amend Section 3011 of the Elections Code, relating to elections.

SENATE BILL NO. 539—An act to amend Section 19401 of the Business and Professions Code, relating to horseracing.

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

SENATE BILL NO. 597—An act to add Chapter 6 (commencing with Section 17300) to Part 2 of Division 7 of the Business and Professions Code, relating to electronic commerce.

SENATE BILL NO. 606—An act to amend Section 25648.4 of the Public Resources Code, to amend Sections 383.5, 384, and 445 of the Public Utilities Code, and to amend Section 1 of Chapter 905 of the Statutes of 1997, relating to public utilities.

SENATE BILL NO. 619—An act to amend Sections 4456 and 9553 of the Vehicle Code, relating to vehicles.

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

SENATE BILL NO. 681—An act to amend Section 14551 of the Public Resources Code, relating to beverage containers.

SENATE BILL NO. 837—An act to amend Section 65082 of the Government Code, to amend Section 99317 of the Public Utilities Code, and to amend Section 188.10 of, and to repeal Section 164.1 of, the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 1011—An act to add Section 1011 to the Water Code, relating to water.

SENATE BILL NO. 1012—An act to amend Section 25299.39.1 of the Health and Safety Code, relating to underground storage tanks.

SENATE BILL NO. 1019—An act to amend Section 44977 of, and to add Section 44978.1 to, the Education Code, relating to school employees.

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

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

SENATE BILL NO. 1138—An act to amend Section 989.5 of the Military and Veterans Code, relating to the veterans, and making an appropriation therefor.

SENATE BILL NO. 1158—An act to amend Section 987.88 of the Military and Veterans Code, relating to veterans, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 1331—An act to amend Sections 1247.63, 1247.64, 1247.66, and 1247.95 of the Business and Professions Code, relating to hemodialysis.

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 61—Relative to College Awareness Month.

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

ASSEMBLY BILL NO. 1352 (Martinez)—An act to add Section 123279.1 to the Health and Safety Code, relating to nutrition, and making an appropriation therefor.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 3:07 p.m.

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

ASSEMBLY BILL NO. 80 (Ducheny)—An act to amend Sections 17274 and 24436.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 3:10 p.m.

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

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Kuehl was granted unanimous consent to waive the one-day print rule [Assembly Rule 69(d)] to allow any Assembly bill that was amended yesterday, January 28, 1998, to be taken up today, for passage, on the third reading file; and that Assembly Bills Nos. 26, 118, 222, 266, 357, 496, 548, 796, 828, 903, 910, 1102, 1135, 1229, 1241, 1276, 1290, 1384, 1386, 1440, 1477, 599, 785, 484, 511, 668, 1063, 1287, 119, 209, 305, 457, 506, 1494, and 1613 on the second reading file be taken up today without reference to file and read a third time for passage.

**CONSIDERATION OF DAILY FILE (RESUMED)
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. 26, 118, 222, 266, 357, 496, 548, 796, 828, 903, 910, 1102, 1135, 1229, 1241, 1276, 1290, 1384, 1386, 1440, 1477, 599, 785, 484, 511, 668, 1063, 1287, 119, 209, 305, 457, 506, 1494, and 1613, ordered to third reading.

Bills Passed Temporarily

By unanimous consent Assembly Bills Nos. 105, 1412, and 1608 were passed temporarily on file.

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

SENATE BILL NO. 493—An act relating to parks and recreation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 10—An act to add and repeal Section 42250.2 of the Education Code, relating to school 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.

CONSIDERATION OF ASSEMBLY BILLS BY UNANIMOUS CONSENT

The following bills on the second reading file were taken up without reference to file pursuant to unanimous consent granted earlier this day.

ASSEMBLY BILL NO. 118 (Cardenas)—An act to add Section 14133.95 to the Welfare and Institutions Code, relating to health.

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

AYES—78

Ackerman	Davis	Lempert	Richter
Aguiar	Ducheny	Leonard	Runner
Alby	Escutia	Machado	Scott
Alquist	Figueroa	Martinez	Shelley
Aroner	Firestone	Mazzoni	Strom-Martin
Ashburn	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	Prenter	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 222 (Takasugi)—An act to amend Section 6907 of the Revenue and Taxation Code, relating to taxation.

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

AYES—76

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 266 (Escutia)—An act to add Chapter 4.6 (commencing with Section 6015) to Title 7 of Part 3 of the Penal Code, relating to Hepatitis B immunization.

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

AYES—61

Aguiar	Escutia	Machado	Sweeney
Alby	Figueroa	Martinez	Takasugi
Alquist	Firestone	Mazzoni	Thompson
Aroner	Floyd	McClintock	Thomson
Baca	Frusetta	Migden	Torlakson
Battin	Gallegos	Miller	Villaraigosa
Bordonaro	Havice	Morrissey	Vincent
Bowen	Hertzberg	Napolitano	Washington
Bowler	Honda	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Cardenas	Knox	Papan	Woods
Cardoza	Kuehl	Perata	Wright
Cedillo	Kuykendall	Prenter	Mr. Speaker
Cunneen	Leach	Scott	
Davis	Lempert	Shelley	
Ducheny	Leonard	Strom-Martin	

NOES—14

Ackerman	Campbell	Morrow	Pringle
Ashburn	Granlund	Olberg	Runner
Baldwin	House	Oller	
Baugh	Kaloogian	Poochigian	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 357 (Havice)—An act to amend Section 1192.7 of the Penal Code, relating to crimes.

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

AYES—73

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

NOES—2

Aroner Migden

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 496 (Lempert)—An act to amend Sections 44256, 69613, 69615.6, and 69616 of, and to add Article 13 (commencing with Section 44400) to Chapter 2 of Part 25 of, the Education Code, relating to certificated school employees.

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

AYES—72

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

NOES—3

Baldwin Baugh McClintock

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 548 (Aroner)—An act to add Article 8 (commencing with Section 13367) to Chapter 5 of Division 7 of the Water Code, relating to water.

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

AYES—42

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

NOES—31

Ackerman	Bowler	Leonard	Prenter
Aguiar	Brewer	McClintock	Pringle
Alby	Campbell	Miller	Richter
Ashburn	Goldsmith	Morrissey	Runner
Baldwin	Granlund	Morrow	Takasugi
Battin	House	Olberg	Thompson
Baugh	Kaloogian	Oller	Woods
Bordonaro	Leach	Poochigian	

Bill ordered transmitted to the Senate.

OBJECTION WITHDRAWN

On behalf of Assembly Member Pringle, Assembly Member Thompson withdrew the objection to any requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Bill No. 499.

**CONSIDERATION OF ASSEMBLY BILLS
BY UNANIMOUS CONSENT (RESUMED)**

ASSEMBLY BILL NO. 796 (Haveice)—An act to amend Section 290 of the Penal Code, relating to sex offenders.

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

AYES—78

Ackerman	Davis	Lempert	Richter
Aguiar	Ducheny	Leonard	Runner
Alby	Escutia	Machado	Scott
Alquist	Figueroa	Martinez	Shelley
Aroner	Firestone	Mazzoni	Strom-Martin
Ashburn	Floyd	McClintock	Sweeney
Baca	Frusetta	Miller	Takasugi
Baldwin	Gallegos	Morrissey	Thompson
Battin	Goldsmith	Morrow	Thomson
Baugh	Granlund	Murray	Torlakson
Bordonaro	Haveice	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	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 828 (Aroner)—An act to add Chapter 5 (commencing with Section 54540) to Part 29 of the Education Code, relating to pupils.

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

AYES—60

Aguiar	Ducheny	Leach	Shelley
Alquist	Escutia	Lempert	Strom-Martin
Aroner	Figueroa	Machado	Sweeney
Ashburn	Firestone	Martinez	Takasugi
Baca	Floyd	Mazzoni	Thompson
Battin	Frusetta	Migden	Thomson
Bowen	Gallegos	Morrissey	Torlakson
Bowler	Goldsmith	Morrow	Villaraigosa
Brown	Havice	Murray	Vincent
Campbell	Hertzberg	Napolitano	Washington
Cardenas	Honda	Ortiz	Wayne
Cardoza	Keeley	Pacheco	Wildman
Cedillo	Knox	Papan	Woods
Cunneen	Kuehl	Perata	Wright
Davis	Kuykendall	Scott	Mr. Speaker

NOES—17

Ackerman	Brewer	McClintock	Pringle
Alby	Granlund	Miller	Runner
Baldwin	House	Olberg	
Baugh	Kaloogian	Oller	
Bordonaro	Leonard	Poochigian	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 903 (Miller)—An act to amend Section 532d of the Penal Code, relating to crimes.

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

AYES—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	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 910 (Cardenas)—An act to add Chapter 6 (commencing with Section 104310) to Part 1 of Division 103 of the Health and Safety Code, relating to prostate cancer.

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

AYES—55

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

NOES—22

Ackerman	Brewer	Miller	Pringle
Alby	Campbell	Morrow	Runner
Baldwin	House	Olberg	Thompson
Baugh	Kaloogian	Oller	Woods
Bordonaro	Leonard	Poochigian	
Bowler	McClintock	Prenter	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1102 (Knox)—An act to amend Sections 22717 and 22719 of the Education Code, and to amend Section 20963 of, and to add Section 20837 to, the Government Code, relating to public employers.

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

AYES—58

Aguiar	Escutia	Leach	Shelley
Alquist	Figueroa	Lempert	Strom-Martin
Aroner	Firestone	Machado	Sweeney
Ashburn	Floyd	Martinez	Takasugi
Baca	Frusetta	Mazzoni	Thomson
Bowen	Gallegos	Migden	Torlakson
Bowler	Granlund	Morrissey	Villaraigosa
Brown	Havice	Murray	Vincent
Campbell	Hertzberg	Napolitano	Washington
Cardenas	Honda	Ortiz	Wayne
Cardoza	House	Papan	Wildman
Cedillo	Keeley	Perata	Wright
Cunneen	Knox	Prenter	Mr. Speaker
Davis	Kuehl	Richter	
Ducheny	Kuykendall	Scott	

NOES—19

Ackerman	Bordonaro	Miller	Pringle
Alby	Brewer	Morrow	Runner
Baldwin	Kaloogian	Olberg	Thompson
Battin	Leonard	Oller	Woods
Baugh	McClintock	Poochigian	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1135 (Mazzoni)—An act to add Article 14.5 (commencing with Section 8300) to Chapter 2 of Part 6 of the Education Code, relating to child care.

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

AYES—46

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

NOES—28

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

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1229 (Migden)—An act to amend Sections 6055 and 6937 of, and to add Section 6066.1 to, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—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	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—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	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	

NOES—None

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

Assembly Member Knox was granted unanimous consent that Assembly Constitutional Amendment No. 10 be re-referred from the Committee on Revenue and Taxation to the Committee on Elections, Reapportionment and Constitutional Amendments.

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

Pursuant to Assembly Rule 78, Assembly Member Lempert announced his intention to request that Senate Bill No. 989 be removed from the inactive file.

**CONSIDERATION OF ASSEMBLY BILLS
BY UNANIMOUS CONSENT (RESUMED)**

ASSEMBLY BILL NO. 1241 (Keeley)—An act to amend Sections 2, 103, 1701, 7000, 7015, 7020, 7025, 7256, 7290, 7350, 7370, 7710, 8100, and 8150.7 of, to add Sections 105, 1702, 1703, 1704, 1705, 1706, 7010, 7010.1, 7010.2, 7010.3, 8140, 8610, 9024.5, 9025, and 9056 to, to add a division heading immediately preceding Section 1 of, to add Chapter 2 (commencing with Section 90) to Division .5 and Article .5 (commencing with Section 8130) to Chapter 2 of Part 3 of Division 6 of, and to repeal and add Sections 1700, 7005, 7022, 7030, 7710.1, and 8140 of, the Fish and Game Code, relating to marine life, and making an appropriation therefor.

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

AYES—45

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

NOES—26

Ackerman	Campbell	Miller	Prenter
Aguiar	Granlund	Morrissey	Richter
Baldwin	House	Morrow	Runner
Battin	Kaloogian	Olberg	Thompson
Baugh	Leach	Oller	Woods
Bowler	Leonard	Pacheco	
Brewer	McClintock	Poohigian	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1276 (Papan)—An act to amend Section 4691 of the Welfare and Institutions Code, relating to developmental services.

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

AYES—78

Ackerman	Davis	Lempert	Richter
Aguiar	Ducheny	Leonard	Runner
Alby	Escutia	Machado	Scott
Alquist	Figueroa	Martinez	Shelley
Aroner	Firestone	Mazzoni	Strom-Martin
Ashburn	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	Poohigian	Mr. Speaker
Cedillo	Kuykendall	Prenter	
Cunneen	Leach	Pringle	

NOES—None

Bill ordered transmitted to the Senate.

OBJECTION TO VOTE ADDS AND VOTE CHANGES

Assembly Member Hertzberg withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Bill No. 1241.

**CONSIDERATION OF ASSEMBLY BILLS
BY UNANIMOUS CONSENT (RESUMED)**

ASSEMBLY BILL NO. 1290 (Havice)—An act to amend Sections 208, 290, 422.75, 667.5, 667.61, 667.7, 667.71, 1170.1, 1174.4, 1269b, 2933.5, 2962, 3003, 3057, and 12022.53 of, and to repeal Section 208 of, the Penal Code, and to amend Sections 676, 707, 828.1, and 3052 of the Welfare and Institutions Code, relating to crime and punishment.

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

AYES—77

Ackerman	Davis	Lempert	Richter
Aguiar	Ducheny	Leonard	Runner
Alby	Escutia	Machado	Scott
Alquist	Figuroa	Martinez	Shelley
Aroner	Firestone	Mazzoni	Strom-Martin
Ashburn	Floyd	McClintock	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	Wayne
Brewer	House	Ortiz	Wildman
Brown	Kaloogian	Pacheco	Woods
Campbell	Keeley	Papan	Wright
Cardenas	Knox	Perata	Mr. Speaker
Cardoza	Kuehl	Poohigian	
Cedillo	Kuykendall	Prenter	
Cunneen	Leach	Pringle	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1384 (Havice)—An act to amend Sections 11571 and 11573.5 of, and to add and repeal Section 11571.1 of, the Health and Safety Code, relating to controlled substances.

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

AYES—67

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

NOES—8

Ackerman	Baugh	Martinez	Migden
Baldwin	Kaloogian	McClintock	Pacheco

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1386 (Goldsmith)—An act to amend Section 594 of the Penal Code, relating to crimes.

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

AYES—59

Ackerman	Ducheny	Lempert	Prenter
Aguiar	Escutia	Leonard	Richter
Alquist	Firestone	Machado	Runner
Ashburn	Frusetta	McClintock	Scott
Baca	Gallegos	Miller	Sweeney
Baldwin	Goldsmith	Morrissey	Takasugi
Battin	Granlund	Morrow	Thompson
Baugh	Havice	Murray	Thomson
Bowen	Hertzberg	Napolitano	Torlakson
Bowler	House	Olberg	Vincent
Brewer	Kaloogian	Oller	Wayne
Campbell	Keeley	Ortiz	Wildman
Cardenas	Knox	Pacheco	Woods
Cardoza	Kuykendall	Papan	Mr. Speaker
Cunneen	Leach	Poochigian	

NOES—14

Aroner	Kuehl	Perata	Washington
Cedillo	Martinez	Shelley	Wright
Floyd	Mazzoni	Strom-Martin	
Honda	Migden	Villaraigosa	

Bill ordered transmitted to the Senate.

Objection to Vote Adds and Vote Changes

Assembly Member Morrissey withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Bill No. 1386.

ASSEMBLY BILL NO. 1440 (Woods)—An act to add Section 12300.8 to the Welfare and Institutions Code, relating to public social services.

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

AYES—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	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1477 (Papan)—An act to repeal and add Section 19596 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

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, 4:40 p.m.

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

ASSEMBLY BILL NO. 599 (Prenter)—An act to add Chapter 10.2 (commencing with Section 13893) to Title 6 of Part 4 of the Penal Code, relating to the California Forensic Science Laboratory Enhancement Program.

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

AYES—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	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 785 (Campbell)—An act to add Section 5027 to the Penal Code, relating to corrections.

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

AYES—77

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

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 785: Assembly Member Cedillo, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 484 (Havice)—An act to amend Sections 17052.17, 17052.18, 23617, and 23617.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, and passed 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
Ashburn	Frusetta	Migden	Sweeney
Baca	Gallegos	Miller	Takasugi
Baldwin	Goldsmith	Morrissey	Thompson
Battin	Granlund	Morrow	Thomson
Baugh	Havice	Murray	Torlakson
Bordonaro	Hertzberg	Napolitano	Villaraigosa
Bowen	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	
Davis	Lempert	Pringle	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 511 (Migden)—An act to amend Sections 19604, 23182, and 23186 of, and to add Section 19606 to, the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor.

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

AYES—74

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 668 (Aroner)—An act to add Section 14132.97 to the Welfare and Institutions Code, relating to human services.

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

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1063 (Lempert)—An act to amend Section 6377 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

AYES—78

Ackerman	Davis	Leonard	Richter
Aguiar	Ducheny	Machado	Runner
Alby	Escutia	Martinez	Scott
Alquist	Figueroa	Mazzoni	Shelley
Aroner	Firestone	McClintock	Strom-Martin
Ashburn	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	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cedillo	Leach	Prenter	
Cunneen	Lempert	Pringle	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1287 (Wildman)—An act to add and repeal Sections 17053.20 and 23615 of the Revenue and Taxation Code, relating to taxation.

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

AYES—58

Ackerman	Davis	Machado	Sweeney
Aguiar	Ducheny	Martinez	Takasugi
Alquist	Escutia	Miller	Thompson
Aroner	Figueroa	Morrissey	Thomson
Baca	Floyd	Morrow	Torlakson
Battin	Frusetta	Murray	Villaraigosa
Bordonaro	Gallegos	Napolitano	Vincent
Bowen	Havice	Ortiz	Washington
Brewer	Hertzberg	Pacheco	Wayne
Brown	Honda	Papan	Wildman
Campbell	Keeley	Prenter	Woods
Cardenas	Knox	Runner	Wright
Cardoza	Kuehl	Scott	Mr. Speaker
Cedillo	Lempert	Shelley	
Cunneen	Leonard	Strom-Martin	

NOES—12

Alby	Baugh	House	McClintock
Ashburn	Bowler	Kaloogian	Oller
Baldwin	Goldsmith	Leach	Richter

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

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

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

Assembly Bill No. 1412, ordered to third reading.

**CONSIDERATION OF ASSEMBLY BILLS
BY UNANIMOUS CONSENT (RESUMED)**

Consideration of Assembly Bill No. 1412 by Unanimous Consent

ASSEMBLY BILL NO. 1412 (Ducheny)—An act to amend Section 27803 of the Vehicle Code, relating to vehicles.

Bill read third time.

Amendments Withdrawn

Without objection, Assembly Member Ducheny withdrew her amendments to Assembly Bill No. 1412.

Parliamentary Inquiry

Assembly Member McClintock arose to the following parliamentary inquiry:

Are the amendments at the Desk not the property of the House, and available to be taken up by any Member?

Reply by Speaker pro Tempore Kuehl

The Speaker pro Tempore replied that Assembly Member McClintock was technically correct.

Demand for Previous Question

Assembly Members Scott, Napolitano, Wright, Washington, and Baldwin demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—44

Ackerman	Brewer	Kaloogian	Pacheco
Aguiar	Campbell	Kuykendall	Poochigian
Alby	Cardenas	Leach	Prenter
Ashburn	Cardoza	Leonard	Pringle
Baca	Cunneen	Martinez	Richter
Baldwin	Ducheny	McClintock	Runner
Battin	Firestone	Miller	Takasugi
Baugh	Frusetta	Morrissey	Thompson
Bordonaro	Goldsmith	Morrow	Vincent
Bowen	Granlund	Olberg	Woods
Bowler	House	Oller	Wright

NOES—30

Alquist	Gallegos	Mazzoni	Thomson
Aroner	Havice	Migden	Torlakson
Brown	Honda	Napolitano	Villaraigosa
Cedillo	Keeley	Perata	Washington
Davis	Knox	Scott	Wayne
Escutia	Kuehl	Shelley	Wildman
Figueroa	Lempert	Strom-Martin	
Floyd	Machado	Sweeney	

Bill ordered transmitted to the Senate.

ADJOURN IN MEMORY

Moment of Silence

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 Hon. Joseph Alioto, former Mayor of San Francisco, and that the Assembly observe a moment of silence in his honor.

**CONSIDERATION OF ASSEMBLY BILLS
BY UNANIMOUS CONSENT (RESUMED)**

ASSEMBLY BILL NO. 119 (Runner)—An act to add Section 17053.18 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

AYES—76

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 26 (Runner)—An act to amend Section 629.52 of the Penal Code, relating to criminal street gangs.

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

AYES—61

Ackerman	Ducheny	Lempert	Richter
Aguiar	Escutia	Leonard	Runner
Alby	Firestone	Machado	Scott
Alquist	Frusetta	Martinez	Strom-Martin
Ashburn	Gallegos	McClintock	Sweeney
Baca	Goldsmith	Miller	Takasugi
Baldwin	Granlund	Morrissey	Thompson
Battin	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Napolitano	Vincent
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Mr. Speaker
Cardoza	Knox	Papan	
Cunneen	Kuykendall	Poochigian	
Davis	Leach	Prenter	

NOES—11

Aroner	Cedillo	Migden	Washington
Baugh	Figueroa	Perata	Wright
Bowen	Mazzoni	Villaraigosa	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 209 (Baca)—An act to add Chapter 2.6 (commencing with Section 1000.10) to Title 6 of Part 2 of the Penal Code, relating to controlled substances, and making an appropriation therefor.

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

AYES—64

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

NOES—11

Ackerman	Baugh	McClintock	Takasugi
Ashburn	Bowler	Morrow	Thompson
Baldwin	Kaloogian	Oller	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 305 (Wayne)—An act relating to taxation.

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

AYES—77

Ackerman	Ducheny	Machado	Runner
Aguiar	Escutia	Martinez	Scott
Alby	Figueroa	Mazzoni	Shelley
Alquist	Firestone	McClintock	Strom-Martin
Ashburn	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. 457 (Poochigian)—An act to amend Sections 625.3, 629, 654.3, 663, and 707 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 third time, and passed by the following vote:

AYES—74

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 506 (Aguiar)—An act to add and repeal Section 5012 of the Penal Code, relating to prisoners.

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

AYES—67

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1494 (Olberg)—An act relating to taxation.

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

AYES—72

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

NOES—3

Kuehl	Mazzoni	Migden
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Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1613 (Scott)—An act to add Section 17204 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

AYES—77

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

NOES—None

**CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILL NO. 105**

ASSEMBLY BILL NO. 105 (Wayne)—An act to amend Sections 212.5, 213, 667.5, and 1170.95 of the Penal Code, relating to punishment.

Bill read second time.

Motion to Amend by Assembly Member Pacheco—Set 1

Assembly Member Pacheco moved the adoption of amendments.

Amendments read.

**Motion to Table Pacheco Amendments
to Assembly Bill No. 105—Set 1**

Assembly Member Shelley moved that the amendments offered by Assembly Member Pacheco to Assembly Bill No. 105—Set 1 be laid upon the table.

Assembly Member Keeley seconded the motion.

Motion carried by the following vote:

AYES—42

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

NOES—33

Ackerman	Campbell	Leonard	Prenter
Aguiar	Cunneen	McClintock	Richter
Ashburn	Frusetta	Miller	Runner
Baldwin	Goldsmith	Morrissey	Takasugi
Battin	Granlund	Morrow	Thompson
Baugh	House	Olberg	Woods
Bordonaro	Kaloogian	Oller	
Bowler	Kuykendall	Pacheco	
Brewer	Leach	Poochigian	

Objection to Vote Adds and Vote Changes

Assembly Member Kaloogian withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Shelley motion to table Pacheco amendments to Assembly Bill No. 105—Set 1.

Motion to Amend by Assembly Member Pacheco—Set 2

Assembly Member Pacheco moved the adoption of amendments, of 25 words or less.

Amendments read.

Motion to Table Pacheco Amendments to Assembly Bill No. 105—Set 2

Assembly Member Shelley moved that the amendments offered by Assembly Member Pacheco to Assembly Bill No. 105—Set 2 be laid upon the table.

Assembly Member Escutia seconded the motion.

Motion carried by the following vote:

AYES—41

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

NOES—34

Ackerman	Campbell	Leach	Poochigian
Aguiar	Cunneen	Leonard	Prenter
Ashburn	Firestone	McClintock	Richter
Baldwin	Frusetta	Miller	Runner
Battin	Goldsmith	Morrissey	Takasugi
Baugh	Granlund	Morrow	Thompson
Bordonaro	House	Olberg	Woods
Bowler	Kaloogian	Oller	
Brewer	Kuykendall	Pacheco	

Objection to Vote Adds and Vote Changes

Assembly Member Kaloogian withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Shelley motion to table Pacheco amendments to Assembly Bill No. 105—Set 2.

Motion to Amend by Assembly Member Pacheco—Set 3

Assembly Member Pacheco moved the adoption of amendments of 25 words or less.

Amendments read.

**Motion to Table Pacheco Amendments
to Assembly Bill No. 105—Set 3**

Assembly Member Shelley moved that the amendments offered by Assembly Member Pacheco to Assembly Bill No. 105—Set 3 be laid upon the table.

Assembly Member Alquist seconded the motion.

Motion carried by the following vote:

AYES—42

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

NOES—34

Ackerman	Campbell	Leach	Poochigian
Aguiar	Cunneen	Leonard	Prenter
Ashburn	Firestone	McClintock	Richter
Baldwin	Frusetta	Miller	Runner
Battin	Goldsmith	Morrissey	Takasugi
Baugh	Granlund	Morrow	Thompson
Bordonaro	House	Olberg	Woods
Bowler	Kaloogian	Oller	
Brewer	Kuykendall	Pacheco	

Objection to Vote Adds and Vote Changes

Assembly Member Kaloogian withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Shelley motion to table Pacheco amendments to Assembly Bill No. 105—Set 3.

Motion to Amend by Assembly Member Pacheco—Set 4

Assembly Member Pacheco moved the adoption of amendments of 25 words or less.

Amendments read.

**Motion to Table Pacheco Amendments
to Assembly Bill No. 105—Set 4**

Assembly Member Shelley moved that the amendments offered by Assembly Member Pacheco to Assembly Bill No. 105—Set 4 be laid upon the table.

Assembly Member Escutia seconded the motion.

Motion carried by the following vote:

AYES—42

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

NOES—34

Ackerman	Campbell	Leach	Poochigian
Aguiar	Cunneen	Leonard	Prenter
Ashburn	Firestone	McClintock	Richter
Baldwin	Frusetta	Miller	Runner
Battin	Goldsmith	Morrissey	Takasugi
Baugh	Granlund	Morrow	Thompson
Bordonaro	House	Olberg	Woods
Bowler	Kaloogian	Oller	
Brewer	Kuykendall	Pacheco	

Objection to Vote Adds and Vote Changes

Assembly Member Kaloogian withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Shelley motion to table Pacheco amendments to Assembly Bill No. 105—Set 4.

THIRD READING OF ASSEMBLY BILL NO. 105 BY UNANIMOUS CONSENT

ASSEMBLY BILL NO. 105 (Wayne)—An act to amend Sections 212.5, 213, 667.5, and 1170.95 of the Penal Code, relating to punishment.

Bill read third time.

Demand for Previous Question

Assembly Members Morrissey, Sweeney, Vincent, Leach, and Brewer demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—70

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

NOES—5

Floyd	Perata	Wright
Migden	Villaraigosa	

Bill ordered transmitted to the Senate.

At 6:24 p.m., Hon. Fred Keeley, 27th District, presiding

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY BILL NO. 1525 (Ashburn)—An act to amend, repeal, and add Section 58889 of the Food and Agricultural Code, relating to agriculture.

Bill read third time.

Demand for Previous Question

Assembly Members Baca, Vincent, Shelley, Woods, and Morrissey demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—65

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

NOES—8

Baugh	Floyd	Kuehl	McClintock
Bowen	Kaloogian	Martinez	Migden

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 40 (Mazzoni)—An act to add Part 68 (commencing with Section 100400) to the Education Code, relating to education facilities funding.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 6:35 p.m.

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

ASSEMBLY BILL NO. 261 (Baca)—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.

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

AYES—45

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

NOES—26

Ackerman	Campbell	Leonard	Pringle
Alby	Floyd	McClintock	Richter
Ashburn	Goldsmith	Miller	Takasugi
Baldwin	Granlund	Morrow	Thompson
Baugh	House	Olberg	Woods
Bordonaro	Kaloogian	Oller	
Brewer	Leach	Poochigian	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1180 (Battin)—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.

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

AYES—60

Aguiar	Figueroa	Lempert	Scott
Alquist	Firestone	Machado	Shelley
Aroner	Frusetta	Martinez	Strom-Martin
Baca	Gallegos	Mazzoni	Sweeney
Battin	Granlund	Migden	Takasugi
Bordonaro	Havice	Morrissey	Thomson
Bowen	Hertzberg	Murray	Torlakson
Brown	Honda	Napolitano	Villaraigosa
Cardenas	House	Oller	Vincent
Cardoza	Kaloogian	Ortiz	Washington
Cedillo	Keeley	Pacheco	Wayne
Cunneen	Knox	Papan	Wildman
Davis	Kuehl	Perata	Woods
Ducheny	Kuykendall	Prenter	Wright
Escutia	Leach	Richter	Mr. Speaker

NOES—10

Ackerman	Baugh	McClintock	Thompson
Alby	Bowler	Miller	
Ashburn	Leonard	Olberg	

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 1180: Assembly Member Poochigian, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate.

At 6:38 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding

ASSEMBLY BILL NO. 1532 (Shelley)—An act to add Article 2.5 (commencing with Section 13835.50) to Chapter 4 of Title 6 of Part 4 of the Penal Code, relating to crimes.

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

AYES—43

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

NOES—30

Ackerman	Brewer	Leonard	Poochigian
Aguiar	Campbell	McClintock	Pringle
Alby	Frusetta	Miller	Richter
Ashburn	Goldsmith	Morrissey	Runner
Baldwin	Granlund	Morrow	Takasugi
Baugh	House	Olberg	Thompson
Bordonaro	Kaloogian	Oller	
Bowler	Leach	Pacheco	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1212 (Wright)—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.

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

AYES—58

Aguiar	Escutia	Lempert	Strom-Martin
Alquist	Figueroa	Machado	Sweeney
Aroner	Floyd	Martinez	Takasugi
Ashburn	Frusetta	Mazzoni	Thompson
Baca	Gallegos	Migden	Thomson
Battin	Goldsmith	Morrissey	Torlakson
Bordonaro	Granlund	Murray	Villaraigosa
Bowen	Havice	Napolitano	Vincent
Brown	Hertzberg	Ortiz	Washington
Cardenas	Honda	Pacheco	Wayne
Cardoza	House	Papan	Wildman
Cedillo	Keeley	Perata	Wright
Cunneen	Knox	Prenter	Mr. Speaker
Davis	Kuehl	Scott	
Ducheny	Kuykendall	Shelley	

NOES—14

Ackerman	Bowler	McClintock	Pringle
Alby	Campbell	Morrow	Richter
Baldwin	Kaloogian	Olberg	
Baugh	Leonard	Oller	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 254 (Machado)—An act to add Division 26 (commencing with Section 79000) to the Water Code, relating to financing a flood protection program.

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

AYES—49

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

NOES—16

Ackerman	Bordonaro	Kaloogian	Morrow
Baldwin	Brewer	Leonard	Olberg
Battin	Campbell	McClintock	Oller
Baugh	Floyd	Miller	Woods

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1381 (Thomson)—An act to add Chapter 3 (commencing with Section 100600) to Part 66 of the Education Code, relating to child care facilities funding.

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

AYES—46

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

NOES—25

Ackerman	Bowler	Miller	Runner
Aguiar	Brewer	Morrow	Takasugi
Alby	Campbell	Olberg	Thompson
Ashburn	House	Oller	Woods
Baldwin	Kaloogian	Poochigian	
Baugh	Leach	Pringle	
Bordonaro	McClintock	Richter	

Bill ordered transmitted to the Senate.

At 6:55 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

ASSEMBLY BILL NO. 1118 (Bustamante)—An act to amend Section 731 of, to add Section 731.1 to, to add Article 18.9 (commencing with Section 749.35) to, Chapter 2 of Part 1 of Division 2 of, the Welfare and Institutions Code, relating to financing the construction of local juvenile justice facilities.

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

AYES—56

Aguiar	Ducheny	Machado	Scott
Alquist	Escutia	Martinez	Shelley
Aroner	Figueroa	Mazzoni	Strom-Martin
Ashburn	Frusetta	Migden	Sweeney
Baca	Gallegos	Miller	Thomson
Bordonaro	Goldsmith	Morrissey	Torlakson
Bowen	Havice	Napolitano	Villaraigosa
Bowler	Hertzberg	Ortiz	Vincent
Brown	Honda	Pacheco	Washington
Cardenas	Keeley	Papan	Wayne
Cardoza	Knox	Perata	Wildman
Cedillo	Kuehl	Poohigian	Woods
Cunneen	Kuykendall	Prenter	Wright
Davis	Lempert	Richter	Mr. Speaker

NOES—13

Ackerman	Campbell	Morrow	Thompson
Alby	Kaloogian	Olberg	
Baldwin	Leonard	Oller	
Baugh	McClintock	Takasugi	

Bill ordered transmitted to the Senate.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 110, on request of Assembly Member Leonard.

**CONSIDERATION OF DAILY FILE (RESUMED)
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES (RESUMED)**

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

Assembly Bill No. 1608, ordered to third reading.

Third Reading of Assembly Bill No. 1608 by Unanimous Consent

ASSEMBLY BILL NO. 1608 (Pringle)—An act to add and repeal Section 6362 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time.

Amendments Withdrawn

Without objection, Assembly Member Pringle withdrew his amendments to Assembly Bill No. 1608.

Demand for Previous Question

Assembly Members Shelley, Wayne, Alquist, Ducheny, and Brewer demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—75

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

NOES—1

Richter

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 1120**

At 7:12 p.m., on motion of Assembly Member Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1120 refused passage by the following vote:

AYES—34

Alquist	Figueroa	Martinez	Torlakson
Aroner	Floyd	Migden	Villaraigosa
Baca	Gallegos	Murray	Vincent
Bowen	Havice	Napolitano	Washington
Brown	Honda	Ortiz	Wayne
Cedillo	Keeley	Perata	Wildman
Davis	Knox	Shelley	Mr. Speaker
Ducheny	Kuehl	Strom-Martin	
Escutia	Lempert	Sweeney	

NOES—36

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 822**

At 7:13 p.m., on motion of Assembly Member Aroner, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 822 passed by the following vote:

AYES—56

Aguiar	Ducheny	Kuykendall	Scott
Alby	Escutia	Lempert	Shelley
Alquist	Figueroa	Machado	Strom-Martin
Aroner	Firestone	Martinez	Sweeney
Ashburn	Floyd	Mazzoni	Thomson
Baca	Frusetta	Migden	Torlakson
Bowen	Gallegos	Morrissey	Villaraigosa
Brown	Havice	Morrow	Vincent
Campbell	Hertzberg	Murray	Washington
Cardenas	Honda	Napolitano	Wayne
Cardoza	House	Ortiz	Wildman
Cedillo	Keeley	Pacheco	Woods
Cunneen	Knox	Papan	Wright
Davis	Kuehl	Perata	Mr. Speaker

NOES—20

Ackerman	Brewer	Leonard	Prenter
Baldwin	Goldsmith	McClintock	Pringle
Baugh	Granlund	Olberg	Runner
Bordonaro	Kaloogian	Oller	Takasugi
Bowler	Leach	Poochigian	Thompson

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 1352**

At 7:13 p.m., on motion of Assembly Member Martinez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1352 refused passage by the following vote:

AYES—47

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

NOES—27

Ackerman	Bowler	Leach	Poochigian
Aguiar	Brewer	Leonard	Prenter
Alby	Campbell	McClintock	Pringle
Ashburn	Goldsmith	Miller	Runner
Baldwin	Granlund	Morrow	Takasugi
Baugh	House	Olberg	Thompson
Bordonaro	Kaloogian	Oller	

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 80

At 7:14 p.m., on motion of Assembly Member Ducheny, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Pringle moved to continue the call of the Assembly.

Motion carried. Time, 7:15 p.m.

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

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1477

At 7:15 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. 1477 passed by the following vote:

AYES—58

Ackerman	Cunneen	Machado	Poochigian
Alby	Davis	Mazzoni	Prenter
Alquist	Ducheny	McClintock	Pringle
Ashburn	Figueroa	Migden	Runner
Baca	Firestone	Miller	Shelley
Baldwin	Gallegos	Morrissey	Takasugi
Battin	Goldsmith	Morrow	Thomson
Baugh	Granlund	Murray	Torlakson
Bordonaro	Hertzberg	Napolitano	Villaraigosa
Bowler	Kaloogian	Olberg	Vincent
Brewer	Keeley	Oller	Wayne
Brown	Kuykendall	Ortiz	Wright
Campbell	Leach	Pacheco	Mr. Speaker
Cardenas	Lempert	Papan	
Cardoza	Leonard	Perata	

NOES—11

Bowen	Floyd	Scott	Washington
Cedillo	Havice	Strom-Martin	Wildman
Escutia	Martinez	Thompson	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 40**

At 7:15 p.m., on motion of Assembly Member Morrissey, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 40 passed by the following vote:

AYES—47

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

NOES—17

Ackerman	Brewer	Miller	Thompson
Alby	Campbell	Morrow	Woods
Baldwin	Kaloogian	Olberg	
Baugh	Leonard	Oller	
Bordonaro	McClintock	Richter	

Bill ordered transmitted to the Senate.

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

Pursuant to Assembly Rule 78, Assembly Member Bordonaro announced his intention to request that Senate Bill No. 536 be removed from the inactive file.

CONFERENCE COMMITTEE REPORTS WITHDRAWN

Without objection, Assembly Member Mazzoni withdrew the Conference Committee Reports on Assembly Bill No. 755 and Assembly Bill No. 252.

REQUEST TO WAIVE JOINT RULE 62(a)

Assembly Member Mazzoni requested unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Constitutional Amendment No. 12 for hearing in the Committee on Education on Monday, February 2, 1998.

Assembly Member Leonard withheld unanimous consent.

Motion to Waive Joint Rule 62(a)

Assembly Member Mazzoni moved that Joint Rule 62(a) be waived to permit the Committee on Education to hear Senate Constitutional Amendment No. 12 on Monday, February 2, 1998.

Assembly Member Baca seconded the motion.

Motion carried by the following vote:

AYES—43

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

NOES—34

Ackerman	Brewer	Kuykendall	Poochigian
Aguiar	Campbell	Leach	Prenter
Alby	Cunneen	Leonard	Pringle
Ashburn	Firestone	McClintock	Richter
Baldwin	Frusetta	Miller	Runner
Battin	Goldsmith	Morrissey	Takasugi
Baugh	Granlund	Morrow	Woods
Bordonaro	House	Olberg	
Bowler	Kaloogian	Oller	

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 80**

At 7:19 p.m., on motion of Assembly Member Pringle, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 80 passed by the following vote:

AYES—54

Aguiar	Escutia	Martinez	Sweeney
Alquist	Figueroa	Mazzoni	Takasugi
Aroner	Firestone	Migden	Thomson
Ashburn	Gallegos	Miller	Torlakson
Baca	Granlund	Murray	Villaraigosa
Bowen	Havice	Napolitano	Vincent
Brown	Hertzberg	Ortiz	Washington
Campbell	Honda	Papan	Wayne
Cardenas	Keeley	Perata	Wildman
Cardoza	Knox	Prenter	Woods
Cedillo	Kuehl	Richter	Wright
Cunneen	Kuykendall	Scott	Mr. Speaker
Davis	Lempert	Shelley	
Ducheny	Machado	Strom-Martin	

NOES—19

Ackerman	Brewer	McClintock	Poochigian
Alby	House	Morrissey	Pringle
Baugh	Kaloogian	Morrow	Runner
Bordonaro	Leach	Olberg	Thompson
Bowler	Leonard	Oller	

Bill ordered transmitted to the Senate.

VOTE ADDS

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

Assembly Bill No. 142, Urgency and Concurrence: Baugh, Olberg, and Runner—Aye; Baldwin—No.

Assembly Bill No. 771: Baugh, Bordonaro, Bowen, Knox, and Runner—Aye.

Assembly Bill No. 812: Machado—Aye; Baugh and Bordonaro—No.

Assembly Bill No. 744: Alquist, Baldwin, Baugh, and Escutia—Aye.

Assembly Bill No. 1000: Granlund and Takasugi—Aye; Ashburn and Baugh—No.

Assembly Bill No. 499: Washington—Aye; Machado—No.

Assembly Bill No. 332: Alby, Bordonaro, and Pacheco—Aye; Ashburn, Morrow, Olberg, and Pochigian—No.

Assembly Bill No. 224: Baugh and Bordonaro—Aye.

Assembly Bill No. 981: Alby, Ashburn, Bordonaro, and Morrissey—Aye; Baugh and Olberg—No.

Assembly Bill No. 1236: Ashburn, Battin, Bordonaro, Bowen, Cardenas, Gallegos, Knox, Leach, Miller, and Runner—Aye.

Assembly Bill No. 118: Baldwin, Baugh, Bordonaro, Pacheco, and Runner—Aye.

Assembly Bill No. 222: Baugh, Bordonaro, Honda, Pacheco, Pringle, and Runner—Aye.

Assembly Bill No. 266: Battin, Bordonaro, Honda, Takasugi, and Woods—Aye; Baugh, Granlund, Pringle, and Runner—No.

Assembly Bill No. 357: Battin, Baugh, Bordonaro, and Pringle—Aye.

Assembly Bill No. 496: Alby, Bordonaro, Brewer, Olberg, and Pringle—Aye; Baldwin—No.

Assembly Bill No. 548: Ducheny—Aye; Alby, Battin, Bordonaro, Prenter, Pringle, and Runner—No.

Assembly Bill No. 796: Alby, Bordonaro, Ducheny, Knox, and Pringle—Aye.

Assembly Bill No. 828: Ducheny and Knox—Aye; Alby, Bordonaro, Pringle, and Runner—No.

Assembly Bill No. 903: Alby, Baldwin, Bordonaro, and Pringle—Aye.

Assembly Bill No. 910: Alby, Bordonaro, and Pringle—No.

Assembly Bill No. 1102: Havice—Aye; Alby, Baugh, Bordonaro, Oller, and Pringle—No.

Assembly Bill No. 1135: Cunneen—Aye; Alby, Bordonaro, and Pringle—No.

Assembly Bill No. 1229 and Urgency: Alby, Bordonaro, Migden, and Pringle—Aye.

Assembly Bill No. 1276: Alby, Baugh, Bordonaro, Ortiz, Pacheco, and Pringle—Aye.

Assembly Bill No. 1290: Alby, Baugh, Bordonaro, Havice, Machado, and Pringle—Aye.

Assembly Bill No. 1384: Alby, Bordonaro, Machado, Oller, Prenter, Runner, and Shelley—Aye; Baugh—No.

Assembly Bill No. 1440: Alby, Bordonaro, Pringle, Runner, and Shelley—Aye.

Assembly Bill No. 599: Alby, Bordonaro, Pringle, and Runner—Aye.

Assembly Bill No. 785: Alby, Granlund, Pringle, Richter, and Runner—Aye.

Assembly Bill No. 484: Alby, Pacheco, Pringle, Richter, and Runner—Aye.

Assembly Bill No. 511: Alby, Pacheco, Richter, and Runner—Aye.

Assembly Bill No. 668: Ackerman, Alby, Pacheco, Richter, Runner, and Shelley—Aye.

Assembly Bill No. 1063: Alby, Baugh, Pacheco, Pringle, Richter, and Runner—Aye.

Assembly Bill No. 1287: Campbell, Cunneen, Morrow, and Pacheco—Aye; Alby—No.

Assembly Bill No. 1412: Alby, Prenter, and Pringle—Aye.

Assembly Bill No. 119: Alby, Ducheny, Kaloogian, Mazzoni, and Pringle—Aye.

Assembly Bill No. 26: Alby and Honda—Aye.

Assembly Bill No. 209: Alby, Cunneen, Kuykendall, and Runner—Aye; Morrow and Takasugi—No.

Assembly Bill No. 305: Alby and Pringle—Aye.

Assembly Bill No. 457: Alby, Ducheny, Pringle, and Runner—Aye.

Assembly Bill No. 506: Alby, Pringle, and Runner—Aye.

Assembly Bill No. 1494: Alby, Ducheny, Knox, Pringle, and Runner—Aye.

Assembly Bill No. 1613: Alby, Knox, and Pringle—Aye.

Assembly Bill No. 1525: Cunneen—Aye; Martinez—No.

Assembly Bill No. 261: Cunneen and Kuykendall—Aye; Baugh—No.

Assembly Bill No. 1180: Aguiar, Ducheny, and Knox—Aye.

Assembly Bill No. 1532: Knox—Aye; Aguiar, Goldsmith, and Olberg—No.

Assembly Bill No. 1212: Kuykendall—Aye; Baldwin and Olberg—No.

Assembly Bill No. 254: Cunneen and Granlund—Aye; Olberg—No.

Assembly Bill No. 1381: Kuykendall—Aye; Olberg—No.

Assembly Bill No. 1118: Aroner, Bordonaro, and Kuykendall—Aye.

Assembly Bill No. 1608: Kaloogian—Aye.

Assembly Bill No. 1352: Kuykendall—Aye.

Assembly Bill No. 1477: Scott—No.

Assembly Bill No. 40: Kuykendall—Aye.

MOTION TO ADJOURN

At 7:20 p.m., Assembly Member Pacheco moved that the Assembly do now adjourn.

Assembly Member Martinez seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 7:21 p.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

COMMUNICATIONS

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

January 28, 1998

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

Dear Dotson: Please be advised that I am removing Assemblymember Antonio Villaraigosa from the Conference Committee on AB 252 and AB 755 and appointing Assemblymember Jack Scott.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
 Speaker of the Assembly

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Date of Hearing: January 29, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 85

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.

Committee on Education

January 27, 1998

Mr. Speaker: Your Committee on Education reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 85

MAZZONI, Chairwoman

Above bill ordered filed with the Chief Clerk.

Committee on Public Safety

January 21, 1998

Mr. Speaker: Your Committee on Public Safety reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 555

HERTZBERG, Chairman

Above bill ordered filed with the Chief Clerk.

Committee on Governmental Organization

January 27, 1998

Mr. Speaker: Your Committee on Governmental Organization reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 547

BROWN, Chairwoman

Above bill ordered filed with the Chief Clerk.

January 27, 1998

Mr. Speaker: Your Committee on Governmental Organization reports the following resolution pursuant to the provisions of Joint Rule 62(a):

Assembly Constitutional Amendment No. 16

BROWN, Chairwoman

Above resolution ordered filed with the Chief Clerk.

Committee on Insurance

January 28, 1998

Mr. Speaker: Your Committee on Insurance reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 1239

FIGUEROA, Chairwoman

Above bill ordered filed with the Chief Clerk.

Committee on Water, Parks and Wildlife

January 29, 1998

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 1350

MACHADO, Chairman

Above bill ordered filed with the Chief Clerk.

REQUESTS 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 9801004.

KEVIN MURRAY

Permission of Rules Committee

Assembly Chamber, January 29, 1998

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 9801004.

DON PERATA, Chairman

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 9800544.

LIZ FIGUEROA

Permission of Rules Committee

Assembly Chamber, January 29, 1998

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 9800544.

DON PERATA, Chairman

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1716 (RN 9801004)—Murray. An act to add Article 10.5 (commencing with Section 6175) to the Business and Professions Code, relating to lawyers.

ASSEMBLY BILL NO. 1717—Richter, Baugh, and Granlund. An act to add Section 1368.07 to the Health and Safety Code, relating to health coverage.

ASSEMBLY BILL NO. 1718—Richter, Baugh, and Granlund. An act to amend Section 1370.4 of the Health and Safety Code, and to amend Section 10145.3 of the Insurance Code, relating to health insurance.

ASSEMBLY BILL NO. 1719 (RN 9800544)—Figueroa. An act to amend Section 35414 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

INTRODUCTION OF GUESTS

Assembly Member Oller, of the 4th Assembly District, introduced his wife Londa, and their children William, Jeffrey, Rachael, and Spencer.

Speaker pro Tempore Kuehl introduced former Assembly Member George Danielson.

ADJOURNMENT

At 7:25 p.m., pursuant to the motion by Assembly Member Pacheco, the Assembly adjourned until 7 a.m., Monday, February 2, 1998, out of respect to the memory of former Mayor Lionel Wilson on motion of Assembly Member Aroner; out of respect to the memory of William “Bill” Bauer, on motion of Assembly Member Napolitano; out of respect to the memory of Anthony “Tony” Jimenez, on motion of Assembly Member Sweeney; out of respect to the memory of Maj. Joseph S. Boyd, on motion of Assembly Members Brewer, Campbell, and Morrissey; out of respect to the memory of Homer Heacock, on motion of Assembly Member Napolitano; out of respect to the memory of Hon. Joseph Alioto, on motion of Assembly Member Migden; out of respect to the memory of Allan Grant, on motion of Assembly Members Poochigian and Ashburn; and out of respect to the memory of George “Barney” Finrock, on motion of Assembly Member Poochigian.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

