

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, April 3, 1997**

**FORTY-NINTH SESSION DAY**

**ONE HUNDRED TWENTY-THIRD CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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

**PROCEEDINGS OF THE ASSEMBLY**

**IN ASSEMBLY**

Assembly Chamber, Sacramento  
Thursday, April 3, 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 Brian Ebbert reading.

**ROLL CALL**

The roll was called.

**Quorum Call of the Assembly**

Assembly Member Thompson 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.

**Quorum Present**

At 8:48 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:

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

**PRAYER**

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

*O God of Our Salvation, All things are Yours. We offer our whole heart and all our mind when we worship You. Yet we do not serve You as we should, and the world is racked by all the tensions and conflicts that come from the worship of other gods. If our faith is not set firmly in You, then even our goodwill towards others has no foundation and we try to heal deep wounds with superficial cures. Father, when we stray from You, forgive us. And help us to love one another as You have loved us.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Battin, accompanied by his daughter, Bailey, 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 Aguiar.

**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 Members Bowen and Napolitano.*

*On personal business and waiving per diem: Assembly Member Goldsmith.*

**EXPLANATIONS OF ABSENCE**

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

April 2, 1997

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

Dear Mr. Speaker: On Thursday, April 3rd I will be attending a National Conference on State Legislatures, in San Francisco on legislative business.

I am writing to request that I be excused from session that day. I will be in my Capitol Office all afternoon.

Please feel free to contact me should you have any questions.

Sincerely,

DEBRA BOWEN, Assembly Member  
Fifty-third District

April 2, 1997

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

Dear Mr. Speaker: I respectfully request to be excused from session on Thursday, April 3 as I will be in Washington D.C. 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

### REPORTS

The following reports were presented by the Chief Clerk:

#### **Promoting Safe Schools, Presenting the Results of the 1995-96 California Safe Schools Assessment**

Above transmitted report, together with letter of transmittal from Henry Der, Deputy Superintendent, External Affairs, California Department of Education, Sacramento, dated February 24, 1997, referred by the Speaker to the Committee on Education.

#### **Hazard Evaluation System and Information Service, Annual Report, December 1995-November 1996 (Pursuant to Labor Code Section 147.2)**

Above transmitted report, together with letter of transmittal from Lloyd W. Aubry, Jr., Director, Department of Industrial Relations, San Francisco, dated March 19, 1997, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

#### **California State Lottery Fund, Financial Statements, December 31, 1996 (Pursuant to Government Code Section 8880.22)**

Above transmitted report, together with letter of transmittal from Patricia Eberhart, Chief, Finance Department, California Lottery, Sacramento, dated March 28, 1997, referred by the Speaker to the Committee on Governmental Organization.

#### **Report to the Legislature on the Regulatory Activities of the South Coast Air Quality Management District, 1996 (Pursuant to Chapter 1702, Statutes of 1990 (SB 1928))**

Above transmitted report, together with letter of transmittal from James M. Lents, Ph.D., Executive Office, South Coast Air Quality Management District, Diamond Bar, dated March 25, 1997, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

#### **Assisted Living (Pursuant to Budget Item 4260-001-0001 of the Budget Act for 1996)**

Above transmitted report, together with letter of transmittal from S. Kimberly Belshe, Director, Department of Health Services, Sacramento, dated March 27, 1997, referred by the Speaker to the Committee on Budget.

Assembly Chamber, April 3, 1997

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

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 15  | Assembly Bill No. 572  |
| Assembly Bill No. 17  | Assembly Bill No. 644  |
| Assembly Bill No. 46  | Assembly Bill No. 752  |
| Assembly Bill No. 56  | Assembly Bill No. 784  |
| Assembly Bill No. 226 | Assembly Bill No. 1013 |
| Assembly Bill No. 447 | Assembly Bill No. 1135 |
| Assembly Bill No. 486 | Assembly Bill No. 1335 |
| Assembly Bill No. 568 |                        |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 3, 1997

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

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 10  | Assembly Bill No. 562  |
| Assembly Bill No. 101 | Assembly Bill No. 717  |
| Assembly Bill No. 156 | Assembly Bill No. 1109 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly*

<i>Bill No.</i>	<i>Committee</i>
<b>327</b> -----	Pub. S.
<b>621</b> -----	Higher Ed.
<b>791</b> -----	Ed.
<b>882</b> -----	E.S. & T.M.
<b>911</b> -----	G.O.
<b>927</b> -----	L. Gov.
<b>1043</b> -----	Rev. & Tax.
<b>1290</b> -----	Pub. S.
<b>1417</b> -----	Rev. & Tax.
<b>1603</b> -----	Jud.
<b>1604</b> -----	P.E.,R. & S.S.

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>33</b> -----	Rls.
<b>34</b> -----	Rls.
<b>36</b> -----	Rls.
<b>37</b> -----	Rls.

*Senate*

<i>Bill No.</i>	<i>Committee</i>
<b>97</b> -----	Pub. S.
<b>109</b> -----	E.,R. & C.A.
<b>137</b> -----	G.O.

*Senate Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>10</b> -----	Ed.
<b>35</b> -----	Rls.

*Senate Joint  
Resolution No.*

*Committee*

**12** -----Trans.

**REPORTS OF STANDING COMMITTEES  
Committee on Judiciary**

Date of Hearing: April 2, 1997

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 53

Assembly Bill No. 316

Assembly Bill No. 200

Assembly Bill No. 329

With the recommendation: Do pass.

ESCUTIA, Chairwoman

Above bills ordered to second reading.

Date of Hearing: April 2, 1997

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1093

With the recommendation: Do pass.

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

ESCUTIA, Chairwoman

Above bill ordered to second reading.

Date of Hearing: April 2, 1997

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1110

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

ESCUTIA, Chairwoman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 2, 1997

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 702

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

ESCUTIA, Chairwoman

Above bill re-referred to the Committee on Revenue and Taxation.

Date of Hearing: April 2, 1997

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 23

With the recommendation: Do pass.

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

ESCUTIA, Chairwoman

Above bill ordered to second reading.

Date of Hearing: April 2, 1997

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 69

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

ESCUTIA, Chairwoman

Above bill re-referred to the Committee on Appropriations.

**Committee on Rules**

Date of Hearing: April 3, 1997

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 37

With the recommendation: Be adopted.

PERATA, Chairman

Above resolution ordered on file.

**BILLS CONSIDERED ENGROSSED**

Speaker pro Tempore Kuehl was granted unanimous consent that Assembly Bills Nos. 532, 1040, 1041, and 1042 be considered engrossed.

**ADJOURN IN MEMORY**

Assembly Member Alquist was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Keith Schatz, retired Police Chief, City Councilman, and Mayor, of Mountain View.

Assembly Members Cunneen and Lempert were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Aylett B. Cotton, of San Mateo.

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 Moe Moskowitz, of Berkeley.

Assembly Member Ducheny was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alonzo LeRoy King Sr., of San Diego.

Assembly Member Brewer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Celia Turner, of Newport Beach; and Jerry Jacobs, of Corona del Mar.

Assembly Member Shelley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Angela Ward, R. Alexander Pickering and Ralph Santiago Abascal, of San Francisco.

**ADJOURN IN HONOR**

Assembly Member Frusetta was granted unanimous consent that when the Assembly adjourns on this day it do so in honor of the birth of Madelyn Quinlen Brown born to Devin and Kathleen Brown, of Sacramento.

### RECESS

By unanimous consent, at 8:55 a.m., Speaker pro Tempore Kuehl declared the Assembly recessed to permit the introduction of special guests.

On behalf of Assembly Member Napolitano, Assembly Member Richter introduced and welcomed the following delegates from the City of Wuhan, China: The Honorable Jin Zhen Zhong, The Honorable Xu Liang Rong, The Honorable Wang Bao Yu, The Honorable Wang Gan Shan, The Honorable Shen Xia Qing, The Honorable Liu Li Xin, and The Honorable He Qiang. Also introduced was Mr. Raymond Fung, Chief Executive Officer of Dynasty Marketing and Management International, who is hosting the delegation.

Assembly Member Hertzberg joined in welcoming the delegation to the Assembly.

### REASSEMBLED

At 9 a.m., the Assembly reconvened.

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

### WITHDRAWAL AND RE-REFERENCE OF BILLS

Assembly Member Gallegos was granted unanimous consent that Assembly Bill No. 984 be withdrawn from the Committee on Health and re-referred to the Committee on Insurance.

### ADJOURN IN MEMORY

Assembly Members Bowler, Ortiz, and Richter were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Yuba County Sheriff's Deputy Brian Meilbeck, of Sacramento.

### WITHDRAWAL AND RE-REFERENCE OF BILLS

Assembly Member Davis was granted unanimous consent that Assembly Bill No. 1516 be withdrawn from the Committee on Consumer Protection, Governmental Efficiency and Economic Development and re-referred to the Committee on Insurance.

### BEST WISHES EXTENDED

Assembly Member Baldwin was joined by the Members of the Assembly in extending best wishes for a speedy recovery to Officer R. W. Brean, of El Cajon.

### CONSIDERATION OF DAILY FILE

#### SECOND READING OF ASSEMBLY BILLS

**ASSEMBLY BILL NO. 22**—An act to amend Section 209 of the Penal Code, relating to kidnapping.

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. 266**—An act to add Section 7577 to, and 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 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. 477**—An act to amend Section 12101 of the Health and Safety Code, and to amend Sections 453 and 12302 of the Penal Code, relating to explosives.

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. 714**—An act to amend Section 11160 of the Penal Code, relating to domestic violence.

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. 950**—An act to add Section 647.7 to the Penal Code, relating to crimes.

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. 500**—An act to add Section 4006.5 to the Penal Code, relating to prisons.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 875**—An act to amend Section 6250 of the Penal Code, relating to corrections.

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

**ASSEMBLY BILL NO. 116**—An act to add Section 11125.9 to the Government Code, relating to open meetings.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 210**—An act to amend Section 12308 of the Penal Code, relating to explosive devices.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 225**—An act to amend Section 2985.71 of the Civil Code, relating to vehicle leases.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 90**—An act to add Article 9 (commencing with Section 2838) to Chapter 6 of Division 2 of, and to repeal Section 2718 of, the Business and Professions Code, relating to nursing, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 235**—An act to amend Section 51350 of the Health and Safety Code, relating to housing bonds, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 139**—An act to amend Section 3058.8 of the Penal Code, relating to parole.

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

**ASSEMBLY BILL NO. 188**—An act to amend Section 2166 of the Elections Code, relating to elections.

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

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

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

**Senate Bill No. 131**, ordered to third reading.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 115**—An act to amend Section 1377 of the Penal Code, relating to criminal procedure.

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

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, April 3, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 235

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, April 3, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 210  
Assembly Bill No. 225  
Assembly Bill No. 500

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

**WITHDRAWAL AND RE-REFERENCE OF BILLS**

Assembly Member Knox was granted unanimous consent that Assembly Bill No. 538 be withdrawn from the Committee on Public Employees, Retirement and Social Security and re-referred to the Committee on Education.

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

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

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

**AYES—64**

Ackerman	Ducheny	Margett	Richter
Aguiar	Escutia	Martinez	Runner
Alby	Figueroa	Mazzoni	Scott
Aroner	Floyd	McClintock	Shelley
Ashburn	Gallegos	Migden	Strom-Martin
Baca	Granlund	Miller	Sweeney
Baldwin	Hertzberg	Morrissey	Takasugi
Battin	Honda	Morrow	Thompson
Baugh	House	Murray	Thomson
Bordonaro	Kaloogian	Olberg	Torlakson
Bowler	Keeley	Oller	Villaraigosa
Brown	Knox	Ortiz	Vincent
Campbell	Kuehl	Papan	Washington
Cardenas	Leach	Perata	Wildman
Cunneen	Leonard	Poochigian	Woods
Davis	Machado	Pringle	Wright

**NOES—3**

Cardoza	Pacheco	Prenter
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Bill ordered transmitted to the Senate.

**COMMUNICATIONS**

The following explanation of vote was presented by the Chief Clerk, and ordered printed in the Journal:

**Explanation of Vote—Assembly Bill No. 163**

April 3, 1997

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

Dear Mr. Wilson: During floor session today, while I was in conference with the Speaker, I was unable to get to my “aye” button before the roll was closed on Item Number 17, AB 163. I also failed to change my vote at the end of session.

I would therefore like the record to reflect my intention to have been recorded as a “aye” vote instead of “not voting.”

Sincerely,

SALLY M. HAVICE, Assembly Member  
Fifty-sixth District

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Assembly Bill No. 65**, on request of Assembly Member Migden.

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

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

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

**AYES—62**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Escutia	Leonard	Richter
Alquist	Figueroa	Machado	Runner
Ashburn	Firestone	Margett	Scott
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Miller	Sweeney
Battin	Granlund	Morrissey	Takasugi
Baugh	Havice	Morrow	Thompson
Bordonaro	Hertzberg	Olberg	Thomson
Bowler	Honda	Oller	Torlakson
Brewer	House	Ortiz	Wayne
Brown	Kalooagian	Pacheco	Wildman
Campbell	Keeley	Papan	Woods
Cardenas	Knox	Perata	
Cardoza	Kuykendall	Poochigian	

**NOES—9**

Aroner	Mazzoni	Vincent
Floyd	Migden	Washington
Kuehl	Villaraigosa	Wright

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 270 (Torlakson)**—An act to amend Section 33385 of the Health and Safety Code, relating to redevelopment.

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

**AYES—44**

Alquist	Escutia	Lempert	Shelley
Aroner	Figueroa	Machado	Strom-Martin
Ashburn	Floyd	Martinez	Sweeney
Baca	Gallegos	Mazzoni	Thomson
Brown	Granlund	Migden	Torlakson
Caldera	Havice	Murray	Villaraigosa
Campbell	Hertzberg	Ortiz	Vincent
Cardenas	Honda	Papan	Washington
Cardoza	Keeley	Perata	Wayne
Davis	Knox	Prenter	Wildman
Ducheny	Kuehl	Scott	Wright

**NOES—26**

Ackerman	Cunneen	McClintock	Pringle
Aguiar	Firestone	Morrissey	Richter
Baldwin	House	Morrow	Takasugi
Battin	Kalooagian	Olberg	Thompson
Bordonaro	Kuykendall	Oller	Woods
Bowler	Leach	Pacheco	
Brewer	Leonard	Poochigian	

Bill ordered transmitted to the Senate.

**REQUEST FOR PHOTOGRAPHER**

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

**REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES**

Assembly Member Figueroa was granted unanimous consent that Assembly Rule 56 be temporarily suspended for the purpose of permitting the Committee on Insurance to notice hearing of Assembly Bills Nos. 12 and 38 in the Assembly Daily File, prior to re-referral to the committee.

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

**ASSEMBLY BILL NO. 157 (Villaraigosa)**—An act to add Section 43.3 to the Civil Code, relating to personal rights.

Bill read third time.

**Demand for Previous Question**

Assembly Members Morrissey, Escutia, Wayne, Miller, and Baca demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—61**

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

**NOES—9**

Ackerman	Leach	Morrow
Baldwin	Margett	Oller
Brewer	McClintock	Runner

Bill ordered transmitted to the Senate.

**ASSEMBLY CONCURRENT RESOLUTION NO. 28 (Havice)**—Relative to victims' rights.

Resolution read.

**Request to Pass and Retain**

Assembly Member Havice requested unanimous consent to pass and retain Assembly Concurrent Resolution No. 28.

**Parliamentary Inquiry**

Assembly Member McClintock arose to the following parliamentary inquiry:

Do the Rules not provide for measures to be passed on file twice and be placed upon the inactive file?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative; that in the absence of unanimous consent to a request to pass and retain, a measure may be passed on file and placed upon the inactive file subsequent to the second request to pass on file.

**Parliamentary Inquiry**

Assembly Member Bustamante arose to the following parliamentary inquiry:

Would a pass on file action not further delay consideration of the resolution?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative; that if there is objection to a request to pass and retain on a measure, a rules suspension requiring of the Members present and voting would be required to pass and retain, otherwise the measure would be passed on file.

**Unanimous Consent Withheld**

Assembly Member Pringle withheld unanimous consent to the request by Assembly Member Havice to pass and retain Assembly Concurrent Resolution No. 28.

**Parliamentary Inquiry**

Assembly Member Bustamante arose to the following parliamentary inquiry: What is today's date and when is "Crime Victims' Rights Week"?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that there are 10 days in which to consider Assembly Concurrent Resolution No. 28 prior to the week of April 13–19, 1997, which is "Crime Victims' Rights Week".

**Parliamentary Inquiry**

Assembly Member Pringle arose to the following parliamentary inquiry:

Is an Assembly Concurrent Resolution required to be passed by both Houses?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative.

**Point of Order**

Assembly Member Pringle arose to the following point of order:

Assembly Concurrent Resolution No. 28 must be considered in a timely fashion to pass this House and the Senate, prior to April 13, 1997.

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that the author has requested to pass and retain Assembly Concurrent Resolution No. 28, there was objection, and the measure has been passed on file.

**Parliamentary Inquiry**

Assembly Member McClintock arose to the following parliamentary inquiry:

Is a motion to adopt Assembly Concurrent Resolution No. 28 not the property of the House, and is it not in order for any Member to move adoption?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative.

**Motion to Adopt Assembly Concurrent Resolution No. 28**

Assembly Member Battin moved adoption of Assembly Concurrent Resolution No. 28.

Assembly Member Thompson seconded the motion.

**Parliamentary Inquiry**

Assembly Member Floyd arose to the following parliamentary inquiry:

Would a substitute motion, such as a motion to place upon the inactive file, be in order?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that it is always in order for the author to request that the measure be placed upon the inactive file.

**Parliamentary Inquiry**

Assembly Member Bustamante arose to the following parliamentary inquiry:

Should the motion by Assembly Member Battin carry, will the pending amendments be before the Body?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that the motion before the Body is to take up Assembly Concurrent Resolution No. 28, against the wishes of the author, which requires a majority of the Members present and voting to carry.

**Parliamentary Inquiry**

Assembly Member Mazzoni arose to the following parliamentary inquiry:

Does the motion before the Body include consideration of amendments?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the negative; and stated that if the motion by Assembly Member Battin carried, then consideration of the resolution and amendments would be in order.

**Parliamentary Inquiry**

Assembly Member Floyd arose to the following parliamentary inquiry:

Is the motion by Assembly Member Battin debatable?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the negative; that the motion is procedural and therefore, not debatable.

**Parliamentary Inquiry**

Assembly Member Pringle arose to the following parliamentary inquiry:

If the motion carries, is the resolution, and any pending amendments, before the Body?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that if the motion by Assembly Member Battin carries by a majority of the Members present and voting, the resolution and amendments would be before the Body.

**Parliamentary Inquiry**

Assembly Member Ducheny arose to the following parliamentary inquiry:

If the motion of Assembly Member Battin carries, would Assembly Concurrent Resolution No. 28 be presented by the author?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative.

**Parliamentary Inquiry**

Assembly Member McClintock arose to the following parliamentary inquiry:

By what rule is the Chair applying a procedural motion to the motion by Assembly Member Battin to adopt the resolution?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that the motion by Assembly Member Battin was to take up Assembly Concurrent Resolution No. 28.



**Further Consideration of Motion by Assembly Member Battin**

The question being on the motion by Assembly Member Battin to take up Assembly Concurrent Resolution No. 28.

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, 9:42 a.m.

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

**ASSEMBLY CONCURRENT RESOLUTION NO. 29 (Migden)**—Relative to California Nonprofits Week.

Resolution read.

**Members Made Coauthors of Assembly Concurrent Resolution No. 29**

Assembly Member Migden was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 29.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Aguiar, Alquist, Aroner, Ashburn, Baca, Baldwin, Brewer, Brown, Bustamante, Cardenas, Cardoza, Cunneen, Davis, Escutia, Figueroa, Firestone, Gallegos, Havice, Hertzberg, Kaloogian, Keeley, Knox, Kuehl, Lempert, Machado, Margett, Martinez, Mazzoni, McClintock, Murray, Oller, Ortiz, Papan, Perata, Pochigian, Runner, Scot, Shelley, Strom-Martin, Sweeney, Takasugi, Thompson, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wildman, and Wright.

**Request for Unanimous Consent**

Assembly Member Migden was granted unanimous consent to take up Assembly Concurrent Resolution No. 29, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 29, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 29**—Relative to California Nonprofits Week.

Resolution read, as amended, and adopted.

Resolution ordered printed, and 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—Assembly Bill**

**ASSEMBLY BILL NO. 239 (Ortiz)**—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 third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

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

**Consent Calendar—Senate Bill**

**SENATE BILL NO. 39 (Johannessen)**—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 third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

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

**Consent Calendar Roll Call**

The roll was called, and the above bills on the Consent Calendar passed, and any urgency clauses to the bills adopted by the following vote:

**AYES—76**

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

**NOES—None**

**BEST WISHES TO STEPHEN J. GREENE, JR.**

Assembly Member Aguiar was joined by the Members of the Assembly in extending best wishes to Stephen J. Greene, Jr. as he leaves his position with the Assembly Republican Caucus to accept a new position as Assistant General Counsel with the Department of Resources.

**CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION BY ASSEMBLY MEMBER BATTIN AS IT RELATES TO ASSEMBLY CONCURRENT RESOLUTION NO. 28**

At 9:48 a.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.

The Battin motion to take up Assembly Concurrent Resolution No. 28 lost by the following vote:

**AYES—36**

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

**NOES—41**

Alquist	Floyd	Mazzoni	Torlakson
Aroner	Gallegos	Migden	Villaraigosa
Baca	Havice	Murray	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	Machado	Sweeney	
Figueroa	Martinez	Thomson	

Assembly Concurrent Resolution No. 28 passed on file.

**Objection to Vote Adds**

Assembly Member Battin withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Battin motion to take up Assembly Concurrent Resolution No. 28.

**SESSION SCHEDULE AND OTHER ANNOUNCEMENTS**

Speaker pro Tempore Kuehl announced the following session schedule:

- Monday, April 7, 1997, Floor Session, 11 a.m.;
- Tuesday, April 8, 1997, Check-in Session, 7 a.m.–3 p.m.;
- Wednesday, April 9, 1997, Check-in Session, 7 a.m.–3 p.m.;
- Thursday, April 10, 1997, Floor Session, 8:30 a.m.

**MOTION TO ADJOURN**

At 9:50 a.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Mazzoni seconded the motion.

**REMARKS ON CONDITION OF THE FILE**

Assembly Members Floyd and Morrissey arose to speak on the condition of the file.

### FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Washington that the Assembly adjourn.

Motion carried.

### VOTE ADDS

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

**Assembly Bill No. 163:** Ducheny and Martinez—Aye.

**Assembly Bill No. 216:** Olberg—Aye; Migden—No.

**Assembly Bill No. 270:** Ducheny and Granlund—Aye; Ackerman, Aguiar, Brewer, Cunneen, and Morrow—No.

**Assembly Bill No. 157:** Prenter—Aye.

### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:55 a.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

### RESOLUTIONS

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 38—Davis.** Relative to California Holocaust Memorial Week.

**ASSEMBLY CONCURRENT RESOLUTION NO. 39—Bustamante (Principal Senate coauthor: Lockyer).** Relative to the Joint Rules of the Assembly and Senate for the 199798 Regular Session.

**ASSEMBLY CONCURRENT RESOLUTION NO. 40—Alquist.** Relative to proclaiming California Earthquake Preparedness Month.

**HOUSE RESOLUTION NO. 20—Pacheco.** Relative to commending Jackie Robinson.

### AUTHOR'S AMENDMENTS

#### Committee on Revenue and Taxation

April 3, 1997

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Assembly Bill No. 510

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

CALDERA, Chairman

**ASSEMBLY BILL NO. 510—**An act to amend Sections 18633 and 18633.5 of the Revenue and Taxation Code, relating to taxation.

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

April 3, 1997

Mr. Speaker: The Chair of your Committee on Insurance reports:  
Assembly Bill No. 1148

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

FIGUEROA, Chairwoman

**ASSEMBLY BILL NO. 1148**—An act to amend Section 1063.1 of the Insurance Code, relating to insurance.

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**

April 3, 1997

Mr. Speaker: The Chair of your Committee on Health reports:  
Assembly Bill No. 106  
Assembly Bill No. 619

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

GALLEGOS, Chairman

**ASSEMBLY BILL NO. 106**—An act to add 14132.91 to the Welfare and Institutions Code, relating to public social services.

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

**ASSEMBLY BILL NO. 619**—An act to add Section 11755.1 to the Health and Safety Code, to add Section 1463.24 to the Penal Code, and to add Section 23196.5 to the Vehicle Code, relating to substance abuse.

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**

April 3, 1997

Mr. Speaker: The Chair of your Committee on Judiciary reports:  
Assembly Bill No. 564  
Assembly Bill No. 795

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

ESCUTIA, Chairwoman

**ASSEMBLY BILL NO. 564**—An act to add Section 43.98 to the Civil Code, relating to health care service plans.

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. 795**—An act to add Chapter 5.5 (commencing with Section 3105) to Part 2 of Division 8 of the Family Code, relating to family law.

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**

April 3, 1997

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

Assembly Bill No. 535

Assembly Bill No. 1151

Assembly Bill No. 640

Assembly Bill No. 1275

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

HERTZBERG, Chairman

**ASSEMBLY BILL NO. 535**—An act to amend Sections 13960 and 13961 of the Government Code, relating to victims of crime.

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. 640**—An act to add and repeal Article 18.9 (commencing with Section 749.5) to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to juveniles, 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.

**ASSEMBLY BILL NO. 1151**—An act to add Section 255.5 to the Welfare and Institutions Code, relating to minors.

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. 1275**—An act relating to parole.

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**

April 3, 1997

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

Assembly Bill No. 670

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

MAZZONI, Chairwoman

**ASSEMBLY BILL NO. 670**—An act to amend Sections 33050, 41330, 41332, 41335, 52122, 52123, and 52128 of, to add and repeal Chapter 19 (commencing with Section 17200) to Part 10 of, and to repeal Chapter 23 (commencing with Section 17770) of Part 10 of, the Education Code, relating to class size reduction, 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**

April 3, 1997

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

Assembly Bill No. 365

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

MAZZONI, Chairwoman

**ASSEMBLY BILL NO. 365**—An act to amend Section 51225.3 of the Education Code, relating to schools.

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**

April 3, 1997

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

Assembly Bill No. 497

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

GALLEGOS, Chairman

**ASSEMBLY BILL NO. 497**—An act to add Section 1368.05 to the Health and Safety Code, and to add Section 10144.07 to the Insurance Code, relating to health care coverage.

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 Labor and Employment**

April 3, 1997

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Assembly Bill No. 810

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

FLOYD, Chairman

**ASSEMBLY BILL NO. 810**—An act relating to employment.

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 Elections, Reapportionment and Constitutional Amendments**

April 3, 1997

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

Assembly Bill No. 627

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

VINCENT, Chairman

**ASSEMBLY BILL NO. 627**—An act to amend Section 87207 of, and to add Article 4.6 (commencing with Section 87460) to Chapter 7 of Title 9 of, the Government Code, relating to the Political Reform Act of 1974.

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

**AUTHOR'S AMENDMENTS****Committee on Public Employees, Retirement and Social Security**

April 3, 1997

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 629

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

KNOX, Chairman

**ASSEMBLY BILL NO. 629**—An act to add Sections 20441.5 and 31469.7 to the Government Code, relating to county employees.

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 Human Services**

April 3, 1997

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 718

Assembly Bill No. 773

Assembly Bill No. 1406

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

ARONER, Chairwoman

**ASSEMBLY BILL NO. 718**—An act to add Article 9 (commencing with Section 11600) to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to human services.

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

**ASSEMBLY BILL NO. 773**—An act to add Division 11 (commencing with Section 19900) to the Welfare and Institutions Code, relating to human services.

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

**ASSEMBLY BILL NO. 1406**—An act to add Section 11201.1 to the Welfare and Institutions Code, relating to human services.

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

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

April 3, 1997

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 1360

Assembly Bill No. 1461

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

CALDERA, Chairman

**ASSEMBLY BILL NO. 1360**—An act relating to taxation.

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. 1461**—An act to amend Section 17039 of, and to add and repeal Section 17052.1 of, 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.

**AUTHOR’S AMENDMENTS**  
**Committee on Public Safety**

April 3, 1997

Mr. Speaker: The Chair of your Committee on Public Safety reports:  
Assembly Bill No. 327

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

HERTZBERG, Chairman

**ASSEMBLY BILL NO. 327**—An act to amend Section 261.5 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 Agriculture**

April 3, 1997

Mr. Speaker: The Chair of your Committee on Agriculture reports:  
Assembly Bill No. 440

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

CARDOZA, Chairman

**ASSEMBLY BILL NO. 440**—An act to amend Sections 38211, 38213, 38651, 38653, and 38655 of, and to amend the heading of Article 3 (commencing with Section 38211) of Chapter 5 of Part 3 of Division 15 of, the Food and Agricultural Code, relating to milk.

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**

April 3, 1997

Mr. Speaker: The Chair of your Committee on Education reports:  
Assembly Bill No. 751

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

MAZZONI, Chairwoman

**ASSEMBLY BILL NO. 751**—An act to amend Sections 52122 and 52123 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 Education**

April 3, 1997

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

Assembly Bill No. 791

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

MAZZONI, Chairwoman

**ASSEMBLY BILL NO. 791**—An act relating to education.

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

**REPORTS OF STANDING COMMITTEES**  
**Committee on Local Government**

Date of Hearing: April 2, 1997

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 3

Assembly Bill No. 242

Assembly Bill No. 1069

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

SWEENEY, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 2, 1997

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 719

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

SWEENEY, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: April 2, 1997

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 182

With the recommendation: Do pass, and be re-referred to the Committee on Televising the Assembly and Information Technology.

SWEENEY, Chairman

Above bill re-referred to the Committee on Televising the Assembly and Information Technology.

Date of Hearing: April 2, 1997

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 769

Assembly Bill No. 1476

With the recommendation: Do pass.

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

SWEENEY, Chairman

Above bills ordered to second reading.

**Committee on Health**

Date of Hearing: April 1, 1997

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 12

Assembly Bill No. 38

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

GALLEGOS, Chairman

Above bills ordered to second reading.

Date of Hearing: April 1, 1997

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 217

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

GALLEGOS, Chairman

Above bill ordered to second reading.

**Committee on Appropriations**

Date of Hearing: April 2, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 350

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

**Committee on Consumer Protection, Governmental Efficiency and Economic Development**

Date of Hearing: March 18, 1997

Mr. Speaker: Your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Bill No. 178

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

DAVIS, Chairwoman

Above bill ordered to second reading.

**Committee on Housing and Community Development**

Date of Hearing: April 2, 1997

Mr. Speaker: Your Committee on Housing and Community Development reports:

Assembly Bill No. 438

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

TORLAKSON, Chairman

Above bill re-referred to the Committee on Local Government.

Date of Hearing: April 2, 1997

Mr. Speaker: Your Committee on Housing and Community Development reports:

Assembly Bill No. 450

Assembly Bill No. 1025

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

TORLAKSON, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 2, 1997

Mr. Speaker: Your Committee on Housing and Community Development reports:  
Assembly Bill No. 1071

With the recommendation: Do pass, and be re-referred to the Committee on  
Governmental Organization with recommendation: To Consent Calendar.

TORLAKSON, Chairman

Above bill re-referred to the Committee on Governmental  
Organization.

**Committee on Transportation**

Date of Hearing: March 31, 1997

Mr. Speaker: Your Committee on Transportation reports:  
Assembly Joint Resolution No. 8

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

MURRAY, Chairman

Above resolution ordered to second reading.

**Committee on Public Safety**

Date of Hearing: April 1, 1997

Mr. Speaker: Your Committee on Public Safety reports:  
Assembly Bill No. 512

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

HERTZBERG, Chairman

Above bill ordered to second reading.

**Committee on Insurance**

Date of Hearing: April 1, 1997

Mr. Speaker: Your Committee on Insurance reports:  
Assembly Bill No. 331

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

FIGUEROA, Chairwoman

Above bill ordered to second reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, April 3, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate on this  
day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 12

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

Senate Chamber, April 3, 1997

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

Assembly Bill No. 1006  
Assembly Bill No. 1400  
Assembly Bill No. 1501

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, April 3, 1997

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

Senate Bill No. 13  
Senate Bill No. 76  
Senate Bill No. 78  
Senate Bill No. 161  
Senate Bill No. 220

Senate Bill No. 257  
Senate Bill No. 342  
Senate Bill No. 344  
Senate Bill No. 477

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

Senate Chamber, April 3, 1997

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

Senate Concurrent Resolution No. 2  
Senate Concurrent Resolution No. 3

Senate Concurrent Resolution No. 8  
Senate Concurrent Resolution No. 32

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. 13**—An act to amend Section 6018 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**SENATE BILL NO. 76**—An act to amend Section 441.1 of the Revenue and Taxation Code, relating to taxation.

**SENATE BILL NO. 78**—An act to add Article 5 (commencing with Section 18741) to Chapter 3 of Part 10.2 of the Revenue and Taxation Code, relating to taxpayer contributions.

**SENATE BILL NO. 161**—An act to add Section 38060 to the Education Code, relating to schools.

**SENATE BILL NO. 220**—An act to amend Section 19556 of the Business and Professions Code, relating to horseracing.

**SENATE BILL NO. 257**—An act to add and repeal Section 33334.21 of the Health and Safety Code, relating to redevelopment.

**SENATE BILL NO. 342**—An act to add Section 103 to the Monterey Peninsula Water Management District Law (Chapter 527 of the Statutes of 1997), relating to water.

**SENATE BILL NO. 344**—An act to amend Section 99233 of, and to add Section 99233.11 to, the Public Utilities Code, relating to transportation.

**SENATE BILL NO. 477**—An act to amend Sections 63010 and 63025.1 of the Government Code, and to amend Sections 367, 840, 841, 842, and 843 of the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

The following resolutions were read:

**SENATE CONCURRENT RESOLUTION NO. 2**—Relative to the Earl Sholes and Dan Heryford Memorial Bridges.

**SENATE CONCURRENT RESOLUTION NO. 3**—Relative to the California Law Revision Commission.

**SENATE CONCURRENT RESOLUTION NO. 8**—Relative to Alberta, Canada.

**SENATE CONCURRENT RESOLUTION NO. 32**—Relative to Autism Treatment Awareness Week.

**SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committees were permitted to meet:

Public Safety, on Tuesday, April 8, 1997, at 8 a.m.;

Subcommittee No. 4 on State Administration, on Tuesday, April 8, 1997, at 8 a.m., in Room 126;

Rules Subcommittee on Sexual Harassment Prevention and Response, on Wednesday, April 9, 1997, at 12 noon, in Room 437;

Water, Parks and Wildlife, on Tuesday, April 22, 1997, in Room 437;

Select Committee on the California Middle Class, on Wednesday, May 14 and Wednesday, May 28, 1997, at 9 a.m.;

Judiciary, on Wednesday, May 21, 1997, at 9 a.m., in Room 437.

**INTRODUCTION OF GUESTS**

Assembly Member Pacheco, of the 64th Assembly District, introduced Bill and Jorlee Lear, of Riverside.

Assembly Member Brown, of the 7th Assembly District, introduced Girl Scout Troops 64 and 390, of Santa Rosa.

Assembly Member Strom-Martin, of the 1st Assembly District, introduced Jessica Hauser, of Santa Rosa.

Assembly Member Thomson, of the 8th Assembly District, introduced her sister Mary Leiser, of Knights Landing and Nancy Bower, of Massachusetts.

Assembly Member Battin, of the 80th Assembly District, introduced his daughter Bailey Battin.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 11 a.m., Monday, April 7, 1997, out of respect to the memory of Robert Keith Schatz, on motion of Assembly Member Alquist; out of respect to the memory of Aylett B. Cotton, on motion of Assembly Members Cunneen and Lempert; out of respect to the memory of Deputy Brian Meilbeck, on motion of Assembly Members Bowler, Ortiz, and Richter; out of respect to the memory of Moe Moskowitz, on motion of Assembly Member Aroner; out of respect to the memory of Alonzo LeRoy King Sr., on motion of Assembly Member Ducheny; out of respect to the memory of Celia Turner and Jerry Jacobs, on motion of Assembly Member Brewer; out of respect to the memory of Angela Ward, R. Alexander Pickering, and Ralph Santiago Abascal, on motion of Assembly Member Shelley; and in honor of the birth of Madelyn Quinlen Brown, on motion of Assembly Member Frusetta.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON APRIL 3, 1997**

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

<b>AB</b>	<b>RN</b>
22	9709143
106	9709801
139	9709921
188	9709847
266	9709369
327	9709233
365	9709767
440	9709689
477	9709129
497	97010055
510	9709483
535	9709351
564	9709765
619	9709943
627	9708760
629	9709978
640	9709094
670	9709965
714	9709427

<b>AB</b>	<b>RN</b>
718	9709893
751	9710006
773	9709827
791	9708644
795	9709349
810	9709991
875	9709279
950	9709425
1148	9709989
1151	9709671
1275	9708625
1360	9709595
1406	9708669
1461	9709269

<b>SB</b>	<b>RN</b>
115	9709388