

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, March 5, 1998**

**ONE HUNDRED SEVENTY-FOURTH SESSION DAY**

**FOUR HUNDRED FIFTY-NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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

## PROCEEDINGS OF THE ASSEMBLY

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### IN ASSEMBLY

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Assembly Chamber, Sacramento  
Thursday, March 5, 1998

The Assembly met at 9:50 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Keeley moved a quorum call of the Assembly.

Motion carried. Time, 9:51 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 10:10 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—80:

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

**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, We pray for peace this morning—peace in the whole world and also peace in our hearts. Help us to make peace with You, so that we can find it among ourselves. Lead us to discover heavenly peace, the peace that passes all understanding. Substantive peace, just peace, and lasting peace begins and ends with our reconciliation with You, O God, and we offer You all glory.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Cunneen 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 Baca, seconded by Assembly Member Pacheco.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 5, 1998

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

Assembly Bill No. 1630

Assembly Bill No. 1713

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**AUTHOR’S AMENDMENTS**

**Committee on Rules**

March 5, 1998

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

Assembly Concurrent Resolution No. 111

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

PERATA, Chairman

**ASSEMBLY CONCURRENT RESOLUTION NO. 111**—Relative to adult education.

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

**AUTHOR’S AMENDMENTS**

**Committee on Housing and Community Development**

March 5, 1998

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Senate Bill No. 488

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

TORLAKSON, Chairman

**SENATE BILL NO. 488**—An act to amend Sections 33080 and 33080.1 of the Health and Safety Code, relating to redevelopment.

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

**REPORTS OF STANDING COMMITTEES**

**Committee on Judiciary**

Date of Hearing: March 3, 1998

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1669

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

ESCUTIA, Chairwoman

Above bill ordered to second reading.

**Committee on Rules**

Date of Hearing: March 5, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 93

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.

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly*

*Bill No.*

*Committee*

1885	-----	Ed.
1886	-----	L. Gov.
1887	-----	Ins.
1888	-----	Jud.
1889	-----	Health
1890	-----	Jud.
1891	-----	C.P.,G.E. & E.D.
1892	-----	P.E.,R. & S.S.
1894	-----	Rev. & Tax.
1895	-----	Pub. S.
1896	-----	Health
1897	-----	Pub. S.
1898	-----	L. Gov.
1900	-----	Jud.
1901	-----	Ed.
1902	-----	W.,P. & W.
1903	-----	Trans.
1905	-----	Trans. and L. Gov.
1906	-----	L. Gov.
1907	-----	Jud.
1908	-----	Health
1909	-----	E.S. & T.M.
1910	-----	Health
1911	-----	Ins. and Health
1912	-----	Jud.

1913	Pub. S.
1914	Trans. and Rev. & Tax.
1915	Ed.
1916	Pub. S.
1917	P.E.,R. & S.S.
1918	L. Gov.
1921	Higher Ed. and C.P.,G.E. & E.D.
1922	Pub. S.
1923	E.,R. & C.A.
1925	Ed.
1926	Pub. S.
1927	Pub. S.
1928	W.,P. & W.
1929	Nat. Res.
1931	Hum. S.
1932	Ed.
1933	Jud. and L. Gov.
1934	Jud. and TV. A. & I.T.
1935	Jud.
1936	Ed.
1937	Rev. & Tax. and I.T. & D.
1938	G.O.
1939	Rev. & Tax.
1940	L. & E.
1941	Ed.
1942	Health
1943	Health
1944	Trans. and Nat. Res.
1945	L. Gov.
1947	B. & F. and Jud.
1948	E.S. & T.M.
1949	Health
1950	H. & C.D. and Jud.
1951	H. & C.D.
1952	Jud.
1953	G.O.
1954	Ins.
1955	Pub. S.
1956	Nat. Res.
1957	L. & E.
1959	Health
1960	Rev. & Tax.
1962	Nat. Res.
1963	L. Gov.
1964	Jud.
1965	Ins.
1966	Higher Ed.
1967	Ed.
1968	L. Gov.
1970	Ins.
1971	Rev. & Tax.
1972	Nat. Res.
1973	U. & C.
1974	G.O.

1975	-----	Ins.
1976	-----	Rev. & Tax.
1977	-----	U. & C.
1978	-----	Health
1979	-----	L. & E.
1980	-----	L. Gov.
1981	-----	U. & C.
1982	-----	Jud.
1983	-----	Hum. S.
1984	-----	H. & C.D.
1985	-----	Ins.
1987	-----	Hum. S.
1988	-----	Jud.
1990	-----	Ed.
1992	-----	Ed.
1993	-----	Ed.
1994	-----	C.P.,G.E. & E.D.
1996	-----	Pub. S.
1997	-----	Pub. S.
1998	-----	Agri.
2001	-----	Pub. S.
2002	-----	Ed.
2003	-----	Ins.
2004	-----	C.P.,G.E. & E.D.
2005	-----	Higher Ed.
2006	-----	Health
2007	-----	L. Gov.
2008	-----	Pub. S.
2009	-----	Pub. S. and Jud.
2010	-----	Trans.
2011	-----	Pub. S.
2012	-----	G.O. and E.,R. & C.A.
2013	-----	Ins.
2014	-----	Jud.
2015	-----	Ed.
2016	-----	H. & C.D.
2017	-----	Ins.
2018	-----	Nat. Res.
2019	-----	E.S. & T.M.
2020	-----	H. & C.D.
2021	-----	Health
2022	-----	Pub. S.
2023	-----	Jud.
2024	-----	Nat. Res.
2025	-----	Hum. S.
2026	-----	Rev. & Tax.
2028	-----	G.O.
2029	-----	Pub. S. and G.O.
2030	-----	Trans. and Ed.
2031	-----	Hum. S.
2033	-----	Agri.
2035	-----	Trans.
2038	-----	Trans.
2039	-----	B. & F.

2040	Health
2041	Ed.
2043	Hum. S.
2045	L. Gov. and E.,R. & C.A.
2046	Jud.
2047	Trans.
2048	Health
2049	Jud.
2051	Rev. & Tax.
2052	C.P.,G.E. & E.D.
2053	W.,P. & W.
2055	L. Gov.
2056	Health
2058	Ed.
2060	Rev. & Tax.
2061	Hum. S.
2062	Trans.
2063	Health
2066	Trans. and Pub. S.
2067	E.S. & T.M.
2069	Jud.
2070	B. & F.
2071	Jud.
2072	Trans.
2073	Pub. S.
2075	Rev. & Tax.
2076	Pub. S.
2077	Pub. S.
2078	Ed.
2079	Health
2081	Rev. & Tax.
2082	Pub. S.
2083	Pub. S.
2085	Rev. & Tax.
2086	Jud.
2087	Health
2088	B. & F.
2089	H. & C.D.
2090	L. Gov.

*Assembly Concurrent**Resolution No.**Committee*

105	Trans.
106	Rls.
107	Rls.
108	Rls.
109	Rls.
110	Rls.
111	Rls.
112	Rls.
113	Rls.
114	Rls.
115	Rls.





**ADJOURN IN MEMORY**

Speaker pro Tempore Kuehl was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lupe Allen, of Los Angeles.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Date of Hearing: March 5, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 115

With the recommendation: Be adopted.

PERATA, Chairman

Above resolution ordered on file.

**ASSEMBLY CONCURRENT RESOLUTION NO. 115 TAKEN UP  
BY UNANIMOUS CONSENT**

Upon request of Assembly Member Shelley, Assembly Member Gallegos was granted unanimous consent to take up Assembly Concurrent Resolution No. 115, without reference to file, and that the same be considered engrossed.

**ASSEMBLY CONCURRENT RESOLUTION NO. 115**—Relative to Kidney Month.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 115**

Assembly Member Gallegos was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 115.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Aguiar, Alby, Alquist, Ashburn, Baldwin, Battin, Baugh, Bordonaro, Bowen, Bustamante, Campbell, Cardenas, Cardoza, Cedillo, Cunneen, Davis, Ducheny, Escutia, Figueroa, Firestone, Floyd Frusetta, Granlund, Havice, Hertzberg, Honda, House, Keeley, Knox, Kuykendall, Leach, Lempert, Leonard, Machado, Margett, Martinez, McClintock, Miller, Morrissey, Ortiz, Pacheco, Perata, Prenter, Pringle, Scott, Shelley, Strom-Martin, Sweeney, Thompson, Torlakson, Villaraigosa, Vincent, Wildman, and Wright.

**Request for Unanimous Consent**

Assembly Member Gallegos was granted unanimous consent to take up Assembly Concurrent Resolution No. 115, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 115, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 115**—Relative to Kidney Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Date of Hearing: March 5, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Joint Resolution No. 51

With the recommendation: Be adopted.

PERATA, Chairman

Above resolution ordered on file.

**ASSEMBLY JOINT RESOLUTION NO. 51 TAKEN UP  
BY UNANIMOUS CONSENT**

Upon request of Assembly Member Shelley, Assembly Member Ducheny was granted unanimous consent to take up Assembly Joint Resolution No. 51, without reference to file, and that the same be considered engrossed.

**ASSEMBLY JOINT RESOLUTION NO. 51**—Relative to the establishment of the Internal Revenue Service Reciprocal Refund Offset Program.

Resolution read, and adopted by the following vote:

**AYES—70**

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

**NOES—None****Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Joint Resolution No. 51: Assembly Member Havice, from “Aye” to “Not Voting”.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Date of Hearing: March 5, 1998

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 66

With the recommendation: Be adopted.

PERATA, Chairman

Above resolution ordered on file.

**SENATE CONCURRENT RESOLUTION NO. 66 TAKEN UP  
BY UNANIMOUS CONSENT**

Upon request of Assembly Member Shelley, Assembly Member Keeley was granted unanimous consent to take up Senate Concurrent Resolution No. 66, without reference to file.

**SENATE CONCURRENT RESOLUTION NO. 66**—Relative to the Week of the School Administrator.

Resolution read.

**Members Made Coauthors of Senate Concurrent Resolution No. 66**

Assembly Member Keeley was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 66.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Ackerman, Aguiar, Alquist, Aroner, Ashburn, Baca, Bowen, Brown, Campbell, Cardenas, Cardoza, Cunneen, Davis, Ducheny, Escutia, Figueroa, Firestone, Floyd, Frusetta, Gallegos, Goldsmith, Havice, Hertzberg, Honda, House, Kaloogian, Keeley, Knox, Kuehl, Kuykendall, Leach, Lempert, Machado, Margett, Martinez, Mazzoni, Migden, Miller, Morrissey, Morrow, Murray, Napolitano, Olberg, Oller, Ortiz, Pacheco, Papan, Perata, Poochigian, Prenter, Pringle, Richter, Scott, Shelley, Strom-Martin, Sweeney, Takasugi, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wildman, Woods, and Wright.

**Request for Unanimous Consent**

Assembly Member Keeley was granted unanimous consent to take up Senate Concurrent Resolution No. 66, as amended, without reference to print or file.

**Consideration of Senate Concurrent Resolution No. 66, as Amended**

**SENATE CONCURRENT RESOLUTION NO. 66**—Relative to the Week of the School Administrator.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**ACTION RESCINDED ON ASSEMBLY BILL NO. 1112**

Upon request of Assembly Member Shelley, Assembly Member Gallegos was granted unanimous consent to rescind the action whereby the Assembly, on August 28, 1997 (Assembly Journal, page 3848), refused to concur in Senate amendments to Assembly Bill No. 1112, and that the bill be returned to the Senate for further action.

**CONSIDERATION OF DAILY FILE**

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY JOINT RESOLUTION NO. 54**—Relative to the federal Livestock and Dairy Indemnity Programs.

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

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 63**—An act to amend Sections 12070, 12071, 12072, 12077, 12078, and 12084 of the Penal Code, relating to firearms.

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

**SENATE BILL NO. 44**—An act to amend Section 19568 of, and to add Section 19617.6 to, the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

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

**ASSEMBLY JOINT RESOLUTION NO. 54 TAKEN UP BY UNANIMOUS CONSENT**

Upon request of Assembly Member Shelley, Assembly Member Aguiar was granted unanimous consent to take up Assembly Joint Resolution No. 54, without reference to file, and that the same be considered engrossed.

**ASSEMBLY JOINT RESOLUTION NO. 54**—Relative to the federal Livestock and Dairy Indemnity Programs.

Resolution read, and adopted by the following vote:

**AYES—77**

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

**NOES—1**

McClintock

Resolution ordered transmitted to the Senate.

**ASSEMBLY JOINT RESOLUTION NO. 52 REMOVED FROM CONSENT CALENDAR AND TAKEN UP**

Upon request of Assembly Member Shelley, Assembly Member Wright was granted unanimous consent that Assembly Joint Resolution No. 52 be removed from the Consent Calendar, and to take the resolution up at this time, without reference to file, for purpose of amendment.

**ASSEMBLY JOINT RESOLUTION NO. 52 (Wright)**—Relative to the Port Chicago disaster.

Resolution read.

**Motion to Amend**

Assembly Member Wright moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 519 BY UNANIMOUS CONSENT**

Assembly Member Knox was granted unanimous consent to take up Senate Bill No. 519, out of order.

**SENATE BILL NO. 519 (Lockyer)**—An act to amend Sections 17039, 17053.47, 17062, 17276.2, 18510, 19023, 19024, 19025, 19136.3, 19147, 19149, 19184, 19280, 23036, 23456, 23622.8, 23802, 24416.2, and 24918 of, to add Sections 17088.5, 17088.6, 17132.6, 17207.4, 17559, 17760.5, 18036.5, 18037.3, 18038.5, 18155.5, 18572, 19109, 24347.4, 24652.5, 24661.5, 24871.5, 24872.4, 24872.5, 24872.7, 24875.5, and 24949.1 to, to repeal Sections 17731.5, 19365, 23813, and 24954 of, and to repeal and amend Section 23800.5 of, the Revenue and Taxation Code, to amend Sections 110 and 112 of Chapter 605 of the Statutes of 1997, to amend Section 30 of Chapter 611 of the Statutes of 1997, and to add Section 19 to Chapter 609 of the Statutes of 1997, relating to taxation, to take effect immediately, tax levy.

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

Bill passed by the following vote:

**AYES—79**

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

**NOES—None**

Bill ordered transmitted to the Senate immediately.

At 12 noon, Speaker Antonio R. Villaraigosa, 45th District, presiding

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

**ASSEMBLY BILL NO. 255 (Thomson)**—An act to add Sections 2541.1 and 2559.6 to the Business and Professions Code, relating to healing arts.

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

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

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

**AYES—66**

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

**NOES—1**

McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 855 (Mazzoni)**—An act to add Part 68 (commencing with Section 100400) to the Education Code, relating to education facilities funding, by providing the funds necessary therefor through an election for, and the issuance and sale of, bonds of the State of California and by providing for the handling and disposition of those funds, 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.

**At 2:47 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

The roll was opened.

**Parliamentary Inquiry**

Assembly Member Morrissey arose to the following parliamentary inquiry:

Is a Call of the Assembly in order?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the negative; that the roll has not been closed on Assembly Bill No. 855, and therefore a Call of the Assembly is not in order.

**FOUR HUNDRED SIXTIETH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, March 6, 1998

At 12 midnight.

Speaker pro Tempore Sheila James Kuehl, presiding.

The question being on the adoption of the urgency clause.

Urgency clause refused adoption and Senate amendments refused concurrence by the following vote:

**AYES—47**

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

**NOES—31**

Ackerman	Brewer	Margett	Prenter
Alby	Campbell	McClintock	Pringle
Ashburn	Firestone	Miller	Richter
Baldwin	Goldsmith	Morrow	Runner
Battin	Granlund	Olberg	Takasugi
Baugh	House	Oller	Thompson
Bordonaro	Kuykendall	Pacheco	Woods
Bowler	Leonard	Poohigian	

**Objection to Vote Adds**

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. 855.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**MOTION TO RECONSIDER**

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 21 CONTINUED**

By unanimous consent, the motion to reconsider the vote on Assembly Constitutional Amendment No. 21 was continued until Thursday, March 12, 1998.

**SESSION SCHEDULE ANNOUNCEMENTS**

Speaker pro Tempore Kuehl announced the following session schedule:

Monday, March 9, 1998, Check-in Session, 7 a.m.—5 p.m.;

Tuesday, March 10 and Wednesday, March 11, no scheduled session;

Thursday, March 12, Floor Session, 9 a.m.

**LAST DAY TO CONSIDER GOVERNOR'S VETOES**

Pursuant to Joint Rule 58.5, March 5, 1998 was the last day to consider the Governor's vetoes of Assembly Bills Nos. 625, 582, 845, 408, 794, 1415, 1214, 1200, 179, and 1163.

**MOTION TO ADJOURN**

At 12:21 a.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Granlund seconded the motion.

Motion carried.

**VOTE ADDS**

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

**Assembly Concurrent Resolution No. 115, Coauthors:** Baugh, Bustamante, Firestone, and Honda—Aye.

**Assembly Joint Resolution No. 54:** Migden and Poochigian—Aye.

**Senate Bill No. 519:** Poochigian—Aye.

**Assembly Bill No. 255, Concurrence:** Migden and Poochigian—Aye.

**Assembly Joint Resolution No. 51:** Brewer, Cunneen, Goldsmith, House, Miller, Olberg, and Pringle—Aye.

**Senate Concurrent Resolution No. 66, Coauthors:** Cunneen and Miller—Aye.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 12:21 a.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

**INTRODUCTION OF GUESTS**

Assembly Member Aguiar, of the 61st Assembly District, introduced New Hope Christian School, from Chino.

**ADJOURNMENT**

At 12:21 a.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 7 a.m., Monday, March 9, 1998, out of respect to the memory of Andrea Schiel and Brett Cooper, on motion of Assembly Member Thomson; out of respect to the memory of Dr. Forrest Leroy Mayer, on motion of Assembly Member Sweeney; out of respect to the memory of Mamie J. Williams, on motion of Assembly Member Aguiar; out of respect to the memory of Richard Vigil, on motion of Assembly member Aroner; out of respect to the memory of Patricia Williams and Lolita Manalo, on motion of Assembly Member Napolitano; and out of respect to the memory of Lupe Allen, on motion of Speaker pro Tempore Kuehl.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk



**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 5, 1998**

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

<b>AJR</b>	<b>RN</b>
52	9806471
54	9806421

<b>ACR</b>	<b>RN</b>
111	9806357

<b>SB</b>	<b>RN</b>
44	9806337
63	9806420
488	9806425

<b>Daily Total:</b>	<b>6</b>
<b>Cumulative Total:</b>	<b>3928</b>

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