CALIFORNIA LEGISLATURE 1997–98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, July 21, 1997

ONE HUNDRED ELEVENTH SESSION DAY TWO HUNDRED THIRTY-SECOND 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento Monday, July 21, 1997

The Assembly met at 1:30 p.m.

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

Chief Clerk E. Dotson Wilson at the Desk. Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Washington moved a quorum call of the Assembly.

Motion carried. Time, 1:31 p.m.

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

CAUCUS ANNOUNCEMENTS

At 1:47 p.m., 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.

QUORUM PRESENT

At 2:34 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—78:

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

PRAYER

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Assembly Member Lynne C. Leach, of the 15th Assembly District:

Heavenly Father, We ask Your blessing on all assembled here today and on the work with Your help and guidance we will do for the good and welfare of others. Give to all public servants eyes to behold Your truth, a seeing sense to know what is right, the courage to do what is right and the genuine concern for the good of others. In Your goodness and love grant these blessings . . . and may You bless our nation, our state, our counties, our neighborhoods and our homes through the service we render in Your strength and guidance.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Strom-Martin 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 Havice, seconded by Assembly Member Kuykendall.

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Margett. Because of illness: Assembly Member Bowen.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

July 21, 1997

Assembly Speaker Cruz Bustamante Attention: Maxine State Capitol, Room 219 Sacramento, California

Dear Mr. Speaker: I request permission to be excused from Monday's (7-21-97) Session as I will be on legislative business. I will be returning Tuesday morning.

Thank you for your attention to this matter.

Warmest Regards,

BOB MARGETT, Assembly Member Fifty-ninth District

COMMUNICATIONS

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

July 17, 1997

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

Dear Mr. Wilson: Please be advised, effective July 17, 1997, I have terminated the appointment of Mr. Thomas Berryhill on the Governor's Advisory Selection Committee on Regents.

Sincerely,

CRUZ M. BUSTAMANTE Speaker of the Assembly

July 21, 1997

E. Dotson Wilson

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

Dear Dotson: This is to advise you that I am appointing Assemblymember Antonio Villaraigosa to the Select Committee on California-Mexico Affairs.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 21, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 470 Assembly Bill No. 1614 And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly Concurrent	
Resolution No.	Committee
69	Trans.
71	Rev. and Tax.
Assembly Joint	
Resolution No.	Committee
35	Rls.
House	
Resolution No.	Committee
38	Rls.

Senate			
Bill No.		Com	mittee
30		 Rev. &	Tax.
990		 G.O.	
1121		 Jud.	
Senate Co	oncurrent		
Resolut	tion No.	Com	mittee
51		 Rls.	

REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, July 21, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(9) as it relates to Senate Bill No. 30.

LOUIS CALDERA

Above request ordered transmitted to the Committee on Rules.

AUTHOR'S AMENDMENTS Committee on Judiciary

July 21, 1997

Mr. Speaker: The Chair of your Committee on Judiciary reports: Senate Bill No. 779

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

ESCUTIA, Chairwoman

SENATE BILL NO. 779—An act to amend Section 1218.5 of the Code of Civil Procedure, and to add Sections 293 and 294 to, and to add Part 2.5 (commencing with Section 3300) to Division 8 of, the Family Code, relating to family law.

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

REPORTS OF STANDING COMMITTEES Committee on Rules

July 21, 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. 30, 95, 119, 368, 406, 451, 564, 712, 779, 977, 990, 1081, 1102, 1121, 1179, and 1273.

DON PERATA, Chairman

REPORTS OF STANDING COMMITTEES Committee on Environmental Safety and Toxic Materials

ronmental Safety and Toxic Materials

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports: Senate Bill No. 1081

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

WAYNE, Chairman

Above bill ordered to second reading.

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Senate Bill No. 365

Senate Bill No. 445

Senate Bill No. 603

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

WAYNE, Chairman

Above bills ordered to second reading.

Committee on Public Safety

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Public Safety reports: Senate Bill No. 1116

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

HERTZBERG, Chairman

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Public Safety reports: Senate Bill No. 1346

Above bill ordered to second reading.

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

HERTZBERG, Chairman

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Public Safety reports: Senate Bill No. 151

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

HERTZBERG, Chairman

Above bill ordered to second reading.

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. 653

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

ESCUTIA, Chairwoman Above bill ordered to second reading.

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Judiciary reports: Senate Bill No. 544

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

ESCUTIA, Chairwoman

Above bill ordered to second reading.

Committee on Education

Assembly Journal

Date of Hearing: July 9, 1997

Mr. Speaker: Your Committee on Education reports: Senate Bill No. 974 Senate Bill No. 1031

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 Natural Resources

Date of Hearing: July 14, 1997

Mr. Speaker: Your Committee on Natural Resources reports: Senate Bill No. 230 Senate Bill No. 1048 Senate Bill No. 318 Senate Bill No. 1306 Senate Bill No. 675 Senate Bill No. 1330 With amendments with the recommendation: Amend, do pass, as amended, and be

re-referred to the Committee on Appropriations.

Above bills ordered to second reading.

Committee on Health

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Health reports: Senate Bill No. 571 Senate Bill No. 1299

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

GALLEGOS, Chairman

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Health reports:

Above bills ordered to second reading.

Senate Bill No. 317	Senate Bill No. 1036
Senate Bill No. 402	Senate Bill No. 1099
Senate Bill No. 560	Senate Bill No. 1125
Senate Bill No. 586	Senate Bill No. 1257
Senate Bill No. 617	

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

GALLEGOS, Chairman

Above bills ordered to second reading.

Committee on Rules

Date of Hearing: July 21, 1997

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 51

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.

BOWEN, Chairwoman

Committee on Housing and Community Development

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Housing and Community Development reports: Senate Bill No. 487

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

TORLAKSON, Chairman

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, July 21, 1997

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

Assembly Bill No. 180	Assembly Bill No. 854
Assembly Bill No. 317	Assembly Bill No. 866
Assembly Bill No. 354	Assembly Bill No. 892
Assembly Bill No. 399	Assembly Bill No. 927
Assembly Bill No. 452	Assembly Bill No. 949
Assembly Bill No. 503	Assembly Bill No. 1196
Assembly Bill No. 620	Assembly Bill No. 1215
Assembly Bill No. 666	Assembly Bill No. 1300
Assembly Bill No. 676	Assembly Bill No. 1310
Assembly Bill No. 689	Assembly Bill No. 1565
Assembly Bill No. 820	-

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 21, 1997

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

Assembly Joint Resolution No. 7

Assembly Joint Resolution No. 22

Assembly Joint Resolution No. 28

And respectfully requests the Assembly to concur in said amendments.

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

Above resolutions ordered to unfinished business file.

Senate Chamber, July 21, 1997 Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 517 Assembly Bill No. 649 Assembly Bill No. 806

Assembly Bill No. 1598 Assembly Bill No. 1607

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

Above bills ordered enrolled.

Senate Chamber, July 21, 1997

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

Assembly Concurrent Resolution No. 59

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

Above resolution ordered enrolled.

July 21, 1997

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

Dear Dotson: By direction of the Senate I am returning Senate Bill 132 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT Secretary of the Senate

Above bill held at the Desk.

July 21, 1997

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

Dear Dotson: The Senate this day rescinded the action whereby it concurred in Assembly amendments to Senate Bill 67. The Senate then ordered the bill returned to the Assembly.

Sincerely,

GREGORY SCHMIDT Secretary of the Senate

Above bill held at the Desk.

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 John L. Watson, of Davis.

Assembly Member Migden was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joseph Barnes, Sr., of San Francisco.

Assembly Member Ashburn was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Maureen deBonnet, of Sunnyvale.

Assembly Member Ortiz was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cheryl Ann Fisher, of Sacramento.

ACTION RESCINDED ON SENATE BILL NO. 492

Assembly Member Alquist was granted unanimous consent to rescind the action whereby on July 17, 1997 (Assembly Journal, page 3254), the Report of the Committee on Televising the Assembly and Information Technology relative to Senate Bill No. 492, was received and read in the Assembly, and whereby author's amendments to the bill were read and adopted and whereby the bill was reprinted and re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Televising the Assembly and Information Technology

Date of Hearing: July 14, 1997

Mr. Speaker: Your Committee on Televising the Assembly and Information Technology reports:

Senate Bill No. 492

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

ALQUIST, Chairwoman

Above bill ordered to second reading.

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 Bills Nos. 1082, 1320, 466, 121, 1315, and 53, ordered to third reading;

Senate Bills Nos. 138 and 1284, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 73—An act to amend Sections 3045.1 and 3045.4 of the Civil Code, to amend Sections 998 and 2101 of the Code of Civil Procedure, to amend Sections 9104, 9403, 9404, 9405, 9406, and 9407 of, and to repeal Section 5114 of, the Commercial Code, to amend Section 721 of the Evidence Code, to amend Sections 12583 and 68616 of the Government Code, and to add Section 679.1 to the Insurance Code, relating to civil law.

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

SENATE BILL NO. 548—An act to add Section 1941.3 to the Civil Code, relating to civil law.

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

SENATE BILL NO. 682—An act to amend Section 827 of the Civil Code, relating to landlord-tenant.

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

SENATE CONCURRENT RESOLUTION NO. 42—Relative to implementing the Agreement on Mutual Cooperation.

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. 1196-An act relating to solid waste management.

Bill read second time; amendments proposed by the Committee on Natural Resources read and adopted, bill ordered reprinted and to be returned to the second reading file. **SENATE BILL NO. 320**—An act to amend Sections 8001, 53091, 65040.6, 65460.2, 65460.4, 66418.2, 66434, 66445, and 66452.5 of, and to amend and renumber Sections 66413.7 and 67575.9 of, the Government Code, to amend Sections 17921.7, 18901, 18922, 18923, 18944.31, 18959, 33331, 33492.4, 50517, and 51058 of, to amend and renumber Sections 33320.5 and 33320.7, to amend and renumber Article 7 (commencing with Section 33493.1 of Chapter 4.5 of Part 1 of Division 24, to add a heading to Article 1.5 (commencing with Section 33492.40) of Chapter 4.5 of Part 1 of Division 24 of, to repeal Sections 3320.6, 33334.18, 33492.114, 50054, 50150, 50154, 50663, 50667, 50837, 50900, 50900, 1, 50901, 50902, 50908, and 51052 of, to repeal Chapter 5.5 (commencing with Section 51260) and Chapter 9 (commencing with Section 51450) of Part 3 of Division 31 of, and to repeal Part 6.1 (commencing with Section 52534) of Division 31 of, the Health and Safety Code, relating to the Housing and Land Use Omnibus Act of 1997.

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

SENATE BILL NO. 357—An act to amend Section 12751 of, and to add Section 12751.2 to, the Public Utilities Code, relating to municipal utility districts.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce 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. 6—An act to amend Sections 62000.2 and 62002.5 of, and to repeal and add Article 3 (commencing with Section 52160) of Chapter 7 of Part 28 of, the Education Code, relating to bilingual 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. 1110—An act to amend Section 51201.5 of, and to add Sections 51554 and 51555 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. 408—An act to amend Section 84752 of the Education Code, to amend Sections 8543.2, 8545, and 14525.6 of, and to repeal Section 8544.1 of, the Government Code, to amend Sections 14105.42 and 19640.5 of the Welfare and Institutions Code, and to amend Section 13 of Chapter 1044 of the Statutes of 1990, relating to the State Auditor.

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. 8**—An act to add Sections 19815.5, 19815.8, and 19824, to, to repeal Sections 19445, 19809, 19816, 19822.1, 19823.1, 19941, and 19950.2 of, to repeal and add Sections 19810, 19811, 19812, 19813, 19814, 19817, 19820, 19821, 19822, 19823, 19841, 19842, 19846, 19847, 19848, 19850, 19851, 19853, 19853, 19854, 19856, 19857, 19858, 19858, 19860, 19862, 19863, 19864, 19871, 19872, 19882, 19883, 19910.5, 19911, 19912, 19913, 19915, 19918, 19920, 19921, 19933.5, 19942, 19959.5, and 19960.2 to, to repeal and add Article 3 (commencing with Section 19830) and Article 8 (commencing with Section 19900) of Chapter 5 of, and to repeal and add Chapter 5 (commencing with Section 19800) of, Division 8 of, the Business and Professions Code, to add Sections 1822.60 to the Code of Civil Procedure, to amend Sections 12012 and 15001 of, and to add Sections 15001.1 and 15001.2 to, the Government Code, and to amend Sections 186.9 and 14161 of, and to add, repeal, and add Section 337j to, the Penal Code, relating to gambling.

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 Elections, Reapportionment and Constitutional Amendments.

SENATE BILL NO. 80—An act to amend Section 4827 of the Business and Professions Code, relating to veterinary medicine.

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

SENATE BILL NO. 972—An act to repeal and add Section 19622.2 of the Business and Professions Code, to amend Section 3332 of, and to repeal Sections 3311, 3335, and 3336 of, the Food and Agricultural Code, and to amend Sections 11272, 12470, and 16310 of the Government Code, relating to the California Exposition and State Fair, and making an appropriation therefor.

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

SENATE BILL NO. 1198—An act to amend Sections 226, 55403, 55435.5, 55483, 55485, 55523, 55525, 55721, 55722, 55741, 55742, 55743, 55745, 55861, 56109, 56133.5, 56161, 56186, 56381, 56382, and 56571 of, to amend and renumber Sections 55751, 56252, and 56571 of, to add Sections 55462, 55484.75, 55485.5, 55485.75, 55524.75, 55525.75, 55722.5, 56183.5, 56185.5, 56185.75, 56186.5, 56186.75, 56382.5, 56701.5, and 56717 to, to repeal Sections 55486, 55487, 55749, 55749, 55520, 55527, 55528.5, 55729, 55529.5, 55745, 55745, 55746, 55747, 55748, 55749, 55750, 55861.7, 56187, 56188, 56191, 56191.5, 56192.5, 56446, 56447, 56448, 56449, 56450, 56452, and 56571.7 of, to repeal Article 13 (commencing with Section 55781) and Article 15 (commencing with Section 55781) of Chapter 6 of, and Article 14 (commencing with Section 56471) and Article 16 (commencing with Section 55631) of Chapter 7, 5f488, 55524, 55528, 56190, 56443, 56444, and 56445 of, the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

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

SENATE BILL NO. 1042—An act to amend Section 1021 of, and to add Section 1033.1 to, the Insurance Code, relating to insurance.

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

SENATE BILL NO. 253—An act to add Section 1278.5 to the Health and Safety Code, relating to health facilities.

Bill read second time; amendments proposed by the Committee on Health read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations. **SENATE BILL NO. 713**—An act to amend Sections 1743 and 1748 of, and to add Section 1746.1 to, the Business and Professions Code, relating to dentistry.

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

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, and 15675 of the Welfare and Institutions Code, relating to health.

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

SENATE BILL NO. 1009—An act to add Section 14087.301 to the Welfare and Institutions Code, relating to human services.

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

SENATE BILL NO. 1060—An act to add Article 2 (commencing with Section 104170) to Chapter 2 of Part 1 of Division 103 of the Health and Safety Code, relating to prostate cancer, 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 Appropriations.

 ${\bf SENATE}$ BILL NO. 1123—An act to add Sections 7721 and 8390 to the Fish and Game Code, relating to fishing.

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

SENATE BILL NO. 65—An act to amend Section 115915 of the Health and Safety Code, relating to public beaches.

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

SENATE BILL NO. 850—An act to add Section 6523.75 to the Government Code, relating to public health.

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

SENATE BILL NO. 908—An act to amend Section 25892.1 of the Public Utilities Code, relating to transportation.

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

SENATE BILL NO. 973—An act relating to school facilities.

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. **SENATE BILL NO. 883**—An act to amend Section 4106 of the Food and Agricultural Code, to amend Sections 23010, 25332, 25843, 26220, 50274, and 56706 of, to amend and renumber Section 25526.6 of, and to repeal Chapter 3.5 (commencing with Section 55530) of Part 2 of Division 2 of Title 5 of, the Government Code to amend Sections 32, 150, and 153 of, and to add Sections 156 and 157 to, the Fairfield-Suisun Sewer District Act (Chapter 303 of the Statutes of 1951), to amend Sections 3 and 6 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952, First Extraordinary Session), and to amend Section 201 of the Colusa Basin Drainage District Act (Chapter 1399 of the Statutes of 1987), relating to the Local Government Omnibus Act of 1997.

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. 1238—An act to amend Section 368 of the Penal Code, relating to crime.

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

SENATE BILL NO. 196—An act to amend Section 599aa of the Penal Code, relating to animal abuse.

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

UNFINISHED BUSINESS CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1372 (Morrow)—An act to amend Section 273 of the Code of Civil Procedure, relating to courts.

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

		AILS-70	
Ackerman	Ducheny	Lempert	Pringle
Aguiar	Escutia	Leonard	Richter
Alby	Figueroa	Machado	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
Baugh	Havice	Murray	Thomson
Bordonaro	Hertzberg	Napolitano	Torlakson
Bowler	Honda	Olberg	Villaraigosa
Brewer	House	Oller	Vincent
Brown	Kaloogian	Ortiz	Washington
Campbell	Keeley	Pacheco	Wayne
Cardenas	Knox	Papan	Wildman
Cardoza	Kuehl	Perata	Woods
Cunneen	Kuykendall	Poochigian	Wright
Davis	Leach	Prenter	Mr. Speaker

NOES-2

Caldera Martinez Above bill ordered enrolled. **ASSEMBLY BILL NO. 197 (Thomson)**—An act to add Section 8880.335 to the Government Code, relating to the California State Lottery, and declaring the urgency thereof, to take effect immediately.

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:

AVES_59

AILS-39			
Ackerman	Cardoza	Leach	Pringle
Aguiar	Cunneen	Machado	Runner
Alby	Davis	Martinez	Shelley
Alquist	Ducheny	Mazzoni	Strom-Martin
Aroner	Figueroa	Migden	Sweeney
Ashburn	Firestone	Miller	Takasugi
Baca	Floyd	Morrissey	Thomson
Baldwin	Frusetta	Morrow	Torlakson
Battin	Gallegos	Murray	Vincent
Baugh	Granlund	Napolitano	Washington
Bordonaro	Hertzberg	Oller	Wayne
Brewer	Honda	Ortiz	Wildman
Brown	Keeley	Papan	Wright
Campbell	Knox	Perata	Mr. Speaker
Cardenas	Kuykendall	Poochigian	*
		NOES-13	
Bowler	Kaloogian	Prenter	Woods
Caldera	Leonard	Scott	

Thompson Villaraigosa

Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 197: Assembly Member Villaraigosa, from "Aye" to "No".

Above bill ordered enrolled.

McClintock

Pacheco

Escutia

Havice

ASSEMBLY JOINT RESOLUTION NO. 21 (Migden)—Relative to spent nuclear fuel.

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-58				
Aguiar Alby Alquist Aroner Ashburn Baca Bordonaro Bowler Brown Campbell Cardenas Cardoza Cunneen Davis Ducheny	Escutia Figueroa Floyd Frusetta Gallegos Havice Hertzberg Honda Keeley Knox Kuehl Kuykendall Leach Lempert Leonard	Machado Martinez Mazzoni Migden Morrissey Murray Napolitano Ortiz Pacheco Papan Perata Poochigian Richter Runner Scott	Shelley Strom-Martin Sweeney Takasugi Thomson Torlakson Villaraigosa Vincent Washington Wayne Wildman Wright Mr. Speaker	
NOES—12				
Ackerman Baldwin Baugh	Brewer Granlund Kaloogian Vote (McClintock Morrow Olberg Changes	Oller Pringle Thompson	

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Joint Resolution No. 21: Assembly Member Bowler, from "No" to "Aye".

Above resolution ordered enrolled.

CONSIDERATION OF SENATE BILL NO. 443 BY UNANIMOUS CONSENT

Assembly Member Goldsmith was granted unanimous consent to take up Senate Bill No. 443, out of order.

SENATE BILL NO. 443 (Burton)—An act to amend Section 1524 of, and to add Section 637.7 to, the Penal Code, relating to criminal procedure.

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

Bill passed by the following vote:

AYES—60			
Aguiar	Davis	Kuykendall	Papan
Alby	Ducheny	Leonard	Perata
Aroner	Escutia	Machado	Poochigian
Ashburn	Figueroa	Martinez	Prenter
Baca	Floyd	Mazzoni	Pringle
Baldwin	Frusetta	McClintock	Runner
Baugh	Goldsmith	Migden	Shelley
Bordonaro	Granlund	Miller	Strom-Martin
Bowler	Hertzberg	Morrissey	Thomson
Brewer	Honda	Morrow	Torlakson
Brown	House	Murray	Villaraigosa
Campbell	Kaloogian	Napolitano	Vincent
Cardenas	Keeley	Olberg	Washington
Cardoza	Knox	Oller	Wildman
Cunneen	Kuehl	Ortiz	Mr. Speaker
NOES—16			
Ackerman	Gallegos	Pacheco	Takasugi
Alquist	Havice	Richter	Thompson
Battin	Leach	Scott	Wayne
Caldera	Lempert	Sweeney	Woods

Bill ordered transmitted to the Senate.

BILL RETURNED TO SENATE

Without objection, Assembly Member Baugh returned Assembly Bill No. 1300 to the Senate for further action.

ACTION RESCINDED ON SENATE BILL NO. 389

Assembly Member Prenter was granted unanimous consent to rescind the action whereby the Assembly, on June 19, 1997 (Assembly Journal, page 2788), passed Senate Bill No. 389, and whereby the bill was ordered transmitted to the Senate.

Consideration of Senate Bill No. 389, by Unanimous Consent

Assembly Member Prenter was granted unanimous consent to take up Senate Bill No. 389, without reference to file, for purpose of amendment.

SENATE BILL NO. 389 (Monteith)—An act to add Section 425.9 to the Government Code, relating to the official state soil.

Bill read third time.

Motion to Amend

Assembly Member Prenter moved the adoption of amendments.

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

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Ducheny announced her intention to request that Senate Bill No. 106 be removed from the inactive file.

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

ASSEMBLY BILL NO. 637 (Alby)—An act to amend Section 56133 of the Government Code, and to amend Section 12819 of the Public Utilities Code, relating to municipal utility districts.

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:

AVEC 70

AYES—76			
Ackerman	Ducheny	Lempert	Pringle
Aguiar	Escutia	Leonard	Richter
Alby	Figueroa	Machado	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	Migden	Strom-Martin
Baca	Gallegos	Miller	Sweeney
Baldwin	Goldsmith	Morrissey	Takasugi
Battin	Granlund	Morrow	Thompson
Baugh	Havice	Murray	Thomson
Bordonaro	Hertzberg	Napolitano	Torlakson
Bowler	Honda	Olberg	Villaraigosa
Brewer	House	Oller	Vincent
Brown	Kaloogian	Ortiz	Washington
Campbell	Keeley	Pacheco	Wayne
Cardenas	Knox	Papan	Wildman
Cardoza	Kuehl	Perata	Woods
Cunneen	Kuykendall	Poochigian	Wright
Davis	Leach	Prenter	Mr. Speaker

NOES-1

McClintock

Above bill ordered enrolled.

ASSEMBLY BILL NO. 78 (Granlund)—An act to amend Sections 12020, 12021, 12026.2, 12092, 12094, 12201, 12316, and 12322 of the Penal Code, relating to firearms.

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:

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

AYES-76

NOES-1

Caldera

Above bill ordered enrolled.

ASSEMBLY BILL NO. 143 (Cunneen)—An act to amend Section 496 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-75

NOES-None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 303 (Runner)—An act to add and repeal Article 3.5 (commencing with Section 23345) of Chapter 3 of Division 1 of Title 3 of the Government Code, relating to local governmental agencies.

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-67

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

NOES-3

Wright

Above bill ordered enrolled.

Martinez

ASSEMBLY BILL NO. 334 (Wildman)—An act to amend Section 30055 of the Government Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

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

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

Caldera

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

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

AYES-76

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 339 (Takasugi)—An act to amend Section 30055 of the Government Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

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

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES-76

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

NOES—None

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

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

AYES-76

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 655 (Cunneen)—An act to add Section 41209 to the Education Code, relating to education.

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	Figueroa	Machado	Runner
Aguiar	Firestone	Martinez	Scott
Alby	Floyd	Mazzoni	Shelley
Alquist	Frusetta	Migden	Strom-Martin
Aroner	Gallegos	Miller	Sweeney
Ashburn	Goldsmith	Morrissey	Takasugi
Baca	Granlund	Morrow	Thompson
Baldwin	Havice	Murray	Thompson
Battin	Hertzberg	Napolitano	Torlakson
Bordonaro	Honda	Olberg	Villaraigosa
Bowler	House	Oller	Vincent
Brewer	Kaloogian	Ortiz	Washington
Brown	Keeley	Pacheco	Wayne
Campbell	Knox	Papan	Wildman
Bordonaro	Honda	Olberg	Villaraigosa
Bowler	House	Oller	Vincent
Brewer	Kaloogian	Ortiz	Washington
Brown	Keeley	Pacheco	Wayne

NOES-1

McClintock

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1025 (Torlakson)—An act to add Section 1363.6 to the Civil Code, relating to common interest developments.

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-68

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

NOES—None

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1363 (Machado)—An act to add and repeal Section 1295.5 of the Labor Code, relating to employment, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES-70

Ackerman	Ducheny	Mazzoni	Runner
Aguiar	Escutia	McClintock	Scott
Alby	Figueroa	Migden	Strom-Martin
Aroner	Firestone	Miller	Sweeney
Ashburn	Frusetta	Morrissey	Takasugi
Baca	Goldsmith	Morrow	Thompson
Baldwin	Granlund	Murray	Thomson
Battin	Hertzberg	Napolitano	Torlakson
Baugh	Honda	Olberg	Villaraigosa
Bordonaro	House	Oller	Vincent
Bowler	Kaloogian	Ortiz	Washington
Brewer	Keeley	Pacheco	Wayne
Brown	Kuehl	Papan	Wildman
Campbell	Kuykendall	Perata	Woods
Cardenas	Leach	Poochigian	Wright
Cardoza	Lempert	Prenter	Mr. Speaker
Cunneen	Leonard	Pringle	*
Davis	Machado	Richter	
		NOES-5	

The question being on the passage of the bill.

Bill passed by the following vote:

		AYES-70	
Ackerman	Ducheny	Mazzoni	Runner
Aguiar	Escutia	McClintock	Scott
Alby	Figueroa	Migden	Strom-Martin
Aroner	Firestone	Miller	Sweeney
Ashburn	Frusetta	Morrissey	Takasugi
Baca	Goldsmith	Morrow	Thompson
Baldwin	Granlund	Murray	Thomson
Battin	Hertzberg	Napolitano	Torlakson
Baugh	Honda	Olberg	Villaraigosa
Bordonaro	House	Oller	Vincent
Bowler	Kaloogian	Ortiz	Washington
Brewer	Keeley	Pacheco	Wayne
Brown	Kuehl	Papan	Wildman
Campbell	Kuykendall	Perata	Woods
Cardenas	Leach	Poochigian	Wright
Cardoza	Lempert	Prenter	Mr. Speaker
Cunneen	Leonard	Pringle	-
Davis	Machado	Richter	
		NOES-5	

Floyd	Knox	Shelley
Havice	Martinez	-

Bill ordered transmitted to the Senate.

CONSIDERATION OF SENATE BILL NO. 294 BY UNANIMOUS CONSENT

Assembly Member Thompson was granted unanimous consent to take up Senate Bill No. 294, out of order.

SENATE BILL NO. 294 (Monteith)—An act to amend Section 66493 of the Government Code, relating to land use.

Bill read third time.

Motion to Amend

Assembly Member Thompson 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. 259 BY UNANIMOUS CONSENT

Assembly Member Thompson was granted unanimous consent to take up Senate Bill No. 259, out of order.

SENATE BILL NO. 259 (Haynes)—An act to amend Sections 18040, 18550, 18551, 18551, 18555, and 18611 of the Health and Safety Code, relating to mobilehome parks.

Bill read third time.

Motion to Amend

Assembly Member Thompson 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. 292 BY UNANIMOUS CONSENT

Assembly Member Ducheny was granted unanimous consent to take up Senate Bill No. 292, out of order.

SENATE BILL NO. 292 (Committee on Appropriations)—An act making an appropriation for the payment of claims against the State of California, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES-64

Ackerman	Davis	Leonard	Richter
Aguiar	Ducheny	Machado	Runner
Alby	Figueroa	Martinez	Scott
Alquist	Frusetta	Mazzoni	Shelley
Aroner	Gallegos	Migden	Strom-Martin
Ashburn	Goldsmith	Miller	Sweeney
Baca	Granlund	Morrissey	Takasugi
Battin	Havice	Murray	Thomson
Bordonaro	Hertzberg	Napolitano	Torlakson
Bowler	Honda	Ortiz	Villaraigosa
Brewer	Keeley	Pacheco	Vincent
Brown	Knox	Papan	Washington
Campbell	Kuehl	Perata	Wayne
Cardenas	Kuykendall	Poochigian	Wildman
Cardoza	Leach	Prenter	Wright
Cunneen	Lempert	Pringle	Mr. Speaker
	NO	ES—6	

Baugh	Kaloogian	Oller
House	McClintock	Thompson

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

AYES-64

Ackerman	Davis	Leonard	Richter	
Aguiar	Ducheny	Machado	Runner	
Alby	Figueroa	Martinez	Scott	
Alquist	Frusetta	Mazzoni	Shelley	
Aroner	Gallegos	Migden	Strom-Martin	
Ashburn	Goldsmith	Miller	Sweeney	
Baca	Granlund	Morrissey	Takasugi	
Battin	Havice	Murray	Thomson	
Bordonaro	Hertzberg	Napolitano	Torlakson	
Bowler	Honda	Ortiz	Villaraigosa	
Brewer	Keeley	Pacheco	Vincent	
Brown	Knox	Papan	Washington	
Campbell	Kuehl	Perata	Wayne	
Cardenas	Kuykendall	Poochigian	Wildman	
Cardoza	Leach	Prenter	Wright	
Cunneen	Lempert	Pringle	Mr. Speaker	
	NOES-6			

BaughKaloogianOllerHouseMcClintockThompson

CONSIDERATION OF SENATE BILL NO. 238 BY UNANIMOUS CONSENT

Assembly Member Leach was granted unanimous consent to take up Senate Bill No. 238, out of order.

SENATE BILL NO. 238 (Haynes)—An act to amend Section 903 of the Welfare and Institutions Code, relating to juveniles, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Leach 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. 124 BY UNANIMOUS CONSENT

Assembly Member Frusetta was granted unanimous consent to take up Senate Bill No. 124, out of order.

SENATE BILL NO. 124 (Karnette)—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 third time.

Motion to Amend

Assembly Member Frusetta moved the adoption of amendments.

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

SENATE BILL NO. 47 (Kopp)—An act to amend Sections 14076 and 14076.2 of the Government Code, and 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, and presented by Assembly Member Thomson.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES-59

Ackerman	Ducheny	Lempert	Prenter	
Aguiar	Figueroa	Leonard	Shelley	
Alby	Firestone	Machado	Strom-Martin	
Alquist	Frusetta	Martinez	Sweeney	
Aroner	Gallegos	Mazzoni	Takasugi	
Ashburn	Goldsmith	Migden	Thomson	
Baca	Granlund	Miller	Torlakson	
Bordonaro	Hertzberg	Morrissey	Villaraigosa	
Bowler	Honda	Murray	Vincent	
Brown	House	Napolitano	Washington	
Campbell	Keeley	Ortiz	Wayne	
Cardenas	Knox	Pacheco	Wildman	
Cardoza	Kuehl	Papan	Wright	
Cunneen	Kuykendall	Perata	Mr. Speaker	
Davis	Leach	Poochigian	-	
NOES—12				
Baldwin	Brewer	McClintock	Pringle	
Battin	Havice	Morrow	Thompson	
Baugh	Kaloogian	Oller	Woods	

The question being on the passage of the bill.

Bill passed by the following vote:

AYES-59				
Ackerman	Ducheny	Lempert	Prenter	
Aguiar	Figueroa	Leonard	Shelley	
Alby	Firestone	Machado	Strom-Martin	
Alquist	Frusetta	Martinez	Sweeney	
Aroner	Gallegos	Mazzoni	Takasugi	
Ashburn	Goldsmith	Migden	Thomson	
Baca	Granlund	Miller	Torlakson	
Bordonaro	Hertzberg	Morrissey	Villaraigosa	
Bowler	Honda	Murray	Vincent	
Brown	House	Napolitano	Washington	
Campbell	Keeley	Ortiz	Wayne	
Cardenas	Knox	Pacheco	Wildman	
Cardoza	Kuehl	Papan	Wright	
Cunneen	Kuykendall	Perata	Mr. Speaker	
Davis	Leach	Poochigian		
	NOES—12			
Baldwin	Brewer	McClintock	Pringle	

Baldwin	Brewer	MCClintock	Pringle
Battin	Havice	Morrow	Thompson
Baugh	Kaloogian	Oller	Woods

Vote Changes

By unanimous consent, the following vote change was permitted on the urgency clause to Senate Bill No. 47, and on passage of the bill: Assembly Member Scott, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate.

CONSIDERATION OF SENATE BILL NO. 97 BY UNANIMOUS CONSENT

Assembly Member Alby was granted unanimous consent to take up Senate Bill No. 97, out of order.

SENATE BILL NO. 97 (Alpert)—An act to amend Section 1377 of the Penal Code, relating to criminal procedure.

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

Bill passed by the following vote:

AYES-74

Ackerman	Escutia	Machado	Runner
Aguiar	Figueroa	Martinez	Scott
Alby	Firestone	Mazzoni	Shelley
Alquist	Frusetta	McClintock	Strom-Martin
Aroner	Gallegos	Migden	Sweeney
Ashburn	Goldsmith	Miller	Takasugi
Baca	Granlund	Morrissey	Thompson
Baldwin	Havice	Morrow	Thomson
Battin	Hertzberg	Murray	Torlakson
Baugh	Honda	Napolitano	Villaraigosa
Bordonaro	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—None

CONSIDERATION OF SENATE BILL NO. 1227 BY UNANIMOUS CONSENT

Assembly Member Villaraigosa was granted unanimous consent to take up Senate Bill No. 1227, out of order.

SENATE BILL NO. 1227 (O'Connell)—An act relating to school facilities.

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, 3:55 p.m.

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

CONSIDERATION OF SENATE BILL NO. 183 BY UNANIMOUS CONSENT

Assembly Member Strom-Martin was granted unanimous consent to take up Senate Bill No. 183, out of order.

SENATE BILL NO. 183 (Thompson)—An act to amend Sections 7380 and 7381 of the Fish and Game Code, relating to fish, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Strom-Martin.

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Strom-Martin moved a call of the Assembly.

Motion carried. Time, 3:58 p.m.

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

CONSIDERATION OF SENATE BILL NO. 13 BY UNANIMOUS CONSENT

Assembly Member Thomson was granted unanimous consent to take up Senate Bill No. 13, out of order.

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

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

Bill passed by the following vote:

AYES-73 Ackerman Martinez Scott Ducheny Aguiar Figueroa Mazzoni Shellev Albv Firestone McClintock Strom-Martin Migden Alguist Frusetta Sweeney Gallegos Miller Aroner Takasugi Ashburn Goldsmith Morrissey Thompson Baca Granlund Morrow Thomson Baldwin Havice Murrav Torlakson Battin Napolitano Villaraigosa Hertzberg Baugh Honda Olberg Vincent Bordonaro House Oller Washington Bowler Kaloogian Ortiz Wavne Wildman Brewer Knox Pacheco Kuehl Woods Brown Papan Campbell Kuykendall Perata Wright Cardenas Leach Poochigian Mr. Speaker Cardoza Lempert Prenter Cunneen Leonard Pringle Davis Machado Richter

NOES—None

CONSIDERATION OF SENATE BILL NO. 1277 BY UNANIMOUS CONSENT

Assembly Member Cunneen was granted unanimous consent to take up Senate Bill No. 1277, out of order.

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

Bill read third time.

Motion to Amend

Assembly Member Cunneen moved the adoption of amendments.

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

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 27 BY UNANIMOUS CONSENT

Assembly Member Ashburn was granted unanimous consent to take up Senate Concurrent Resolution No. 27, out of order.

SENATE CONCURRENT RESOLUTION NO. 27 (Kopp)—Relative to residential facilities.

Resolution read.

Motion to Amend

Assembly Member Ashburn 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. 123 BY UNANIMOUS CONSENT

Assembly Member Wayne was granted unanimous consent to take up Senate Bill No. 123, out of order.

SENATE BILL NO. 123 (Peace)—An act to amend Sections 817, 861, and 1538.5 of the Penal Code, relating to criminal procedure.

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

	AYE	S—72	
Ackerman	Ducheny	Lempert	Prenter
Aguiar	Escutia	Leonard	Pringle
Alby	Figueroa	Machado	Richter
Alquist	Firestone	Martinez	Runner
Asĥburn	Frusetta	Mazzoni	Scott
Baca	Gallegos	McClintock	Shelley
Baldwin	Goldsmith	Miller	Sweeney
Battin	Granlund	Morrissey	Takasugi
Baugh	Havice	Morrow	Thompson
Bordonaro	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	Mr. Speaker

NOES-2

Migden

Wright

CONSIDERATION OF SENATE BILL NO. 421 BY UNANIMOUS CONSENT

Assembly Member Brewer was granted unanimous consent to take up Senate Bill No. 421, out of order.

SENATE BILL NO. 421 (Johnson)—An act to add Sections 42238.21 and 84753 to the Education Code, relating to education, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES-66

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

NOES-2

Kaloogian

McClintock

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

AYES-66

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

NOES-2

Kaloogian

McClintock

CONSIDERATION OF SENATE BILL NO. 375 BY UNANIMOUS CONSENT

Assembly Member House was granted unanimous consent to take up Senate Bill No. 375, out of order.

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

Bill read third time.

Motion to Amend by Assembly Member Goldsmith

Assembly Member Goldsmith moved the adoption of amendments.

Amendments read.

Motion to Table Goldsmith Amendments to Senate Bill No. 375

AVES_26

Assembly Member Villaraigosa moved that the amendments offered by Assembly Member Goldsmith to Senate Bill No. 375 be laid upon the table.

Assembly Member Shelley seconded the motion. Motion carried by the following vote:

		A1E3-30	
Alquist	Gallegos	Migden	Thompson
Aroner	Hertzberg	Murray	Thomson
Baca	Honda	Napolitano	Torlakson
Brown	Keeley	Ortiz	Villaraigosa
Davis	Knox	Papan	Vincent
Ducheny	Kuehl	Perata	Washington
Escutia	Lempert	Shelley	Wildman
Figueroa	Martinez	Strom-Martin	Wright
Floyd	Marzoni	Sweeney	Mr. Speaker
Ackerman	Brewer	NOES—35	Pacheco
Aguiar	Campbell	Kuykendall	Poochigian
Alby	Cunneen	Leach	Prenter
Ashburn	Firestone	Leonard	Pringle
Baldwin	Frusetta	McClintock	Richter
Battin	Goldsmith	Miller	Runner
Baugh	Granlund	Morrissey	Takasugi
Bordonaro	Havice	Morrow	Woods
Bowler	Kaloogian	Olberg Oller	woods

COMMUNICATIONS

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

July 22, 1997

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

Dear Mr. Wilson: During floor session on July 21, 1997, I inadvertently cast an "aye" vote for the motion to lay Assemblyman Goldsmith's amendments to SB 375 (Sher) on the table. By changing my vote I would be altering the outcome of the motion, which is prohibited under rule 106. My intentions were to support the amendments that would have statutorily recognized Prop 13's vote requirement to raise taxes.

Sincerely,

BRUCE THOMPSON, Assembly Member Sixty-sixth District

Further Consideration of Senate Bill No. 375

Bill presented by Assembly Member House.

Bill passed by the following vote:

AYES-59

AIES—39			
Aguiar	Davis	Lempert	Runner
Alby	Ducheny	Leonard	Scott
Alquist	Escutia	Machado	Shelley
Aroner	Figueroa	Martinez	Strom-Martin
Ashburn	Firestone	Mazzoni	Sweeney
Baca	Frusetta	McClintock	Takasugi
Baldwin	Goldsmith	Morrissey	Thomson
Battin	Hertzberg	Murray	Torlakson
Baugh	Honda	Napolitano	Villaraigosa
Bordonaro	House	Ortiz	Vincent
Bowler	Kaloogian	Pacheco	Wayne
Brown	Keeley	Papan	Wildman
Campbell	Knox	Perata	Woods
Cardoza	Kuehl	Poochigian	Mr. Speaker
Cunneen	Kuykendall	Richter	
NOES—9			
Ackerman	Miller	Prenter	
Havice	Morrow	Pringle	
Leach	Oller	Thompson	

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 375: Assembly Member Oller, from "Aye" to "No"; Assembly Member Morrissey, from "No" to "Aye".

CONSIDERATION OF SENATE BILL NO. 112 BY UNANIMOUS CONSENT

Assembly Member Migden was granted unanimous consent to take up Senate Bill No. 112, out of order.

SENATE BILL NO. 112 (Kopp)—An act to amend Sections 9250.7 and 22710 of the Vehicle Code, relating to vehicles, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES-76

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

NOES-None

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

AYES-76

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

NOES-None

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1227

At 4:13 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. 1227 passed by the following vote:

AYES-41

Alquist Aroner Baca Brown Cardenas Cardoza Davis Ducheny Escutia Figueroa Floyd	Gallegos Havice Hertzberg Honda Keeley Knox Kuehl Lempert Machado Martinez Mazzoni	Migden Murray Napolitano Ortiz Papan Perata Scott Shelley Strom-Martin Sweeney Thomson	Torlakson Villaraigosa Vincent Washington Wayne Wildman Wright Mr. Speaker
	NOI	ES—30	
Ackerman Aguiar Alby Ashburn Baldwin Battin Baugh Bowler	Brewer Campbell Cunneen Firestone Goldsmith Granlund Kaloogian Leonard	McClintock Miller Morrissey Morrow Oller Pacheco Poochigian Prenter	Pringle Richter Runner Takasugi Thompson Woods

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 183

AVES 50

At 4:14 p.m., on motion of Assembly Member Strom-Martin, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 183 adopted by the following vote:

AYES—38			
Ackerman	Figueroa	Machado	Scott
Aguiar	Firestone	Martinez	Shelley
Alquist	Floyd	Mazzoni	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Baca	Gallegos	Morrissey	Thomson
Bordonaro	Goldsmith	Morrow	Torlakson
Brown	Havice	Murray	Villaraigosa
Caldera	Hertzberg	Napolitano	Vincent
Campbell	Honda	Oller	Washington
Cardenas	Keeley	Ortiz	Wayne
Cardoza	Knox	Pacheco	Wildman
Cunneen	Kuehl	Papan	Wright
Davis	Kuykendall	Perata	Mr. Speaker
Ducheny	Leach	Prenter	-
Escutia	Lempert	Richter	
NOES—16			
Alby	Bowler	Kaloogian	Pringle
Baldwin	Brewer	Leonard	Runner
Battin	Granlund	McClintock	Takasugi
Baugh	House	Miller	Thompson

The question being on the passage of the bill.

AVEC FO

Bill passed by the following vote:

		AYES-58	
Ackerman	Figueroa	Machado	Scott
Aguiar	Firestone	Martinez	Shelley
Alquist	Floyd	Mazzoni	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Baca	Gallegos	Morrissey	Thomson
Bordonaro	Goldsmith	Morrow	Torlakson
Brown	Havice	Murray	Villaraigosa
Caldera	Hertzberg	Napolitano	Vincent
Campbell	Honda	Oller	Washington
Cardenas	Keeley	Ortiz	Wayne
Cardoza	Knox	Pacheco	Wildman
Cunneen	Kuehl	Papan	Wright
Davis	Kuykendall	Perata	Mr. Speaker
Ducheny	Leach	Prenter	-
Escutia	Lempert	Richter	
		NOES-16	

Alby	Bowler	Kaloogian	Pringle
Baldwin	Brewer	Leonard	Runner
Battin	Granlund	McClintock	Takasugi
Baugh	House	Miller	Thompson

Vote Changes

By unanimous consent, the following vote change was permitted on the urgency clause to Senate Bill No. 183, and on passage of the bill: Assembly Member Oller, from "No" to "Aye".

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

Resolution to Suspend Joint Rules

By Assembly Member Escutia:

Resolved, That Joint Rule 61(a)(9) be suspended to permit the Committee on Judiciary to meet, consider, and report Senate Bills Nos. 95, 119, 564, 779, 977, 1081, and 1121 for further action.

Resolution read, and adopted by the following vote:

AYES—76			
Ackerman	Escutia	Leonard	Pringle
Aguiar	Figueroa	Machado	Richter
Alby	Firestone	Martinez	Runner
Alquist	Floyd	Mazzoni	Scott
Aroner	Frusetta	McClintock	Shelley
Ashburn	Gallegos	Migden	Strom-Martin
Baca	Goldsmith	Miller	Sweeney
Baldwin	Granlund	Morrissey	Takasugi
Battin	Havice	Morrow	Thompson
Baugh	Hertzberg	Murray	Thomson
Bordonaro	Honda	Napolitano	Torlakson
Bowler	House	Olberg	Villaraigosa
Brewer	Kaloogian	Oller	Vincent
Brown	Keeley	Ortiz	Washington
Campbell	Knox	Pacheco	Wayne
Cardoza	Kuehl	Papan	Wildman
Cunneen	Kuykendall	Perata	Woods
Davis	Leach	Poochigian	Wright
Ducheny	Lempert	Prenter	Mr. Speaker

NOES-None

BILLS REMOVED FROM CONSENT CALENDAR

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

Senate Bill No. 477, on request of Assembly Member Martinez;

Senate Bill No. 605, on request of Assembly Member Poochigian.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar-Senate Bills

SENATE BILL NO. 170 (Lewis)—An act to repeal and add Chapter 3 (commencing with Section 17750) of Part 3 of Division 7 of the Business and Professions Code, relating to business.

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. 104 (Craven)—An act to amend Section 987.65 of the Military and Veterans Code, relating to veterans.

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. 171 (Knight)—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 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. 192 (Peace)—An act to add Section 9561.5 to the Vehicle Code, relating to vehicles.

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. 310 (Costa)—An act to amend Section 12657 of, and to add Section 12661.5 to, the Water Code, relating to water.

Bill read third time, passed, and ordered transmitted to the Senate.

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

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

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. 563 (Brulte)—An act to amend Section 4856 of the Labor Code, relating to workers' compensation.

Bill read third time, passed, and ordered transmitted to the Senate.

(For the vote on the above bill, see this day's Consent Calendar roll call.) **SENATE BILL NO. 573 (Johnson)**—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 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. 574 (Knight)—An act to amend Sections 980 and 987.56 of the Military and Veterans Code, relating to veterans.

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. 608 (Johannessen)—An act to amend Section 972.1 of the Military and Veterans Code, relating to veterans.

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. 618 (Watson)—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 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. 690 (Polanco)—An act to amend Sections 3050 and 3066 of the Vehicle Code, relating to vehicles.

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. 785 (Johnson)—An act to amend Sections 987.87 and 988.2 of the Military and Veterans Code, relating to veterans.

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. 789 (Sher)—An act to amend Section 409 of the Streets and Highways Code, relating to highways.

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. 815 (Leslie)—An act to amend Section 66801 of the Government Code, relating to the Tahoe Regional Planning Compact.

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. 846 (Mountjoy)—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 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. 849 (Keeley)**—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 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. 949 (Schiff)—An act to add Section 3205.5 to the Government Code, relating to public officials and candidates.

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. 1118 (Monteith)—An act to add Section 14074.8 to the Government Code, relating to transportation.

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. 1137 (Kopp)—An act to amend Sections 10113.1 and 10113.2 of the Insurance Code, relating to insurance.

Bill read third time, passed, and ordered transmitted to the Senate.

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

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

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. 1352 (Johannessen)—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 third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

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

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

Bill read third time, passed, and ordered transmitted to the Senate.

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

SENATE BILL NO. 871 (Committee on Public Safety)—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 third time, passed, and ordered transmitted to the Senate.

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

Consent Calendar Roll Call

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

AYES-77

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

NOES-None

PARLIAMENTARY INQUIRY

Assembly Member Leonard arose to the following parliamentary inquiry:

How can Senate Bill No. 477, which was removed from the Consent Calendar earlier this day, be taken up for consideration?

Reply by Speaker pro Tempore Kuehl

The Speaker pro Tempore replied that when a measure is removed from the Consent Calendar it is not eligible for consideration until the next legislative day.

Parliamentary Inquiry

Assembly Member Leonard arose to the following parliamentary inquiry:

When will Senate Bill No. 477 be eligible for consideration?

Reply by Speaker pro Tempore Kuehl

The Speaker pro Tempore replied that in the absence of unanimous consent for a suspension of the Rules, Senate Bill No. 477 is eligible for consideration at the next Floor session which is scheduled for Thursday, July 24, 1997.

JOINT RULE 62(a) WAIVED

Assembly Member Morrow was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bills Nos. 95, 119, 564, 779, 1081, and 1121 for hearing in the Committee on Judiciary, on Wednesday, July 23, 1997.

RECESS

By unanimous consent, at 4:23 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

REASSEMBLED

At 4:30 p.m., the Assembly reconvened.

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

SESSION SCHEDULE AND OTHER ANNOUNCEMENTS

Speaker pro Tempore Kuehl announced the following session schedule:

Tuesday, July 22 and Wednesday, July 23, Check-in Session, 7a.m.-3 p.m.;

Thursday, July 24, Floor Session, time to be announced.

VOTE ADDS

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

Assembly Bill No. 1372, Concurrence: Alby, Escutia, Lempert, and Papan—Aye.

Assembly Bill No. 197, Concurrence: Alby and Papan—Aye; Escutia and Scott—No.

Assembly Joint Resolution No. 21, Concurrence: Aguiar, Alby, Escutia, Lempert, and Papan—Aye; Baugh—No.

Senate Bill No. 443: Escutia, Frusetta, and Martinez—Aye; Lempert, Scott, and Sweeney—No.

Assembly Bill No. 637, Concurrence: Cardenas, Escutia, Havice, and Lempert—Aye.

Assembly Bill No. 78, Concurrence: Alquist, Cardenas, Escutia, and Lempert—Aye.

Assembly Bill No. 143, Concurrence: Lempert and Richter—Aye. Assembly Bill No. 303, Concurrence: Cardenas, Knox, Lempert,

and Richter—Aye.

Assembly Bill No. 334, Concurrence: Brewer, Lempert, and Richter—Aye.

Assembly Bill No. 339, Urgency and Concurrence: Alquist, Lempert, and Richter—Aye.

Assembly Bill No. 655, Concurrence: Alquist, Lempert, and Richter—Aye.

Assembly Bill No. 1025, Concurrence: Alquist, Brewer, Lempert, and Richter—Aye.

Assembly Bill No. 1363 and Urgency: Aroner, Davis, Escutia, Lempert, and Richter—Aye; Shelley—No.

Senate Bill No. 292 and Urgency: Aguiar, Lempert, and Richter—Aye.

Senate Bill No. 47 and Urgency: Baugh-No.

Senate Bill No. 97: Escutia—Aye.

Senate Bill No. 13: Baldwin and Cardoza—Aye.

Senate Bill No. 123: Baugh and Murray—Aye.

Senate Bill No. 421 and Urgency: Baugh and Murray—Aye.

Senate Bill No. 375, Motion to Table Goldsmith Amendments: Havice—No.

Senate Bill No. 375: Prenter-No.

Senate Bill No. 1227: Prenter-No.

Senate Bill No. 183 and Urgency: Leach and Richter—Aye.

MOTION TO ADJOURN

At 4:30 p.m., Assembly Member Martinez moved that the Assembly do now adjourn.

Assembly Member Washington seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4:30 p.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 26—Torlakson and Scott (Principal coauthors: Cardoza, Thomson, Bowen, Keeley, Lempert, Strom-Martin, and Wayne). A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (c) of Section 8 of, and by amending Section 12 of, Article IV thereof, relating to the state budget.

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. 1410

Governor's Office, Sacramento July 21, 1997

To the Members of the California Assembly:

I am returning Assembly Bill No. 1410 without my signature.

This bill would extend to county boards of supervisors, in counties with a population of 500,000 or more, authority to require registration and inspection of fresh fruit and vegetable wholesalers.

Current law authorizes the Board of Supervisors in Los Angeles County to require registration of wholesalers of fresh fruit and vegetables and provides for a fee to be assessed for inspection activities at the county level. AB 1410 would double the maximum allowable fee and would decrease the county population criteria, resulting in any wholesale market in a county of more than 500,000 persons being subject to fees and inspections. In addition, this bill would eliminate all criteria as to what portion of the inspection costs can be charged in fees.

Sufficient justification is lacking as to the benefits realized from the imposition of new fees and enforcement activities which would be put into place as a result of the passage of this legislation.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 21st day of July 1997, at 4:30 p.m., of Assembly Bill No. 1410, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

> MELISSA SWART-WEIKEL Acting Chief Clerk

Assembly Bill No. 685

Assembly Bill No. 708

Assembly Bill No. 951

Assembly Bill No. 958

Assembly Bill No. 1167 Assembly Bill No. 1257

Assembly Bill No. 1258

Assembly Bill No. 1319

Assembly Bill No. 1354

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 21, 1997

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

Assembly Bill No. 47 Assembly Bill No. 133 Assembly Bill No. 240 Assembly Bill No. 259 Assembly Bill No. 311 Assembly Bill No. 364 Assembly Bill No. 464 Assembly Bill No. 683

And reports the same correctly enrolled, and presented to the Governor at 4 p.m., July 21, 1997.

E. DOTSON WILSON, Chief Clerk

AUTHOR'S AMENDMENTS Committee on Judiciary

July 21, 1997

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

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

ESCUTIA, Chairwoman

SENATE BILL NO. 564—An act to amend Sections 3021 and 6323 of the Family Code, relating to family law.

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

REPORTS OF STANDING COMMITTEES Committee on Local Government

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Local Government reports: Senate Bill No. 566

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 Water, Parks and Wildlife

Date of Hearing: July 1, 1997

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports: Senate Bill No. 463

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

MACHADO, Chairman

3335

Above bill ordered to second reading.

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports: Senate Bill No. 1006 Senate Bill No. 1068

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 Appropriations

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Appropriations reports: Senate Bill No. 839

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.

MIGDEN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Appropriations reports: Senate Bill No. 269 Senate Bill No. 416 With amendments with the recommendation: Amend, and do pass, as amended.

MIGDEN, Chairwoman

Above bills ordered to second reading.

Committee on Judiciary

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Judiciary reports: Senate Bill No. 941 Senate Bill No. 1037

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

ESCUTIA, Chairwoman

Above bills ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, July 21, 1997

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

Senate Joint Resolution No. 26

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

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE JOINT RESOLUTION NO. 26—Relative to Aircraft Repair Station Safety Act of 1997.

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INTRODUCTION OF GUESTS

Assembly Member Pacheco, of the 64th Assembly District, introduced Isidro Juarez, of La Puente.

Assembly Member McClintock, of the 38th Assembly District, introduced Celeste and Ted Grieg, of Chatsworth.

Assembly Members Napolitano and Richter introduced the following guests from Romania sponsored by the Sacramento Council for International Visitors: Mr. Cristian-Sorin Dumitrescu, Vice President of the Senate, Spokesman for the Union of Democratic Socialists; Mr. Ioan Muresan, Member of the Chamber of Deputies, National Peasant Party—Christian Democrats; and Mr. Ovidiu Sincai, Member of the Chamber of Deputies, Social Democratic Party. The guests were accompanied by Escort Officer, Ms. Marybeth Braun.

ADJOURNMENT

At 4:30 p.m., pursuant to the motion by Assembly Member Martinez, the Assembly adjourned until 7 a.m., Tuesday, July 22, 1997, out of respect to the memory of John L. Watson, on motion of Assembly Member Thomson; out of respect to the memory of Joseph Barnes, Sr., on motion of Assembly Member Migden; out of respect to the memory of Maureen deBonnet, on motion of Assembly Member Ashburn; and out of respect to the memory of Cheryl Ann Fisher, on motion of Assembly Member Ortiz.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JULY 21, 1997

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

SB	RN	SB	RN
6	9718890	883	9719139
8	9719097	908	9719108
65	9719122	945	9718973
73	9719104	972	9718646
80	9719128	973	9719103
124	9719158	1009	9718917
196	9718924	1042	9719078
238	9718455	1060	9718966
253	9718960	1110	9719005
259	9719193	1123	9719171
294	9718027	1196	9718584
320	9718927	1198	9718753
357	9718807	1238	9718811
389	9718285	1277	9719291
408	9718848		
548	9718576	SCR	RN
564	9719131	27	9719121
682	9718583	42	9718664
713	9718965	72	7/10004
779	9719118		
850	9718710		

Daily Total:	37
Cumulative Total:	2839

Amendments were considered by the Assembly, but not adopted, to the following measure:

Senate Bill 375 * (Goldsmith amendments, laid upon the table)

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