

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, June 26, 1997**

**NINETY-SIXTH SESSION DAY**

**TWO HUNDRED SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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

## PROCEEDINGS OF THE ASSEMBLY

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### IN ASSEMBLY

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Assembly Chamber, Sacramento  
Thursday, June 26, 1997

The Assembly met at 8:34 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Brewer moved a quorum call of the Assembly. Motion carried. Time, 8:35 a.m.

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

#### Quorum Present

At 8:50 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—78:

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

**PRAYER**

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

*Lord, Even as our forefathers devoutly called upon You in faith and in truth, help us to be obedient to Your will and to Your almighty and glorious Name. Shelter us by Your mighty hand, and save us from all wrongdoing with Your outstretched arm. Deliver us from those who hate us without cause, granting peace and concord to us and to all mankind.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Martinez 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 Napolitano, seconded by Assembly Member Oller.

**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 Floyd and Kuykendall.*

**EXPLANATIONS OF ABSENCE**

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

June 25, 1997

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

Dear Mr. Speaker: I respectfully request that I be excused from session on Thursday, June 26, 1997, due to urgent legislative business in my district.

I also respectfully request per diem pay for the day.

Thank you for your prompt consideration of this request. Please call, Lorie Erickson, in my office should you have any questions.

Cordially,

RICHARD E. FLOYD, Assembly Member  
Fifty-fifth District

June 19, 1997

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

Dear Speaker Bustamante: I have been invited to attend and address the American Legion California Convention in my district on Thursday, June 26, 1997. This is an important event for my district and I respectfully request that I be excused from Session for legislative business.

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

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>67</b> -----	Rls.

*Senate*

<i>Bill No.</i>	<i>Committee</i>
<b>6</b> -----	Ed.
<b>74</b> -----	G.O.
<b>130</b> -----	Budget
<b>151</b> -----	Pub. S.
<b>172</b> -----	Trans.
<b>266</b> -----	Ins.
<b>345</b> -----	Ed.
<b>482</b> -----	Ins.
<b>508</b> -----	G.O.
<b>521</b> -----	E.S. & T.M. and Trans.
<b>708</b> -----	Ed.
<b>776</b> -----	C.P.,G.E. & E.D.
<b>867</b> -----	Rev. & Tax.
<b>915</b> -----	Health
<b>937</b> -----	Pub. S.
<b>1059</b> -----	Nat. Res.
<b>1086</b> -----	C.P.,G.E. & E.D.
<b>1189</b> -----	E.S. & T.M. and Trans.

**REPORTS OF STANDING COMMITTEES**

**Committee on Labor and Employment**

Date of Hearing: June 25, 1997

Mr. Speaker: Your Committee on Labor and Employment reports:

Senate Bill No. 496

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

FLOYD, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 25, 1997

Mr. Speaker: Your Committee on Labor and Employment reports:

Senate Bill No. 1071

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.

FLOYD, Chairman

Above bill ordered second reading.

Date of Hearing: June 25, 1997

Mr. Speaker: Your Committee on Labor and Employment reports:

Senate Bill No. 132

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

FLOYD, Chairman

Above bill re-referred to the Committee on Appropriations.

**Committee on Education**

Date of Hearing: June 25, 1997

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 421

Senate Bill No. 674

Senate Bill No. 804

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

MAZZONI, Chairwoman

Above bills re-referred to the Committee on Appropriations.

**REQUEST FOR PHOTOGRAPHER**

Assembly Members Hertzberg and Morrow were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

**ADJOURN IN MEMORY**

Assembly Member Bordonaro was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Margaret Elizabeth Mackin, of Santa Maria.

**REQUEST FOR PHOTOGRAPHER**

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

**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:

**Senate Bill No. 68**, on request of Assembly Member Ackerman.

**RE-REFERENCE OF BILLS**

Assembly Member Escutia was granted unanimous consent that Senate Bill No. 247 be re-referred from the Committee on Judiciary to the Committee on Revenue and Taxation.

**ADJOURN IN MEMORY**

Assembly Member Morrow was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Keith Haider and Adam Linden, who were students at El Camino High School in Oceanside.

Assembly Member Goldsmith was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Border Patrol Agent Stephen Starch, of San Diego.

Assembly Member Wayne was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Nick Johnson, of San Diego.

Assembly Member Brewer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Eileen Dolan Schuler, of Newport Beach.

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 Jack Gibson, of Hollister.

Assembly Member Poochigian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles Tavookjian, of Fresno.

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 Vincent Rovetti, of San Francisco; and Paul Sidney Chown, of El Cerrito.

Assembly Member Sweeney was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alvie Leon Fletcher, of Hayward.

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

**QUESTION OF PRIVILEGE OF THE HOUSE**

Assembly Member Goldsmith renewed a question of privilege raised on June 19, 1997 (Assembly Journal, page 2788) that the Body request that the Legislative Counsel release an opinion rendered in 1981 which has been the basis of rulings relative to a majority vote requirement on revenue-neutral bills which contain tax increases. Such request is based upon Government Code Section 10207(a) permitting the Legislative Counsel to release an opinion on the basis of public interest, thereby overcoming the objection of the Legislative Counsel based upon attorney client privilege.

**Ruling by Speaker pro Tempore Kuehl**

Speaker pro Tempore Kuehl ruled that it was not proper to request that the Legislative Counsel release the referenced opinion of 1981 based upon the following:

1.) an opinion had been requested of the Legislative Counsel by Assembly Member Goldsmith and such opinion would postdate any opinion rendered to a former Member;

2.) under attorney client privilege the Legislative Counsel may determine what public interest requires; and

3.) pursuant to Government Code Section 10208 the Legislative Counsel may release material arising out of attorney client privilege with a former Member, if that Member is not available to execute a release.

**Point of Order**

Assembly Member Papan arose to the following point of order:  
There is no order.

**Ruling by Speaker pro Tempore Kuehl**

The Speaker pro Tempore ruled the point of order well-taken and called the House to order.

**Motion to Appeal from the Decision of the Chair**

Assembly Member Goldsmith moved to appeal from the decision of the Chair.

The question being: Shall the decision of the Chair that it is not proper that the House request that the Legislative Counsel release an opinion rendered in 1981 to a former Member be overruled?

The roll was opened and the decision of the Chair sustained by the following vote:

**AYES—36**

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

**NOES—38**

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

**Parliamentary Inquiry**

Assembly Member Kaloogian arose to the following parliamentary inquiry:

What is the Chair's definition of the term "available" as it relates to Government Code Section 10208, and is a person considered "available" if they simply refuse to execute a release?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that if a person is available to execute a release, a refusal to execute is the same as execution of a release in terms of the point of availability; a person is considered legally available if they are asked if they wish to execute a release and they refuse; and further, that in the past 80 years a person has been considered not available either because of death, or being out of the country.

**Parliamentary Inquiry**

Assembly Member Goldsmith arose to the following parliamentary inquiry:

Is the Chair ruling on the terms of availability?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that she had not ruled on the terms of availability but rather responded to the parliamentary inquiry by Assembly Member Kaloogian.



**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:

**Senate Bill No. 294**, on request of Assembly Member Thompson.

**ADJOURN IN MEMORY**

Assembly Member Papan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard T. "Dick" Powell, of Daly City.

Assembly Member Thomson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kimberly Fuller, of West Sacramento.

**RE-REFERENCE OF BILLS**

Assembly Member Vincent was granted unanimous consent that Senate Bill No. 717 be re-referred from the Committee on Elections, Reapportionment and Constitutional Amendments to the Committee on Revenue and Taxation.

**CONGRATULATIONS EXTENDED TO ASSEMBLY MEMBER GOLDSMITH**

Assembly Member Margett was joined by Members of the Assembly in extending congratulations to Assembly Member Goldsmith upon being named "Legislator of the Year" by the California Truckers Association.

**BILL REMOVED FROM CONSENT CALENDAR AND PLACED UPON INACTIVE FILE**

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

**Senate Bill No. 106**, on request of Assembly Member Ducheny.

**RE-REFERENCE OF BILLS**

Assembly Member Davis was granted unanimous consent that Senate Constitutional Amendment No. 13 be re-referred from the Committee on Consumer Protection, Governmental Efficiency and Economic Development to the Committee on Governmental Organization.

**SPECIAL RECOGNITION**

The Members of the Assembly joined in extending best wishes to Assembly Members Honda and Pringle on the occasion of their birthdays.

**RECESS**

By unanimous consent, at 9:12 a.m., Speaker pro Tempore Kuehl declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Thomson introduced Marilyn Gayler Axelrod, founder of the Wall of Hope Breast Cancer Survivors' Project, an ongoing, grassroots effort for survivors of breast cancer to raise public awareness through its photo fundraisers and exposure of the Wall of Hope.

Assembly Member Leach introduced Jack Riley, of the Triathlon of Hope II. Mr. Riley, a senior triathlete, is raising public awareness for prostate cancer, through his participation in this triathlon.

Marilyn Gayler Axelrod then addressed the assemblage.

**REASSEMBLED**

At 9:16 a.m., the Assembly reconvened.

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

**ADJOURN IN MEMORY**

Assembly Members Wright and Murray were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Betty Shabazz, of New York.

**BILLS REMOVED FROM CONSENT CALENDAR**

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

**Senate Bill No. 880**, on request of Assembly Member Torlakson;

**Senate Bill No. 653**, on request of Assembly Member Escutia.

**ADJOURN IN MEMORY**

Assembly Members Cardenas, Machado, and Woods were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bud Johnson, of Red Bluff.

**RE-REFERENCE OF BILLS**

Assembly Member Hertzberg was granted unanimous consent that Senate Bill No. 945 be re-referred from the Committee on Public Safety to the Committee on Health.

Assembly Member Papan was granted unanimous consent that Senate Bill No. 842 be re-referred from the Committee on Banking and Finance to the Committee on Revenue and Taxation.

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

**SENATE BILL NO. 459**—An act to add Division 14 (commencing with Section 141000) to the Public Utilities Code, relating to transportation.

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

**SENATE BILL NO. 556**—An act to amend Sections 107020, 115115, 120380, 123295, and 123345 of, and to amend and renumber Sections 106950, 107115, 107120, and 123228 of, the Health and Safety Code, relating to public health, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 327**—An act to amend Section 11105.03 of the Penal Code, relating to state summary criminal history information, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 386**—An act to amend Section 1382 of the Penal Code, relating to criminal procedure.

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

**SENATE BILL NO. 16**—An act to amend Section 11413 of the Penal Code, relating to crime.

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

**SENATE BILL NO. 122**—An act to amend Section 273 of the Penal Code, relating to adoption.

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

**SENATE BILL NO. 260**—An act to amend Section 13523.1 of the Water Code, relating to water.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 277**—An act to amend Section 1797.98f of the Health and Safety Code, relating to emergency medical services.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 354**—An act to amend Sections 5101.2 and 5101.3 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 372**—An act to repeal and add Section 37 of the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session), relating to the San Diego Unified Port District.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 396**—An act to amend Section 2557 of the Streets and Highways Code, and to amend Section 2421.5 of, and to repeal Section 2421.6 of, the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 498**—An act to amend Sections 75003, 75027, 75030, 75030.5, 75051, 75058, 75062, 75070, 75112, 75131.3, 75133, 75135.5, 75151, 75172, and 75173 of, and to repeal Section 75034 of, the Food and Agricultural Code, relating to agriculture.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1261**—An act to amend Section 56728.7 of the Education Code, relating to special education, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 13**—An act to amend Section 6018 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 18**—An act to amend Section 1523 of the Code of Civil Procedure, and to amend Section 12936 of the Insurance Code, relating to insurance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 66**—An act relating to class size in the public elementary schools, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

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

Bill read second time, and ordered to third reading.

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

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 355**—An act to add Chapter 2.96 (commencing with Section 7286.65) to Part 1.7 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 375**—An act to amend Sections 7273, 7285.5, and 7285.8 of, and to add Sections 7273.1 and 7285.9 to, the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1024**—An act to amend Sections 21551 and 21635 of, and to repeal Section 21550 of, the Government Code, relating to public employees.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1025**—An act to amend Sections 21362, 21363, 21369, and 21370 of, and to add Section 21389 to, the Government Code, relating to public employees.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1192**—An act to amend Sections 20903.5 and 31641.05 of the Government Code, relating to public employees, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 612**—An act to amend Sections 8102, 8103, 8105, 60041, 60201.2, 60201.3, 60472, 60501, 60502, 60505, and 60511 of, to add Sections 8108 and 8109 to, and to repeal Sections 7402, 7403, 7404, 7407, and 60510 of, the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

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

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

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. 259 RETURNED TO SENATE**

Without objection, Assembly Member Scott returned Assembly Bill No. 259 to the Senate for further action.

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

**ASSEMBLY BILL NO. 340 (Alby)**—An act to amend Section 136.2 of the Penal Code, relating to crimes.

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

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

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

**AYES—78**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1098 (Ortiz)**—An act to amend Section 2337 of the Family Code, relating to family law.

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

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

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

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 669 (Wright)**—An act to amend Sections 1695.4, 1695.5, 1695.7, 2945.3, and 2945.6 of the Civil Code, relating to real property.

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

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

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

**AYES—76**

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

**NOES—1**

McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 943 (Washington)**—An act to amend Section 17980 of, and to add Section 17980.9 to, the Health and Safety Code, relating to buildings.

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

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

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

**AYES—58**

Ackerman	Davis	Leonard	Scott
Aguiar	Ducheny	Machado	Shelley
Alby	Escutia	Margett	Strom-Martin
Alquist	Figueroa	Martinez	Sweeney
Aroner	Firestone	Mazzoni	Thomson
Ashburn	Gallegos	McClintock	Torlakson
Baca	Goldsmith	Migden	Villaraigosa
Bowen	Havice	Miller	Vincent
Bowler	Hertzberg	Murray	Washington
Brown	Honda	Napolitano	Wayne
Caldera	Keeley	Ortiz	Wildman
Campbell	Knox	Papan	Wright
Cardenas	Kuehl	Perata	Mr. Speaker
Cardoza	Leach	Prenter	
Cunneen	Lempert	Richter	

**NOES—15**

Baugh	Granlund	Morrow	Runner
Bordonaro	House	Oller	Thompson
Brewer	Kaloojian	Poochigian	Woods
Frusetta	Morrissey	Pringle	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 700 (Alby)**—An act to amend Section 803 of the Penal Code, relating to sex offenses, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—77**

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

**NOES—None**

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

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled immediately.



**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 1609 (Papan)**—An act to add and repeal Section 340.8 of the Code of Civil Procedure, relating to causes of action.

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

**AYES—48**

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

**NOES—18**

Ackerman	House	Miller	Runner
Baldwin	Leach	Morrow	Thompson
Brewer	Leonard	Oller	Woods
Campbell	Margett	Pringle	
Granlund	McClintock	Richter	

Bill ordered transmitted to the Senate.

**Objection to Vote Adds**

Assembly Member Villaraigosa withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Bill No. 1609.

**Communications**

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

**Explanation of Vote—Assembly Bill No. 1609**

26 June 1997

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

Dear Mr. Wilson: This is to clarify that I intended to vote ‘aye’ on AB 1609, File Number 36 on June 26. My vote was not recorded.

Sincerely,

CAROLE MIGDEN, Assembly Member  
 Thirteenth District

**ASSEMBLY BILL NO. 1611 (Ortiz)**—An act to add Section 12517.5 to the Vehicle Code, relating to vehicles, 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—76**

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

**NOES—None**

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

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 67 (Kopp)**—An act to amend Section 1714.45 of the Civil Code, relating to product liability.

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

**At 9:47 a.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 10:02 a.m.

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

**SENATE BILL NO. 26 (Maddy)**—An act to amend Section 19568 of the Business and Professions Code, relating to horseracing.

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

Bill passed by the following vote:

**AYES—69**

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

**NOES—1**

Havice

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 26: Assembly Member Havice, from "Aye" to "No".

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1318 (Polanco)**—An act relating to education, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—75**

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

**NOES—None**

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

**AYES—75**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 109 (Kopp)**—An act to add Section 85320 to the Government Code, relating to the Political Reform Act of 1974.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 210 (Ayala)**—An act to amend Sections 26945 and 26946 of, and to add Section 26945.1 to, the Government Code, relating to county officers.

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

**Senate Bill No. 210 Passed and Retained**

By unanimous consent Senate Bill No. 210 was passed on file, to retain its place on file.

**SENATE BILL NO. 228 (Kelley)**—An act to amend Section 57092 of, and to add Section 61210.1 to, the Government Code, relating to local government.

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

Bill passed by the following vote:

**AYES—70**

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

**NOES—4**

Bowen	Havice	Martinez	Migden
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**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 228: Assembly Member Havice, from “Aye” to “No”.

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 538 (Greene)**—An act to add Article 3.7 (commencing with Section 53270) to Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, relating to firefighters, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—74**

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

**NOES—2**

McClintock                      Thompson

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—74**

Ackerman	Cunneen	Leonard	Prenter
Aguiar	Davis	Machado	Richter
Alby	Ducheny	Margett	Runner
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Shelley
Ashburn	Firestone	Migden	Strom-Martin
Baca	Frusetta	Miller	Sweeney
Baldwin	Gallegos	Morrissey	Takasugi
Battin	Goldsmith	Morrow	Thomson
Baugh	Granlund	Murray	Torlakson
Bordonaro	Havice	Napolitano	Villaraigosa
Bowen	Honda	Olberg	Vincent
Bowler	House	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		

**NOES—2**

McClintock                      Thompson

Bill ordered transmitted to the Senate.

**SENATE CONCURRENT RESOLUTION NO. 22 (McPherson)**—Relative to the State Highway Route 156 Hollister Bypass Project.

Resolution read, and presented by Assembly Member Frusetta.

**Members Made Coauthors of  
Senate Concurrent Resolution No. 22**

Assembly Member Frusetta was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 22, and that he be added as principal coauthor.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Ackerman, Aguiar, Alby, Alquist, Ashburn, Baca, Baldwin, Battin, Baugh, Bordonaro, Bowen, Bowler, Campbell, Cardenas, Cunneen, Ducheny, Escutia, Figueroa, Firestone, Frusetta, Gallegos, Granlund, Havice, Honda, House, Kaloogian, Knox, Kuehl, Leach, Lempert, Leonard, Machado, Margett, Martinez, McClintock, Miller, Morrissey, Morrow, Napolitano, Olberg, Oller, Ortiz, Papan, Perata, Prenter, Richter, Runner, Scott, Shelley, Sweeney, Takasugi, Thomson, Torlakson, Vincent, Wayne, Wildman, Woods, and Wright.

**Request for Unanimous Consent**

Assembly Member Frusetta was granted unanimous consent to take up Senate Concurrent Resolution No. 22, as amended, without reference to print or file.

**Consideration of Senate Concurrent Resolution No. 22, as Amended**

**SENATE CONCURRENT RESOLUTION NO. 22**—Relative to the State Highway Route 156 Hollister Bypass Project.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

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



**SENATE BILL NO. 1261 REMOVED FROM CONSENT CALENDAR AND TAKEN UP**

Assembly Member Torlakson was granted unanimous consent that Senate Bill No. 1261 be removed from the Consent Calendar, and to take the bill up at this time, without reference to file, for purpose of consideration.

**SENATE BILL NO. 1261 (Sher)**—An act to amend Section 56728.7 of the Education Code, relating to special education, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—75**

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

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—75**

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

**NOES—None**

Bill ordered transmitted to the Senate immediately.

**CONGRATULATIONS EXTENDED TO ASSEMBLY MEMBER MORRISSEY**

Assembly Member Campbell was joined by the Members of the Assembly in extending congratulations to Assembly Member Morrissey upon being named “Legislator of the Year” by the V.F.W.

**RECESS**

By unanimous consent, at 10:23 a.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

**REASSEMBLED**

At 10:26 a.m., the Assembly reconvened.

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

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, June 26, 1997

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

Assembly Bill No. 700

And reports the same correctly enrolled, and presented to the Governor at 10 a.m., June 26, 1997.

E. DOTSON WILSON, Chief Clerk

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Assembly Resolutions**

**ASSEMBLY JOINT RESOLUTION NO. 22 (Kaloogian)**—Relative to the aircraft carrier Midway.

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

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY CONCURRENT RESOLUTION NO. 59 (Woods)**—Relative to the Big Bar and Big Flat Historical Monument.

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

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY CONCURRENT RESOLUTION NO. 63 (Prenter)**—Relative to peace officers.

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

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY JOINT RESOLUTION NO. 17 (Murray)**—Relative to foreign trucks in California.

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

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

#### **Consent Calendar—Senate Bills**

**SENATE BILL NO. 160 (Watson)**—An act to add and repeal Section 24177.5 of the Health and Safety Code, relating to health, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

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

**SENATE BILL NO. 349 (McPherson)**—An act to add Section 89010 to the Education Code, relating to the California State University, and making an appropriation therefor.

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.)*

**SENATE BILL NO. 384 (Craven)**—An act to amend Section 1102 of the Civil Code, and to amend Section 18160 of the Health and Safety Code, relating to housing, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

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

**SENATE BILL NO. 484 (Craven)**—An act to amend Sections 799, 799.1, 799.3, 799.4, 799.5, and 799.7 of the Civil Code, relating to mobilehomes.

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.)*

**SENATE BILL NO. 511 (Committee on Insurance)**—An act to amend Sections 14021 and 14029 of the Insurance Code, relating to insurance.

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.)*

**SENATE BILL NO. 342 (McPherson)**—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 third time, passed, and ordered transmitted to the Senate.

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

**SENATE BILL NO. 98 (Haynes)**—An act to amend Section 6103.5 of the Government Code, relating to courts.

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.)*

**SENATE BILL NO. 665 (Johnson)**—An act to amend Sections 1058.5, 2924c, 2924d, 2924f, 2924g, 2924(l), and 2941 of the Civil Code, relating to real property.

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.)*

**SENATE BILL NO. 696 (Rainey)**—An act to amend Section 7660 of, and to add Sections 7600.6, 15688, and 16042 to the Probate Code, relating to estates and trusts.

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.)*

**SENATE BILL NO. 212 (Burton)**—An act to amend and repeal Section 3209.3 of, and to add Section 3209.9 to, the Labor Code, relating to workers' 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, and any urgency clauses to the bills adopted, by the following vote:

#### **AYES—77**

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

#### **NOES—None**

**BILL ORDERED TRANSMITTED TO SENATE IMMEDIATELY**

Assembly Member Villaraigosa was granted unanimous consent that Senate Bill No. 1318 be transmitted to the Senate immediately.

**MESSAGES FROM THE SENATE**

Senate Chamber, June 26, 1997

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

Assembly Bill No. 1164

And respectfully requests 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.

Senate Chamber, June 26, 1997

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

Assembly Bill No. 360

And respectfully requests 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.

Senate Chamber, June 26, 1997

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

Assembly Bill No. 1521

And respectfully requests 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.

**CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT**

Assembly Member Wright was granted unanimous consent to take up Assembly Bill No. 1164, without reference to file, for purpose of consideration of Senate amendments.

**ASSEMBLY BILL NO. 1164 (Wright)**—An act to amend Section 9490 of, and to repeal Section 94753.5 of, the Education Code, and to repeal Section 32 of Chapter 62 of the Statutes of 1996, relating to postsecondary education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—56**

Aguiar	Ducheny	Machado	Scott
Alby	Escutia	Mazzoni	Shelley
Alquist	Figueroa	Migden	Strom-Martin
Aroner	Firestone	Miller	Sweeney
Baca	Frusetta	Morrissey	Takasugi
Battin	Gallegos	Murray	Thomson
Bowler	Granlund	Napolitano	Torlakson
Brewer	Havice	Oller	Villaraigosa
Brown	Honda	Ortiz	Vincent
Campbell	Keeley	Papan	Washington
Cardenas	Knox	Perata	Wayne
Cardoza	Kuehl	Poochigian	Wildman
Cunneen	Leach	Pringle	Wright
Davis	Lempert	Runner	Mr. Speaker

**NOES—14**

Ackerman	Caldera	McClintock	Thompson
Baugh	House	Morrow	Woods
Bordonaro	Kaloogian	Olberg	
Bowen	Leonard	Richter	

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

**AYES—56**

Aguiar	Ducheny	Machado	Scott
Alby	Escutia	Mazzoni	Shelley
Alquist	Figueroa	Migden	Strom-Martin
Aroner	Firestone	Miller	Sweeney
Baca	Frusetta	Morrissey	Takasugi
Battin	Gallegos	Murray	Thomson
Bowler	Granlund	Napolitano	Torlakson
Brewer	Havice	Oller	Villaraigosa
Brown	Honda	Ortiz	Vincent
Campbell	Keeley	Papan	Washington
Cardenas	Knox	Perata	Wayne
Cardoza	Kuehl	Poochigian	Wildman
Cunneen	Leach	Pringle	Wright
Davis	Lempert	Runner	Mr. Speaker

**NOES—14**

Ackerman	Caldera	McClintock	Thompson
Baugh	House	Morrow	Woods
Bordonaro	Kaloogian	Olberg	
Bowen	Leonard	Richter	

Above bill ordered enrolled.

**Objection to Vote Adds**

Assembly Member Villaraigosa withheld unanimous consent on any further requests for vote adds or vote changes on the roll call vote taken on this day on the urgency clause to Assembly Bill No. 1164 and on concurrence in Senate amendments.

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

**ASSEMBLY JOINT RESOLUTION NO. 8 (Honda)**—Relative to vehicles.

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.

**Call of the Assembly**

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

Motion carried. Time, 11:02 a.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 67**

At 11:04 a.m., on motion of Assembly Member Shelley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 67 refused passage by the following vote:

**AYES—36**

Alquist	Figueroa	Lempert	Scott
Aroner	Firestone	Martinez	Shelley
Bowen	Frusetta	Mazzoni	Strom-Martin
Brown	Havice	Migden	Sweeney
Caldera	Hertzberg	Napolitano	Thomson
Cardenas	Honda	Ortiz	Torlakson
Cunneen	Keeley	Pacheco	Villaraigosa
Davis	Knox	Papan	Washington
Escutia	Kuehl	Perata	Wayne

**NOES—24**

Ackerman	Brewer	Margett	Poochigian
Alby	Campbell	McClintock	Pringle
Baldwin	Granlund	Miller	Richter
Baugh	Kaloogian	Morrow	Runner
Bordonaro	Leach	Olberg	Takasugi
Bowler	Leonard	Oller	Woods

**Motion to Reconsider Senate Bill No. 67  
on Next Legislative Day**

Assembly Member Shelley moved to reconsider on the next legislative day the vote whereby Senate Bill No. 67 was this day refused passage.

Senate Bill No. 67 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY JOINT RESOLUTION NO. 8**

At 11:06 a.m., on motion of Assembly Member Honda, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly refused to concur in Senate amendments to Assembly Joint Resolution No. 8 by the following vote:

**AYES—36**

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

**NOES—35**

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

**Motion to Reconsider Assembly Joint Resolution No. 8  
on Next Legislative Day**

Assembly Member Honda moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Joint Resolution No. 8 were this day refused concurrence.

Assembly Joint Resolution No. 8 ordered to the unfinished business file.

**MOTION TO ADJOURN**

At 11:07 a.m., Assembly Member Brewer moved that the Assembly do now adjourn.

Assembly Member Scott seconded the motion.

**REMARKS ON CONDITION OF THE FILE**

Assembly Member Morrissey arose to speak on the condition of the file.

**FURTHER CONSIDERATION OF MOTION TO ADJOURN**

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

Motion carried.

**VOTE ADDS**

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

**Assembly Bill No. 340, Concurrence:** Martinez—Aye.

**Assembly Bill No. 1098, Concurrence:** Martinez—Aye.

**Assembly Bill No. 669, Concurrence:** Baugh—Aye.



**Assembly Bill No. 943, Concurrence:** Aguiar, Goldsmith, and Martinez—Aye; Baugh and Poochigian—No.

**Assembly Bill No. 1611 and Urgency:** Baugh—Aye.

**Senate Bill No. 26:** Figueroa, Goldsmith, Martinez, Napolitano, Perata, Richter, and Wildman—Aye.

**Senate Bill No. 1318 and Urgency:** Figueroa, Firestone, Goldsmith, Perata, and Richter—Aye.

**Senate Bill No. 109:** Figueroa, Perata, and Richter—Aye.

**Senate Bill No. 228:** Davis, Goldsmith, and Richter—Aye.

**Senate Bill No. 538 and Urgency:** Baugh, Davis, Goldsmith, Honda, and Richter—Aye.

**Senate Concurrent Resolution No. 22, Coauthors:** Havice and Richter—Aye.

**Senate Bill No. 1261, and Urgency:** Richter—Aye.

**Consent Calendar:** Richter—Aye.

**Assembly Bill No. 1164, Urgency and Concurrence:** Olberg—No.

#### **QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 11:10 a.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

#### **RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY JOINT RESOLUTION NO. 34—Baca.** Relative to religion.

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

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

June 26, 1997

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

Senate Bill No. 487

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

TORLAKSON, Chairman

**SENATE BILL NO. 487**—An act to amend Sections 50880, 50881, 50881.5, 50882, 50887, 50888.3, 50888.5, 50888.7, 50889.5, 50890, 50893.5, 50893.7, and 50895 of, and to repeal Section 50884 of, the Health and Safety Code, relating to housing.

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

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

##### **Committee on Governmental Organization**

June 26, 1997

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:

Senate Bill No. 1144

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

BROWN, Chairwoman

**SENATE BILL NO. 1144**—An act to amend Section 19596 of the Business and Professions Code, relating to horseracing, and making an appropriation therefor.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Human Services**

June 26, 1997

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

Senate Bill No. 381

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

ARONER, Chairwoman

**SENATE BILL NO. 381**—An act to amend Section 1562.3 of the Health and Safety Code, relating to community care facilities.

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**

June 26, 1997

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

Senate Bill No. 162

Senate Bill No. 229

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

MIGDEN, Chairwoman

**SENATE BILL NO. 162**—An act to amend Sections 1463.007 and 1463.16 of the Penal Code, and to add and repeal Section 42007.1 of the Vehicle Code, relating to fines and forfeitures, 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.

**SENATE BILL NO. 229**—An act to amend Section 14087.325 of the Welfare and Institutions Code, relating to human services.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Consumer Protection, Governmental Efficiency and Economic Development**

June 26, 1997

Mr. Speaker: The Chair of your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Senate Bill No. 492

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

DAVIS, Chairwoman

**SENATE BILL NO. 492**—An act to add Section 27 to the Business and Profession Code, and to add Section 11018.5 to the Government Code, relating to state government.

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

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

June 26, 1997

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Senate Bill No. 1107

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

CALDERA, Chairman

**SENATE BILL NO. 1107**—An act to amend Section 53684 of the Government Code, to amend Sections 2191.4, 2195, 2503.2, 2605, 2606, 2607, 2611.6, 2910.1, 2963, 3007, 4837.5, and 20583 of the Revenue and Taxation Code, and to amend Section 9880 of the Vehicle Code, relating to taxation.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Health**

June 26, 1997

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

- |                     |                      |
|---------------------|----------------------|
| Senate Bill No. 407 | Senate Bill No. 984  |
| Senate Bill No. 826 | Senate Bill No. 1014 |
| Senate Bill No. 827 | Senate Bill No. 1191 |
| Senate Bill No. 833 |                      |

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

GALLEGOS, Chairman

**SENATE BILL NO. 407**—An act to amend Section 2530.2 of the Business and Professions Code, relating to speech-language pathology and audiology.

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.

**SENATE BILL NO. 826**—An act to amend Sections 1601, 1616.5, and 1742 of, and to add Section 160.5 to, the Business and Professions Code, and to amend Section 830.3 of the Penal Code, relating to dentistry.

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.

**SENATE BILL NO. 827**—An act to amend Sections 2701, 2708, 2841, 2842, 2847, 2873.6, 2873.7, 2881, 2890, 2893, 2894, 4001, 4003, 4008, 4501, 4503, 4800, 4804.5, 5510, 5514, 5517, 5526, 5536.27, 8520, 8528, and 8616.4 of, to amend and repeal Sections 5566, 5566.1, and 5566.2 of, and to add Section 473.15, 473.6, 4013, and 4808.5 to, the Business and Professions Code, relating to licensed professionals.

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.

**SENATE BILL NO. 833**—An act to amend Section 2651 of, and to add Sections 2650.2 and 2655.75 to, the Business and Professions Code, relating to physical therapy.

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.

**SENATE BILL NO. 984**—An act to amend Section 1348.6 of, and to add Section 1367.01 to, the Health and Safety Code, relating to health care service plans.

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

**SENATE BILL NO. 1014**—An act to add Section 1684.5 to the Business and Professions Code, relating to dentistry.

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.

**SENATE BILL NO. 1191**—An act to relating to health care.

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

### **AUTHOR'S AMENDMENTS** **Committee on Health**

June 26, 1997

Mr. Speaker: The Chair of your Committee on Health reports:  
Senate Bill No. 557

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

GALLEGOS, Chairman

**SENATE BILL NO. 557**—An act to amend Section 2052 of the Business and Professions Code, relating to medicine.

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

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

June 26, 1997

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Senate Bill No. 455

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

CALDERA, Chairman

**SENATE BILL NO. 455**—An act to amend Sections 17020.6, 17024.5, 17041, 17052.12, 17054, 17062, 17063, 17072, 17077, 17085, 17088, 17139, 17250, 17273, 17279, 17507, 17561, 17750, 17860, 18037, 18180, 18601, 18624, 18645, 19144, 19164, 19184, 23045, 23453, 23456, 23457, 23609, 23732, 23801, 23802, 23806, 24326, 24343.3, 24349, 24355, 24355.5, 24357, 24443, 24692, 24870, 24903, 24916, and 24993 of, to amend the heading of Chapter 14.5 (commencing with Section 24870) of Part 11 of, to add Sections 17088.3, 17154, 17215, 17250.5, 17251.5, 17270.5, 17275.5, 17278.5, 17731.5, 18044, 18152, 18648.5, 19136.3, 19141.2, 19182.5, 19365, 23800.5, 23813, 24272.5, 24343.7, 24429, 24875, 24949.5, 24954, and 24956 to, to repeal Sections 17131.5, 17132, 17137, 17138.5, 17141.5, 17150, 17201.5, 17210, 17213, 17249, 17255, 17267, 17283, 17748, 18035, 18060, 18166, 18173, 24371.5, 24966.3, 24971, 24990.8, and 24990.9 of, and to repeal and add Sections 17171, 23701h, 24372.5, and 24947 of, the Revenue and Taxation Code, and to amend Sections 928.5 and 934 of the Unemployment Insurance Code, relating to taxation, to take effect immediately, tax levy.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Judiciary**

June 26, 1997

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

Senate Bill No. 1284

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

ESCUTIA, Chairwoman

**SENATE BILL NO. 1284**—An act to amend Sections 3050 and 3066 of, the Vehicle Code, relating to vehicles.

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 Water, Parks and Wildlife**

June 26, 1997

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 614

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

MACHADO, Chairman

**SENATE BILL NO. 614**—An act to add Section 2762.1 to the Fish and Game Code, relating to fish, and making an appropriation therefor.

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

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

June 26, 1997

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

Senate Bill No. 438

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

HERTZBERG, Chairman

**SENATE BILL NO. 438**—An act to amend Section 502.01 of the Penal Code, relating to crimes.

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

**REPORTS OF STANDING COMMITTEES**  
**Committee on Appropriations**

Date of Hearing: June 25, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 78

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

**Committee on Transportation**

Date of Hearing: June 23, 1997

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 531

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

MURRAY, Chairman

Above bill ordered to second reading.

**Committee on Health**

Date of Hearing: June 24, 1997

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 791

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: June 25, 1997

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 919

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

SWEENEY, Chairman

Above bill ordered to second reading.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, June 26, 1997

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

Assembly Bill No. 1272

And reports the same correctly enrolled, and presented to the Governor at 2:45 p.m., June 26, 1997.

E. DOTSON WILSON, Chief Clerk

**MESSAGES FROM THE SENATE**

Senate Chamber, June 26, 1997

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

Assembly Bill No. 157

Assembly Bill No. 1160

Assembly Bill No. 451

Assembly Bill No. 1165

Assembly Bill No. 1130

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, June 26, 1997

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

Assembly Bill No. 211

Assembly Bill No. 769

Assembly Bill No. 281

Assembly Bill No. 1097

Assembly Bill No. 359

Assembly Bill No. 1502

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

Above bills ordered enrolled.

Senate Chamber, June 26, 1997

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

Senate Bill No. 456  
Senate Bill No. 1261

Senate Bill No. 1318  
Senate Concurrent Resolution No. 18  
GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Senate Chamber, June 26, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Alpert vice Senator Vasconcellos as a Committee on Conference concerning:

**Assembly Bill No. 1006**  
**Assembly Bill No. 1400**  
**Assembly Bill No. 1501**  
**Senate Bill No. 285**  
**Senate Bill No. 293.**

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

Senate Chamber, June 26, 1997

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

Senate Bill No. 879

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

Senate Chamber, June 26, 1997

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

Senate Concurrent Resolution No. 43  
Senate Concurrent Resolution No. 47

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

**FIRST READING OF SENATE BILLS**

The following bill was read the first time:

**SENATE BILL NO. 879**—An act to add Section 2081.4 to the Fish and Game Code, relating to endangered species.

The following resolutions were read:

**SENATE CONCURRENT RESOLUTION NO. 43**—Relative to highways.

**SENATE CONCURRENT RESOLUTION NO. 47**—Relative to hate crimes.

**INTRODUCTION OF GUESTS**

Assembly Member Margett, of the 59th Assembly District, introduced Walt Keeney, of Arcadia.

Assembly Member Goldsmith, of the 75th Assembly District, introduced Tom Ashcroft, Brooks Conrad, Ethan Guthauser, Kevin Honeycutt, Andrew Lengyel, Carlos Portillo, Josua Spann, Jeff Strick, Brad Swaggerty, Ernest Tedeschi, and Allen Tsai, of the 75th Assembly District.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Brewer, the Assembly adjourned until 11 a.m., Monday, June 30, 1997, out of respect to the memory of Margaret Elizabeth Mackin, on motion of Assembly Member Bordonaro; out of respect to the memory of Keith Haider and Adam Linden, on motion of Assembly Member Morrow; out of respect to the memory of Border Patrol Agent Stephen Starch, on motion of Assembly Member Goldsmith; out of respect to the memory of Nick Johnson, on motion of Assembly Member Wayne; out of respect to the memory of Richard T. "Dick" Powell, on motion of Assembly Member Papan; out of respect to the memory of Kimberly Fuller, on motion of Assembly Member Thomson; out of respect to the memory of Dr. Betty Shabazz, on motion of Assembly Members Wright and Murray; out of respect to the memory of Eileen Dolan Schuler, on motion of Assembly Member Brewer; out of respect to the memory of Jack Gibson, on motion of Assembly Member Frusetta; out of respect to the memory of Charles Tavookjian, on motion of Assembly Member Poochigian; out of respect to the memory of Vincent Rovetti and Paul Sidney Chown, on motion of Assembly Member Shelley; out of respect to the memory Alvie Leon Fletcher, on motion of Assembly Member Sweeney; out of respect to the memory of Julius Riofrir, on motion of Assembly Member Wildman; and out of respect to the memory of Bud Johnson, on motion of Assembly Members Cardenas, Machado, and Woods.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk



**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JUNE 26, 1997**

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

<b>SB</b>	<b>RN</b>
16	9716384
122	9716338
162	9716747
229	9716620
327	9716272
381	9716778
386	9716585
407	9116813
438	9716079
455	9716672
459	9716593
487	9716560
492	9716661
549	9716498
557	9716905
612	9716243
614	9716754
826	9716641
827	9716623
833	9716646
984	9716748
1014	9716845
1107	9716677
1144	9716798
1191	9716828
1284	9716846
<b>Daily Total:</b>	<b>26</b>
<b>Cumulative Total:</b>	<b>2361</b>