

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, July 7, 1997

ONE HUNDRED FIRST SESSION DAY

TWO HUNDRED EIGHTEENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, July 7, 1997

The Assembly met at 10:34 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 Leach moved a quorum call of the Assembly. Motion carried. Time, 10:35 a.m.

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

CAUCUS ANNOUNCEMENTS

At 10:35 a.m. Speaker pro Tempore Kuehl announced that the Democratic Caucus would meet in the Assembly Lounge and the Republican Caucus would meet in the Tom Bane Rules Committee Room, at this time.

Quorum Present

At 1:57 p.m., Speaker pro Tempore Kuehl declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—80:

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

PRAYER

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Assembly Member Tom Woods, of the 2nd Assembly District:

O Lord, You have measured the heavens and the earth in the hollow of Your hand, and created the angels who continually sing glory to Your name. Deliver us from all evil, O Master, and grant us daily forgiveness, for You are blessed unto the ages.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Aroner 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 Shelley, seconded by Assembly Member Prenter.

COMMUNICATIONS

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

July 7, 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 Martin Gallegos to the Assembly Labor and Employment Committee effective immediately.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

The following communication was presented by the Chief Clerk from:

Leon Tuttle, Deputy Secretary for Operations, Department of Veterans Affairs, Sacramento, dated June 27, 1997, relative to delay in submitting California Department of Veterans Affairs 1997 Annual Insurance Report to the Legislature. Referred by the Speaker to the Committee on Governmental Organization.

REPORTS

The following reports were presented by the Chief Clerk:

**San Diego Hospice Special Hospital: Hospice Pilot Project
1996 Report to the Legislature
(Pursuant to AB 15, 1990)**

Above transmitted report, together with letter of transmittal from Jan Cetti, President/CEO, San Diego Hospice, San Diego, dated June 26, 1997, referred by the Speaker to the Committee on Health.

**Annual Financial Report of California K-12 Schools
Report to the California State Legislature,
July 1, 1996 through June 30, 1997**

Above transmitted report, together with letter of transmittal from Kathleen Connell, California State Controller, Sacramento, dated June 30, 1997, referred by the Speaker to the Committee on Education.

**California Medical Assistance Commission
Update to the "1997 Annual Report to the Legislature"
(Pursuant to Welfare and Institutions Code Section 14165.9)**

Above transmitted report, together with letter of transmittal from Gladden V. Elliott, M.D., Chairman, California Medical Assistance Commission, Sacramento, dated June 27, 1997, referred by the Speaker to the Committee on Health.

**Report to the Legislature on Revisions of the Public Utilities Code
Resulting from Restructuring of Regulated Industries
(Pursuant to SB 960, Section 12 (Stats. 1996, Ch. 856)**

Above transmitted report, together with letter of transmittal from Richard A. Bilas, Commissioner, Henry M. Duque, Commissioner, Public Utilities Commission, San Francisco dated June 30, 1997, referred by the Speaker to the Committee on Utilities and Commerce.

**1996 Annual Report to the Legislature,
Department of Alcoholic Beverage Control
(Pursuant to Business and Professions Code Section 23055)**

Above transmitted report, together with letter of transmittal from Jay R. Stroh, Director, Department of Alcoholic Beverage Control, Sacramento, dated July 1, 1997, referred by the Speaker to the Committee on Governmental Organization.

**Shasta County Veterans Cemetery Proposal
(Pursuant to AB 2229, Chapter 1128, Statutes of 1996)**

Above transmitted report, together with letter of transmittal from Jay R. Vargas, Secretary, Department of Veterans Affairs, Sacramento, dated July 1, 1997, referred by the Speaker to the Committee on Governmental Organization.

**Public Utilities Commission's Annual Report to the Legislature
Regarding the Transportation of Hazardous Materials
Recent Railroad Accident History
and the Identification of Safety Hazards on California's Railroads
(Pursuant to Public Utilities Code Sections 765.59(b) and 7711)**

Above transmitted report, together with letter of transmittal from Kenneth L. Koss, Director, Rail Safety and Carriers Division, Public Utilities Commission, San Francisco, dated July 1, 1997, referred by the Speaker to the Committee on Utilities and Commerce.

**California Alternative Minimum Tax—June 1997
(Pursuant to AB 2414, Chapter 428, Statutes of 1996)**

Above transmitted report, together with letter of transmittal from Phil Spilberg, Director, Economic and Statistical Research Bureau, Franchise Tax Board, Sacramento, dated July 2, 1997, referred by the Speaker to the Committee on Revenue and Taxation.

**Report to the California Legislature:
Approved Mandate Claims, June 30, 1997
(Pursuant to Government Code Section 17600)**

Above transmitted report, together with letter of transmittal from Paula Higashi, Executive Director, Commission on State Mandates, Sacramento, dated July 2, 1997, referred by the Speaker to the Committee on Budget.

APPOINTMENT OF COMMITTEE ON CONFERENCE

The Speaker appointed the following Assembly Members as a Committee on Conference concerning Assembly No. 1521:

Scott, Murray, and Baugh.

ENGROSSMENT AND ENROLLMENT

Assembly Chamber, July 7, 1997

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

Assembly Bill No. 109

Assembly Bill No. 1468

Assembly Bill No. 969

Assembly Bill No. 1614

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, July 7, 1997

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

Assembly Bill No. 258

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

REFERENCE OF BILLS TO COMMITTEE

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

Senate

Committee

Bill No.

726 ----- Budget

727 ----- Budget

730 ----- Budget

731 ----- Budget

737 ----- Budget

740 ----- Budget

744 ----- Budget

750 ----- Budget

752 ----- Budget

755 ----- Budget

756 ----- Budget

759 ----- Budget

760 ----- Budget

764 ----- Budget

766 ----- Budget

768 ----- Budget

Senate Joint

Committee

Resolution No.

18 ----- Trans.

AUTHOR'S AMENDMENTS
Committee on Human Services

July 7, 1997

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

Senate Bill No. 361

Senate Bill No. 817

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

ARONER, Chairwoman

SENATE BILL NO. 361—An act to amend Section 1524.5 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.

SENATE BILL NO. 817—An act to amend Section 1502 of, and to add Article 2.6 (commencing with Section 1528) to Chapter 3 of Division 2 of, the Health and Safety Code, and to amend Sections 361.2, 777, and 11402.5 of, and to add Sections 725.6, 11402.7, and 11462.06 to, the Welfare and Institutions Code, relating to juveniles, 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 Natural Resources

July 7, 1997

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Senate Bill No. 1330

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

BOWEN, Chairwoman

SENATE BILL NO. 1330—An act to add Chapter 2.5 (commencing with Section 48100) to Part 7 of Division 30 of the Public Resources Code, relating to solid waste.

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 Televising the Assembly and Information Technology

July 7, 1997

Mr. Speaker: The Chair of your Committee on Televising the Assembly and Information Technology reports:

Senate Bill No. 1338

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

ALQUIST, Chairwoman

SENATE BILL NO. 1338—An act relating to state purchases, 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 Public Employees, Retirement and Social Security

July 7, 1997

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

Senate Bill No. 1027

Senate Bill No. 1026

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

KNOX, Chairman

SENATE BILL NO. 1027—An act to amend Sections 23200 and 23202 of, and to add Section 22811 to, the Education Code, relating to school 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.

SENATE BILL NO. 1026—An act to amend Sections 22954, 24414, and 24415 of the Education Code, relating to retirement, 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 Judiciary

July 7, 1997

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

Senate Bill No. 644

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

ESCUTIA, Chairwoman

SENATE BILL NO. 644—An act to amend Sections 11165.12, 11166.9, 11167.5, 11169, 11170, and 11170.5 of the Penal Code, relating to children.

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

AUTHOR'S AMENDMENTS

Committee on Education

July 7, 1997

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

Senate Bill No. 377

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

MAZZONI, Chairwoman

SENATE BILL NO. 377—An act to add Section 42249.6 and 42249.65 to the Education Code, relating to education.

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

AUTHOR'S AMENDMENTS
Committee on Health

July 7, 1997

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

Senate Bill No. 945

Senate Bill No. 1295

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

GALLEGOS, Chairman

SENATE BILL NO. 945—An act to amend Sections 1337.7, 1337.9, 1338.5, 1728.1, 1736.3, 1736.5, and 1736.6 of the Health and Safety Code, and to amend Sections 15671, 15673, 15675 of the Welfare and Institutions Code, relating to health.

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. 1295—An act to amend Section 123115 of the Health and Safety Code, relating to health.

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

July 7, 1997

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

Senate Bill No. 1040

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

BROWN, Chairwoman

SENATE BILL NO. 1040—An act to amend Sections 13143 and 17920.8 of the Health and Safety Code, relating to building standards.

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

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

July 7, 1997

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

Senate Bill No. 969

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

KNOX, Chairman

SENATE BILL NO. 969—An act relating to judges.

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**

July 7, 1997

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

Senate Bill No. 923

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

GALLEGOS, Chairman

SENATE BILL NO. 923—An act to amend Section 1464 of the Penal Code, to amend Sections 4354, 4355, 4357, and 4359 of, to add Sections 4357.1, 4357.2, and 4358.5 to, and to repeal and add Section 4356 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 Appropriations**

July 7, 1997

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

Senate Bill No. 651

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

MIGDEN, Chairwoman

SENATE BILL NO. 651—An act to amend Sections 5604, 5712, 17604.05, 17605, 17605.10, 17606.05, 17606.10, 17606.15, and 17608.10 of the Welfare and Institutions Code, relating to human services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**AUTHOR'S AMENDMENTS
Committee on Governmental Organization**

July 7, 1997

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

Senate Bill No. 408

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

BROWN, Chairwoman

SENATE BILL NO. 408—An act to amend Section 8545 of, and to repeal Section 8544.1 of, the Government Code, relating to the State Auditor.

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

**AUTHOR'S AMENDMENTS
Committee on Transportation**

July 7, 1997

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

Senate Bill No. 172

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

MURRAY, Chairman

SENATE BILL NO. 172—An act to amend Sections 513, 514, 518, 522, 523, 524, and 525 of, and to add Sections 526 and 527 to, the Harbors and Navigation Code, relating to vessels, 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 Transportation

July 7, 1997

Mr. Speaker: The Chair of your Committee on Transportation reports:
Senate Bill No. 45

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

MURRAY, Chairman

SENATE BILL NO. 45—An act to amend Sections 14523, 14524, 14525, 14526, 14527, 14530.1, 14531, 14536, 65081.1, 65082, 65083, and 65086 of, to add Sections 14529.1, 14529.8, 14529.12, and 14529.13 to, to repeal and add Sections 14520.3, 14529, and 65080 of, and to repeal Sections 14524.4, 14529.01, 14529.2, 14529.6, 14530.5, 14555, 65071, 65081, and 65086.4 of, the Government Code, to amend Sections 99310, 99312, and 99315 of, and to repeal Sections 99315.5, 99315.6, 99318, and 99318.2 of, the Public Utilities Code, and to amend Sections 164.3, 167, 188, and 188.8 of, to add Sections 164.6 and 188.10 to, to repeal and add Sections 163, 164, 182.5, and 190 of, to repeal Sections 163, 164.2, 164.4, 164.35, 164.50, 164.51, 164.52, 164.55, 164.57, 168, 182.4, 182.8, 188.9, 199, 199.1, 199.2, 199.3, 199.4, 199.6, 199.7, 199.8, 199.9, 199.10, and 199.11 of, and to repeal Chapter 16 (commencing with Section 2600) of Division 3 of, the Streets and Highways Code, relating to transportation.

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 Natural Resources

July 7, 1997

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Senate Bill No. 318
Senate Bill No. 1179

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

BOWEN, Chairwoman

SENATE BILL NO. 318—An act to amend Section 41865 of the Health and Safety Code, relating to air pollution.

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. 1179—An act to add Section 40059.1 to the Public Resources Code, relating to solid waste.

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 Banking and Finance

July 7, 1997

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Senate Bill No. 795

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

PAPAN, Chairman

SENATE BILL NO. 795—An act to amend Sections 10153.6 and 10232 of, and to add Sections 10234.5, 10236.4, 10236.5, 10236.7, 10236.8, 10236.9, 10236.10, and 10236.11 to, the Business and Professions Code, relating to real estate.

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 Natural Resources

July 7, 1997

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Senate Bill No. 675

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

BOWEN, Chairwoman

SENATE BILL NO. 675—An act to amend, repeal, and add Section 41705 of the Health and Safety Code, and to amend and repeal Section 43209.1 of the Public Resources Code, relating to air pollution, 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 Public Safety

July 7, 1997

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

Senate Bill No. 151

Senate Bill No. 196

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

HERTZBERG, Chairman

SENATE BILL NO. 151—An act to amend Section 1484 of, and to add Sections 1193.5 and 1473.5 to, the Penal Code, relating to habeas corpus.

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. 196—An act to amend Section 599aa of the Penal Code, relating to animal abuse.

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

AUTHOR'S AMENDMENTS
Committee on Housing and Community Development

July 7, 1997

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

Senate Bill No. 275

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

TORLAKSON, Chairman

SENATE BILL NO. 275—An act to amend Section 33080.1 of, and to add Section 33763.5 to, the Health and Safety Code, and to amend Section 97.4 of the Revenue and Taxation Code, relating to redevelopment.

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

AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife

July 7, 1997

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

Senate Bill No. 364

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

MACHADO, Chairman

SENATE BILL NO. 364—An act to amend Section 8399 of, and to add and repeal Article 9.7 (commencing with Section 8420) of Chapter 2 of Part 3 of Division 6 of, and to repeal Section 8425 of, the Fish and Game Code, relating to commercial fishing, 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.

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: July 7, 1997

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 25

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

PERATA, Chairman

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: July 7, 1997

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 60

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

PERATA, Chairman

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: July 7, 1997

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 3

With the recommendation: That the resolution be re-referred to the Committee on Judiciary.

PERATA, Chairman

Above resolution re-referred to the Committee on Judiciary.

Date of Hearing: July 7, 1997

Mr. Speaker: Your Committee on Rules reports:
House Resolution No. 36

With the recommendation: Be adopted.

PERATA, Chairman

Above resolution ordered on file.

Date of Hearing: July 7, 1997

Mr. Speaker: Your Committee on Rules reports:
Senate Concurrent Resolution No. 13

With the recommendation: Be adopted.

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

PERATA, Chairman

Above resolution ordered on file.

Committee on Water, Parks and Wildlife

Date of Hearing: July 1, 1997

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:
Senate Bill No. 263

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

MACHADO, Chairman

Above bill ordered to second reading.

Committee on Local Government

Date of Hearing: July 2, 1997

Mr. Speaker: Your Committee on Local Government reports:
Senate Bill No. 79

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

SWEENEY, Chairman

Above bill ordered to second reading.

REPORTS OF STANDING COMMITTEES

Committee on Health

Date of Hearing: July 1, 1997

Mr. Speaker: Your Committee on Health reports:
Senate Bill No. 1191

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

GALLEGOS, Chairman

Above bill ordered to second reading.

Date of Hearing: July 1, 1997

Mr. Speaker: Your Committee on Health reports:
Senate Bill No. 922

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 bill be placed on the Consent Calendar.

GALLEGOS, Chairman

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: July 2, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 720

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: July 2, 1997

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 340

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

ESCUTIA, Chairwoman

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: July 1, 1997

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 3

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

HERTZBERG, Chairman

Above bill ordered to second reading.

Date of Hearing: July 1, 1997

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 475

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

HERTZBERG, Chairman

Above bill ordered to second reading.

Date of Hearing: July 1, 1997

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 145

Senate Bill No. 641

Senate Bill No. 513

Senate Bill No. 1302

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

HERTZBERG, Chairman

Above bills ordered to second reading.

Date of Hearing: July 1, 1997

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 123

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

HERTZBERG, Chairman

Above bill ordered to second reading.

Date of Hearing: July 1, 1997

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 591

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

HERTZBERG, Chairman

Above bill ordered to second reading.

Committee on Governmental Organization

Date of Hearing: July 7, 1997

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 25

Senate Bill No. 509

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

BROWN, Chairwoman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 7, 1997

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 104

Senate Bill No. 481

Senate Bill No. 608

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

BROWN, Chairwoman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 7, 1997

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 1144

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

BROWN, Chairwoman

Above bill ordered to second reading.

MESSAGES FROM THE GOVERNOR

The following veto message from the Governor was received and ordered printed in the Journal and the bill ordered to the unfinished business file.

Veto Message—Assembly Bill No. 1459

Governor's Office, Sacramento

July 3, 1997

To the Members of the California Assembly:

I am returning Assembly Bill No. 1459 without my signature.

This bill would make the First Year Law Students Examination (Baby Bar) advisory for students who enter an unaccredited law school after earning a bachelors degree.

The Baby Bar was established in 1935 and has been found to promote a legitimate state interest by the California Supreme Court in *Bib'le v. Committee of Bar Examiners* (1980) 26 Cal 3rd 548.

Because these schools are nonaccredited, this examination is currently the only standard available to students attending these schools by which to determine the quality of education that they are receiving. Additionally, the results of the examination also assist the student in determining whether he or she has the potential to become an attorney.

Last year, after vetoing bills conceptually indistinguishable from this one in 1994 and 1995, I signed SB 1950 (Mello). The Mello bill sought to grant relief to the students of unaccredited law schools who suffer uncertainty after failing the Baby Bar. The bill allows such students two additional opportunities to pass the exam without disrupting their studies or losing credits.

The Mello bill was perceived to be a reasonable compromise recognizing the concerns of both the State Bar and the unaccredited schools. This bill, brought forth by the same proponents within weeks of the earlier bill's effective date, abrogates most of the effect of the Mello bill and reverts to the position that the Baby Bar become largely advisory. The same position was rejected in both 1994 and 1995. The distinction that this bill applies only to applicants who have a bachelors degree is hardly compelling. Most individuals seeking a graduate degree first acquire a bachelors degree.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 7th day of July 1997, at 1:30 p.m., of Assembly Bill No. 1459, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

E. DOTSON WILSON
Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber, July 7, 1997

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

Assembly Concurrent Resolution No. 22

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

Above resolution ordered enrolled.

Senate Chamber, July 7, 1997

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

Assembly Bill No. 591

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, July 7, 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. 67
- Senate Bill No. 78
- Senate Bill No. 327

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

Senate Chamber, July 7, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1501

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

Senate Chamber, July 7, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

- Senate Bill No. 285
- Senate Bill No. 293

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

Senate Chamber, July 7, 1997

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

Senate Concurrent Resolution No. 20

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

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 20—Relative to Domestic Violence Awareness Month.

July 7, 1997

Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber

Dear Dotson: By direction of the Senate I am returning Senate Bill 389 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT
 Secretary of the Senate

Above bill held at the Desk.

ADJOURN IN MEMORY

Assembly Members Shelley and Migden were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alcus "Pops" Jefferson, of San Francisco.

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 William Turnbull, Jr., of Sausalito, and Robert F. Girard, 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 "Winnie" Magginetti Baumgartner, of San Benito-Platea.

Assembly Member Leonard was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Henry Salvatori, entrepreneur and philanthropist, of Los Angeles.

Assembly Member Villaraigosa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dorothy Buffum Chandler, of Los Angeles.

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 T. J. Hasty, of Wasco.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 730

Assembly Member Keeley was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 730.

JOINT RULE 62(a) WAIVED

Assembly Member Davis was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 827 for hearing in the Committee on Consumer Protection, Governmental Efficiency and Economic Development, on July 8, 1997.

ADJOURN IN MEMORY

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

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 578, on request of Assembly Member Gallegos.

JOINT RULE 62(a) WAIVED

Assembly Member Cardoza was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bills Nos. 1161 and 464 for hearing in the Committee on Agriculture, on Wednesday, July 9, 1997.

ADJOURN IN MEMORY

Assembly Members Baca, Leonard, and Olberg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Floyd Dean Hiser, Sr., of San Bernardino.

ANNOUNCEMENTS

Assembly Member Perata announced that a staff briefing would occur on Tuesday, July 8, 1997, at 2 p.m., in Room 4202 to inform staff of options relative to a delayed State Budget.

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

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bill No. 258, ordered to third reading.

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

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bill No. 250, ordered to third reading;

Senate Bill No. 144, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 465—An act to add Sections 81004 and 81678 to the Education Code, and to amend Section 15792 of the Government Code, relating to postsecondary education.

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

SENATE BILL NO. 464—An act to add Sections 12836 and 12837 to the Food and Agricultural Code, relating to pesticides.

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

SENATE CONCURRENT RESOLUTION NO. 33—Relative to religious freedom in China.

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

SENATE BILL NO. 948—An act to amend Section 885.060 of the Civil Code, relating to real property.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1296—An act to amend Section 425.16 of the Code of Civil Procedure, relating to civil actions.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 792—An act to add Section 1213 to the Probate Code, relating to probate.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1159—An act to amend, repeal, and add Section 820.9 of the Government Code, relating to governmental tort liability.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 562—An act to amend Section 66499.7 of the Government Code, relating to land use.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 691—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 692—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 693—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 927—An act to amend Section 65858 of the Government Code, relating to land use.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 303—An act to amend Section 41204.1 of the Education Code, and to amend Sections 97.2 and 97.3 of the Revenue and Taxation Code, relating to local government finance.

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

SENATE BILL NO. 827—An act to amend Sections 101, 128.5, 130, 200.1, 205, 675, 800, 1242.6, 1680, 2071, 2221.1, 2660, 2701, 2708, 2761, 2841, 2842, 2847, 2873.6, 2873.7, 2881, 2890, 2893, 2894, 3527, 3750, 4001, 4003, 4008, 4501, 4503, 4546, 4547, 4800, 4804.5, 4848, 4905, 4955, 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 Sections 473.15, 473.6, 4013, and 4808.5 to, the Business and Professions Code, relating to licensed professionals, and making an appropriation therefor.

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 Consumer Protection, Governmental Efficiency and Economic Development.

SENATE BILL NO. 206—An act to amend Section 12514 of the Water Code, relating to water.

Bill read second time; amendments proposed by the Committee on Local Government 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. 687—An act to add Section 1374.14 to the Health and Safety Code, and to add Section 10123.86 to the Insurance Code, relating to health coverage.

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 Insurance.

SENATE BILL NO. 512—An act to amend Section 510 of 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.

SENATE BILL NO. 1137—An act to amend Sections 10113.1 and 10113.2 of 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 re-referred to the Committee on Appropriations.

SENATE BILL NO. 1277—An act to amend Sections 1033 and 1063.1 of 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 re-referred to the Committee on Appropriations.

MOTION TO SUSPEND JOINT RULE 30

Assembly Member Villaraigosa moved that Joint Rule 30 be suspended, as it relates to the Conference Committee Reports on Senate Bills Nos. 293 and 285 and Assembly Bills Nos. 1501 and 1006 for the purpose of permitting consideration of the report prior to its being in print and being noticed in the Daily File for not less than one legislative day.

Motion carried by the following vote:

AYES—77

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

NOES—1

Granlund

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONFERENCE COMMITTEE REPORTS**

SENATE BILL NO. 293 (As proposed by the Conference Committee)—An act to add Chapter 4.5 (commencing with Section 15388) to Part 6.7 of Division 3 of Title 2 of the Government Code, to add Section 99155.1 to the Public Utilities Code, to add Division 9 (commencing with Section 17000) to the Unemployment Insurance Code, to add Sections 10506, 10553.2, 11218, 11265.8, 15204.3, 15204.4, and 17000.7 to, to add Articles 3.7 (commencing with Section 11337), 9 (commencing with Section 11520), 9.5 (commencing with Section 11525), and 9.7 (commencing with Section 11526) to Chapter 2 of Part 3 of Division 9 of, to add Chapter 3 (commencing with Section 10065) to Part 1 of Division 9 of, to add Chapters 1.3 (commencing with Section 10530), 1.5 (commencing with Section 10540), and 11 (commencing with Section 10990) to Part 2 of Division 9 of, to add Part 5.3 (commencing with Section 17650) to Division 9 of, to repeal Sections 11265.1, 11265.5, 11450.6, 15204.6, and 15204.7 of, and to repeal and add Sections 11265 and 15204.2 of, the Welfare and Institutions Code, relating to human services.

Conference Committee Report presented by Assembly Member Aroner.

Request for Use of Visual Aids

Assembly Member Pringle was granted unanimous consent that Members be permitted to use visual aids on the Floor to assist in debate on the Conference Committee reports on welfare reform.

The question being on the adoption of the Conference Committee Report.

Report adopted by the following vote:

AYES—43

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

NOES—37

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

**At 3:18 p.m., Assistant Speaker pro Tempore Joe Baca,
62nd District, presiding**

ASSEMBLY BILL NO. 1501 (As proposed by the Conference Committee)—An act to amend Sections 8208, 8263, and 8286 of, to add Sections 8216, 8225, 8263.1, 8277.5, 8277.6, 72620.5, and 84759 to, to add Sections 48274, 48326, 48327 to, to add Article 25 (commencing with Section 8498.1) to Chapter 2 of Part 6 of, to add Article 5 (commencing with Section 79200) to Chapter 9 of Part 48 of, to add Chapter 2.3 (commencing with Section 8499) to Part 6 of, to add Chapter 2 (commencing with Section 10200) to Part 7 of, to repeal Chapter 2.5 (commencing with Section 8499) of Part 6 of, and to repeal and add Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of, the Education Code, to add Chapters 1.12 (commencing with Section 15365.50) and 7 (commencing with Section 15398) to, Part 6.7 of Division 3 of Title 2 of, the Government Code, to add Section 1597.36 to the Health and Safety Code, to add Sections 15003.4 and 15003.5 to, and to add Chapter 6 (commencing with Section 11010) to Part 1 of Division 3 of, the Unemployment Insurance Code, and to amend Sections 11325.4 and 11328 of, to add Sections 11325.5, 11325.7, and 11325.8 to, to add Chapter 3.1 (commencing with Section 18251) to Part 6 of Division 9 of, and to repeal and add Sections 11323.8 and 11325.23 to, and to repeal and add Article 8 (commencing with Section 11500) of Chapter 2 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to human services.

Conference Committee Report presented by Assembly Member Aroner.

Point of Order

Assembly Member Brown arose to the following point of order:

Assembly Member Oller is not limiting debate to the merits of the Conference Committee Report on Assembly Bill No. 1501.

Point of Order

Assembly Member Aguiar arose to the following point of order:

Assembly Member Oller is debating on his time and may speak to all issues of welfare reform.

Ruling by Assistant Speaker pro Tempore Baca

The Assistant Speaker pro Tempore ruled the point of order by Assembly Member Aguiar not well-taken; debate must be confined to the merits of the Conference Committee Report on Assembly Bill No. 1501.

Point of Order

Assembly Member Pringle arose to the following point of order:

That leadership of each Caucus had agreed that debate would not be restricted to each specific Conference Committee Report on welfare reform before the Body.

Point of Order

Assembly Member Villaraigosa arose to the following point of order:

Leadership of each Caucus agreed that the four Conference Committee Reports on welfare reform would be debated as a package, but that debate must be confined to the contents of the four reports.

Point of Order

Assembly Member Brown arose to the following point of order:

Assembly Member Kaloogian is not limiting debate to the merits of the Conference Committee Report on Assembly Bill No. 1501.

Ruling by Assistant Speaker pro Tempore Baca

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

The question being on the adoption of the Conference Committee Report.

Report adopted by the following vote:

AYES—43

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

NOES—37

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

Above bill ordered enrolled.

At 4:39 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

ASSEMBLY BILL NO. 1006 (As proposed by the Conference Committee)—An act to add Chapter 17 (commencing with Section 50897) to Part 2 of Division 31 of the Health and Safety Code, to amend Sections 11004, 11155, 11155.2, 11157, 11200, 11201, 11331.5, 11450, 11450.018, 11450.1, 11453, 14132.90, 14132.95, and 15200 of, to amend the heading of Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of, to add Sections 10063, 11155.25, 11155.3, 11155.35, 11155.4, 11160, 11266.5, 11451.5, 11475.4, 11495.6, 12151, 12305.6, 15204.55, and 18925 to, to add Article 10 (commencing with Section 11530) to Chapter 2 of Part 3 of Division 9 of, to add Chapters 10.1 (commencing with Section 18930), 10.2 (commencing with Section 18935), and 10.3 (commencing with Section 18940) to Part 6 of Division 9 of, to add and repeal Section 11255.3 of, to add and repeal Article 5.5 (commencing with Section 12220) of Chapter 3 of Part 3 of Division 9 of, to repeal Sections 11201.5 and 11255 of, and to repeal and add Section 11450.5 of, the Welfare and Institutions Code, relating to human services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Conference Committee Report presented by Assembly Member Ducheny.

Urgency Clause

Urgency clause read.

Urgency clause and Conference Committee Report refused adoption by the following vote:

AYES—43

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

NOES—37

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

**At 5:19 p.m., Assistant Speaker pro Tempore Joe Baca
62nd District, presiding**

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 the Conference Committee Report on Assembly Bill No. 1006.

OBJECTION TO VOTE ADDS

Assembly Member Pringle withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Conference Committee Reports on Assembly Bill No. 1501 and Senate Bill No. 293.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 7, 1997

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

Assembly Bill No. 1501

And reports the same correctly enrolled, and presented to the Governor at 5 p.m., July 7, 1997.

E. DOTSON WILSON, Chief Clerk

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONFERENCE COMMITTEE REPORTS**

SENATE BILL NO. 285 (As proposed by the Conference Committee)—An act to add Section 10214.7 to, to repeal and add Section 1611.5 of, the Unemployment Insurance Code, and to amend Sections 11320.3, 11322.2, 11323.2, 11323.4, 11324.4, 11324.5, 11324.6, 11324.7, 11325, 11325.2, 11325.21, 11325.22, 11327.4, 11328, 11477, and 11486 of, to amend the heading of Article 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of Division 9 of, to add Sections 11320.1, 11320.15, 11322.61, 11322.62, 11322.7, 11322.9, 11325.1, 11327.9, 11454, 11454.5, 11477.02, 11477.04, 11477.06, and 11477.08 to, to add Article 7.5 (commencing with Section 11495) to Chapter 2 of Part 3 of Division 9 of, to repeal Sections 11320.4, 11320.6, 11320.8, 11321, 11321.2, 11321.4, 11321.8, 11322, 11322.41, 11323, 11323.1, 11324.2, 11451.6, and 11451.7 of, to repeal and add Sections 11320, 11322.4, 11322.6, 11322.8, 11323.6, 11323.8, 16575, 16576, 16576.5, and 16577 of, the Welfare and Institutions Code, relating to human services, and making an appropriation therefor.

Conference Committee Report presented by Assembly Member Brown.

Point of Order

Assembly Member Villaraigosa arose to the following point of order:

Assembly Member Battin must limit debate to the merits of the four Conference Committee Reports before the Body.

Ruling by Assistant Speaker pro Tempore Baca

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

Point or Order

Assembly Member Aguiar arose to the following point of order:

Assembly Member Perata is not limiting debate to the merits of the Conference Committee Report on Senate Bill No. 285.

Ruling by Assistant Speaker pro Tempore Baca

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

The question being on the adoption of the Conference Committee Report.

Report adopted by the following vote:

AYES—43

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

NOES—37

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

COMMITTEE MEETING ANNOUNCEMENTS

Assistant Speaker pro Tempore Baca made the following committee announcements:

Banking and Finance would meet today, upon adjournment of Floor session, in Room 437;

Governmental Organization, meeting for today is cancelled;

Natural Resources, would meet hour after adjournment of Floor session in Room 447;

Revenue and Taxation, meeting for today is cancelled;

Transportation, would meet upon adjournment;

Utilities and Commerce, would meet 15 minutes after adjournment of Floor session.

At 6:40 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Senate Resolution

SENATE CONCURRENT RESOLUTION NO. 34 (Thompson)—Relative to the Robert H. “Bob” Weatherwax Memorial Bridge.

Resolution read, and adopted by the following vote:

AYES—80

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

NOES—None

Resolution ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

Assembly Member Papan was granted unanimous consent that Senate Bill No. 31 be re-referred from the Committee on Banking and Finance to the Committee on Revenue and Taxation.

At 6:42 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding

MOTION TO ADJOURN

At 6:43 p.m., Assembly Member Villaraigosa moved that the Assembly do now adjourn.

Assembly Member Escutia seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members House, Prenter, and Kuehl arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

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

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 6:48 p.m., Assistant Speaker pro Tempore Baca declared the quorum call of the Assembly dispensed with.

MESSAGES FROM THE GOVERNOR

The following veto message from the Governor was received and ordered printed in the Journal and the bill ordered to the unfinished business file:

Veto Message—Assembly Bill No. 1501

Governor's Office, Sacramento

July 7, 1997

To the Members of the California Assembly:

I am returning Assembly Bill No. 1501 without my signature.

It is one of a package of bills that purport to reform welfare. Taken together, these bills would make a number of changes to the Aid to Families with Dependent Children (AFDC) Program. The more significant changes in this bill include creating a new child care system and establishing a loan guaranty and direct loan funds for the construction, expansion or improvement of child care facilities. The bill would also create the Job Creation Investment Fund and permit recipients to participate in a self initiated education program even if the recipient is employable.

After a careful review of these bills, it is apparent that they represent a stunning rejection of both the spirit and the letter of The Personal Responsibility Act signed by President Clinton last summer. Instead, the policies embodied in these bills not only perpetuate a gravely flawed system that discourages work, encourages dependency and inhibits a county's ability to design a system specific to the needs of their community and neediest citizens, they make it worse. Much worse.

Specifically—to cite a few of the flaws created—these bills:

exempt hundreds of thousands of recipients from work requirements;

make a mockery of time limits and work requirements even for those not exempted;

not only fail to produce the savings clearly anticipated by the President and Congress (and already achieved by other states that have enacted true reform), but impose huge new unfunded state costs because of the new and expanded guaranteed benefit programs, which would require either new taxes or deep cuts in existing state health, education, public safety or other state benefit programs;

expand eligibility and therefore caseload thus raising the threshold for meeting federal work requirements and assuring future penalty if California has not increased the number of recipients working;

make a mockery of workforce by reducing the number of hours to be worked by the recipient to a fraction of the work-week expected of working taxpayers, and far less even than the twenty hours per week required by federal law, triggering federal penalty;

deny counties any financial incentive to make the energetic effort required at the local level to succeed in moving recipients from welfare to work by failing to permit them to share in program savings;

increase the cost of child care by adding new requirements which limit parental choice; and potentially serious under-fund child care;

create a bureaucratic procedural safe haven for recipients who refuse valid job offers;

ignore the clear lesson learned by and the success of counties which have implemented the “work first” approach to job placement, instead encouraging the deferral of work experience for up to 2 years;

seriously diminish our ability to eradicate welfare fraud;

fail to require, as a condition of receiving the grant, that the recipient assure that the paternity of recipient children is established, assure that their children attend school, and assure that their children obtain required immunization without delay; and

fail (I assume inadvertently) to exclude as eligible recipients 17,000 fugitive felons and heaven only knows how many drug felons.

To repeat, these are a few of the more grievous defects of this package of bills.

Reform must include a system that gives counties maximum flexibility and fiscal incentives to help people move from welfare to work within statewide program standards. The current system is driven by volumes of state and federal rules which strive for bureaucratic uniformity and discourage county initiative. The existing system must be replaced by one that responds to welfare recipients as individuals, eliminates barriers to work, and uses the tools necessary and available at the local level to move recipients into the workforce.

Instead, the system designed in this proposal expands and enshrines bureaucratic uniformity. Indeed the proposal is so excessively prescriptive that new waiver authority is included to permit a county to modify work incentives for specified residents.

This package of bills in short has been designed and crafted to defeat the very purposes of the Federal Personal Responsibility Act to which it purports to respond, and to achieve an entirely contradictory result.

I can only assume that it was crafted by the most over-zealous of welfare rights advocates; and that many members of the majority who voted for these bills had no real understanding of their provisions or pernicious impacts. These bills are unfair both to recipients and their children whom it offers not temporary aid, but prolonged dependency—and to working taxpayers upon whom it would pile significant new burdens.

With all its manifest, serious defects, the present failed welfare system is significantly less threatening than the expanded one these bills would put in place.

The Federal Personal Responsibility Act demands a response. This performance is worse than disappointing, especially when compared to the genuine reforms enacted by other states.

The clock is running. I respectfully ask that the Legislature send me true welfare reform without further delay.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 7th day of July 1997, at 5:58 p.m., of Assembly Bill No. 1501, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

INTRODUCTION OF GUESTS

Assembly Member McClintock, of the 38th Assembly District, introduced Bill and Marilyn Edrington, and their children, Amy, Jaclyn, and Will, of Fillmore.

Assembly Member Papan, of the 19th Assembly District, introduced former Speaker pro Tempore of the Assembly, Frank Vicencia.

Assembly Member Napolitano, of the 58th Assembly District, introduced the Honorable Mohammed Ameer, Member of Parliament of Morocco.

Assembly Member Cardoza and Speaker pro Tempore Kuehl introduced the following members of The YES Company (Youth Entertainment Stage), of Modesto: Robert Moreno, Thomas Wong, Venus Steveson, Daniel Shelton, Brandi Samuels, and their instructor, Melanie Wyatt.

ADJOURNMENT

At 6:48 p.m., pursuant to the motion by Assembly Member Villaraigosa the Assembly adjourned until 7 a.m., Tuesday, out of respect to the memory of Alcus "Pops" Jefferson, on motion of Assembly Members Shelley and Migden; out of respect to the memory of William Turnbull, Jr. and Robert F. Girard, on motion of Assembly Member Shelley; out of respect to the memory of "Winnie" Magginetti Baumgartner, on motion of Assembly Member Frusetta; out of respect to the memory of Ona Kennedy, on motion of Assembly Member Davis; out of respect to the memory of Dorothy Buffum Chandler, on motion of Assembly Member Villaraigosa; out of respect to the memory of T. J. Hasty, on motion of Assembly Member Bordonaro; out of respect to the memory of Floyd Dean Hiser, Sr., on motion of Assembly Members Baca, Leonard, and Olberg; and out of respect to the memory of Henry Salvatori, on motion of Assembly Member Leonard.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 7, 1997**

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

SB	RN	SB	RN
45	9717566	817	9717408
151	9717406	827	9717511
172	9717599	923	9716692
196	9717531	945	9717429
206	9717091	969	9717750
275	9717381	1026	9717516
303	9717415	1027	9717526
318	9717650	1040	9715865
361	9717238	1137	9717377
364	9717460	1179	9717435
377	9717384	1277	9717380
408	9716839	1295	9716982
464	9717433	1330	9717275
465	9717291	1338	9716707
512	9717379		
644	9716713	SCR	RN
651	9717295	33	9717306
675	9717652		
687	9716835		
795	9717117		

Daily Total: 35
Cumulative Total: 2523

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