

CALIFORNIA LEGISLATURE  
1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, July 17, 1997**

**ONE HUNDRED NINTH SESSION DAY**

**TWO HUNDRED TWENTY-EIGHTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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

# PROCEEDINGS OF THE ASSEMBLY

## IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, July 17, 1997

The Assembly met at 9:38 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 Scott moved a quorum call of the Assembly. Motion carried. Time, 9:39 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 9:47 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	Escutia	Machado	Richter
Aguiar	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Takasugi
Battin	Granlund	Morrissey	Thompson
Baugh	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Murray	Torlakson
Bowen	Honda	Napolitano	Villaraigosa
Bowler	House	Olberg	Vincent
Brewer	Kaloogian	Oller	Washington
Brown	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker
Davis	Lempert	Prenter	
Ducheny	Leonard	Pringle	

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Bishop Clarence Carr, the 89th Bishop elected to the Episcopal Order of the African Methodist Episcopal Zion Church:

*O God, Our Heavenly Father,* We thank You for the privilege to offer prayer. We come to You today, grateful that You have kept us through the long night of the past, ushered us into the challenge of the present and given to us the bright hope of the future. Help us never to let anybody or any condition pull us so low as to cause us to hate. Give us strength to love, in spite of how others see us or treat us. Help us to realize that man was created to shine like stars and live on through all eternity. Keep us, we pray, in perfect peace, help us to walk together, work together, talk together, and live together, so that through our leadership the men and women of this state can envision a society where hope and harmony prevail.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Vincent 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 Cardoza, seconded by Assembly Member Pringle.

**LEAVES OF ABSENCE FOR THE DAY**

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

*On personal business, and waiving per diem: Assembly Members Alby and Caldera.*

**COMMUNICATIONS**

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

California State Auditor

97106  
July 15, 1997

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly of the  
Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Senate: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the California State Department of Transportation's implementation of the recommendations made in the March 10, 1995, interim audit conducted by its Audits and Investigations Division. Specifically, the interim audit evaluated standard agreement number 42K364 between the department and Boster,

Kobayashi and Associates, a firm that is its primary provider of expert witness services for accident reconstruction and investigation.

Our report concludes that while the department has implemented two of the three recommendations for Boster, Kobayashi & Associates and its other expert witness consultants, it has not incorporated a clause in all of its contracts with expert witness consultants that addresses compensation for travel time. Further, the department has not formally adopted procedures to assist its staff in selecting expert witness contractors, or negotiating the rates and terms of the contracts.

Respectfully submitted,

KURT R. SJOBERG  
State Auditor

Above report referred to the Committee on Transportation.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 17, 1997

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

Assembly Bill No. 66

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, July 17, 1997

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

Assembly Concurrent Resolution No. 57

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly*

*Bill No.*

*Committee*

**1616** ----- H. & C.D.

*Senate*

*Bill No.*

*Committee*

**119** ----- Jud.

*Senate Joint*

*Resolution No.*

*Committee*

**6** ----- Rls.

**25** ----- Rls.

**AUTHOR'S AMENDMENTS**

**Committee on Appropriations**

July 17, 1997

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

Senate Bill No. 654

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

MIGDEN, Chairwoman

**SENATE BILL NO. 654**—An act to add Part 6.2 (commencing with Section 12693) to Division 2 of the Insurance Code, relating to health, 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**

July 17, 1997

Mr. Speaker: Your Committee on Rules recommends that the requests to suspend Joint Rule 61(a)(9), as it relates to the following bills be granted:

Senate Bills Nos. 937, 1086, and 1189.

DON PERATA, Chairman

July 17, 1997

Mr. Speaker: Your Committee on Rules recommends that the request to suspend Joint Rule 61(a)(9), as it relates to the following bill be granted:

Senate Bill No. 660

DON PERATA, Chairman

**REPORTS OF STANDING COMMITTEES**

**Committee on Appropriations**

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1082

Senate Bill No. 1313

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 138

Senate Bill No. 1284

With amendments with the recommendation: Do pass, as amended.

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Concurrent Resolution No. 40

With the recommendation: Be adopted.

MIGDEN, Chairwoman

Above resolution ordered to third reading.

**Committee on Health**

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 977

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

GALLEGOS, Chairman

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 1049  
Senate Bill No. 1073

Senate Bill No. 1130  
Senate Bill No. 1231

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

GALLEGOS, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 273  
Senate Bill No. 330  
Senate Bill No. 413  
Senate Bill No. 596  
Senate Bill No. 625  
Senate Bill No. 860  
Senate Bill No. 885  
Senate Bill No. 915  
Senate Bill No. 970

Senate Bill No. 1007  
Senate Bill No. 1035  
Senate Bill No. 1061  
Senate Bill No. 1140  
Senate Bill No. 1147  
Senate Bill No. 1243  
Senate Bill No. 1292  
Senate Bill No. 1347

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

GALLEGOS, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 903  
Senate Bill No. 1094  
Senate Bill No. 1111

With the recommendation: Do pass.

GALLEGOS, Chairman

Above bills ordered to second reading.

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 114  
Senate Bill No. 1255  
Senate Bill No. 1295

With the recommendation: Do pass.

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

GALLEGOS, Chairman

Above bills ordered to second reading.

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 1349

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.

**ADJOURN IN MEMORY**

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 Father Bill Travers, of Our Lady of Mount Carmel Church, Fairfield.

Assembly Member Oller was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Theresa Romero, of Placerville.

Assembly Member Margett was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Tim Mesrop Agajanian, of Arcadia.

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 Kathleen Mary Ryan, of San Francisco.

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 Ann Matoian, of Fresno.

**ADJOURN IN HONOR**

Assembly Member Aguiar was granted unanimous consent that when the Assembly adjourns on this day it do so in honor of the birth of Kristen Renee, born on July 15, 1997 to Jim and Diane Richardson.

**NOTICE OF INTENTION TO REMOVE BILL  
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Wayne announced his intention to request that Senate Bill No. 1050 be removed from the inactive file.

**ADJOURN IN MEMORY**

Assembly Member Murray was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mother Hagggar Bennett who was recently honored by the Assembly on the occasion of her 107th birthday.

**REQUEST FOR SPECIAL COMMITTEE MEETING AND  
JOINT RULE 62(a) WAIVER**

Assembly Member Papan requested unanimous consent that the Committee on Banking and Finance be permitted to hold a special meeting today, off the Floor, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 795 for hearing.

Assembly Member Pringle withheld unanimous consent.

**Motion to Convene Special Committee Meeting and Waive Joint Rule 62(a)**

Assembly Member Papan moved that the Committee on Banking and Finance be permitted to convene a special hearing off the Floor today, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 795 for hearing.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 9:56 a.m.

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

### ADJOURN IN HONOR

Assembly Member Olberg was granted unanimous consent that when the Assembly adjourns on this day it do so in honor of the birth of Lauren Wilds Hastings, born on July 15, 1997.

### SPECIAL RECOGNITION

The Members of the Assembly joined in extending best wishes to Assembly Member Oller on the occasion of his birthday.

### BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

**Senate Bill No. 219**, on request of Assembly Member Villaraigosa.

### COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Brown announced that the Committee on Governmental Organization would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

### PARLIAMENTARY INQUIRY

Assembly Member Thompson arose to the following parliamentary inquiry:

What is the schedule for Floor session through this weekend, pending adoption of the State Budget?

### Reply by Speaker Bustamante

The Speaker pro Tempore Kuehl deferred to Speaker Bustamante whereupon he replied that the leadership of both Houses would meet with the Governor later today. The Assembly is scheduled to meet in Floor session tomorrow morning at 8:30 a.m., and, pending the outcome of today's leadership meeting the House may be called to session on Sunday evening.

### RE-REFERENCE OF BILLS

Assembly Member Napolitano was granted unanimous consent that Senate Bill No. 965 be re-referred from the Committee on International Trade and Development to the Committee on Appropriations.

### NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Gallegos announced his intention to request that Senate Bill No. 578 be removed from the inactive file.

### CONSIDERATION OF DAILY FILE 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. 1351**, ordered to third reading;

**Senate Bills Nos. 561 and 170**, ordered to the Consent Calendar.

### SECOND READING OF SENATE BILLS

**SENATE BILL NO. 884**—An act to amend Section 11751.8 of the Insurance Code, relating to workers' compensation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.



**SENATE BILL NO. 49**—An act to add Chapter 4.6 (commencing with Section 84600) to Title 9 of the Government Code, relating to the Political Reform Act of 1974, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 74**—An act to amend Sections 6252 and 6258 of, to amend and renumber Section 6253 of, to add Sections 6252.5 and 6253 to, to add a heading as Article 1 (commencing with Section 6250) to Chapter 3.5 of, to add Article 2 (commencing with Section 6275) to Chapter 3.5 of, Division 7 of Title 1 of, to add and repeal Section 6255.5 of, to repeal Sections 6256, 6256.1, 6256.2, and 6257 of, and to repeal and add Section 6253.1 of, the Government Code, relating to records.

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

**SENATE BILL NO. 624**—An act to add Section 71051 to the Education 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. 956**—An act to amend Sections 45, 132, 685, 729, 1070.6, 1531, 1774, 1775, 1775.1, 1775.2, 1775.3, 1775.4, 1775.5, 1775.6, 1775.7, 1775.8, 1775.9, 1776, 1779, 12973.6, 12976, and 12976.5 of, and to repeal Section 685.3 of, the Insurance Code, and to amend Sections 12222, 12253, 12255, 12260, 12281, 12302, 12303, 12304, 12305, 12306, 12412, 12413, 12421, 12422, 12423, 12425, 12428, 12429, 12430, 12434, 12435, 12601, 12602, 12633, 12634, 12978, 13151, and 13170 of, and to add Sections 12009, 13171, 13172, 13173, and 13174 to, and to repeal Sections 12411, 12424, 12952, and 12982 of, the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor.

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

**SENATE BILL NO. 1173**—An act to add Section 14669.19 to the Government Code, relating to state property.

Bill read second time; amendments proposed by the Committee on Consumer Protection, Governmental Efficiency and Economic Development read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 1258**—An act to amend Sections 35560, 35565, 35575, 35710, 35710.5, and 35753 of, and to add Section 35710.7 to, the Education Code, relating to education.

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

**SENATE BILL NO. 819**—An act to amend Sections 94892.5 and 94990 of, and to add Section 94753.5 to, the Education Code, relating to postsecondary education, 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. 104**—An act to amend Section 987.65 of the Military and Veterans Code, relating to veterans.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 124**—An act to amend Sections 82015, 82028, and 82030 of the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 171**—An act to add Section 210.5 to the Military and Veterans Code, and to amend Section 1808.4 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 192**—An act to add Section 9561.5 to the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 310**—An act to amend Section 12657 of, and to add Section 12661.5 to, the Water Code, relating to water.

Bill read second time, and ordered to Consent Calendar.

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

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 481**—An act to amend Sections 19564 and 19617.7 of the Business and Professions Code, relating to horseracing.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 563**—An act to amend Section 4856 of the Labor Code, relating to workers' compensation.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 573**—An act to amend Sections 1 and 2 of Chapter 74 of, and to add Section 2.5 to, the Statutes of 1978, relating to tide and submerged lands in the City of Newport Beach.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 574**—An act to amend Sections 980 and 987.56 of the Military and Veterans Code, relating to veterans.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 605**—An act to add Section 19328 to the Education Code, relating to the law library of the California State Library.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 608**—An act to amend Section 972.1 of the Military and Veterans Code, relating to veterans.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 618**—An act to amend Section 1195 of the Civil Code, and to amend Sections 8205, 8206, 8207, 8214.1, and 27287 of, and to add Section 8204.1 to, the Government Code, relating to notaries public.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 671**—An act to amend Sections 2154, 3010, 7244, 7570, 7608, 7612, 7620, 7671, 7694, 7770, 7840, 7884, 9031, 10229, 10411, 10512, 10706, 12302, 13201, 15310, 15501, and 15651 of, to add Section 7236 to, and to repeal Sections 347, 6181, 7000, 7552, 7553, 7554, 7558, 7560, 7601, 7602, 7606, 7607, 7621, 7625, 7626, 7627, 7784, 7785, 7801, 10414, 10415, 13003, and 15273 of, the Elections Code, and to amend Section 6254.4 of the Government Code, relating to elections.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 690**—An act to amend Sections 3050 and 3066 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 785**—An act to amend Sections 987.87 and 988.2 of the Military and Veterans Code, relating to veterans.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 789**—An act to amend Section 409 of the Streets and Highways Code, relating to highways.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 815**—An act to amend Section 66801 of the Government Code, relating to the Tahoe Regional Planning Compact.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 846**—An act to amend Sections 987.60, 987.603, 987.78, and 987.86 of the Military and Veterans Code, relating to veterans.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 849**—An act to amend Sections 1260, 1270, 1271, 1331, 1345, 1351, 1704.1, and 5106 of, to add Sections 1055.4, 1332, 1333, 1334, and 1335 to, to add Article 4 (commencing with Section 1275) to Chapter 2 of Part 2 of Division 2 of, and to repeal and add Sections 1346, 1347, 1704.2, and 1704.3 of, the Water Code, relating to water.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 949**—An act to add Section 3205.5 to the Government Code, relating to public officials and candidates.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1118**—An act to add Section 14074.8 to the Government Code, relating to transportation.

Bill read second time, and ordered to Consent Calendar.

**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, and ordered to Consent Calendar.

**SENATE BILL NO. 1324**—An act to amend Section 1012 of the Military and Veterans Code, relating to veterans.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1352**—An act to amend Section 2602 of the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 668**—An act to amend Section 202 of the Welfare and Institutions Code, relating to juvenile court law.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 871**—An act to amend Section 13960 of the Government Code, and to amend Sections 243.5, 836.5, 1001.15, 1001.16, 1001.90, 1465.5, and 11167 of the Penal Code, relating to crimes.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1221**—An act to add Article 5.4 (commencing with Section 1788) to Chapter 1 of Division 2.5 of the Welfare and Institutions Code, relating to juveniles.

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. 57**—An act to amend Section 148 of the Penal Code, relating to arrest.

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. 500**—An act to add Chapter 1.3 (commencing with Section 12125) to Title 2 of Part 4 of the Penal Code, relating to firearms.

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. 882**—An act to amend Section 290 of the Penal Code, relating to sex offenders.

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. 1176**—An act to amend Section 11836 of the Health and Safety Code, and to amend Section 23103.5 of the Vehicle Code, relating to vehicles.

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. 4**—An act to amend Section 27174.2 of the Streets and Highways Code, relating to trespass.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 189**—An act to amend Sections 12015.3 and 12246 of, and to add Section 12029 to, the Business and Professions Code, relating to weights and measures.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 495**—An act to amend Section 2655 of the Unemployment Insurance Code, relating to unemployment disability, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 509**—An act to add Section 24045.15 to the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 514**—An act to amend Section 51226.3 of the Education Code, relating to educational curriculum.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 615**—An act to add Section 22824 to, and to add Chapter 10.2 (commencing with Section 3511) to Division 4 of Title 1 of, the Government Code, relating to state employees.

Bill read second time, and ordered to third reading.

**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, and ordered to third reading.

**SENATE BILL NO. 699**—An act to add and repeal Article 4 (commencing with Section 7360) to Chapter 2 of Part 2 of Division 6 of the Fish and Game Code, relating to fish, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 939**—An act to add Section 289.5 to the Penal Code, relating to sex offenders.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1277**—An act to amend Sections 1033 1063.1, and 1067.02 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1334**—An act relating to agriculture.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1344**—An act to add Chapter 1.4 (commencing with Section 24185) to Division 20 of the Health and Safety Code, relating to human cloning.

Bill read second time, and ordered to third reading.

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Assembly Member Scott was granted unanimous consent that the following statement of clarification be printed in the Journal:

**Clarification—Senate Bill No. 1026**

July 16, 1997

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

Dear Mr. Wilson: I am writing to bring clarification to an issue raised in the Assembly Public Employees, Retirement and Social Security Committee in regard to Senate Bill 1026 by Senator Adam Schiff.

During the July 9, 1997 meeting of the Public Employees, Retirement and Social Security Committee hearing a member of the committee suggested that as a vested member of the State Teachers Retirement System (STRS) that I should recuse myself from voting on Senate Bill 1026 by Senator Schiff. SB 1026 would make certain adjustments to the STRS Supplemental Benefit Maintenance Account for the purpose of restoring purchasing power to retired members, disabled members, and other beneficiaries.

Although prior to the hearing on SB 1026 I had received a verbal opinion from Legislative Counsel which held that my voting on SB 1026 would clearly not constitute a conflict of interest under either the Political Reform Act or the Code of Ethics, I abstained from voting on the measure. Consequently, I have obtained a written opinion from Legislative Counsel, #18128, which reflects counsel's earlier conclusion.

Consequently, any questions regarding the propriety of my service on the Public Employees, Retirement and Social Security Committee or my ability to vote on legislation relative to STRS are clearly answered by Legislative Counsel opinion #18128.

Sincerely,

JACK SCOTT, Assembly Member  
Forty-fourth District

**BILLS PLACED ON INACTIVE FILE**

The following resolution was placed upon the inactive file:

**House Resolution No. 37**, on request of Assembly Member Cardoza.

**ASSEMBLY CONCURRENT RESOLUTION NO. 14 REMOVED FROM  
CONSENT CALENDAR AND TAKEN UP**

Assembly Member Ducheny was granted unanimous consent that Assembly Concurrent Resolution No. 14 be removed from the Consent Calendar, and to take the resolution up at this time, without reference to file, for purpose of amendment.

**ASSEMBLY CONCURRENT RESOLUTION NO. 14 (Ducheny)**—Relative to the University of California Student Association.

Resolution read.

**Motion to Amend**

Assembly Member Ducheny moved the adoption of amendments. Amendments read and adopted.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 14**

Assembly Member Ducheny was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 14.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Aguiar, Alquist, Ashburn, Baca, Bowen, Bustamante, Cardenas, Cardoza, Cunneen, Escutia, Figueroa, Firestone, Floyd, Frusetta, Gallegos, Goldsmith, Granlund, Havice, Hertzberg, Honda, Keeley, Knox, Kuehl, Lempert, Machado, Martinez, Mazzoni, Miller, Murray, Napolitano, Ortiz, Pacheco, Papan, Perata, Prenter, Scott, Shelley, Sweeney, Takasugi, Torlakson, Villaraigosa, Vincent, Wayne, Wildman, Woods, and Wright.

**Request for Unanimous Consent**

Assembly Member Ducheny was granted unanimous consent to take up Assembly Concurrent Resolution No. 14, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 14, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 14**—Relative to the University of California Student Association.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
PAPAN MOTION FOR SPECIAL COMMITTEE MEETING AND  
JOINT RULE 62(a) WAIVER**

At 10:13 a.m., on motion of Assembly Member Papan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

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

Motion carried. Time, 10:14 a.m.

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

**RESOLUTIONS**

The following resolutions were offered:

**Resolutions to Suspend Joint Rules**

By Assembly Member Davis:

*Resolved*, That Joint Rule 61(a)(9) be suspended to permit the Committee on Consumer Protection, Governmental Efficiency and Economic Development to meet, consider, and report Senate Bills Nos. 937 and 1086 for further action.

By Assembly Member Wayne:

*Resolved*, That Joint Rule 61(a)(9) be suspended to permit the Committee on Environmental Safety and Toxic Materials to meet, consider, and report Senate Bill No. 1189 for further action.

By Assembly Member Wayne:

*Resolved*, That Joint Rule 61(a)(9) be suspended to permit the Committee on Environmental Safety and Toxic Materials to meet, consider, and report Senate Bill No. 660 for further action.

Resolutions read, and adopted by the following vote:

**AYES—78**

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

**NOES—None**

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
PAPAN MOTION FOR SPECIAL COMMITTEE MEETING AND  
JOINT RULE 62(a) WAIVER**

At 10:16 a.m., on motion of Assembly Member Villaraigosa, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Thompson moved to continue the call of the Assembly.

Motion carried. Time, 10:16 a.m.

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

**Point of Information**

Assembly Member Mazzoni arose to the following point of information:

Has the motion by Assembly Member Papan not been placed under Call of the Assembly twice and is that not the practice of the House?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that previous Calls of the Assembly on the Papan motion were placed by proponents and the Chair is permitting the opposition to place a Call of the Assembly.

**Request to Dispense with Call of the Assembly**

Assembly Member Papan requested that the Call of the Assembly be dispensed with on his motion as it relates to Senate Bill No. 795.

**Parliamentary Inquiry**

Assembly Member Olberg arose to the following parliamentary inquiry:

What will be the Chair's policy on permitting an additional Call of the Assembly by the opposition on the Papan motion?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that the Papan motion would remain on Call of the Assembly for the final time, until completion of further business of the House.

**ANNOUNCEMENTS**

Speaker pro Tempore Kuehl announced that the Senate has requested that Assembly Members designate Senate authors for their measures on the third reading file in the Senate.



**CAUCUS ANNOUNCEMENTS**

At 10:23 a.m., by unanimous consent, the Democratic Caucus was permitted to meet in the Assembly Lounge, and the Republican Caucus was permitted to meet in the Tom Bane Rules Committee Room.

**RECESS**

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

**REASSEMBLED**

At 11:45 a.m., the Assembly reconvened.

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

**MESSAGES FROM THE SENATE**

Senate Chamber, July 17, 1997

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

Assembly Bill No. 197

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 BILL NO. 819 BY UNANIMOUS CONSENT**

Assembly Member Wright was granted unanimous consent to take up Senate Bill No. 819, without reference to file, for purpose of amendment.

**SENATE BILL NO. 819 (Calderon)**—An act to amend Sections 94892.5 and 94990 of, and to add Section 94753.5 to, the Education Code, relating to postsecondary education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Wright moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Further Consideration of Senate Bill No. 819, as Amended,  
by Unanimous Consent**

Assembly Member Wright was granted unanimous consent to take up Senate Bill No. 819, as amended, without reference to file.

**SENATE BILL NO. 819 (Calderon)**—An act to amend Sections 94892.5 and 94990 of, and to add Section 94753.5 to, the Education Code, relating to postsecondary education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—73**

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

**NOES—3**

Bordonaro	McClintock	Thompson
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The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—73**

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

**NOES—3**

Bordonaro                      McClintock                      Thompson

Assembly Member Wright was granted unanimous consent that Senate Bill No. 819 be held at the Assembly Desk until Assembly Bill No. 71 is received from the Senate, and further, upon such receipt, that Senate Bill No. 819 be transmitted to the Senate immediately.

**ADJOURN IN MEMORY**

Assembly Member Floyd and Speaker Bustamante were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of former Assembly sergeant Ray Carter, of Sacramento.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
PAPAN MOTION FOR SPECIAL COMMITTEE MEETING AND  
JOINT RULE 62(a) WAIVER**

At 11:49 a.m., on motion of Assembly Member Thompson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Papan motion to convene a special meeting of the Committee on Banking and Finance off the Floor, and waive Joint Rule 62(a) for the purpose of hearing Senate Bill No. 795 carried by the following vote:

**AYES—42**

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

**NOES—31**

Ackerman	Campbell	Kuykendall	Olberg
Aguiar	Cunneen	Leach	Oller
Ashburn	Firestone	Leonard	Pacheco
Battin	Frustetta	Margett	Poochigian
Baugh	Goldsmith	McClintock	Pringle
Bordonaro	Granlund	Miller	Runner
Bowler	House	Morrissey	Thompson
Brewer	Kalooagian	Morrow	

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 11:50 a.m., the members of the Committee on Banking and Finance were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**COMMUNICATIONS**

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

July 17, 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 Carole Migden to the Assembly Banking and Finance Committee to replace Assemblymember Louis Caldera for today, July 17, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**CONSIDERATION OF SENATE BILL NO. 47 BY UNANIMOUS CONSENT**

Assembly Member Thomson was granted unanimous consent to take up Senate Bill No. 47, out of order.

**SENATE BILL NO. 47 (Kopp)**—An act to amend Section 30916 of, and to add Section 30150.2 to, the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Thomson moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 376 BY UNANIMOUS CONSENT**

Assembly Member Ortiz was granted unanimous consent to take up Senate Bill No. 376, out of order.

**SENATE BILL NO. 376 (Greene)**—An act to add and repeal Article 6 (commencing with Section 35790) of Chapter 4 of Part 21 of the Education Code, and to repeal Sections 1 and 2 of Chapter 1229 of the Statutes of 1988, relating to school districts, and making an appropriation therefor.

Bill read third time.

**Motion to Amend**

Assembly Member Ortiz moved the adoption of amendments.

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

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

**ASSEMBLY BILL NO. 755 (Escutia)**—An act relating to school facilities.

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 refused to concur in Senate amendments by the following vote:

**AYES—4**

Baugh	Leonard	Martinez	Wayne
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**NOES—74**

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

**ASSEMBLY JOINT RESOLUTION NO. 16 (Baca)**—Relative to group homes.

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

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

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

**AYES—75**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 240 (Takasugi)**—An act to amend Section 69.5 of the Revenue and Taxation Code, relating to taxation.

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 259 (Scott)**—An act to amend Sections 46601 and 48919 of, and to add Section 48919.5 to, the Education Code, relating to pupils.

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—65**

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

**NOES—12**

Ackerman	Kaloogian	Miller	Pringle
Baldwin	Leonard	Olberg	Runner
Granlund	Margett	Oller	Thompson

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 311 (Granlund)**—An act to amend Section 53891 of the Government Code, relating to local agency finance.

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

**NOES—None**

Above bill ordered enrolled.

**MESSAGES FROM THE SENATE**

Senate Chamber, July 17, 1997

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

Assembly Bill No. 71

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.

**BILL ORDERED TRANSMITTED TO THE SENATE**

Pursuant to Assembly Member Wright's request earlier this day, Senate Bill No. 819 was ordered transmitted to the Senate immediately.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 433 (Hertzberg)**—An act to amend Section 7480 of the Government Code, and to add Section 830.13 to the Penal Code, relating to financial investigations.

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—64**

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

**NOES—10**

Ackerman	Granlund	Oller	Woods
Bordonaro	Kalooagian	Takasugi	
Campbell	Leach	Thompson	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 464 (Richter)**—An act to amend Section 20395 of the Public Contract Code, relating to county transportation.

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 683 (Morrow)**—An act to amend Sections 20142, 20395, 20455, and 21551 of the Public Contract Code, relating to public works contracts.

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 708 (Ackerman)**—An act to amend Section 25174.6 of the Health and Safety Code, relating to hazardous waste.

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—74**

Ackerman	Ducheny	Machado	Richter
Aguar	Escutia	Margett	Runner
Alquist	Figueroa	Martinez	Scott
Aroner	Firestone	Mazzoni	Shelley
Ashburn	Floyd	McClintock	Strom-Martin
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
Campbell	Knox	Papan	Woods
Cardenas	Kuykendall	Perata	Wright
Cardoza	Leach	Poochigian	Mr. Speaker
Cunneen	Lempert	Prenter	
Davis	Leonard	Pringle	

**NOES—3**

Kuehl	Migden	Sweeney
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**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 708: Assembly Member Bowen, from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 951 (Margett)**—An act to amend Section 19619 of, and to add Section 19619.2 to, the Business and Professions Code, relating to horseracing.

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—74**

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

**NOES—1**

Havice

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1257 (House)**—An act to amend Section 34501.12 of the Vehicle Code, relating to vehicles.

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1258 (Ackerman)**—An act to amend Sections 483.020, 484.050, 484.090, 485.220, and 492.030 of, to amend and repeal Sections 483.010 and 483.015 of, and to add Section 483.012 to, the Code of Civil Procedure, relating to civil procedure.

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1319 (Alquist)**—An act to add and repeal Section 80.1 of the Revenue and Taxation Code, relating to taxation.

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—59**

Ackerman	Davis	Kuykendall	Strom-Martin
Aguiar	Ducheny	Lempert	Sweeney
Alquist	Escutia	Machado	Takasugi
Aroner	Figueroa	Margett	Thompson
Ashburn	Firestone	Martinez	Thomson
Baca	Floyd	Mazzoni	Torlakson
Bordonaro	Gallegos	Morrissey	Villaraigosa
Bowen	Granlund	Murray	Vincent
Bowler	Havice	Napolitano	Washington
Brewer	Hertzberg	Ortiz	Wayne
Brown	Honda	Papan	Wildman
Campbell	House	Perata	Woods
Cardenas	Keeley	Prenter	Wright
Cardoza	Knox	Scott	Mr. Speaker
Cunneen	Kuehl	Shelley	

**NOES—8**

Battin	Kaloogian	McClintock	Oller
Baugh	Leach	Miller	Pacheco

**Vote Changes**

By unanimous consent, the following vote changes were permitted on concurrence in Senate amendments to Assembly Bill No. 1319: Assembly Member Battin, from "Aye" to "No"; Assembly Members Bowler, Granlund, and Thompson, from "No" to "Aye"; Assembly Member Poochigian, from "Aye" to "Not Voting".

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1354 (Davis)**—An act to add Section 1367.695 to the Health and Safety Code, and to add Section 10123.84 to the Insurance Code, relating to health coverage.

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—70**

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

**NOES—5**

Ackerman	Kaloogian	Oller
Brewer	McClintock	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 685 (Wayne)**—An act to amend Section 289.6 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—76**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 234 (Battin)**—An act relating to school facilities.

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 refused to concur in Senate amendments by the following vote:

**AYES—4**

Battin	Floyd	Leonard	Martinez
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**NOES—70**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 234: Assembly Member Havice, from “No” to “Not Voting”.

**CONSIDERATION OF SENATE BILL NO. 347 BY UNANIMOUS CONSENT**

Assembly Member Goldsmith was granted unanimous consent to take up Senate Bill No. 347, out of order.

**SENATE BILL NO. 347 (Thompson)**—An act to amend Sections 651 and 668 of, and to add Section 655.7 to, the Harbors and Navigation Code, and to amend Section 11837.3 of the Health and Safety Code, relating to vessels.

Bill read third time.

**Motion to Amend**

Assembly Member Goldsmith moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 250 BY UNANIMOUS CONSENT**

Assembly Member Villaraigosa was granted unanimous consent to take up Senate Bill No. 250, out of order.

**SENATE BILL NO. 250 (Greene)**—An act relating to school facilities construction.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 12:15 p.m.

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



**CONSIDERATION OF SENATE BILL NO. 391 BY UNANIMOUS CONSENT**

Assembly Member Gallegos was granted unanimous consent to take up Senate Bill No. 391, out of order.

**SENATE BILL NO. 391 (Rosenthal)**—An act to amend Section 1367.10 of the Health and Safety Code, relating to health care coverage.

Bill read third time.

**Motion to Amend**

Assembly Member Gallegos moved the adoption of amendments.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 250**

At 12:17 p.m., on motion of Assembly Member Villaraigosa, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 250 passed by the following vote:

**AYES—44**

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

**NOES—19**

Ackerman	Brewer	McClintock	Prenter
Baldwin	House	Morrow	Pringle
Baugh	Kaloogian	Olberg	Runner
Bordonaro	Leonard	Oller	Thompson
Bowler	Margett	Poochigian	

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Bill No. 250 Assembly Member Cunneen, from “Aye” to “Not Voting”; Assembly Members Leach and Pacheco, from “No” to “Not Voting”.

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE BILL NO. 1262 BY UNANIMOUS CONSENT**

Assembly Member Figueroa was granted unanimous consent to take up Senate Bill No. 1262, out of order.

**SENATE BILL NO. 1262 (Johnston)**—An act to amend Sections 799.01, 799.02, and 799.07 of the Insurance Code, relating to insurance.

Bill read third time.

**Motion to Amend**

Assembly Member Figueroa moved the adoption of amendments.

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

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO  
ASSEMBLY RULE 77.2**

Upon request of Assembly Member Lempert, pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 71 to the Committee on Higher Education.

**JOINT RULE 62(a) WAIVED**

Assembly Member Lempert was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 71 for hearing in the Committee on Higher Education today, upon adjournment of Floor session, in Room 437.

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Assembly Resolution**

**ASSEMBLY CONCURRENT RESOLUTION NO. 65 (Goldsmith)**—Relative to Truck Driver Appreciation Week.

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. 373 (Kelley)**—An act to add Section 106876 to the Health and Safety Code, and to amend Section 13627 of the Water Code, relating to water treatment.

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. 204 (Lewis)**—An act to amend Sections 1241.1 and 1725.5 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 JOINT RESOLUTION NO. 18 (Karnette)**—Relative to freight transportation.

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 Roll Call**

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

**AYES—78**

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

**NOES—None****MOTION TO ADJOURN**

At 12:26 p.m., Assembly Member Martinez moved that the Assembly do now adjourn.

Assembly Member Washington seconded the motion.

Motion carried.

**UNANIMOUS CONSENT GRANTED FOR VOTE ADDS**

Speaker pro Tempore Kuehl was granted unanimous consent that the Members of the Committee on Banking and Finance be permitted to add their votes to the roll call votes taken during their absence for a committee hearing, as if present and voting.

**VOTE ADDS**

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

**Assembly Concurrent Resolution No. 14, Coauthors:** Goldsmith and Martinez—Aye.

**Resolution to Suspend Rules:** Baugh, Goldsmith, and Martinez—Aye.

**Senate Bill No. 819 and Urgency:** Baugh and Goldsmith—Aye.

**Papan Motion to Convene Special Committee Meeting and Waive Joint Rule 62(a):** Goldsmith—No.

**Assembly Bill No. 755, Concurrence:** Baugh—Aye; Cunneen—No.

**Assembly Joint Resolution No. 16, Concurrence:** Baugh—Aye.

**Assembly Bill No. 240, Concurrence:** Ashburn and Baugh—Aye.

**Assembly Bill No. 311, Concurrence:** Baugh—Aye.

**Assembly Bill No. 433, Concurrence:** Baugh—Aye.

**Assembly Bill No. 464, Concurrence:** Baugh—Aye.

**Assembly Bill No. 683, Concurrence:** Baugh—Aye.

**Assembly Bill No. 708, Concurrence:** Baugh and Scott—Aye; Sweeney—No.

**Assembly Bill No. 951, Concurrence:** Havice—No.

**Assembly Bill No. 1319, Concurrence:** Cardoza, Ducheny, and Woods—Aye.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 12:27 p.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

**REQUEST TO SUSPEND JOINT RULES**

The following requests were received, and read:

Assembly Chamber, July 17, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(9) as it relates to Senate Bills Nos. 368, 525, 545, and 1102.

KEVIN MURRAY

Assembly Chamber, July 17, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(9) as it relates to Senate Bill No. 1273.

ELAINE ALQUIST

Assembly Chamber, July 17, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(9) as it relates to Senate Bills No. 451 and 712.

MICHAEL SWEENEY

Assembly Chamber, July 17, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(9) as it relates to Senate Bill No. 1179.

DEBRA BOWEN

Above requests ordered transmitted to the Committee on Rules.

**AUTHOR'S AMENDMENTS**  
**Committee on Rules**

July 17, 1997

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

Senate Joint Resolution No. 6

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

PERATA, Chairman

**SENATE JOINT RESOLUTION NO. 6**—Relative to Filipino veterans' benefits.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Televising the Assembly and Information Technology**

July 17, 1997

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

Senate Bill No. 492

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

ALQUIST, Chairwoman

**SENATE BILL NO. 492**—An act to add Section 27 to the Business and Professions 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.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Governmental Organization**

Date of Hearing: July 17, 1997

Mr. Speaker: Your Committee on Governmental Organization reports:  
Senate Bill No. 280

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

BROWN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: July 14, 1997

Mr. Speaker: Your Committee on Governmental Organization reports:  
Senate Bill No. 609

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

BROWN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: July 17, 1997

Mr. Speaker: Your Committee on Governmental Organization reports:  
Senate Bill No. 137

With the recommendation: Do pass.

BROWN, Chairwoman

Above bill ordered to second reading.

**Committee on Judiciary**

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Judiciary reports:  
Senate Bill No. 628  
Senate Bill No. 1145

With the recommendation: Do pass.

ESCUTIA, Chairwoman

Above bills ordered to second reading.

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Judiciary reports:  
Senate Bill No. 150  
Senate Bill No. 214  
Senate Bill No. 589  
Senate Bill No. 644

Senate Bill No. 814  
Senate Bill No. 999  
Senate Bill No. 1080  
Senate Bill No. 1251

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

ESCUTIA, Chairwoman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Judiciary reports:

Senate Concurrent Resolution No. 3

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

ESCUTIA, Chairwoman

Above resolution re-referred to the Committee on Appropriations.

### **Committee on Water, Parks and Wildlife**

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 364

Senate Bill No. 1312

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

MACHADO, Chairman

Above bills ordered to second reading.

### **Committee on Transportation**

Date of Hearing: July 14, 1997

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 1320

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

MURRAY, Chairman

Above bill ordered to second reading.

### **Committee on Elections, Reapportionment and Constitutional Amendments**

Date of Hearing: July 14, 1997

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 36

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

VINCENT, Chairman

Above bill ordered to second reading.

Date of Hearing: July 14, 1997

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 1077

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

VINCENT, Chairman

Above bill ordered to second reading.

### **Committee on Local Government**

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 480

Senate Bill No. 1100

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

SWEENEY, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 133

Senate Bill No. 1287

With the recommendation: Do pass.

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

SWEENEY, Chairman

Above bills ordered to second reading.

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 248

Senate Bill No. 959

With the recommendation: Do pass.

SWEENEY, Chairman

Above bills ordered to second reading.

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 466

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

SWEENEY, Chairman

Above bill ordered to second reading.

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1184

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

SWEENEY, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 255

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

SWEENEY, Chairman

Above bill ordered to second reading.

**Committee on Education**

Date of Hearing: July 9, 1997

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 1155

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

MAZZONI, Chairwoman

Above bill ordered to second reading.

Date of Hearing: July 9, 1997

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 135

Senate Bill No. 187

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

MAZZONI, Chairwoman

Above bills ordered to second reading.

**Committee on Human Services**

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Human Services reports:

Senate Bill No. 121

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

ARONER, Chairwoman

Above bill ordered to second reading.

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Human Services reports:

Senate Bill No. 493

Senate Bill No. 904

Senate Bill No. 1039

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

ARONER, Chairwoman

Above bills ordered to second reading.

**Committee on Insurance**

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 1315

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

FIGUEROA, Chairwoman

Above bill ordered to second reading.

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 70

Senate Bill No. 474

Senate Bill No. 296

Senate Bill No. 1217

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

FIGUEROA, Chairwoman

Above bills ordered to second reading.

**Committee on Higher Education**

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 227

Senate Bill No. 820

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

LEMPERT, Chairman

Above bills ordered to second reading.

Date of Hearing: July 17, 1997

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 71

With the recommendation: That Senate amendments be concurred in.

LEMPERT, Chairman

Above bill ordered to unfinished business.



**Committee on Public Safety**

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 1311

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

HERTZBERG, Chairman

Above bill ordered to second reading.

**Committee on Appropriations**

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 53

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

**SPECIAL COMMITTEE MEETINGS**

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

Select Committee on Ports, on Wednesday, July 23, 1997, at 3 p.m.;

Select Committee on School Safety, on Thursday, July 24, 1997,

upon adjournment of session.

**MESSAGES FROM THE SENATE**

Senate Chamber, July 17, 1997

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

Assembly Bill No. 47  
Assembly Bill No. 90  
Assembly Bill No. 133

Assembly Bill No. 364  
Assembly Bill No. 958  
Assembly Bill No. 1167

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

Above bills ordered enrolled.

Senate Chamber, July 17, 1997

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

Assembly Bill No. 78  
Assembly Bill No. 103  
Assembly Bill No. 143  
Assembly Bill No. 237  
Assembly Bill No. 303  
Assembly Bill No. 331

Assembly Bill No. 334  
Assembly Bill No. 339  
Assembly Bill No. 568  
Assembly Bill No. 655  
Assembly Bill No. 1025

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, July 17, 1997

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

Assembly Joint Resolution No. 21

And respectfully requests the Assembly to concur in said amendments.

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

Above resolution ordered to unfinished business file.

Senate Chamber, July 17, 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. 162  
Senate Bill No. 819

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

Senate Chamber, July 17, 1997

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

Senate Bill No. 30  
Senate Bill No. 1121

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

Senate Chamber, July 17, 1997

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

Senate Concurrent Resolution No. 51

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

### FIRST READING OF SENATE BILLS

The following bills were read the first time:

**SENATE BILL NO. 30**—An act to amend Section 5151 of the Revenue and Taxation Code, relating to taxation.

**SENATE BILL NO. 1121**—An act to amend Sections 8502 and 8801.5 of the Family Code, relating to family law.

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 51**—Relative to the Nisei Baseball Leagues.

### ADJOURNMENT

At 4:05 p.m., pursuant to the motion by Assembly Member Martinez, the Assembly adjourned until 8:30 a.m., Friday, July 18, 1997, out of respect to the memory of Father Bill Travers, on motion of Assembly Member Thomson; out of respect to the memory of Theresa Romero, on motion of Assembly Member Oller; out of respect to the memory of Tim Mesrop Agajanian, on motion of Assembly Member Margett; out of respect to the memory of Mother Hagggar Bennett, on motion of Assembly Member Murray; out of respect to the memory of Kathleen Mary Ryan, on motion of Assembly Member Shelley; out of respect to the memory of Ann Matoian, on motion of Assembly Member Poochigian; out of respect to the memory of Ray Carter, on motion of Assembly Member Floyd and Speaker Bustamante; in honor of the birth of Lauren Wilds Hastings, on motion of Assembly Member Olberg; and in honor of the birth of Kristen Renee Richardson, on motion of Assembly Member Aguiar.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JULY 17, 1997**

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

<b>ACR</b>	<b>RN</b>
14	9718828

<b>SB</b>	<b>RN</b>
47	9718642
49	9718727
57	9718156
74	9718670
347	9718460
376	9718539
391	9717830
492	9718881
500	9718200
624	9718332
654	9717937
819	9718854
882	9718461
956	9718687
1173	9718660
1176	9718648
1221	9718380
1258	9718279
1262	9717649

<b>SJR</b>	<b>RN</b>
6	* Set 1
6	9718871 Set 2

<b>Daily Total:</b>	<b>21</b>
<b>Cumulative Total:</b>	<b>2765</b>

(NOTE: \* Refers to amendments received in non-Legislative Counsel form.)