

CALIFORNIA LEGISLATURE  
1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, May 12, 1997**

**SIXTY-EIGHTH SESSION DAY**

**ONE HUNDRED SIXTY-SECOND 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  
Monday, May 12, 1997

The Assembly met at 10:10 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 Pacheco moved a quorum call of the Assembly. Motion carried. Time, 10:11 a.m.

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

**Quorum Present**

At 10:55 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—76:

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

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Assembly Member Carl Washington:

*Dear God, We thank You for this day. We thank You for the gathering of this legislative body. We pray now Thy blessings upon each and everyone of us, and upon all who are sharing this building; for Your blessings and those blessings which bring us together; for the common cause of fighting for men, women, boys and girls, to pursue happiness, quality of education, and justice for all, we ask these blessings.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Davis 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 Hertzberg, seconded by Assembly Member Firestone.

**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 Ducheny and Kuykendall.*

*Because of illness: Assembly Member Ashburn.*

*Because of death in his family: Assembly Member Vincent.*

**EXPLANATIONS OF ABSENCE**

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

April 8, 1997

*The Honorable Cruz Bustamante*

*Speaker of the Assembly*

*State Capitol, Room 219*

*Sacramento, California*

Dear Mr. Speaker: I am requesting permission to travel to Mexico City on state business, and to be excused from session Monday, May 12th. I have been invited by the Mexican Government to participate in an international conference on political, social, and legislative issues in Mexico. I will return to Sacramento for session on Thursday, May 15th.

You will find the invitation and agenda attached. If you need further information, please call me.

Sincerely,

DENISE MORENO DUCHENY, Assembly Member  
Seventy-ninth District

April 28, 1997

*Hon. Cruz Bustamante*  
*Speaker of the Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Cruz, I have been invited to address the United Agribusiness League on Monday, May 12, 1997. This is an important district event that promotes exporting agriculture through the Port of Long Beach and Los Angeles. Later in the day, I am also invited to attend the grand opening of Pier 300 at the Port of Los Angeles, where I will present a resolution to American President Lines. This promises to be an exciting event for the District. I respectfully request that I be excused from session for legislative business in the district.

Thank you for your consideration of this matter. If there are any questions, please do not hesitate to contact me at 445-9234.

Sincerely,

STEVEN T. KUYKENDALL, Assembly Member  
 Fifty-fourth District

#### COMMUNICATIONS

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

May 8, 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 members to the Select Committee on Exposition Park:

Assemblymembers Bob Margett, Kevin Murray, Helen Thomson, Tom Torlakson, Ed Vincent, and one vacancy.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

May 9, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to the Assembly Health Committee in place of Assemblymember Edward Vincent for Tuesday, May 13, 1997 only.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

May 9, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Howard Wayne to the Assembly Housing and Community Development Committee to replace Assemblymember Denise Ducheny for Wednesday, May 14, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 9, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Tom Torlakson to the Special Committee on Welfare Reform to replace Assemblymember Denise Ducheny for Monday, May 12, 1997 and Tuesday, May 13, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 9, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Roderick Wright to serve as Chair of the Assembly Elections, Reapportionment and Constitutional Amendments Committee, in place of Assemblymember Edward Vincent for Monday, May 12, 1997 only.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 9, 1997

*E. Dotson Wilson*

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

Dear Dotson: Please be advised that I am appointing Assemblymember Kevin Shelley to the Assembly Governmental Organization Committee to replace Assemblymember Denise Ducheny for Monday, May 12, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 9, 1997

*E. Dotson Wilson*

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

Dear Dotson: Please be advised that I am appointing Assemblywoman Carole Migden to the Assembly Elections, Reapportionment and Constitutional Amendments Committee in place of Assemblymember Edward Vincent for Monday, May 12, 1997 only.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 12, 1997

*E. Dotson Wilson*

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

Dear Dotson: Please be advised that I am appointing Assemblymember Kevin Murray to the Assembly Governmental Organization Committee to replace Assemblymember Ed Vincent for today, May 12, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 12, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember George House to the Assembly Natural Resources Committee to replace Assemblymember Roy Ashburn for today, May 12, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 12, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Diane Martinez to the Assembly Judiciary Committee to replace Assemblymember Antonio Villaraigosa. This appointment is effective today, May 12, 1997.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 12, 1997

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

Dear Dotson: Please be advised that I have appointed Assemblymember Dennis Cardoza as Vice Chair of the Joint Committee on Fairs Allocation and Classification.

Thank you for your attention to this matter.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 12, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Dick Ackerman to the Assembly Banking and Finance Committee to replace Assemblymember Steven T. Kuykendall for today, May 12, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, May 12, 1997

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

Assembly Bill No. 949

Assembly Bill No. 1188

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 12, 1997

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

Assembly Bill No. 441

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, May 12, 1997

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

Assembly Joint Resolution No. 21

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, May 12, 1997

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

Assembly Concurrent Resolution No. 22

Assembly Concurrent Resolution No. 52

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, May 12, 1997

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

Assembly Joint Resolution No. 16

Assembly Joint Resolution No. 24

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered to the Consent Calendar.



Assembly Chamber, May 12, 1997

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

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 13  | Assembly Bill No. 333  |
| Assembly Bill No. 23  | Assembly Bill No. 499  |
| Assembly Bill No. 48  | Assembly Bill No. 1439 |
| Assembly Bill No. 175 | Assembly Bill No. 1554 |
| Assembly Bill No. 305 |                        |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 12, 1997

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

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 343 | Assembly Bill No. 981  |
| Assembly Bill No. 393 | Assembly Bill No. 994  |
| Assembly Bill No. 417 | Assembly Bill No. 1100 |
| Assembly Bill No. 483 | Assembly Bill No. 1108 |
| Assembly Bill No. 527 | Assembly Bill No. 1145 |
| Assembly Bill No. 549 | Assembly Bill No. 1150 |
| Assembly Bill No. 587 | Assembly Bill No. 1211 |
| Assembly Bill No. 625 | Assembly Bill No. 1217 |
| Assembly Bill No. 649 | Assembly Bill No. 1366 |
| Assembly Bill No. 689 | Assembly Bill No. 1504 |
| Assembly Bill No. 696 | Assembly Bill No. 1507 |
| Assembly Bill No. 783 | Assembly Bill No. 1512 |
| Assembly Bill No. 824 | Assembly Bill No. 1558 |
| Assembly Bill No. 903 | Assembly Bill No. 1595 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 12, 1997

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

- Assembly Bill No. 1303
- Assembly Bill No. 1596

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 12, 1997

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

- Assembly Concurrent Resolution No. 56

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**REQUEST TO SUSPEND JOINT RULES**

The following request was received, and read:

Assembly Chamber, May 12, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(2) as it relates to Assembly Bill No. 955.

ELAINE ALQUIST

Above request ordered transmitted to the Committee on Rules.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, May 9, 1997

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

Assembly Concurrent Resolution No. 49

And reports the same correctly enrolled, and presented to the Secretary of State on the 9th day of May, 1997, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

**MESSAGES FROM THE SENATE**

Senate Chamber, May 8, 1997

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

Assembly Bill No. 169

And respectfully request the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

**SPECIAL COMMITTEE MEETINGS**

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

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

**AUTHOR'S AMENDMENTS**

**Committee on Local Government**

May 12, 1997

Mr. Speaker: The Chair of your Committee on Local Government reports:

Senate Bill No. 210

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

SWEENEY, Chairman

**SENATE BILL NO. 210**—An act to amend Section 26945 of, and to add Section 26945.1 to, the Government Code, relating to county officers.

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**

May 12, 1997

Mr. Speaker: The Chair of your Committee on Local Government reports:

Senate Bill No. 342

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

SWEENEY, Chairman

**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.

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**

May 12, 1997

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

Assembly Bill No. 615

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

ESCUTIA, Chairwoman

**ASSEMBLY BILL NO. 615**—An act to add Section 1624.5 to the Civil Code, relating to contracts.

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**

May 12, 1997

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 1130

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

SWEENEY, Chairman

**ASSEMBLY BILL NO. 1130**—An act to add Section 21670.4 to the Public Utilities Code, relating to airports.

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 Appropriations**

May 12, 1997

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

Assembly Bill No. 1451

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

MIGDEN, Chairwoman

**ASSEMBLY BILL NO. 1451**—An act to add Sections 262 and 263 to the Food and Agricultural Code, relating to the Department of Food and Agriculture.

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**

May 12, 1997

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

Assembly Bill No. 1324

Assembly Bill No. 1500

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

ESCUTIA, Chairwoman

**ASSEMBLY BILL NO. 1324**—An act to amend Section 437c of the Code of Civil Procedure, relating to civil procedure.

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. 1500**—An act to add Section 48.6 to the Civil Code, relating to liability.

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**

May 12, 1997

Mr. Speaker: The Chair of your Committee on Local Government reports:  
Assembly Bill No. 694

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

SWEENEY, Chairman

**ASSEMBLY BILL NO. 694**—An act to amend Sections 56112, 56325, 56329, 56330, 56332, 56334, 56335, 56336, 56375, and 57080 of, to add and repeal Section 56378.5 of, and to repeal Sections 56113, 56326, 56326.5, 56327, 56328, and 56333 of, the Government Code, and to add and repeal Section 97.39 of the Revenue and Taxation Code, relating to local government organization.

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**

May 12, 1997

Mr. Speaker: The Chair of your Committee on Insurance reports:  
Assembly Bill No. 1529

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

FIGUEROA, Chairwoman

**ASSEMBLY BILL NO. 1529**—An act to amend Section 10089.26 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 Appropriations**

May 12, 1997

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Assembly Bill No. 258  
Assembly Bill No. 640  
Assembly Bill No. 675

Assembly Bill No. 1303  
Assembly Bill No. 1596

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

MIGDEN, Chairwoman

**ASSEMBLY BILL NO. 258**—An act to add Section 17052.6 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.

**ASSEMBLY BILL NO. 640**—An act to amend, repeal, and add Sections 1900, 1901, 1902, 1905, 1906, 1908, 1909, and 41002 of, and to add and repeal Section 46101 of, the Education Code, and 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. 675**—An act to amend Sections 12021 and 12040 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. 1303**—An act to amend Sections 19.8, 266h, 266i, 290, 290.2, and 290.5 of, and to add and repeal Section 290.8 of, the Penal Code, and to add Section 6610 to the Welfare and Institutions Code, relating to sex offenders.

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. 1596**—An act to amend Sections 20393, 20408, and 22825.5 of, and to add Sections 20403.5 and 20417 to, the Government Code, relating to public 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.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

May 12, 1997

Mr. Speaker: Your Committee on Rules recommends that the requests to suspend Joint Rule 61(a)(2), as it relates to the following bills be granted:

Assembly Bills Nos. 694 and 955.

DON PERATA, Chairman

May 12, 1997

Mr. Speaker: Your Committee on Rules recommends that the request to suspend Joint Rule 61(a)(3), as it relates to the following bill be granted:

Assembly Bill No. 1245

DON PERATA, Chairman

**Committee on Appropriations**

Date of Hearing: May 7, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 95

Assembly Bill No. 380

Assembly Bill No. 186

Assembly Bill No. 1447

Assembly Bill No. 363

Assembly Bill No. 1458

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: May 7, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 221

Assembly Bill No. 1172

Assembly Bill No. 839

Assembly Bill No. 1445

With the recommendation: Do pass, as amended.

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.

MIGDEN, Chairwoman

Above bills ordered to second reading.

**Committee on Rules**

Date of Hearing: May 8, 1997

Mr. Speaker: Your Committee on Rules reports:

Assembly Joint Resolution No. 19

With the recommendation: Be adopted, as amended.

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

PERATA, Chairman

Above resolution ordered on file.

**Committee on Judiciary**

Date of Hearing: May 7, 1997

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 451

Assembly Bill No. 1258

Assembly Bill No. 519

Assembly Bill No. 1296

Assembly Bill No. 594

Assembly Bill No. 1459

Assembly Bill No. 1070

With the recommendation: Do pass.

ESCUTIA, Chairwoman

Above bills ordered to second reading.

Date of Hearing: May 7, 1997

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 340

Assembly Bill No. 1098

Assembly Bill No. 1165

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.

ESCUTIA, Chairwoman

Above bills ordered to second reading.

Date of Hearing: May 7, 1997

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 250

Assembly Bill No. 564

Assembly Bill No. 435

Assembly Bill No. 915

Assembly Bill No. 468

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

ESCUTIA, Chairwoman

Above bills ordered to second reading.

Date of Hearing: May 7, 1997

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 449

Senate Bill No. 947

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.

ESCUTIA, Chairwoman

Above bills ordered to second reading.

**Committee on Rules**

Date of Hearing: May 12, 1997

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 12

Assembly Concurrent Resolution No. 55

Assembly Concurrent Resolution No. 56

With the recommendation: Be adopted.

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

PERATA, Chairman

Above resolutions ordered on file.

**ADJOURN IN MEMORY**

Assembly Members Ortiz and Alby were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sgt. Joe Tahara, of the Sacramento Police Department.

Assembly Members House and Poochigian were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Adrienne Storelli, of Madera.

Assembly Member Cardenas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Freda Leekley, of Panorama City; and Terrance Tyrell Watson, of Sylmar.

Assembly Member Leach was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frank T. Andronico, of Bethel Island.

Assembly Members Aguiar and Leonard were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rancho Cucamonga School Board Member Timothy Wilson and his wife Tammy Wilson.

Assembly Member Pringle was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cora Harris, of Elk Grove.

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 Philip Siggins, of San Francisco.

Assembly Member Frusetta was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mike Medina, of Hollister.

Assembly Member Napolitano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Connie Perez and her children, Chelsea Perez, Marco Perez, and Karla Perez, of Norwalk; and Bacilia Aguilar, of Pico Rivera.

Assembly Member Bowen was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Iylene Weiss, of Venice.

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

Assembly Member Mazzoni was granted unanimous consent that Assembly Concurrent Resolution No. 52 be removed from the Consent Calendar, and to take the resolution up at this time, without reference to file, for purpose of consideration.

**ASSEMBLY CONCURRENT RESOLUTION NO. 52 (Mazzoni)**—Relative to California Bike Commute Week.

Resolution read and adopted.

Resolution ordered transmitted to the Senate immediately.

**ACTION RESCINDED ON ASSEMBLY BILL NO. 334**

Assembly Member Wildman was granted unanimous consent to rescind the action whereby the Assembly on May 5, 1997 (Assembly Journal, page 1415), adopted the urgency clause to Assembly Bill No. 334, and whereby the bill was passed and ordered transmitted to the Senate.

**BILLS REMOVED FROM CONSENT CALENDAR**

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

**Assembly Bill No. 1054**, on request of Assembly Member Perata.

**ADJOURN IN MEMORY**

Assembly Member Brewer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alvy Moore, of Palm Desert.

**RESOLUTIONS**

The following resolutions were offered:

**Resolutions to Suspend Joint Rules**

By Assembly Member Sweeney:

*Resolved*, That Joint Rule 61(a)(2) be suspended to permit the Committee on Local Government to meet, consider, and report Assembly Bill No. 694 for further action.

By Assembly Member Alquist:

*Resolved*, That Joint Rule 61(a)(2) be suspended to permit the Committee on Televising the Assembly and Information Technology to meet, consider, and report Assembly Bill No. 955 for further action.



By Assembly Member Davis:

*Resolved*, That Joint Rule 61(a)(3) be suspended to permit the Committee on Consumer Protection, Governmental Efficiency and Economic Development to meet, consider, and report Assembly Bill No. 1245 for further action.

Resolutions read, and adopted by the following vote:

**AYES—70**

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

**NOES—None**

**ADJOURN IN MEMORY**

Speaker Bustamante and Assembly Members Cardoza, Prenter, Poochigian, and Machado were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of George Baker, DDS, of Fresno, and that the following be printed in the Journal:

**George F. Baker, DDS**

For more than 50 years Dr. George F. Baker, DDS, of Fresno helped shape the dental profession and the care to patients both throughout the Central San Joaquin Valley and across California.

Dr. Baker passed away Thursday, May 8, 1997, in Fresno. He was 76.

His expertise was sought frequently throughout the state as a lecturer and as a consultant on dentistry. Dr. Baker founded the University of California San Francisco Area Health Education Center program for Continuing Dental Education, which serves Fresno, Madera, Tulare, Kings, Merced and Mariposa counties. For more than two dozen years Dr. Baker served as the program’s director. He held an appointment as a lecturer with the UCSF-Fresno Medical Education Program.

Dr. Baker graduated from the University of the Pacific, College of Physicians and Surgeons in San Francisco, and also attended California State University, Fresno. He was the recipient of many professional honors, including those conferred by the Academy of General Dentistry, the International College of Dentists and the American College of Dentists.

Dr. Baker served as President of the Fresno-Madera Dental Society, the Alumni Association of UOP, and the Fresno Dental Health Council. Dr. Baker was one of the founders of the San Joaquin Health Consortium and a trustee for 23 years of the California Dental Association. In addition, he founded the Merced College Dental Technician Program, the California Dental Political Action Committee and the Central California Professional Services PAC.

He was also a teacher at the former Valley Medical Center, now the University Medical Center, the Firebaugh-Mendota Dental Clinic, Merced College and Kings River Community College.

The high regard in which Dr. Baker was held can be shown in the establishment in 1995 of a scholarship in his name for entering dental students at the UCLA School of Dentistry which recognized the long and continuing contribution he made to the dental profession and to the continuing education of dentists and dental auxiliaries.

But while there was the public aspect of Dr. Baker's life, there was also the private side that filled his days and nights and touched many others over a lifetime of caring and giving. He was a quiet and private person, quite content to tend to his well-known vegetable garden and look out for the well-being of others without seeking any public recognition. At public functions Dr. Baker could be found standing quietly in the background, his gray hair and red sweater vest his signature.

His legacy was to ensure that people in rural areas had access to good dental care. It was a role he relished, frequently providing care to those who could not afford it.

It was in that capacity of caring for the underserved that Dr. Baker was a strong supporter and an advocate of the UCSF-Fresno Latino Center for Medical Education and Research, a program established to address the persistent shortage of Latino physicians in the community and on the medical school faculty.

His commitment to rural areas was evidenced in Dr. Baker's authorship of the initial grant request in the mid-1970's that established the Firebaugh-Mendota Dental Clinic.

In his service to his community, Dr. Baker was a co-founder of Storyland at Roeding Park, and he was a member of the Fresno City and County Convention and Visitors Bureau, the Fresno County Law Enforcement Committee, the Fresno City Housing and Appeals Board, the North Fresno-Lions Club Sight Conservation, American Legion Post 509 and a charter member of the Jim Savage Chapter of E. Clampus Vitus. He also served in the U.S. Army Air Corps during World War II and was recalled to service during the Korean conflict as a Lieutenant in the U.S. Navy, serving at Camp Pendleton.

Dr. Baker is survived by his wife, Roselyn; a son, Dr. Timothy George Baker, DDS; a daughter, Bethany R. Baker, an attorney; a brother, John L. Baker, all of Fresno; a nephew, Gerald M. Baker, also of Fresno; and a niece, Nora Tertzag of Los Angeles.

#### **SPECIAL ACKNOWLEDGMENT**

Assembly Member Cardoza was granted unanimous consent that the Assembly acknowledge the 100th birthday of Alice Katherine Mattos Sanders, of Atwater, born May 12, 1897.

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

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

**Assembly Bill No. 441**, ordered to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 408**—An act to amend Section 30056 of the Government Code, relating to local government finance.

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. 566**—An act to amend Section 3605 of the Penal Code, relating to the death penalty.

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. 568**—An act to add Section 35258 to the Education Code, relating to education.

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

**ASSEMBLY BILL NO. 1159**—An act to add Chapter 3.6 (commencing with Section 12125) to Part 2 of Division 2 of the Public Contract Code, relating to the Alternative Protest Bid Pilot Project.

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. 1196**—An act to amend Sections 361.3 and 387 of the Welfare and Institutions Code, relating to juvenile law.

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. 7**—An act to add Section 1367.651 to the Health and Safety Code, and to add Section 10123.84 to the Insurance Code, relating to health coverage.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 81**—An act to amend Section 23399 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 101**—An act to amend Sections 260, 262, 262.1, 262.2, 35179, 44100, 44830, 45293, 47605, 48204, 51004, 51500, 51501, 58019, 58508, 60044, 69535, 69674, 69762, 69958, 72011, 72014, 87100, 87400, 88112, 89757, and 92150 of the Education Code, relating to education.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 160**—An act to add Section 1367.22 to the Health and Safety Code, and to add Section 10123.196 to the Insurance Code, relating to health care coverage.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 195**—An act to amend Sections 186.9, 186.10, and 14165 of the Penal Code, relating to crimes.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 197**—An act to add Section 8880.335 to the Government Code, relating to the California State Lottery, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 204**—An act to amend and repeal Section 3209.3 of the Labor Code, relating to workers' compensation.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 300**—An act to amend Sections 8478.5 and 8495 of the Education Code, relating to child care, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 358**—An act to amend Section 17052 of the Health and Safety Code, relating to housing.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 422**—An act to amend Section 19616.51 of the Business and Professions Code, relating to horseracing.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 520**—An act to add Section 6035.5 to the Penal Code, relating to correctional personnel.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 523**—An act to add Article 8.5 (commencing with Section 2168) to Chapter 5 of Division 2 of the Business and Professions Code, relating to medicine, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 542**—An act to add Section 14035.55 to the Government Code, relating to transportation.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 545**—An act to amend Section 14412, to add Sections 14414 and 14415 to, and to repeal and add Section 14413 of, the Welfare and Institutions Code, relating to health services.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 582**—An act relating to telecommunications.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 595**—An act to add Chapter 12 (commencing with Section 8500) to Part 2 of Division 2 of the Revenue and Taxation Code, relating to transportation.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 601**—An act to amend Sections 18633 and 18633.5 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 626**—An act to amend, add, and repeal Section 67 of the Military and Veterans Code, relating to veterans.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 667**—An act to amend Section 8670.64, 8670.66, and 8670.67 of the Government Code, relating to oil spills.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 751**—An act to amend Sections 52122 and 52122.5 of the Education Code, relating to class size reduction.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 758**—An act to amend Sections 22350, 22354, and 22355 of, and to repeal and add Sections 22351 and 22352 of, the Business and Professions Code, to amend Sections 1985.3, 1985.6, and 1987.1 of the Code of Civil Procedure, to amend Section 4406 of the Commercial Code, to amend Section 2187 of the Elections Code, to amend Sections 1158, 1560, and 1563 of the Evidence Code, and to amend Section 1810.2 of the Vehicle Code, relating to civil procedure.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 768**—An act to amend Section 14163 of the Welfare and Institutions Code, relating to health, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 807**—An act to amend Section 679.04 of the Penal Code, relating to crimes, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 840**—An act to amend Section 1808.4 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 846**—An act to add Sections 1569.385, 1569.386, and 1569.388 to the Health and Safety Code, relating to residential care facilities for the elderly.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 851**—An act to amend Section 25395 of the Health and Safety Code, relating to hazardous substances, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 855**—An act to amend Sections 16019, 17030, and 17032 of the Education Code, relating to school facilities.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 966**—An act to amend add Section 25161.5 to the Health and Safety Code, relating to hazardous waste.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1144**—An act to add Section 14105 to the Government Code, relating to transportation.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1156**—An act to add Section 788.5 of, and to amend Section 788 of, the Public Utilities Code, relating to public utilities.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1158**—An act to add Section 710 to the Public Utilities Code, relating to public utilities.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1161**—An act to add Section 709.6 to the Public Utilities Code, relating to telecommunications, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1186**—An act to amend Section 13260 of the Water Code, relating to water.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1191**—An act to add Section 1463.11 of the Penal Code, and to amend Section 42001 of, and to add Section 42001.15 to, the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1215**—An act to add Chapter 1.5 (commencing with Section 100145) to Part 1 of Division 101 of the Health and Safety Code, relating to long-term care.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1277**—An act to amend Section 13412 of the Business and Professions Code, relating to disability.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1318**—An act to add Sections 66025 and 66026 to the Education Code, relating to postsecondary education.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1362**—An act to add Section 53716 to the Government Code, relating to local government finance.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1396**—An act to add Chapter 15 (commencing with Section 18996) to Part 6 of Division 9 of the Welfare and Institutions Code, relating to welfare reform.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1436**—An act to amend Sections 3304 and 3309.5 of the Government Code, relating to public safety officers.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1482**—An act to amend Section 74205 of the Education Code, relating to postsecondary education.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 121**—An act to amend Section 52332 of the Food and Agricultural Code, relating to agriculture.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 146**—An act relating to local government finance.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 220**—An act to amend Section 12021 of the Penal Code, relating to firearms.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 298**—An act to amend Section 653w of the Penal Code, relating to crimes.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 313**—An act to amend Section 3126 of the Public Utilities Code, relating to public utilities.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 354**—An act to add Section 52128.5 to the Education Code, relating to class size reduction.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 356**—An act to amend Sections 6383 and 6384 of the Family Code, and to add Section 68518 to the Government Code, relating to court orders.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 360**—An act to amend Section 454 of the Public Utilities Code, relating to public utilities.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 509**—An act to amend Sections 123310 and 123325 of the Health and Safety Code, relating to supplemental food programs.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 575**—An act to amend Sections 13019 and 13035 of, to add Section 13035.1 to, and to repeal Section 13050.1 of, the Public Resources Code, relating to resort improvement districts.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 576**—An act to amend Section 32320 of the Education Code, relating to postsecondary education.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 584**—An act to amend Section 130051.9 of, to add Section 130051.25 to, and to add Chapter 6 (commencing with Section 130600) to Division 12 of, the Public Utilities Code, relating to transportation.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 623**—An act to amend Sections 69022, 69044, 69051, 69081, 69085, and 69091 of, to amend and renumber Sections 69029 and 69084 of, to add Sections 63903 and 69029 to, and to repeal Section 69017 of, the Food and Agricultural Code, relating to agriculture.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 688**—An act to amend Section 12021 of the Penal Code, relating to firearms.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 788**—An act to amend Section 26909 of the Government Code, and to add Section 50660 to the Water Code, relating to local government finance.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 882**—An act to amend Section 25124 of the Health and Safety Code, relating to hazardous waste.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1001**—An act to amend Sections 44670.5, 44670.6, 52854, and 52870 of, and to add Chapter 1.5 (commencing with Section 51100) to Part 28 of, the Education Code, relating to education.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1026**—An act to amend Section 19549 of the Business and Professions Code, relating to horseracing.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1132**—An act to amend Section 2085.5 of the Penal Code, and to amend Section 1752.81 of the Welfare and Institutions Code, relating to restitution.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1261**—An act to add Section 2810.1 to the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1306**—An act to amend Sections 5775, 5777, and 5778 of the Welfare and Institutions Code, relating to human services, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1357**—An act to amend Sections 25404 and 25404.5 of the Health and Safety Code, relating to hazardous waste.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1377**—An act to amend Section 1382 of the Health and Safety Code, relating to health care service plans.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1380**—An act to amend Section 22003 of the Welfare and Institutions Code, relating to human services.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1425**—An act relating to highways, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1465**—An act to amend Sections 19606.3 and 19606.4 of the Business and Professions Code, relating to horseracing, and making an appropriation therefor.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1522**—An act to amend Sections 13553 and 13554 of the Water Code, relating to water.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1543**—An act to amend Section 4669.8 of the Welfare and Institutions Code, relating to human services.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 377**—An act to amend Section 939 of, and to add Sections 939.22 and 939.23 to, the Penal Code, relating to grand juries.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 463**—An act to amend Sections 54120 and 54262 of the Food and Agricultural Code, relating to agriculture.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 268**—An act to amend Sections 113803, 113813, 113865, 114020, 114145, 114265, 114360, and 114380 of, to amend the heading of Article 11 (commencing with Section 114250) of Chapter 4 of Part 7 of Division 104 of, to amend and renumber Section 113732 of, to amend and repeal Section 113843 of, and to repeal Section 113844 of, the Health and Safety Code, relating to retail food facilities.

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

**ASSEMBLY BILL NO. 368**—An act to add Section 1966 to the Labor Code, relating to labor.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1448**—An act to amend Section 1197.1 of the Labor Code, relating to employment.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1230**—An act to amend Section 129010 of the Health and Safety Code, and to add Article 2.82 (commencing with Section 14087.98) to Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to health.

Bill read second time; amendments proposed by the Committee on Health read and adopted, bill ordered reprinted and to be re-referred to the Committee on Local Government.



**ASSEMBLY BILL NO. 431**—An act to amend Section 48915 of the Education Code, relating to pupil expulsion.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 485**—An act to amend Section 38131 of the Education Code, relating to the Civic Center Act.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 552**—An act to amend Section 44466 of the Education Code, relating to certificated school employees, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 730**—An act to amend Section 49558 of the Education Code, relating to education.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1024**—An act to amend Section 51220 of the Education Code, relating to education.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1216**—An act to add Sections 1008.5 and 5090.5 to the Education Code, relating to schools.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1272**—An act to amend Section 60606 of the Education Code, relating to the Statewide Assessment Review Panel, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 489**—An act to amend Section 10209.3 of, and to add Section 10113.4 to, the Insurance Code, relating to life insurance.

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

**ASSEMBLY BILL NO. 1120**—An act to amend Section 2071 of, and to add Section 2071.5 to, the Insurance Code, relating to insurance.

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

**ASSEMBLY BILL NO. 1174**—An act to amend Section 31000.4 of the Government Code, relating to county government.

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

**ASSEMBLY BILL NO. 604**—An act to amend Sections 1094, 1095, 1110, 1112, 1328, and 2714 of, and to repeal Sections 321, 1095.1, and 2060 of, the Unemployment Insurance Code, relating to employment.

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

**ASSEMBLY BILL NO. 1200**—An act to add Section 35183.5 to the Education Code, relating to education.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 132**—An act to amend Section 48980 of, and to add and repeal Section 51870.5 of the Education Code, relating to education technology.

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

**ASSEMBLY BILL NO. 664**—An act to amend Sections 125000 and 125070 of the Health and Safety Code, relating to hereditary disorders, and declaring the urgency thereof, to take effect immediately.

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

### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 12, 1997

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

Assembly Bill No. 204	Assembly Bill No. 1158
Assembly Bill No. 300	Assembly Bill No. 1186
Assembly Bill No. 542	Assembly Bill No. 1318
Assembly Bill No. 601	Assembly Bill No. 1362
Assembly Bill No. 667	Assembly Bill No. 1436
Assembly Bill No. 768	Assembly Bill No. 1482
Assembly Bill No. 840	Assembly Bill No. 368
Assembly Bill No. 851	Assembly Bill No. 1448
Assembly Bill No. 1156	Assembly Bill No. 1200

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 12, 1997

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

Assembly Bill No. 220	Assembly Bill No. 1465
Assembly Bill No. 313	Assembly Bill No. 1543
Assembly Bill No. 354	Assembly Bill No. 431
Assembly Bill No. 360	Assembly Bill No. 552
Assembly Bill No. 688	Assembly Bill No. 730
Assembly Bill No. 1026	Assembly Bill No. 1024
Assembly Bill No. 1261	Assembly Bill No. 1216
Assembly Bill No. 1357	Assembly Bill No. 1272
Assembly Bill No. 1380	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

### BILLS RETURNED TO THIRD READING FILE

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

**Assembly Bill No. 291**, on request of Assembly Member Granlund;

**Assembly Bill No. 229**, on request of Assembly Member Battin.

### CONSIDERATION OF DAILY FILE (RESUMED)

#### UNFINISHED BUSINESS

### CONSIDERATION OF SENATE AMENDMENTS

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

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

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

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

**AYES—74**

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

**NOES—None**

Above resolution ordered enrolled.

**BILLS PASSED ON FILE**

**Assembly Bills Nos. 847, 739, and 136—Passed on file.**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**ASSEMBLY JOINT RESOLUTION NO. 4 (Floyd)—Relative to Anti-personnel landmines.**

Resolution read, and adopted by the following vote:

**AYES—74**

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

**NOES—None**

Resolution ordered transmitted to the Senate.

**CAUCUS ANNOUNCEMENTS**

At 11:20 a.m., Assembly Member Villaraigosa was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge, and Assembly Member Pringle was granted unanimous consent that the Republic Caucus be permitted to meet in the Tom Bane Rules Committee Room.

**RECESS**

By unanimous consent, at 11:20 a.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

**REASSEMBLED**

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

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

**ORDERS OF THE DAY DEMANDED**

Assembly Member Papan demanded the Orders of the Day.

**REQUEST TO TAKE UP NOTICE OF MOTION  
TO WITHDRAW ASSEMBLY BILL NO. 165 FROM COMMITTEE,  
OUT OF ORDER**

Assembly Member Morrissey requested unanimous consent to take up the notice of motion to withdraw Assembly Bill No. 165 from committee, out of order.

Assembly Member Murray withheld unanimous consent.

**Parliamentary Inquiry**

Assembly Member Morrissey arose to the following parliamentary inquiry:

Will the House return to the notice of motion to withdraw Assembly Bill No. 165 from committee, later this day?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that the notice of motion to withdraw was passed temporarily earlier this day and subsequently, the Orders of the Day were demanded. As is the usual custom, the House will proceed with business on the Daily File and return to the items which were passed temporarily, prior to the close of session.

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

**ASSEMBLY BILL NO. 1279 (Bustamante)**—An act to amend Sections 2110 and 2112 of the Fish and Game Code, relating to endangered species, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—75**

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

**NOES—None**

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—75**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1280 (Bustamante)**—An act to amend Section 2115 of the Fish and Game Code, relating to endangered and threatened species.

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

**AYES—72**

Ackerman	Davis	Lempert	Poochigian
Aguiar	Escutia	Leonard	Prenter
Alby	Figueroa	Machado	Pringle
Alquist	Firestone	Margett	Richter
Baca	Floyd	Martinez	Runner
Baldwin	Frusetta	Mazzoni	Scott
Battin	Gallegos	McClintock	Shelley
Baugh	Goldsmith	Miller	Strom-Martin
Bordonaro	Granlund	Morrissey	Sweeney
Bowen	Havice	Morrow	Takasugi
Bowler	Hertzberg	Murray	Thompson
Brewer	Honda	Napolitano	Thomson
Brown	House	Olberg	Torlakson
Caldera	Kalooagian	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.

**OBJECTION WITHDRAWN**

Assembly Member Murray withdrew his objection to the request earlier this day, by Assembly Member Morrissey, to return to the Notice of Motion to withdraw Assembly Bill No. 165 from committee, out of file order.

**BILLS PASSED ON FILE**

**Assembly Bills Nos. 1479, 247, 71, 341, and 480**—Passed on file.

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

**ASSEMBLY BILL NO. 849 (Sweeney)**—An act to amend Section 23817.5 of the Business and Professions Code, relating to alcoholic beverages.

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

**AYES—48**

Aguiar	Davis	Leonard	Scott
Alquist	Escutia	Machado	Shelley
Aroner	Figueroa	Margett	Strom-Martin
Baca	Frusetta	Martinez	Sweeney
Baldwin	Gallegos	Mazzoni	Thompson
Bowen	Havice	Migden	Thomson
Bowler	Honda	Morrissey	Torlakson
Brown	House	Murray	Villaraigosa
Caldera	Keeley	Napolitano	Washington
Cardenas	Knox	Ortiz	Wayne
Cardoza	Kuehl	Pacheco	Wildman
Cunneen	Lempert	Perata	Wright

**NOES—23**

Ackerman	Campbell	Morrow	Pringle
Alby	Floyd	Olberg	Richter
Battin	Goldsmith	Oller	Runner
Baugh	Granlund	Papan	Takasugi
Bordonaro	Kaloogian	Poochigian	Woods
Brewer	McClintock	Prenter	

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1207 (Committee on Labor and Employment)**—An act to amend Section 7381 of the Labor Code, relating to employment.

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

**AYES—73**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1410 (Floyd)**—An act to amend Sections 43061 and 43062 of, and to repeal Section 43063 of, the Food and Agricultural Code, relating to agriculture.

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

**AYES—53**

Ackerman	Floyd	Margett	Runner
Aguiar	Frusetta	Martinez	Scott
Aroner	Gallegos	Mazzoni	Shelley
Baca	Goldsmith	Migden	Strom-Martin
Battin	Havice	Miller	Sweeney
Bowen	Hertzberg	Morrissey	Takasugi
Brown	Honda	Murray	Thomson
Caldera	House	Napolitano	Torlakson
Cardenas	Keeley	Ortiz	Villaraigosa
Cardoza	Knox	Pacheco	Wright
Cunneen	Kuehl	Papan	Mr. Speaker
Davis	Leach	Perata	
Escutia	Lempert	Poochigian	
Figueroa	Machado	Prenter	

**NOES—16**

Alby	Bowler	Leonard	Pringle
Baldwin	Brewer	McClintock	Richter
Baugh	Campbell	Morrow	Thompson
Bordonaro	Granlund	Oller	Wayne

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1188 (Lempert)**—An act to add Sections 30333.3 and 31105.5 to the Public Resources Code, relating to coastal resources.

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

**AYES—43**

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

**NOES—30**

Ackerman	Firestone	McClintock	Prenter
Aguiar	Goldsmith	Miller	Pringle
Baldwin	Granlund	Morrissey	Runner
Battin	House	Morrow	Takasugi
Baugh	Kaloogian	Olberg	Thompson
Bordonaro	Leach	Oller	Woods
Brewer	Leonard	Pacheco	
Campbell	Margett	Poochigian	

Bill ordered transmitted to the Senate.

**BILLS PASSED ON FILE**

**Assembly Bills Nos. 1246 and 714**—Passed on file.



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

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

Bill read third time.

**Motion to Amend**

Assembly Member Murray moved the adoption of amendments.

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

**ASSEMBLY BILL NO. 233 (Escutia)**—An act to amend Section 116.230 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, 26855, 26857, 26862, 27361, 68073, 68085, 68090.8, 68113, 72054, 72055, 72060, 75103.5, 76000, and 77003 of, to add Sections 27081.5, 68073.1, 68085.5, 68088, 72056.01, 76224, 77001, and 77009 to, 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, to add and repeal Section 26826.01 of, to repeal and add Section 71383 of, and to repeal and add Article 3 (commencing with Section 77200) of Chapter 13 of Title 8 of, the Government Code, to amend Sections 1463.001, 1463.005, 1463.007, 1463.009, and 1464 of, to add Sections 1463.010 and 1463.07 to, and to repeal Sections 1463.003 and 1463.01 of, the Penal Code, and to add Sections 11205.1 and 42007.1 to, and to amend, 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.

**At 12:49 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—63**

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

**NOES—8**

Baldwin	Campbell	House	Oller
Bowen	Floyd	McClintock	Thompson

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—63**

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

**NOES—8**

Baldwin	Campbell	House	Oller
Bowen	Floyd	McClintock	Thompson

Bill ordered transmitted to the Senate.

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

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

**AYES—54**

Ackerman	Escutia	Mazzoni	Strom-Martin
Aguiar	Figueroa	Migden	Sweeney
Alby	Floyd	Miller	Takasugi
Alquist	Frusetta	Morrissey	Thompson
Aroner	Gallegos	Morrow	Thomson
Baca	Granlund	Murray	Torlakson
Bowler	Havice	Napolitano	Villaraigosa
Brewer	Hertzberg	Ortiz	Washington
Brown	Honda	Pacheco	Wayne
Caldera	Keeley	Papan	Wildman
Cardenas	Kuehl	Perata	Wright
Cardoza	Lempert	Poochigian	Mr. Speaker
Cunneen	Machado	Prenter	
Davis	Martinez	Shelley	

**NOES—9**

Baldwin	Campbell	Leonard
Baugh	Firestone	McClintock
Bowen	Goldsmith	Richter

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Bill No. 255: Assembly Member Morrow, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 273 (Sweeney)**—An act to amend Sections 273a, 273d, and 1203.097 of the Penal Code, relating to crimes.

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

**AYES—69**

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

**NOES—1**

Murray

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 386 (Pacheco)**—An act to amend Section 1534 of, and to add Sections 817.1 and 1527.1 to, the Penal Code, relating to criminal procedure.

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

**AYES—72**

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

**NOES—3**

Floyd                      Migden                      Villaraigosa

Bill ordered transmitted to the Senate.

**At 1:08 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**ASSEMBLY BILL NO. 827 (Thomson)**—An act to add and repeal Section 98 of the Streets and Highways Code, and to add and repeal Section 42012 of the Vehicle Code, relating to highways, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—64**

Ackerman	Escutia	Lempert	Perata
Aguiar	Figueroa	Leonard	Prenter
Alby	Firestone	Machado	Runner
Alquist	Floyd	Margett	Scott
Aroner	Frusetta	Martinez	Shelley
Baca	Gallegos	Mazzoni	Strom-Martin
Bowen	Goldsmith	Migden	Sweeney
Bowler	Granlund	Miller	Takasugi
Brewer	Havice	Morrissey	Thompson
Brown	Hertzberg	Morrow	Thomson
Caldera	Honda	Murray	Torlakson
Campbell	Kaloogian	Napolitano	Villaraigosa
Cardenas	Keeley	Olberg	Washington
Cardoza	Knox	Oller	Wayne
Cunneen	Kuehl	Ortiz	Wildman
Davis	Leach	Pacheco	Wright

**NOES—5**

Baugh	Poochigian	Richter
McClintock	Pringle	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—64**

Ackerman	Escutia	Lempert	Perata
Aguiar	Figueroa	Leonard	Prenter
Alby	Firestone	Machado	Runner
Alquist	Floyd	Margett	Scott
Aroner	Frusetta	Martinez	Shelley
Baca	Gallegos	Mazzoni	Strom-Martin
Bowen	Goldsmith	Migden	Sweeney
Bowler	Granlund	Miller	Takasugi
Brewer	Havice	Morrissey	Thompson
Brown	Hertzberg	Morrow	Thomson
Caldera	Honda	Murray	Torlakson
Campbell	Kaloogian	Napolitano	Villaraigosa
Cardenas	Keeley	Olberg	Washington
Cardoza	Knox	Oller	Wayne
Cunneen	Kuehl	Ortiz	Wildman
Davis	Leach	Pacheco	Wright

**NOES—5**

Baugh	Poochigian	Richter
McClintock	Pringle	

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1086 (Mazzoni)**—An act to amend Sections 44755 and 44757 of, to amend the heading of Chapter 3.45 (commencing with Section 44755) of Part 25 of, and to add Chapter 3.46 (commencing with Section 44758) to Part 25 of, the Education Code, relating to education.

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

**AYES—74**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1142 (Murray)**—An act to amend Sections 9250.1, 9250.8, and 9250.13 of the Vehicle Code, relating to vehicles.

Bill read third time.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 1:16 p.m.

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

**ASSEMBLY BILL NO. 1269 (Granlund)**—An act to amend Sections 60115 and 60202 of, and to add Section 60116 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

**AYES—67**

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

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1438 (Escutia)**—An act to add Chapter 2.1 (commencing with Section 68650) to Title 8 of the Government Code, relating to courts, and making an appropriation therefor.

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

**AYES—41**

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

**NOES—27**

Ackerman	Cunneen	Leonard	Poochigian
Alby	Firestone	Margett	Prenter
Baldwin	Goldsmith	McClintock	Pringle
Bordonaro	Granlund	Miller	Runner
Bowler	House	Morrissey	Takasugi
Brewer	Kaloogian	Morrow	Thompson
Campbell	Leach	Oller	

Bill ordered transmitted to the Senate.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Murray announced that the Committee on Transportation would meet today at 2:30 p.m., instead of 1:30 p.m.

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

**ASSEMBLY BILL NO. 1182 (Sweeney)**—An act to amend Section 99 of the Revenue and Taxation Code, relating to local government finance.

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

**AYES—55**

Ackerman	Davis	Margett	Shelley
Aguiar	Escutia	Martinez	Strom-Martin
Alby	Figueroa	Mazzoni	Sweeney
Alquist	Floyd	Migden	Takasugi
Aroner	Gallegos	Murray	Thompson
Baca	Havice	Napolitano	Thomson
Baldwin	Honda	Oller	Torlakson
Bowen	Kaloogian	Ortiz	Villaraigosa
Brewer	Keeley	Papan	Washington
Brown	Knox	Perata	Wayne
Caldera	Kuehl	Prenter	Wildman
Campbell	Lempert	Richter	Wright
Cardenas	Leonard	Runner	Mr. Speaker
Cardoza	Machado	Scott	

**NOES—7**

Baugh	Bowler	McClintock	Morrow
Bordonaro	Goldsmith	Miller	

Bill ordered transmitted to the Senate.

**REQUEST TO TAKE UP  
CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 169,  
WITHOUT REFERENCE TO FILE**

Assembly Member Bordonaro requested unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 169, without reference to file.

Assembly Member Bowen withheld unanimous consent.

**Motion to Temporarily Suspend the Rules**

Assembly Member Bordonaro moved that the Rules be temporarily suspended for the purpose of permitting consideration of Senate amendments to Assembly Bill No. 169, without reference to file.

Assembly Member Thompson seconded the motion.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 1:34 p.m.

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

**MOTION TO DISPENSE WITH CALL OF THE ASSEMBLY**

Assembly Member Floyd moved that the Call of the Assembly be dispensed with as it relates to the Bordonaro motion to temporarily suspend the Rules.

Assembly Member Thompson seconded the motion.

Motion carried by the following vote:

**AYES—65**

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

**NOES—None****CALL OF THE ASSEMBLY DISPENSED WITH ON BORDONARO MOTION TO TEMPORARILY SUSPEND THE RULES**

At 1:44 p.m., pursuant to the motion by Assembly Member Floyd, further proceedings under the call of the Assembly were dispensed with.

The Bordonaro motion to temporarily suspend the Rules to permit consideration of Senate amendments to Assembly Bill No. 169, without reference to file lost by the following vote:

**AYES—37**

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

**NOES—38**

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



**Objection to Vote Adds**

Assembly Member Thompson withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Bordonaro motion to temporarily suspend the Rules as they relate to Assembly Bill No. 169.

**MOTION TO RE-REFER ASSEMBLY BILL NO. 169 TO COMMITTEE**

Assembly Member Floyd moved that Assembly Bill No. 169 be re-referred to the Committee on Labor and Employment.

**Motion Ruled Out of Order**

Speaker pro Tempore Kuehl ruled the Floyd motion to re-refer Assembly Bill No. 169 to committee, out of order as the bill is not on the Daily File.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS  
MOTION TO WITHDRAW ASSEMBLY BILL NO. 165  
FROM COMMITTEE**

In compliance with a notice given on a previous day, Assembly Member Morrissey moved that Assembly Bill No. 165 be withdrawn from the Committee on Public Safety.

Assembly Member Thompson seconded the motion.

**Point of Order**

Assembly Member Murray arose to the following point of order:

Assembly Member Morrissey is not limiting debate to the merits of the motion to withdraw Assembly Bill No. 165 from the Committee on Public Safety.

**Ruling by Speaker pro Tempore Kuehl**

The Speaker pro Tempore ruled the point of order well-taken.

**Point of Order**

Assembly Member Pringle arose to the following point of order:

Assembly Member Hertzberg is not limiting debate to the merits of the motion to withdraw Assembly Bill No. 165 from the Committee on Public Safety.

**Ruling by Speaker pro Tempore Kuehl**

The Speaker pro Tempore ruled that Assembly Member Hertzberg confine debate to the merits of the motion to withdraw.

The question being on the Morrissey motion to withdraw Assembly Bill No. 165 from the Committee on Public Safety.

Morrissey motion lost by the following vote:

**AYES—35**

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

**NOES—1**

Villaraigosa

**Objection to Vote Adds**

Assembly Member Thompson withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Morrissey motion to withdraw Assembly Bill No. 165 from committee.

**MOTION TO ADJOURN**

At 1:52 p.m., Assembly Member Papan moved that the Assembly do now adjourn.

**Motion Ruled Out of Order**

Speaker pro Tempore Kuehl ruled the motion to adjourn out of order as the House cannot adjourn while under Call of the Assembly.

**CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1142**

At 1:52 p.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.

Assembly Bill No. 1142 refused passage by the following vote:

**AYES—30**

Alquist	Keeley	Ortiz	Villaraigosa
Aroner	Knox	Papan	Washington
Cardenas	Kuehl	Perata	Wayne
Escutia	Lempert	Shelley	Woods
Figueroa	Mazzoni	Strom-Martin	Wright
Gallegos	Migden	Sweeney	Mr. Speaker
Hertzberg	Murray	Thomson	
Honda	Napolitano	Torlakson	

**NOES—39**

Ackerman	Caldera	House	Oller
Aguiar	Campbell	Kaloogian	Pacheco
Alby	Cardoza	Leach	Poochigian
Baldwin	Cunneen	Leonard	Prenter
Battin	Firestone	Margett	Pringle
Baugh	Floyd	McClintock	Richter
Bordonaro	Frusetta	Miller	Runner
Bowen	Goldsmith	Morrissey	Takasugi
Bowler	Granlund	Morrow	Thompson
Brewer	Havice	Olberg	

**Request to Expunge Record and Rescind Action on  
Assembly Bill No. 1142**

Assembly Member Murray requested unanimous consent that the record be expunged and the action rescinded whereby a roll call vote was taken on this day on Assembly Bill No. 1142.

Assembly Member McClintock withheld unanimous consent.

**Motion to Reconsider Assembly Bill No. 1142  
on Next Legislative Day**

Assembly Member Murray moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1142 was this day refused passage.

Assembly Bill No. 1142 ordered to the unfinished business file.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Keeley announced that Budget Subcommittee No. 3 would meet at 9 a.m., on Tuesday, May 13, 1997.

Assembly Member Martinez announced that the Committee on Utilities and Commerce would meet today at 2:30 p.m., instead of 1:30 p.m.

**OBJECTION WITHDRAWN**

Assembly Member Murray announced that Assembly Member McClintock had objected to the request to expunge the record as it relates to Assembly Bill No. 1142, but had withdrawn objection to the request to rescind action.

**Request by Assembly Member Murray**

Assembly Member Murray requested unanimous consent to withdraw the motion to reconsider Assembly Bill No. 1142 and further requested that the action be rescinded whereby Assembly Bill No. 1142 was refused passage.

**Objection by Assembly Member Pringle**

Assembly Member Pringle withheld unanimous consent to the request by Assembly Member Murray to rescind the action whereby Assembly Bill No. 1142 was refused passage.

**Assembly Bill No. 1142 Reconsidered**

Assembly Member Murray was granted unanimous consent that the vote be reconsidered whereby Assembly Bill No. 1142 was this day refused passage and that the bill be placed upon the inactive file.

**BILLS CONSIDERED ENGROSSED**

Unanimous consent was granted that the following bill be considered engrossed:

Assembly Bill No. 638.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Bowen announced that the Committee on Natural Resources would meet today at 2:30 p.m.

Assembly Member Caldera announced that the Committee on Revenue and Taxation would meet today at 2:15 p.m.

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Assembly Bills**

**ASSEMBLY BILL NO. 986 (Migden)**—An act to amend Section 202 of the Welfare and Institutions Code, relating to juvenile court law.

Bill read third time, passed, and ordered transmitted to the Senate.  
*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 1398 (Oller)**—An act to amend Section 830.8 of the Penal Code, relating to peace officers.

Bill read third time, passed, and ordered transmitted to the Senate.  
*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 150 (Alby)**—An act to amend Section 656 of the Unemployment Insurance Code, relating to unemployment compensation.

Bill read third time, passed, and ordered transmitted to the Senate.  
*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**Consent Calendar Roll Call**

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

**AYES—75**

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

**NOES—None**

**ANNOUNCEMENTS**

Speaker pro Tempore Kuehl announced that all measures that were passed temporarily earlier this day, would be passed on file.

**BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE**

**Assembly Bills Nos. 528 and 673**—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

**MOTION TO ADJOURN**

At 1:59 p.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Leonard seconded the motion.

**REMARKS ON CONDITION OF THE FILE**

Assembly Members Bordonaro, Floyd, and Woods 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:

**Resolutions to Suspend Rules:** Cardenas, Cunneen, Goldsmith, and Olberg—Aye.

**Assembly Concurrent Resolution No. 28, Concurrence:** Goldsmith, Martinez, and Olberg—Aye.

**Assembly Joint Resolution No. 4:** Goldsmith and Olberg—Aye.

**Assembly Bill No. 1279 and Urgency:** Baugh—Aye.

**Assembly Bill No. 1280:** Baugh—Aye.

**Assembly Bill No. 849:** Baugh—No.

**Assembly Bill No. 1207:** Baugh—Aye.

**Assembly Bill No. 1410:** Baca—Aye; Bordonaro—No.

**Assembly Bill No. 1188:** Baugh—No.

**Assembly Bill No. 233 and Urgency:** Brewer—Aye; Bowen—No.

**Assembly Bill No. 255:** Martinez—Aye; Baugh, Bowen, and Goldsmith—No.

**Assembly Bill No. 827 and Urgency:** Morrow—Aye; Baugh—No.

**Assembly Bill No. 1269:** Aguiar and Knox—Aye.

**Assembly Bill No. 1182:** Baldwin—Aye; Baugh—No.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 2 p.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 57—Goldsmith, Baldwin, Davis, Ducheny, Kaloogian, and Wayne, (Senators Alpert, Haynes, and Kelley, coauthors).** Relative to the Kumeyaay Highway.

**HOUSE RESOLUTION NO. 29—Thompson.** Relative to Medicare.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, May 12, 1997

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 278  | Assembly Bill No. 1312 |
| Assembly Bill No. 375  | Assembly Bill No. 1373 |
| Assembly Bill No. 1124 | Assembly Bill No. 1542 |
| Assembly Bill No. 1149 | Assembly Bill No. 1545 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

May 12, 1997

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

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 135 | Assembly Bill No. 1167 |
| Assembly Bill No. 466 | Assembly Bill No. 1286 |

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

MIGDEN, Chairwoman

**ASSEMBLY BILL NO. 135**—An act to add Section 14069.5 to the Corporations Code, relating to small business development, 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. 466**—An act to add and repeal Section 149.4 of the Streets and Highways Code, and to add and repeal Section 21655.10 of the Vehicle Code, relating to highways.

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. 1167**—An act to amend Sections 98.1, 98.6, 210, and 225.5 of, and to add Section 1186 to, the Labor Code, relating to employment, 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.

**ASSEMBLY BILL NO. 1286**—An act to add Section 2081.6 to the Fish and Game Code, relating to endangered species.

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**

May 12, 1997

Mr. Speaker: The Chair of your Committee on Local Government reports:

- Assembly Bill No. 692

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

SWEENEY, Chairman

**ASSEMBLY BILL NO. 692**—An act to amend Section 6 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to water.

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**

May 12, 1997

Mr. Speaker: The Chair of your Committee on Local Government reports:  
Senate Bill No. 437

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

SWEENEY, Chairman

**SENATE BILL NO. 437**—An act to amend Sections 1 and 2 of Chapter 213 of the Statutes of 1907, relating to water, 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 Judiciary**

May 12, 1997

Mr. Speaker: The Chair of your Committee on Judiciary reports:  
Assembly Bill No. 76

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

ESCUTIA, Chairwoman

**ASSEMBLY BILL NO. 76**—An act to amend Sections 1368 and 1375 of, and to add Sections 1363.1 and 1368.5 to, the Civil Code, relating to common interest developments.

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**

May 12, 1997

Mr. Speaker: The Chair of your Committee on Local Government reports:  
Assembly Bill No. 495

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

SWEENEY, Chairman

**ASSEMBLY BILL NO. 495**—An act to repeal Section 26614.5 of the Government Code, relating to counties.

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 Education**

Date of Hearing: May 7, 1997

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 876

Assembly Bill No. 1339

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

MAZZONI, Chairwoman

Above bills ordered to second reading.

Date of Hearing: May 7, 1997

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 307

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

MAZZONI, Chairwoman

Above bill ordered to second reading.

**Committee on Appropriations**

Date of Hearing: May 7, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 708

Assembly Bill No. 1129

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

**Committee on Governmental Organization**

Date of Hearing: May 12, 1997

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 973

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

BROWN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: May 12, 1997

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 546

Assembly Bill No. 1601

With the recommendation: Do pass.

BROWN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: May 12, 1997

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 951

Assembly Bill No. 1083

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.

BROWN, Chairwoman

Above bills ordered to second reading.



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

Date of Hearing: May 6, 1997

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

Assembly Bill No. 1602

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

DAVIS, Chairwoman

Above bill ordered to second reading.

**Committee on Governmental Organization**

Date of Hearing: May 12, 1997

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 992

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

BROWN, Chairwoman

Above bill re-referred to the Committee on Appropriations.

**Committee on Health**

Date of Hearing: May 6, 1997

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 452

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

GALLEGOS, Chairman

Above bill ordered to second reading.

Date of Hearing: May 6, 1997

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1017

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 Local Government**

Date of Hearing: May 7, 1997

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1224

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

SWEENEY, Chairman

Above bill ordered to second reading.

**Committee on Governmental Organization**

Date of Hearing: May 12, 1997

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 84

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.

BROWN, Chairwoman

Above bill ordered to second reading.

**Committee on Education**

Date of Hearing: May 7, 1997

Mr. Speaker: Your Committee on Education reports:

Senate Concurrent Resolution No. 10

With the recommendation: Be adopted, as amended.

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

MAZZONI, Chairwoman

Above resolution ordered to second reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, May 12, 1997

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

Senate Bill No. 71

Senate Bill No. 145

Senate Bill No. 150

Senate Bill No. 183

Senate Bill No. 249

Senate Bill No. 443

Senate Bill No. 451

Senate Bill No. 913

Senate Bill No. 955

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

Senate Chamber, May 12, 1997

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

Senate Concurrent Resolution No. 17

Senate Concurrent Resolution No. 31

Senate Concurrent Resolution No. 36

Senate Concurrent Resolution No. 41

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. 781**—An act to add Section 33334.25 to the Health and Safety Code, relating to redevelopment.**SENATE BILL NO. 145**—An act to amend Section 3302 of the Government Code, relating to public safety officers.**SENATE BILL NO. 150**—An act to amend Section 10471 of the Business and Professions Code, to amend Section 86 of the Code of Civil Procedure, to add Section 3553 to the Labor Code, and to amend Section 1202.4 of the Penal Code, relating to restitution, and making an appropriation therefor.**SENATE BILL NO. 183**—An act to amend Section 7381 of the Fish and Game Code, relating to fish, and declaring the urgency thereof, to take effect immediately.**SENATE BILL NO. 249**—An act to amend Section 8880.4 of the Government Code, relating to the state lottery.**SENATE BILL NO. 443**—An act to amend Section 1524 of, and to add Section 637.7 to, the Penal Code, relating to criminal procedure.**SENATE BILL NO. 451**—An act to amend Section 65302 of the Government Code, relating to land use.**SENATE BILL NO. 913**—An act to amend Section 25396.6 of the Health and Safety Code, relating to hazardous substances.**SENATE BILL NO. 955**—An act to add Section 1366.1 to the Health and Safety Code, and to add Section 10112.7 to the Insurance Code, relating to health care coverage.

The following resolutions were read:

**SENATE CONCURRENT RESOLUTION NO. 17**—Relative to human services.**SENATE CONCURRENT RESOLUTION NO. 31**—Relative to San Diego State University.

**SENATE CONCURRENT RESOLUTION NO. 36**—Relative to the 85th anniversary of the Girl Scouts.

**SENATE CONCURRENT RESOLUTION NO. 41**—Relative to Mentoring Awareness Month.

### INTRODUCTION OF GUESTS

Assembly Member Battin, of the 80th Assembly District, introduced Radio Talk Show hosts Rick Moorten and Marshall Gilbert, of KPSI Newstalk and Power Radio 100.5.

Assembly Member Napolitano, of the 58th Assembly District, introduced the following individuals from the Beijing East District Education Department Delegation, Mr. Ye, Zhong Wei, Deputy Chief of East District Education Department; Mr. Lu, Tian Long, Deputy Chief of East District Education Department; Mr. Liu, Yan Min, Manager of Ma Hou Factory Trade Company; Mr. Wang, Yan Sheng, Deputy Principal of Specialized School Center; Mr. Wang, Fu Quan, Principal of the Finance and Economics High School; Mr. Yan, Jia Xue, Factory Director of High School Company; Mr. Xie, Chun Cai, Deputy Principal of 61 High Schools; and Mr. Zhao, Ting Fang, Principal of 190 High Schools.

Assembly Member House, of the 25th Assembly District, introduced his sister-in-law Ruth Fletcher, teacher at Hughson Christian School, who was accompanied by 6–8th grade students.

### ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 7 a.m., Tuesday, May 13, 1997, out of respect to the memory of Sgt. Joe Tahara, on motion of Assembly Members Ortiz and Alby; out of respect to the memory of Adrienne Storelli, on motion of Assembly Members House and Poochigian; out of respect to the memory of Mike Medina, on motion of Assembly Member Frusetta; out of respect to the memory of Connie Perez, Chelsea Perez, Marco Perez, and Karla Perez; and Bacilia Aguilar, on motion of Assembly Member Napolitano; out of respect to the memory of Iylene Weiss, on motion of Assembly Member Bowen; out of respect to the memory of Alvy Moore, on motion of Assembly Member Brewer; out of respect to the memory of George Baker DDS, on motion of Speaker Bustamante and Assembly Members Cardoza, Prenter, Poochigian, and Machado; out of respect to the memory of Freda Leekley and Terrance Tyrell Watson, on motion of Assembly Member Cardenas; out of respect to the memory of Frank T. Andronico, on motion of Assembly Member Leach; out of respect to the memory of Timothy Wilson and Tammy Wilson, on motion of Assembly Members Aguilar and Leonard; out of respect to the memory of Cora Harris, on motion of Assembly Member Pringle; and out of respect to the memory of Philip Siggins, on motion of Assembly Member Shelley.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MAY 12, 1997**

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

<b>AB</b>	<b>RN</b>	<b>AB</b>	<b>RN</b>
76	9713370	1130	9713316
132	9713197	1159	9712834
135	9713114	1167	9713216
188	9712879	1174	9713452
258	9713162	1196	9712794
268	9712992	1230	9713133
408	9712815	1286	9713117
466	9713126	1303	9713163
489	9713061	1324	9713333
495	9713313	1451	9713143
566	9712850	1500	9713204
568	9712939	1529	9713259
604	9713147	1596	9713097
615	9712775		
640	9712529	<b>SB</b>	<b>RN</b>
664	9712985	210	9712225
675	9713028	342	9712400
692	9713253	437	9712827
694	9713152		
1120	9713063		

<b>Daily Total:</b>	<b>36</b>
<b>Cumulative Total:</b>	<b>1539</b>