# CALIFORNIA LEGISLATURE 1997–98 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

# Thursday, March 20, 1997

# FORTY-FIFTH SESSION DAY ONE HUNDRED NINTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

## **PROCEEDINGS OF THE ASSEMBLY**

#### IN ASSEMBLY

Assembly Chamber, Sacramento Thursday, March 20, 1997

The Assembly met at 8:30 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk. Assistant Clerk Sue Parker reading.

#### **ROLL CALL**

The roll was called.

#### **Quorum Call of the Assembly**

Assembly Member McClintock moved a quorum call of the Assembly.

Motion carried. Time, 8:31 a.m.

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

#### CAUCUS ANNOUNCEMENTS

Speaker pro Tempore Kuehl announced that the Democratic Caucus would meet at this time, in the Assembly Lounge, at the request of Assembly Member Villaraigosa, and that the Republican Caucus would meet at this time, in the Tom Bane Rules Committee Room, at the request of Assembly Member McClintock.

#### **QUORUM PRESENT**

At 9:49 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—77:

#### 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 God*, Omnipotent Father, Creator of all things, You gave us a body and a soul, and created us in Your own image and likeness. O Lord, Our God, we confess our offences to You for we know that there is no one who lives and is sinless. Yet, we seek Your forgiveness. Do not turn Your face from us but look upon us and have mercy on us.—AMEN.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Escutia 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 Kuykendall.

#### LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Napolitano. Because of illness: Assembly Members Baldwin and Richter.

#### EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

March 13, 1997

The Honorable Cruz Bustamante Speaker of the Assembly State Capitol, Room 219 Sacramento, California

Dear Cruz: I respectfully request to be excused from session on Thursday, March 20, 1997 as I will be leading a trade delegation to Beijing, Shanghai, and Wuhan, China on legislative business.

Thank you for your prompt consideration to this matter and if you should have any questions, please feel free to contact me at (916) 445-0965.

Warmest regards,

GRACE F. NAPOLITANO, Assembly Member Fifty-eighth District

#### COMMUNICATIONS

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

March 18, 1997

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

Dear Mr. Wilson: Please be advised pursuant to Penal Code § 13810, I have named Mr. Dave Rosenberg to the California Council on Criminal Justice to serve as the county representative. Mr. Rosenberg's effective appointment date is March 18, 1997, and this is a pleasure term appointment. He will be replacing Mr. Edward Jagels.

Sincerely,

#### CRUZ M. BUSTAMANTE Speaker of the Assembly

March 18, 1997

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

Dear Mr. Wilson: Please be advised pursuant to Government Code § 8077.3, I have named Assembly Member Elaine Alquist to the Seismic Safety Commission. The effective appointment date is March 18, 1997, with the term expiring on May 15, 1999.

Sincerely,

CRUZ M. BUSTAMANTE Speaker of the Assembly

March 18, 1997

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

Dear Mr. Wilson: Please be advised pursuant to Government Code § 15364.2 (amended by: Ch. 1387 of 1986, AB 2685—Killea); (amended by: Ch. 595 of 1989, SB 1650—Roberti); (amended by: Ch. 175 of 1966, SB 1572—Monteith), I have re-appointed Mr. David C. Lizarraga to the World Trade Commission effective March 18, 1997, with the term expiring on December 31, 1998.

If I can be of any assistance to you in the future, please do not hesitate to contact me.

Sincerely,

E. Dotson Wilson

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

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

Assemblymembers Robert Hertzberg, Vice Chair, Jan Goldsmith, and Carl Washington.

Thank you for your attention to this matter.

Sincerely,

CRUZ M. BUSTAMANTE Speaker of the Assembly

March 20, 1997

E. Dotson Wilson

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

Dear Dotson: Please be advised that I have established the Special Committee on School Facilities Finance and appointed the following Assemblymembers to the committee:

Antonio Villaraigosa, Chair Bill Leonard Kerry Mazzoni Thank you for your attention to this matter. Sincerely,

CRUZ M. BUSTAMANTE Speaker of the Assembly

March 20, 1997

E. Dotson Wilson

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

Dear Dotson: This is to advise you that I am appointing the following Assemblymembers to the Select Committee on the California Middle Class:

Assemblymembers Louis Caldera, Susan Davis, Tom Torlakson, Howard Wayne, Roderick Wright and three vacancies.

Thank you for your attention in this matter.

Sincerely,

E. Dotson Wilson

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

Dear Dotson: This is to advise you that I am appointing the following Assemblymembers to the Select Committee on California Ports:

Assemblymembers Denise M. Ducheny, Don Perata, Virginia Strom-Martin, Nao Takasugi, Howard Wayne and one vacancy.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE Speaker of the Assembly

March 20, 1997

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

Dear Dotson: This is to advise you that I am appointing the following Assemblymembers to the Select Committee on California-Mexico Affairs:

Assemblymembers Jim Battin, Martha Escutia, Jan Goldsmith, Mike Honda, Mike Machado, Nao Takasugi.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE Speaker of the Assembly

March 20, 1997

E. Dotson Wilson

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

Dear Dotson: This is to advise you that I am appointing the following Assemblymembers to the Select Committee on California Wine:

Assemblymembers Tom Bordonaro, Jr., Cruz M. Bustamante, Brooks Firestone, Lynne Leach, Kerry Mazzoni, Rico Oller, Charles Poochigian, Roderick Wright and one vacancy.

Thank you for your assistance in this matter.

Sincerely,

E. Dotson Wilson

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

Dear Dotson: This is to advise you that I am appointing the following Assemblymembers to the Select Committee on Veterans Affairs.

Assemblymembers Barbara Alby, Joe Baca, Brooks Firestone, Steve Kuykendall, Diane Martinez, Jim Morrissey, Lou Papan and one vacancy.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE Speaker of the Assembly

March 20, 1997

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

Dear Dotson: This is to advise you that I am appointing the following Assemblymembers to the Select Committee on the Alameda Corridor:

Assemblymembers Dick Floyd, Martin Gallegos, Sally Havice, Steven Kuykendall, Bob Margett, Gary Miller, Grace Napolitano, Nao Takasugi, Carl Washington, Roderick Wright.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE Speaker of the Assembly

March 20, 1997

E. Dotson Wilson

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

Dear Dotson: This is to advise you that I am appointing the following Assemblymembers to the Select Committee on California's Women:

Assemblymembers Barbara Alby, Dion Aroner, Jim Cunneen, Susan Davis, Liz Figueroa, Kerry Mazzoni, Grace Napolitano, Kevin Shelley, Antonio Villaraigosa and two vacancies.

Thank you for your assistance in this matter.

Sincerely,

E. Dotson Wilson

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

Dear Dotson: This is to advise you that I am appointing the following Assemblymembers to the Select Committee on Coastal Protection:

Assemblymembers Dion Aroner, Debra Bowen, Marilyn Brewer, Brooks Firestone, Fred Keeley, Virginia Strom-Martin, Howard Wayne and one vacancy.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE Speaker of the Assembly

March 20, 1997

E. Dotson Wilson

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

Dear Dotson: This is to advise you that I am appointing the following Assemblymembers to the Select Committee on Education Technology:

Assemblymembers Elaine Alquist, Jim Battin, Debra Bowen, Susan Davis, Brooks Firestone, Don Perata and one vacancy.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE Speaker of the Assembly

March 20, 1997

E. Dotson Wilson

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

Dear Dotson: This is to advise you that I am appointing the following Assemblymembers to the Select Committee on Defense Conversion:

Assemblymembers Barbara Alby, Tom Bordonaro, Jr., Valerie Brown, Bill Campbell, Sally Havice, Fred Keeley, Steven Kuykendall, Keith Olberg, Rod Pacheco, Don Perata, Helen Thomson, Howard Wayne.

Thank you for your assistance in this matter.

Sincerely,

E. Dotson Wilson

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

Dear Dotson: This is to advise you that I am appointing the following Assemblymembers to the Select Committee on the Development of a 10th UC Campus:

Assemblymembers Cruz M. Bustamante, George House, Ted Lempert, Mike Machado, Robert Prenter, Charles Poochigian.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE Speaker of the Assembly

March 20, 1997

E. Dotson Wilson

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

Dear Dotson: This is to advise you that I am appointing the following Assemblymembers to the Select Committee on School Safety:

Assemblymembers Jan Goldsmith, Charles Poochigian, Virginia Strom-Martin, Ed Vincent, Scott Wildman.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE Speaker of the Assembly

#### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 20, 1997

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

Assembly Bill No. 62

Assembly Bill No. 67 Assembly Bill No. 96

Assembly Bill No. 138

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 20, 1997

Assembly Bill No. 146

Assembly Bill No. 205

Assembly Bill No. 255

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 177 Assembly Bill No. 198

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, March 20, 1997

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

Assembly Concurrent Resolution No. 24

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to third reading.

### **REFERENCE OF BILLS TO COMMITTEE**

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

Assembl	ly	
Bill No	) <b>.</b>	Committee
131		Pub. S.
136		Pub. S.
160		- Health and Ins.
162		Health
199		
202		Pub. S.
220		Pub. S.
224		- Health
227		Health
247		-Pub. S.
304		-Pub. S.
341		- Health
399		
406		Pub. S.
434		- Health
452		
469		
488		Pub. S.
491		
497		- Health
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786	Pub. S.
794	Health and Ins.
823	Health
830	Health
872	Jud.
887	Ins.
909	U. & C. and Trans.
910	Health and Ins.
947	Health
958	L. & E.
962	
974	Health
991	Pub. S.
<b>998</b>	Ed.
1053	Health
1059	Ins.
1100	Ins.
1101	Health
1107	Pub. S.
1114	Nat. Res.
1115	$\_\_\_\_\_\_\_\_\_$ Pub. S. and Trans.
1116	Health
1117	Pub. S.
1118	Pub. S.
1119	Pub. S.
1120	Ins.
1121	Ed.
1122	Jud.
1123	Pub. S.
1124	Pub. S.
1126	Health
1127	Pub. S.
1128	L. Gov.
1129	Agri.
1130	L. Gov.
1131	Ins.
1132	Pub. S. and Jud.
1133	Health
1134	E.S. & T.M.
1135	Hum. S.
1136	C.P.,G.E. & E.D.
1137	Health
1138	Health
1139	Health
1140	Ed.
1141	Trans.
1142	Trans.
1143	Trans.
1144	Trans.
1146	L. & E.
1147	Jud.
1148	Ins.
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1150	Health

1151	 Pub. S.
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1161	 U. & C.
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1165	 Jud.
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1212	Pub. S.
1213	C.P.,G.E. & E.D.
1214	Health
1215	Hum. S.
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1217	Rev. & Tax. and I.T. & D.
1218	Rev. & Tax.
1219	C.P.,G.E. & E.D.
121)	Jud.
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1235	C.P.,G.E. & E.D.
1236	Pub. S. and P.E.,R. & S.S.
1237	G.O. and Trans.
1238	Trans.
1239	Ins.
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1255	Hum. S.
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1339	Ed.
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1342	H. & C.D.
1343	Pub. S.
1344	Health and Ins.
1345	Hum. S. and TV. A. & I.T.
1346	Ed.
1347	P.E.,R. & S.S.
1348	E.,R. & C.A.
1349	L. Gov.
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1351	Ed.
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1353	Higher Ed.
1354	Health and Ins.
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1357	E.S. & T.M.
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1381	Ed.
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1495	_ Ed. and P.E.,R. & S.S.
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1509	_L. & E.
	– Pub. S. and Hum. S.

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1512	 – Nat. Res.
1513	 – Rev. & Tax.
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#### **AUTHOR'S AMENDMENTS Committee on Appropriations**

March 20, 1997

Mr. Speaker: The Chair of your Committee on Appropriations reports: Assembly Bill No. 39

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

MIGDEN, Chairwoman

**ASSEMBLY BILL NO. 39**—An act to amend Sections 2550, 2561, 2562, 2563, 2566, 14054, and 42238 of, to amend and repeal Section 2551 of, to add Sections 2567, 42238.45, and 52355.11 to, the Education Code, relating to education finance, and making an appropriation therefor.

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

#### ADJOURN IN MEMORY

Assembly Member Alby was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Michael Nelson, of Orangevale.

Assembly Member Wildman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Raymond H. Bass, of Glendale.

Assembly Member House was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hughson High School student, Alex Aldrich.

Assembly Member Thomson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alice Hill Pye M.D., of Woodland.

Assembly Member Prenter was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cleo Webb, of Hanford.

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

Assembly Member Washington was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Officer Kevin L. Gaines, of Gardena.

#### WITHDRAWAL AND RE-REFERENCE OF BILLS

Assembly Member Floyd was granted unanimous consent that Assembly Bill No. 318 be withdrawn from the Committee on Labor and Employment and re-referred to the Committee on Insurance.

#### SPECIAL COMMITTEE MEETINGS AND REQUEST TO WAIVE JOINT RESOLUTION 62(a)

Assembly Member Floyd requested unanimous consent that the Committee on Labor and Employment be permitted to hold a special meeting today, off the Floor, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Concurrent Resolution No. 17 and Assembly Bill No. 15 for vote only.

Assembly Member Pringle withheld unanimous consent on the request as it relates to Assembly Bill No. 15. The request was granted as it relates to Assembly Concurrent Resolution No. 17.

#### MOTION TO WAIVE JOINT RULE 62(a)

Assembly Member Villaraigosa moved that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 15 for hearing in the Committee on Labor and Employment today.

Assembly Member Escutia seconded the motion.

The roll was opened.

#### **Call of the Assembly**

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

Motion carried. Time, 10 a.m.

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

#### **REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Escutia was granted unanimous consent that Vera Martinez, mother of Assembly Member Diane Martinez, be permitted to sit at her desk on the Assembly Floor.

#### SPECIAL RECOGNITION

The Members of the Assembly joined in extending best wishes to Assembly Members Ducheny, Ashburn, Ortiz, and Bordonaro on the occasion of their birthdays.

#### **ADJOURN IN MEMORY**

Assembly Member Kaloogian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Walter E. Murphy, of Carlsbad.

#### BILLS REMOVED FROM CONSENT CALENDAR

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

Senate Concurrent Resolution No. 16 and House Resolution No. 13, on request of Assembly Member Battin.

# CALL OF THE ASSEMBLY DISPENSED WITH ON VILLARAIGOSA MOTION TO WAIVE JOINT RULE 62(a)

At 10:03 a.m., on motion of Assembly Member Villaraigosa, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Villaraigosa motion to waive Joint Rule 62(a) to permit Assembly Bill No. 15 to be heard in the Committee on Labor and Employment today carried by the following vote:

#### AYES-42

Alquist Aroner Baca Bowen Brown Caldera Cardenas Cardoza Davis Ducheny Escutia	Figueroa Floyd Gallegos Havice Hertzberg Honda Keeley Knox Kuehl Lempert Machado	Martinez Mazzoni Migden Murray Ortiz Papan Perata Scott Shelley Strom-Martin Sweeney	Thomson Torlakson Villaraigosa Vincent Washington Wayne Wildman Wright Mr. Speaker
	NO	ES—32	
Ackerman Aguiar Alby Ashburn Battin Baugh Bordonaro Bowler	Brewer Campbell Cunneen Firestone Frusetta Goldsmith Granlund House	Kaloogian Kuykendall Leach Leonard Margett McClintock Miller Morrow	Olberg Oller Pacheco Poochigian Prenter Pringle Thompson Woods

#### SPECIAL COMMITTEE MEETINGS

Assembly Member Migden was granted unanimous consent that the Committee on Appropriations be permitted to hold a special meeting today, off the Floor, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 181 for hearing, in the Tom Bane Rules Committee Room.

#### MEMBERS EXCUSED FOR COMMITTEE MEETING

At 10:03 a.m., by unanimous consent, the members of the Committee on Appropriations were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session, and Members of the committee were permitted to add to any roll call votes missed, as if present.

#### 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 Ralph Abascal, of Berkeley.

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

 $\mbox{ASSEMBLY BILL}$  NO. 50—An act to amend Section 451.5 of the Penal Code, relating to arson.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations. **ASSEMBLY BILL NO. 51**—An act to amend Sections 422.75 and 451.5 of the Penal Code, relating to arson.

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.

 $\mbox{ASSEMBLY BILL NO. 177}\mbox{—An act to amend Section 6025 of the Penal Code, relating to corrections.}$ 

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 198**—An act to amend Section 30301.2 of the Public Resources Code, relating to coastal resources.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 216—An act to amend Section 1466 of the Penal Code, relating to criminal procedure.

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

**ASSEMBLY BILL NO. 239**—An act to amend Section 3622 of the Family Code, and to amend Sections 11356 and 11475.1 of the Welfare and Institutions Code, relating to family law, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

#### SECOND READING OF SENATE BILLS

**SENATE BILL NO. 39**—An act to amend Section 18843 of the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

#### THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 23 (Morrissey)—Relative to Senior Citizens' Week.

Resolution read.

#### Members Made Coauthors of Assembly Concurrent Resolution No. 23

Assembly Member Morrissey was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 23.

#### **Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Ackerman, Aguiar, Alby, Alquist, Aroner, Ashburn, Baca, Battin, Baugh, Bordonaro, Bowen, Bowler, Brown, Bustamante, Caldera, Campbell, Cardenas, Cardoza, Cunneen, Davis, Ducheny, Escutia, Figueroa, Firestone, Frusetta, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Kaloogian, Keeley, Knox, Kuehl, Kuykendall, Leach, Lempert, Leonard, Machado, Margett, Martinez, Mazzoni, McClintock, Migden, Miller, Morrow, Murray, Olberg, Oller, Ortiz, Perata, Poochigian, Prenter, Pringle, Scott, Shelley, Strom-Martin, Sweeney, Thompson, Thomson, Torlakson, Villaraigosa, Vincent, Wayne, Wildman, Woods, and Wright.

#### **Request for Unanimous Consent**

Assembly Member Morrissey was granted unanimous consent to take up Assembly Concurrent Resolution No. 23, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 23, as Amended ASSEMBLY CONCURRENT RESOLUTION NO. 23—Relative to Senior Citizens' Week.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

#### CONSIDERATION OF HOUSE RESOLUTION NO. 13 WITHOUT REFERENCE TO FILE

Assembly Member Battin was granted unanimous consent to take up House Resolution No. 13, without reference to file for purpose of consideration at this time.

HOUSE RESOLUTION NO. 13 (Battin)—Relative to Child Abuse Prevention Month.

Resolution read.

#### **Members Made Coauthors of House Resolution No. 13**

Assembly Member Battin was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 13.

#### **Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Aguiar, Alquist, Aroner, Ashburn, Baca, Baugh, Bordonaro, Bowen, Brewer, Brown, Bustamante, Caldera, Campbell, Cardenas, Cardoza, Cunneen, Davis, Ducheny, Escutia, Figueroa, Firestone, Frusetta, Gallegos, Goldsmith, Granlund, Havice, Hertzberg, Honda, House, Keeley, Knox, Kuehl, Kuykendall, Leach, Lempert, Leonard, Machado, Margett, Martinez, Mazzoni, McClintock, Migden, Miller, Morrissey, Morrow, Murray, Oller, Ortiz, Perata, Poochigian, Prenter, Pringle, Scott, Shelley, Strom-Martin, Sweeney, Thompson, Thomson, Torlakson, Villaraigosa, Vincent, Wayne, Wildman, Woods, and Wright.

#### **Request for Unanimous Consent**

Assembly Member Battin was granted unanimous consent to take up House Resolution No. 13, as amended, without reference to print or file.

Consideration of House Resolution No. 13, as Amended

**HOUSE RESOLUTION NO. 13**—Relative to Child Abuse Prevention Month. Resolution read, as amended, and adopted.

#### REPORTS OF STANDING COMMITTEES Committee on Rules

Date of Hearing: March 20, 1997

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 17

With amendments with the recommendation: Amend, and be adopted, as amended.

PERATA, Chairman

Above resolution ordered on file.

#### At 10:19 a.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding

#### HOUSE RESOLUTION NO. 17 TAKEN UP BY UNANIMOUS CONSENT FOR SECOND READING

Assembly Member House was granted unanimous consent to take up House Resolution No. 17 without reference to file, for the purpose of reading the resolution a second time and adopting the committee amendments at this time.

HOUSE RESOLUTION NO. 17-Relative to California Agriculture Week.

Resolution read; amendments proposed by the Committee on Rules read and adopted; resolution ordered reprinted.

#### House Resolution No. 17 Taken Up by Unanimous Consent

Assembly Member House was granted unanimous consent to take up House Resolution No. 17, without reference to file.

HOUSE RESOLUTION NO. 17-Relative to California Agriculture Week.

Resolution read.

#### Members Made Coauthors of House Resolution No. 17

Assembly Member House was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 17.

#### Roll Call

The following Assembly Member indicated a desire to become coauthors:

Ackerman, Aguiar, Alby, Alquist, Aroner, Ashburn, Baca, Baugh, Bowen, Caldera, Campbell, Cardenas, Cardoza, Cunneen, Davis, Figueroa, Firestone, Gallegos, Goldsmith, Granlund, Havice, Hertzberg, Honda, Kaloogian, Keeley, Knox, Leach, Lempert, Leonard, Margett, Martinez, Mazzoni, McClintock, Migden, Miller, Morrissey, Morrow, Murray, Olberg, Oller, Ortiz, Papan, Poochigian, Pringle, Scott, Shelley, Strom-Martin, Sweeney, Thompson, Torlakson, Villaraigosa, Vincent, Wayne, Wildman, and Wright.

#### **Request for Unanimous Consent**

Assembly Member House was granted unanimous consent to take up House Resolution No. 17, as amended, without reference to print or file.

#### Consideration of House Resolution No. 17, as Amended

HOUSE RESOLUTION NO. 17—Relative to California Agriculture Week. Resolution read, as amended, and adopted.

#### At 10:20 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

#### MEMBERS EXCUSED FOR COMMITTEE MEETING

At 10:20 a.m., by unanimous consent, the members of the Committee on Labor and Employment were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session, and members of the committee were permitted to add to roll call votes missed, as if present.

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

ASSEMBLY BILL NO. 1006 (Committee on Human Services)—An act relating to human services.

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

#### AYES-68

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

#### NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1400 (Ashburn)—An act to add Division 25 (commencing with Section 25000) to the Health and Safety Code, relating to human services.

Bill read third time.

#### **Motion to Amend**

Assembly Member Ashburn moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

#### Further Consideration of Assembly Bill No. 1400, as Amended, by Unanimous Consent

Assembly Member Ashburn was granted unanimous consent to take up Assembly Bill No. 1400, as amended, without reference to file for purpose of consideration at this time, and that the same be considered engrossed.

**ASSEMBLY BILL NO. 1400 (Ashburn)**—An act to add Division 25 (commencing with Section 25000) to the Welfare and Institutions Code, relating to human services.

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

## AYES-69

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

#### NOES-None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1501 (Brown)—An act relating to human services. Bill read third time.

#### AMENDMENTS WITHDRAWN

Without objection, Assembly Member McClintock withdrew his amendments to Assembly Bill No. 1501-Set 1.

#### Motion to Amend by Assembly Member Brown–Set 2

Assembly Member Brown moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file. ASSEMBLY BILL NO. 133 (Scott)—An act to amend Section 1203.085 of the Penal Code, relating to crimes.

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

AYES—66			
Ackerman	Davis	Leach	Prenter
Aguiar	Ducheny	Lempert	Pringle
Alby	Escutia	Leonard	Runner
Alquist	Figueroa	Machado	Scott
Ashburn	Firestone	Margett	Shelley
Baca	Frusetta	Martinez	Strom-Martin
Battin	Gallegos	Mazzoni	Sweeney
Baugh	Goldsmith	McClintock	Thomson
Bordonaro	Granlund	Miller	Torlakson
Bowen	Havice	Morrissey	Vincent
Bowler	Hertzberg	Olberg	Washington
Brown	Honda	Oller	Wayne
Caldera	House	Ortiz	Wildman
Campbell	Kaloogian	Pacheco	Woods
Cardenas	Keeley	Papan	Mr. Speaker
Cardoza	Knox	Perata	
Cunneen	Kuehl	Poochigian	

#### NOES-5

Aroner	Migden	Wright
Floyd	Villaraigosa	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 163 (Baugh)—An act to add Section 939.71 to the Penal Code, relating to grand juries.

Bill read third time.

#### Assembly Bill No. 163 Passed Temporarily

By unanimous consent Assembly Bill No. 163 was passed temporarily on file.

ASSEMBLY CONCURRENT RESOLUTION NO. 24 (Aroner)—Relative to food stamps.

Resolution read.

#### Motion to Amend by Assembly Member Ashburn

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

#### Motion to Table Ashburn Amendments to Assembly Concurrent Resolution No. 24

Assembly Member Villaraigosa moved that the amendments offered by Assembly Member Ashburn to Assembly Concurrent Resolution No. 24 be laid upon the table.

Assembly Member Escutia seconded the motion.

Motion carried by the following vote:

#### AYES-42

Alquist Aroner Baca Bowen	Figueroa Floyd Gallegos Havice	Martinez Mazzoni Migden Murray	Thomson Torlakson Villaraigosa Vincent
Brown	Hertzberg	Ortiz	Washington
Caldera	Honda	Papan	Wayne
Cardenas	Keeley	Perata	Wildman
Cardoza	Knox	Scott	Wright
Davis	Kuehl	Shelley	Mr. Speaker
Ducheny	Lempert	Strom-Martin	
Escutia	Macĥado	Sweeney	
		NOES-25	
Ackerman	Campbell	Leonard	Prenter
Aguiar	Cunneen	Margett	Pringle
Alby	Frusetta	Miller	Runner
Ashburn	Goldsmith	Morrissey	Woods
Battin	House	Olberg	
Bordonaro	Kaloogian	Oller	
D 1	T 1	D 1''	

#### **Further Consideration of Assembly Concurrent Resolution No. 24**

Poochigian

The question being on the adoption of the resolution. Resolution adopted by the following vote:

Leach

#### AYES-41

Alquist Aroner	Figueroa Floyd	Martinez Mazzoni	Thomson Torlakson
Baca	Gallegos	Migden	Villaraigosa
Bowen	Havice	Murray	Vincent
Brown	Hertzberg	Ortiz	Wayne
Caldera	Honda	Papan	Wildman
Cardenas	Keeley	Perata	Wright
Cardoza	Knox	Scott	Mr. Speaker
Davis	Kuehl	Shelley	•
Ducheny	Lempert	Strom-Martin	
Escutia	Macĥado	Sweeney	
	NOI	ES—19	
Ackerman	Granlund	Margett	Prenter
Alby	House	McClintock	Runner
Ashburn	Kaloogian	Olberg	Washington
Bowler	Leach	Oller	Woods
Campbell	Leonard	Pacheco	
T			

#### **Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Concurrent Resolution No. 24: Assembly Member House, from "Aye" to "No".

Resolution ordered transmitted to the Senate.

Bowler

#### **Objection to Vote Adds**

Assembly Member Battin withheld unanimous consent on any further requests for vote adds or vote changes on the roll call vote taken on this day on the Villaraigosa motion to table Ashburn amendments to Assembly Concurrent Resolution No. 24.

#### Further Consideration of Assembly Bill No. 1501, as Amended, by Unanimous Consent

Assembly Member Brown was granted unanimous consent to take up Assembly Bill No. 1501, as amended, without reference to file for purpose of consideration at this time, and that the same be considered engrossed.

**ASSEMBLY BILL NO. 1501 (Brown)**—An act relating to human services. Bill read third time, and passed by the following vote:

· · · ·	e			
AYES—70				
Ducheny	Leonard	Pringle		
Escutia	Machado	Runner		
Figueroa	Margett	Scott		
Floyd	Martinez	Shelley		
Frusetta	Mazzoni	Strom-Martin		
Gallegos	McClintock	Sweeney		
Goldsmith	Migden	Thomson		
Granlund	Miller	Torlakson		
Havice	Morrissey	Villaraigosa		
Hertzberg	Murray	Vincent		
Honda	Olberg	Washington		
House	Oller	Wayne		
Kaloogian	Ortiz	Wildman		
Keeley	Pacheco	Woods		
Knox	Papan	Wright		
Kuehl	Perata	Mr. Speaker		
Leach	Poochigian	-		
Lempert	Prenter			
	Ducheny Escutia Figueroa Floyd Frusetta Gallegos Goldsmith Granlund Havice Hertzberg Honda House Kaloogian Keeley Knox Kuehl Leach	DuchenyLeonardEscutiaMachadoFigueroaMargettFloydMartinezFrusettaMazzoniGallegosMcClintockGoldsmithMigdenGranlundMillerHaviceMorrisseyHertzbergMurrayHondaOlbergHouseOllerKaloogianOrtizKeeleyPachecoKnoxPapanKuchlPerataLeachPoochigian		

#### NOES-None

Bill ordered transmitted to the Senate.

#### CONSIDERATION OF CONSENT CALENDAR

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

#### **Consent Calendar-Senate Bills**

SENATE CONCURRENT RESOLUTION NO. 29 (O'Connell)—Relative to Camp Fire Boys and Girls: Absolutely Incredible Kids Day.

Resolution read and adopted by the following vote:

#### AYES-68

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

#### NOES—None

Resolution ordered transmitted to the Senate.

#### **REQUEST FOR PHOTOGRAPHER**

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

#### **RECESS FOR SPECIAL WEDDING CEREMONY**

At 10:55 a.m. the Assembly recessed for the exchange of nuptial vows between Assembly Member Diane Martinez and Mr. Jon Mandaville.

#### **BEST WISHES EXTENDED**

Assembly Member Escutia expressed her best wishes to her friend and colleague, Assembly Member Martinez and to Jon Mandaville. Assembly Member Barbara Alby also extended best wishes to the bride and groom on behalf of her Republican colleagues.

#### WEDDING PARTY AND SPECIAL GUESTS INTRODUCED

Assembly Member Escutia introduced the following family members and attendants of Assembly Member Martinez:

Mrs. Vera Martinez (mother), Kate Aguilar (daughter), Susie Baker (sister), Keith Baker (brother-in-law), Susie Baker (flower girl), Dee Dee Baker (flower girl), and Gilly Martinez (brother); the following family members and attendants of Jon Mandaville: Jim Mandaville (brother), Heath Mandaville (son), Alison Mandaville (daughter), Marlys Mandaville (granddaughter and flower girl), and James Woodson, photographer.

#### SPEAKER CRUZ M. BUSTAMANTE OFFICIATING

Speaker Cruz M. Bustamante officiated over the wedding ceremony of Assembly Member Diane Martinez and Jon Mandaville. The wedding party recessional was accompanied by guitar music as they departed the Assembly Chamber.

#### REASSEMBLED

At 11:10 a.m., the Assembly reconvened.

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

#### BEST WISHES EXTENDED TO ASSEMBLY MEMBER RICHTER

Speaker pro Tempore Kuehl informed the Assembly that Assembly Member Richter had recently sustained a serious back injury and was joined by the Members of the Assembly in extending best wishes for a speedy recovery to Assembly Member Richter.

#### SESSION SCHEDULE ANNOUNCEMENTS

Speaker pro Tempore Kuehl announced the following session schedule:

Monday, March 31, 1997, Floor Session, 12 noon.

#### **VOTE ADDS**

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

Assembly Concurrent Resolution No. 23, Coauthor: Frusetta—Aye.

#### MOTION TO ADJOURN

At 11:11 a.m., Assembly Member Baca moved that the Assembly do now adjourn.

Assembly Member Davis seconded the motion.

Motion carried.

#### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:11 a.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

#### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1594—Committee on Environmental Safety and Toxic Materials (Wayne (Chair), Cunneen (Vice Chair) Bowen, Knox, and Richter). An act to amend Section 25353 of the Health and Safety Code, relating to hazardous substances and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1595—Committee on Public Employees, Retirement and Social Security (Knox (Chair), Migden, Runner, Scott, Shelley, and Wildman). An act to amend Sections 20232, 20405, 21074, 21151, 21221, 21497, 21674, 22013.3, 22013.6, 22013.7, 22013.75, 22013.76, 22013.8, 22013.85, 22013.9, 22013.95, 22013.96, 22013.97, 22013.10, 22013.11, 22014.5, 22754, 22810, 22810.3, 22811.5, 22811.6, 22818, 22823, 22832, and 22850.2 of, to amend and renumber Section 21296 of, and to repeal Sections 20234 and 22014.3 of, the Government Code, relating to public employees.

ASSEMBLY BILL NO. 1596—Committee on Public Employees, Retirement and Social Security (Knox (Chair), Migden, Scott, Shelley, and Wildman). An act to amend Sections 20393, 20408, and 22859.2 of, and to add Section 20417 to, the Government Code, and to amend Section 5101.2 of the Vehicle Code, relating to public employees.

ASSEMBLY BILL NO. 1597—Committee on Public Employees, Retirement and Social Security (Knox (Chair), Migden, Scott, Shelley, and Wildman). An act to amend Sections 22104, 22117, 22120, 22146, 22162, 22216, 22221, 22222, 22711, 22801, 23851, 23880, 26507, 26807, 26906, and 27411 of the Education Code, and to amend Section 11126 of the Government Code, relating to public retirement systems.

ASSEMBLY BILL NO. 1598—Committee on Public Employees, Retirement and Social Security (Knox (Chair), Migden, Runner, Scott, Shelley and Wildman). An act to amend Sections 31453.6, 31581.2, 31630, 31639.85, and 31685.5 of, and to add Section 31678.1 to, the Government Code, relating to county employees.

ASSEMBLY BILL NO. 1599—Committee on Public Employees, Retirement and Social Security (Knox (Chair), Migden, Scott, Shelley, and Wildman). An act to amend Section 31725 of the Government Code, relating to county employees.

ASSEMBLY BILL NO. 1600—Committee on Public Employees, Retirement and Social Security (Knox (Chair), Migden, Scott, Shelley, and Wildman). An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

#### Authorization to Introduce Bills Pursuant to Joint Rule 54

Pursuant to the provisions of Joint Rule 54, the following communication was presented permitting the introduction of an Assembly bill:

*Dear Mr. Clerk:* Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Shelley to introduce a bill relating to health care. Request No. 97 9137.

CRUZ M. BUSTAMANTE Speaker of the Assembly

**ASSEMBLY BILL NO. 1601—Shelley.** An act to add Section 8320 to the Government Code, relating to health care, and declaring the urgency thereof, to take effect immediately.

#### Authorization to Introduce Bills Pursuant to Joint Rule 54

Pursuant to the provisions of Joint Rule 54, the following communication was presented permitting the introduction of an Assembly bill:

*Dear Mr. Clerk:* Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Carole Migden to introduce a bill relating to transferred or leased assets of a medical center, owned in part or in whole by the state. Request No. 9709140.

CRUZ M. BUSTAMANTE Speaker of the Assembly

**ASSEMBLY BILL NO. 1602–Migden.** An act to add Section 9145 to the Government Code, relating to legislative oversight, and declaring the urgency thereof, to take effect immediately.

#### RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 32—Cardoza (Senator Costa, coauthor). Relative to arthropods.

HOUSE RESOLUTION NO. 19-Baca. Relative to International Togetherness Day.

#### **AUTHOR'S AMENDMENTS**

#### **Committee on Housing and Community Development**

March 20, 1997

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

Assembly Bill No. 257

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

TORLAKSON, Chairman

ASSEMBLY BILL NO. 257—An act to amend Sections 12920, 12921, 12926, 12930, 12931, 12935, 12940, 12944, and 12993 of the Government Code, relating to fair employment and housing.

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

#### AUTHOR'S AMENDMENTS Committee on Public Safety

March 20, 1997

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 78

Assembly Bill No. 308

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

HERTZBERG, Chairman

ASSEMBLY BILL NO. 78—An act to amend Sections 12020, 12021, 12026.2, 12201, and 12322 of the Penal Code, relating to firearms.

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

ASSEMBLY BILL NO. 308—An act to amend Section 641.3 of the Penal Code, relating to crimes.

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

#### AUTHOR'S AMENDMENTS Committee on Local Government

March 20, 1997

Mr. Speaker: The Chair of your Committee on Local Government reports: Assembly Bill No. 3

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

SWEENEY, Chairman

**ASSEMBLY BILL NO. 3**—An act to amend Sections 7113.5 and 7114 of the Government Code, relating to local agencies.

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

#### AUTHOR'S AMENDMENTS Committee on Transportation

March 20, 1997

Mr. Speaker: The Chair of your Committee on Transportation reports: Assembly Bill No. 87

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

MURRAY, Chairman

**ASSEMBLY BILL NO. 87**—An act to add Division 2 (commencing with Section 64000) to Title 6.7 of the Government Code, relating to transportation, and making an appropriation therefor.

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

#### AUTHOR'S AMENDMENTS Committee on Health

Assembly Journal

March 20, 1997

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

Assembly Bill No. 48

Assembly Bill No. 219

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

GALLEGOS, Chairman

#### ASSEMBLY BILL NO. 48-An act relating to crack cocaine.

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.

ASSEMBLY BILL NO. 219—An act relating to health care.

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

#### AUTHOR'S AMENDMENTS Committee on Higher Education

March 20, 1997

Mr. Speaker: The Chair of your Committee on Higher Education reports: Assembly Bill No. 301

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

LEMPERT, Chairman

**ASSEMBLY BILL NO. 301**—An act to add Article 10 (commencing with Section 87880) to Chapter 3 of Part 51 of the Education Code, relating to community colleges.

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

#### AUTHOR'S AMENDMENTS Committee on Judiciary

March 20, 1997

Mr. Speaker: The Chair of your Committee on Judiciary reports: Assembly Bill No. 86

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

ESCUTIA, Chairwoman

ASSEMBLY BILL NO. 86—An act to amend Section 116230 of the Code of Civil Procedure, to amend Section 1852 of the Family Code, to amend Sections 26820.4, 26823, 26827, 26827, 4, 26830, 26831, 26832, 26833, 26835, 26836, 26837, 26838, 26850, 26851, 26852, 26853, 26857, 26857, 26862, 27361, 68073, 68085, 68090.8, 68113, 72054, 72055, 72060, 76000, and 77003 of, to add Sections 27081.5, 68073.1, 77001, and 77009 to, to add and repeal Section 72056.01 of, to repeal and add Article 3 (commencing with Section 77200) of Chapter 13 of Title 8 of, to add Chapter 14 (commencing with Section 77600) to Title 8 of, to repeal Article 4 (commencing with Section 77300) of Chapter 13 of Title 8 of, and to repeal and add Sections 26826.01 and 71383 of, the Government Code, to amend Sections 1463.007, 1463.007, 1463.009, and 1464 of, to add Sections 1463.01 and 1463.01 to repeal Sections 1463.007 of, the Vehicle Code, and to add Section 11205.1 to, and to repeal and add Section 42007 of, the Vehicle Code, relating to trial court funding, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

#### AUTHOR'S AMENDMENTS Committee on Education

March 20, 1997

Mr. Speaker: The Chair of your Committee on Education reports: Assembly Bill No. 64

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

MAZZONI, Chairwoman

**ASSEMBLY BILL NO. 64**—An act to add Part 68 (commencing with Section 100400) to, and to add Part 69 (commencing with Section 100600) to, the Education Code, relating to school facilities, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

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

#### AUTHOR'S AMENDMENTS Committee on Education

March 20, 1997

Mr. Speaker: The Chair of your Committee on Education reports: Assembly Bill No. 272

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

MAZZONI, Chairwoman

**ASSEMBLY BILL NO. 272**—An act to amend Section 52122, 52123, 52124, and 52126 of the Education Code, relating to class size reduction.

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

#### AUTHOR'S AMENDMENTS Committee on Insurance

March 20, 1997

Mr. Speaker: The Chair of your Committee on Insurance reports: Assembly Bill No. 49

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

**ASSEMBLY BILL NO. 49**—An act to amend Section 5406.5 of, and to add Section 4710 to, the Labor Code, relating to workers' compensation.

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

#### AUTHOR'S AMENDMENTS Committee on Revenue and Taxation

March 20, 1997

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports: Assembly Bill No. 215

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

CALDERA, Chairman

**ASSEMBLY BILL NO. 215**—An act to add Section 17053.65 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 Appropriations

Date of Hearing: March 20, 1997

Mr. Speaker: Your Committee on Appropriations reports: Senate Bill No. 181

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

#### **Committee on Housing and Community Development**

Date of Hearing: March 19, 1997 Mr. Speaker: Your Committee on Housing and Community Development reports: Assembly Bill No. 270

With the recommendation: Do pass.

TORLAKSON, Chairman

Above bill ordered to second reading.

Date of Hearing: March 19, 1997

Mr. Speaker: Your Committee on Housing and Community Development reports: Assembly Bill No. 235

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

TORLAKSON, Chairman

Above bill re-referred to the Committee on Appropriations.

#### **Committee on Judiciary**

Date of Hearing: March 19, 1997

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 157

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

ESCUTIA, Chairwoman

Above bill ordered to second reading.

#### **Committee on Higher Education**

Date of Hearing: March 18, 1997

Mr. Speaker: Your Committee on Higher Education reports: Assembly Bill No. 13

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

LEMPERT, Chairman

Above bill ordered to second reading.

#### **Committee on Education**

Date of Hearing: March 19, 1997

Mr. Speaker: Your Committee on Education reports:

Assembly Constitutional Amendment No. 7

With the recommendation: Be adopted, and be re-referred to the Committee on Elections, Reapportionment and Constitutional Amendments.

MAZZONI, Chairwoman

With the recommendation: Do pass, and be re-referred to the Committee on Elections, Reapportionment and Constitutional Amendments.

Date of Hearing: March 19, 1997

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 89

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

MAZZONI, Chairwoman

Above bill ordered to second reading.

#### **Committee on Public Safety**

Date of Hearing: March 18, 1997

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 130

Assembly Bill No. 207

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

HERTZBERG, Chairman

Above bills ordered to second reading.

#### MESSAGES FROM THE SENATE

Senate Chamber, March 20, 1997

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

Assembly Concurrent Resolution No. 16

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

Above resolution ordered enrolled.

Senate Chamber, March 20, 1997 Mr. Speaker: I am directed to inform your honorable body that the Senate on this

day passed: Senate Bill No. 42 Senate Bill No. 154 Senate Bill No. 215 Senate Bill No. 258

Senate Bill No. 293 Senate Bill No. 549 GREG P. SCHMIDT, Secretary of the Senate By John W. Rovane, Assistant Secretary

Senate Bill No. 262

Senate Bill No. 285

Senate Chamber, March 20, 1997

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

Senate Concurrent Resolution No. 10 Senate Joint Resolution No. 12

> 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. 42**—An act to amend Section 44011 of the Health and Safety Code, and to amend Section 4000.1 of the Vehicle Code, relating to air pollution.

**SENATE BILL NO. 154**—An act to add Chapter 2.98 (commencing with Section 7286.59) to Part 1.7 of Division 2 of the Revenue and Taxation Code, relating to taxation.

SENATE BILL NO. 215—An act to amend Section 1050 of the Penal Code, relating to criminal procedure.

**SENATE BILL NO. 258**—An act to amend and renumber Section 67575.9 of the Government Code, to amend Section 33492.4 of, to amend and renumber Sections 33320.5 and 33320.7 of, to amend and renumber Article 7 (commencing with Section 33493.1) of Chapter 4.5 of Part 1 of Division 24, as added by Chapter 222 of the Statutes of 1996, of, to add a heading as Article 1.5 (commencing with Section 33492.40) to Chapter 4.5 of Part 1 of Division 24 of, to repeal Sections 33320.6 and 33492.114 of, and to repeal Article 3 (commencing with Section 33492.60) of Chapter 4.5 of Part 1 of Division 24 of, the Health and Safety Code, relating to redevelopment.

SENATE BILL NO. 262—An act to amend Section 3344 of the Civil Code, relating to damages.

**SENATE BILL NO. 285**—An act relating to human services, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 293**—An act to repeal Section 11250 of the Welfare and Institutions Code, relating to human services.

**SENATE BILL NO. 549**—An act to add Section 11265.8 to the Welfare and Institutions Code, relating to human services.

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 10—Relative to school conduct and safety.

SENATE JOINT RESOLUTION NO. 12—Relative to closing the flight-service station at the Arcata-Eureka Airport.

#### **INTRODUCTION OF GUESTS**

Assembly Member Oller, of the 4th Assembly District, introduced students from Blue Oak Elementary School, in Cameron Park.

#### ADJOURNMENT

At 3 p.m., pursuant to the provisions of Joint Rule 51 and the motion by Assembly Member Baca, the Assembly adjourned for the 1997 Easter Recess until 12 noon, Monday, March 31, 1997, out of respect to the memory of Michael Nelson, on motion of Assembly Member Alby: out of respect to the memory of Raymond H. Bass. on motion of Assembly Member Wildman; out of respect to the memory of Alex Aldrich, on motion of Assembly Member House; out of respect to the memory of Officer Kevin L. Gaines, on motion of Assembly Member Washington; out of respect to the memory of Alice Hill Pye M.D.; on motion of Assembly Member Thomson; out of respect to the memory of Cleo Webb, on motion of Assembly Member Prenter; out of respect to the memory of Lore Radisch, on motion of Assembly Member Lempert; out of respect to the memory of Walter E. Murphy, on motion of Assembly Member Kaloogian; and out of respect to the memory of Ralph Abascal, on motion of Assembly Member Aroner.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 20, 1997

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

AB	RN	AB	RN
3	9709110	219	9708482
39	9709059	257	9708884
48	9708639	272	9708723
49	9708702	301	9708847
50	9708819	308	9708685
51	9708825	1400	9709073
64	9708962	1501	9709081
78	9708981		
86	9708834	HR	RN
87	9708924	17	9709063
215	9708895	17	7107005
216	9708961		

Amendments were considered by the Assembly, but not adopted, to the following measures:

#### ACR

24	(Ashburn	amendments,	RN	9709114,	laid
	upon th	e table)			