

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, September 3, 1997

**ONE HUNDRED THIRTY-FIRST SESSION DAY
TWO HUNDRED SEVENTY-SIXTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, September 3, 1997

The Assembly met at 9 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 Papan moved a quorum call of the Assembly. Motion carried. Time, 9:01 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 9:24 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—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
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	
Escutia	Machado	Richter	

PRAYER

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

O Lord, Make us worthy to know You and love You, not in the knowledge that comes from an exercise of the mind, but from the knowledge that emanates from our heart. Let us then grow in our love for You, and in turn help to spread Your love throughout the world.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Ducheny then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Shelley, seconded by Assembly Member Thompson.

LEAVE 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 Alby.

On personal business, and waiving per diem: Assembly Member Baugh.

(NOTE: For letter explaining the absence of Assembly Member Alby on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Friday, August 29, 1997.)

COMMUNICATIONS

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

August 29, 1997

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

Dear Mr. Wilson: Please be advised that pursuant to Education Code Sec. 33530, I have named Mr. Ken Dotson to serve on the Curriculum Development and Supplemental Materials Commission. The effective date of the appointment is August 29, 1997, and this is a term appointment ending 12/15/00. Mr. Dotson will be replacing Ms. Mary F. Jew.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 3, 1997

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

Assembly Concurrent Resolution No. 72

Assembly Concurrent Resolution No. 74

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, September 3, 1997

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

Assembly Constitutional Amendment No. 22

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

ADJOURN IN MEMORY

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 Walter B. Gunnison, of Sacramento.

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

Pursuant to Assembly Rule 78, Assembly Member Sweeney announced his intention to request that Senate Bill No. 495 be removed from the inactive file.

BILLS REMOVED FROM CONSENT CALENDAR

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

Senate Bill No. 776, on request of Assembly Member Campbell.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Assembly Bills

ASSEMBLY CONCURRENT RESOLUTION NO. 70 (Battin)—Relative to California Hispanic Heritage Month.

Resolution read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:31 a.m.

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

BILLS PASSED ON FILE

Assembly Bill No. 1614—Passed on file.

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

ASSEMBLY BILL NO. 185 (Papan)—An act to add Section 1663 to the Civil Code, relating to contracts, 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—73

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

NOES—None

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

AYES—73

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

NOES—None

Bill ordered transmitted to the Senate.

**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.

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

Senate Bills Nos. 512 and 720—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

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

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

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

Bill passed by the following vote:

AYES—62

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

NOES—8

Ackerman	Bowler	Morrow	Runner
Baldwin	McClintock	Oller	Woods

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1094 (Schiff)—An act to amend Section 2401 of the Business and Professions Code, and to amend Section 1206 of the Health and Safety Code, relating to medicine.

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

Bill passed by the following vote:

AYES—73

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

NOES—None

Bill ordered transmitted to the Senate.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Senate Bills Nos. 1196, 184, and 980—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

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

SENATE BILL NO. 1217 (Johnston)—An act to amend Sections 11735, 11736, and 11751.8 of, and to add Section 11751.9 to, the Insurance Code, relating to workers' compensation.

Amendments Withdrawn

Without objection, Assembly Member Keeley withdrew his amendments to Senate Bill No. 1217.

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

Senate Bill No. 1217 Passed and Retained

By unanimous consent Senate Bill No. 1217 was passed temporarily on file.

SENATE BILL NO. 1323 (Polanco)—An act to add Section 17039.3 to the Education Code, and to amend Section 13146.3 of the Health and Safety Code, relating to school facilities.

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

Bill passed by the following vote:

AYES—51

Aguiar	Figueroa	Leonard	Shelley
Alquist	Firestone	Machado	Strom-Martin
Aroner	Gallegos	Martinez	Sweeney
Baca	Goldsmith	Mazzoni	Thomson
Bowen	Granlund	Migden	Torlakson
Bowler	Hayice	Morrissey	Villaraigosa
Brown	Hertzberg	Morrow	Vincent
Cardenas	Honda	Murray	Washington
Cardoza	Keeley	Napolitano	Wayne
Cunneen	Knox	Ortiz	Wildman
Davis	Kuehl	Papan	Wright
Ducheny	Kuykendall	Perata	Mr. Speaker
Escutia	Lempert	Scott	

NOES—25

Ackerman	Frusetta	Olberg	Runner
Ashburn	House	Oller	Takasugi
Baldwin	Kalोगian	Pacheco	Thompson
Battin	Leach	Poochigian	Woods
Bordonaro	Margett	Prenter	
Brewer	McClintock	Pringle	
Campbell	Miller	Richter	

Bill ordered transmitted to the Senate.

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

Senate Bill No. 731—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

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

SENATE BILL NO. 768 (Thompson)—An act to amend Sections 25014.6 and 25017 of the Corporations Code, relating to securities.

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

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, 9:52 a.m.

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

BILL RETURNED TO SENATE

Without objection, Assembly Member Migden returned Assembly Bill No. 1059 to the Senate for further action.

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

SENATE BILL NO. 119 (Kopp)—An act to amend Section 170.6 of the Code of Civil Procedure, relating to judicial officers.

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

Bill passed by the following vote:

AYES—44

Alquist	Figueroa	Kuehl	Richter
Aroner	Firestone	Lempert	Scott
Baca	Frusetta	Machado	Shelley
Baldwin	Gallegos	Martinez	Strom-Martin
Bowen	Goldsmith	Mazzoni	Sweeney
Cardenas	Havice	McClintock	Thomson
Cardoza	Hertzberg	Murray	Torlakson
Cunneen	Honda	Napolitano	Villaraigosa
Davis	House	Ortiz	Wayne
Ducheny	Keeley	Papan	Wildman
Escutia	Knox	Perata	Mr. Speaker

NOES—26

Ackerman	Campbell	Miller	Prenter
Aguar	Granlund	Morrissey	Pringle
Ashburn	Kalooogian	Murray	Runner
Battin	Leach	Olberg	Takasugi
Bordonaro	Leonard	Oller	Thompson
Bowler	Margett	Pacheco	
Brewer	Migden	Poochigian	

Bill ordered transmitted to the Senate.

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

Bill read third time, and presented by Assembly Member Honda.
The roll was opened.

Call of the Assembly

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

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

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

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

Senate Bill No. 280—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 364, on request of Assembly Member Papan.

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

Senate Bills Nos. 507 and 513—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

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

SENATE BILL NO. 532 (Solis)—An act to amend Section 18804 of the Revenue and Taxation Code, relating to taxation.

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

Bill passed by the following vote:

AYES—61

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

NOES—9

Ackerman	Leonard	Morrow
Kaloogian	Margett	Olberg
Leach	McClintock	Oller

Bill ordered transmitted to the Senate.

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

Senate Bills Nos. 560 and 596—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

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

SENATE BILL NO. 609 (Karnette)—An act to amend Section 23803 of the Business and Professions Code, relating to alcoholic beverages.

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

Bill passed by the following vote:

AYES—73

Ackerman	Escutia	Machado	Runner
Aguiar	Figueroa	Margett	Scott
Alquist	Firestone	Martinez	Shelley
Aroner	Frusetta	Mazzoni	Strom-Martin
Ashburn	Gallegos	Migden	Sweeney
Baca	Goldsmith	Miller	Takasugi
Baldwin	Granlund	Morrissey	Thompson
Battin	Havice	Murray	Torlakson
Bordonaro	Hertzberg	Napolitano	Villaraigosa
Bowen	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	Poohigian	Mr. Speaker
Cunneen	Leach	Prenter	
Davis	Lempert	Pringle	
Ducheny	Leonard	Richter	

NOES—2

McClintock Morrow

Bill ordered transmitted to the Senate.

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

Senate Bills Nos. 772, 825, and 916—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

**At 10:10 a.m., Assistant Speaker pro Tempore Joe Baca,
62nd District, presiding**

**BILLS REMOVED FROM CONSENT CALENDAR
AND PLACED UPON THE INACTIVE FILE**

The following bill was removed from the Consent Calendar, pursuant to Joint Rule 22.2 and placed upon the inactive file pursuant to Assembly Rule 78:

Senate Bill No. 989, on request of Assembly Member Lempert.

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

Pursuant to Assembly Rule 78, Assembly Member Hertzberg announced his intention to request that Senate Bill No. 980 be removed from the inactive file.

Pursuant to Assembly Rule 78, Assembly Member Knox announced his intention to request that Senate Bill No. 202 be removed from the inactive file.

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

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

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

Bill passed by the following vote:

AYES—74

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

NOES—None

Bill ordered transmitted to the Senate.

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

Senate Bills Nos. 1125 and 1129—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

CAUCUS ANNOUNCEMENTS

At 10:14 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 10:15 a.m., Assistant Speaker pro Tempore Baca declared the Assembly recessed.

REASSEMBLED

At 10:46 a.m., the Assembly reconvened.

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

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

SENATE BILL NO. 1243 (Hughes)—An act to amend Sections 1636.5 and 1724 of the Business and Professions Code, and to amend Section 4 of Chapter 1299 of the Statutes of 1992, relating to dentistry, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—68

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

NOES—5

Bowler	McClintock	Thompson
Leonard	Morrow	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 1243: Assembly Member Pacheco, from "No" to "Aye".

Bill ordered transmitted to the Senate.

SENATE BILL NO. 36 (Vasconcellos)—An act relating to elections.

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

Bill passed by the following vote:

AYES—57

Ackerman	Davis	Machado	Shelley
Aguiar	Ducheny	Margett	Strom-Martin
Alquist	Escutia	Martinez	Sweeney
Aroner	Figueroa	Mazzoni	Thomson
Ashburn	Gallegos	Migden	Torlakson
Baca	Goldsmith	Murray	Villaraigosa
Battin	Granlund	Napolitano	Vincent
Bordonaro	Havice	Ortiz	Washington
Bowen	Hertzberg	Papan	Wayne
Brewer	Honda	Perata	Wildman
Brown	Keeley	Poochigian	Wright
Campbell	Knox	Prenter	Mr. Speaker
Cardenas	Kuehl	Richter	
Cardoza	Kuykendall	Runner	
Cunneen	Lempert	Scott	

NOES—14

Bowler	McClintock	Oller	Thompson
House	Miller	Pacheco	Woods
Kaloogian	Morrissey	Pringle	
Leonard	Morrow	Takasugi	

Bill ordered transmitted to the Senate.

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

Senate Bills Nos. 1251, 990, and 880—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

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

SENATE BILL NO. 1088 (Lockyer)—An act to add Section 68804 to the Government Code, relating to capital judgments.

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

Bill passed by the following vote:

AYES—71

Ackerman	Ducheny	Machado	Richter
Aguiar	Escutia	Margett	Runner
Alquist	Figueroa	Martinez	Scott
Aroner	Firestone	Mazzoni	Shelley
Ashburn	Floyd	McClintock	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	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Lempert	Poochigian	Mr. Speaker
Davis	Leonard	Pringle	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1081 (Calderon)—An act to add Chapter 3 (commencing with Section 850) to Title 3 of Part 2 of Division 2 of the Civil Code, relating to hazardous materials.

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

Bill passed by the following vote:

AYES—75

Ackerman	Escutia	Machado	Richter
Aguiar	Figueroa	Margett	Runner
Alquist	Floyd	Martinez	Scott
Aroner	Frusetta	Mazzoni	Shelley
Ashburn	Gallegos	McClintock	Strom-Martin
Baca	Goldsmith	Migden	Sweeney
Baldwin	Granlund	Miller	Takasugi
Battin	Havice	Morrissey	Thompson
Bordonaro	Hertzberg	Morrow	Thomson
Bowen	Honda	Murray	Torlakson
Bowler	House	Napolitano	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
Ducheny	Leonard	Pringle	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1177 (Johnson)—An act to amend Sections 23166, 23171, 23176, 23186, and 23191 of the Vehicle Code, relating to vehicles.

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

Bill passed by the following vote:

AYES—75

Ackerman	Escutia	Machado	Richter
Aguiar	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Frusetta	Mazzoni	Shelley
Ashburn	Gallegos	McClintock	Strom-Martin
Baca	Goldsmith	Migden	Sweeney
Baldwin	Granlund	Miller	Takasugi
Battin	Havice	Morrissey	Thompson
Bordonaro	Hertzberg	Morrow	Thomson
Bowen	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
Ducheny	Leonard	Pringle	

NOES—None

SENATE BILL NO. 1100 (Solis)—An act to amend Section 18025 of the Education Code, relating to libraries, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend by Assembly Member Runner

Assembly Member Runner moved the adoption of amendments.
Amendments read.

**Motion to Table Runner Amendments
to Senate Bill No. 1100**

Assembly Member Shelley moved that the amendments offered by Assembly Member Runner to Senate Bill No. 1100 be laid upon the table.

Assembly Member Baca seconded the motion.

Motion carried by the following vote:

AYES—39

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

NOES—35

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

Objection to Vote Adds

Assembly Member Thompson withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Shelley motion to table Runner amendments to Senate Bill No. 1100.

Bill presented by Assembly Member Takasugi.

Bill passed by the following vote:

AYES—73

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

NOES—2

McClintock Pringle

Bill ordered transmitted to the Senate.

CONSIDERATION OF SENATE BILL NO. 712 BY UNANIMOUS CONSENT

Assembly Member Sweeney was granted unanimous consent to take up Senate Bill No. 712, out of order.

SENATE BILL NO. 712 (Haynes)—An act to amend Sections 56839.1 and 57103 of, and to add Section 57093 to, the Government Code, relating to local government organization.

Bill read third time.

Motion to Amend

Assembly Member Sweeney moved the adoption of amendments.

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

PARLIAMENTARY INQUIRY

Assembly Member Martinez arose to the following parliamentary inquiry:

Has it not been the established procedure on this day to pass and retain on those measures with pending amendments?

Reply by Speaker pro Tempore Kuehl

The Speaker pro Tempore replied that amendments to Senate Bill No. 941 were submitted to the Desk by Assembly Member Cardenas, who is not the Assembly Floor author of the measure.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Senate Bill No. 941—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

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

By unanimous consent, Assembly Member Cardenas announced his intention to request that Senate Bill No. 941 be removed from the inactive file.

Pursuant to Assembly Rule 78, Assembly Member Campbell announced his intention to request that Senate Bill No. 731 be removed from the inactive file.

Pursuant to Assembly Rule 78, Assembly Member Bowler announced his intention to request that Senate Bill No. 283 be removed from the inactive file.

Pursuant to Assembly Rule 78, Assembly Member Papan announced his intention to request that Senate Bills Nos. 512 and 364 be removed from the inactive file.

BILLS REMOVED FROM CONSENT CALENDAR

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

Senate Bill No. 1332, on request of Assembly Member Aroner.

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

SENATE BILL NO. 1078 (Lockyer)—An act to amend Section 290.4 of the Penal Code, relating to sex offenses.

Bill read third time.

Motion to Amend

Assembly Member Keeley moved the adoption of amendments.

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

SENATE BILL NO. 348 (Thompson)—An act to amend Section 11019.5 of the Government Code, to amend Section 6840 of, to add Section 6835.1 to, and to repeal Sections 6831, 6832, and 6842 of, the Harbors and Navigation Code, to amend Section 5782.27 of the Public Resources Code, and to amend Section 55310.2 of the Water Code, relating to local government.

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

Bill passed by the following vote:

AYES—72

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

NOES—1

McClintock

Bill ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION NO. 23 (Polanco)—Relative to minority enrollment in medical schools.

Resolution read.

Motion to Amend

Assembly Member Ducheny moved the adoption of amendments.

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

SENATE BILL NO. 641 (Polanco)—An act to amend Section 1270.1 of the Penal Code, relating to bail.

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

Bill passed by the following vote:

AYES—73

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

NOES—1

House

Bill ordered transmitted to the Senate.

SENATE BILL NO. 710 (Dills)—An act relating to teacher credentialing, and making an appropriation therefor.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:45 a.m.

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

SENATE BILL NO. 1037 (Vasconcellos)—An act to add Section 3105 to the Family Code, relating to family law.

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

At 12:05 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding

At 12:10 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:11 p.m.

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

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

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

Bill passed by the following vote:

AYES—43

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

NOES—25

Ackerman	Brewer	McClintock	Runner
Aguiar	Campbell	Miller	Takasugi
Ashburn	Granlund	Morrow	Thompson
Baldwin	House	Olberg	Woods
Battin	Leach	Oller	
Bordonaro	Leonard	Poochigian	
Bowler	Margett	Prenter	

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON THE CONSENT CALENDAR

At 12:11 p.m., on motion of Assembly Member Havice, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Record Expunged and Action Rescinded on The Consent Calendar

Speaker pro Tempore Kuehl was granted unanimous consent that the record be expunged and the action rescinded whereby a roll call vote was taken on this day on the Consent Calendar.

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. 494, on request of Assembly Member Cardoza;

Senate Bill No. 987, on request of Assembly Member Olberg;

Senate Bill No. 1102, on request of Assembly Member Brown;

Senate Bill No. 525, on request of Assembly Member Battin;

Assembly Concurrent Resolution No. 70, on request of Assembly Member Battin.

BILLS REMOVED FROM CONSENT CALENDAR AND PLACED UPON THE INACTIVE FILE

The following bill was removed from the Consent Calendar, pursuant to Joint Rule 22.2 and placed upon the inactive file pursuant to Assembly Rule 78:

Senate Bill No. 1175, on request of Assembly Member Bowen.

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

Pursuant to Assembly Rule 78, Assembly Member Cardoza announced his intention to request that Senate Bill No. 772 be removed from the inactive file.

Pursuant to Assembly Rule 78, Assembly Member Granlund announced his intention to request that Senate Bill No. 280 be removed from the inactive file.

Pursuant to Assembly Rule 78, Assembly Member Gallegos announced his intention to request that Senate Bill No. 750 be removed from the inactive file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 768**

At 12:16 p.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.

Senate Bill No. 768 passed by the following vote:

AYES—41

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

NOES—30

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 253**

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

Senate Bill No. 253 passed by the following vote:

AYES—41

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

NOES—32

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

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 253: Assembly Member Hertzberg, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 710**

At 12:18 p.m., on motion of Assembly Member Floyd, 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 Baca moved a continue the call of the Assembly.

Motion carried. Time, 12:19 p.m.

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

FURTHER 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. 65 (McPherson)—An act to amend Section 115915 of the Health and Safety Code, relating to public beaches.

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. 275 (Kopp)—An act to amend Sections 33080.1, 33349, and 33437 of, and to add Sections 33437.5 and 33763.5 to, the Health and Safety Code, relating to redevelopment.

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. 329 (McPherson)—An act to amend Sections 4181, 4181.1, and 4651 of, and to add Section 4181.2 to, the Fish and Game Code, relating to game, and making an appropriation therefor.

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

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

SENATE BILL NO. 365 (Lewis)—An act to add Section 12804 to the Food and Agricultural Code, relating to pesticides.

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. 408 (Maddy)—An act to amend Section 84752 of the Education Code, to amend Sections 8545 and 14525.6 of, and to repeal Section 8544.1 of, the Government Code, to amend Section 14105.42 of, and to repeal and add Section 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 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. 417 (Burton)—An act to amend Sections 1101, 1151, and 1182 of, and to add Section 1156.6 to, the Harbors and Navigation Code, relating to vessels, and making an appropriation therefor.

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

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

SENATE BILL NO. 480 (Alpert)—An act to amend Sections 6, 10, and 10.2 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), 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. 603 (Monteith)—An act to amend Sections 12824 and 12825 of the Food and Agricultural Code, relating to pesticides.

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. 633 (Ayala)—An act to repeal Part 4 (commencing with Section 330.24) of Division 1 of the Civil Code, to amend Sections 7312 and 25100 of, and to add Part 7 (commencing with Section 14300), Part 8 (commencing with Section 14350), Part 9 (commencing with Section 14400), Part 10 (commencing with Section 14450), Part 11 (commencing with Section 14500), and Part 12 (commencing with Section 14550) to Division 3 of Title 1 of, the Corporations Code, to amend Section 25988 of the Health and Safety Code, and to amend Sections 597d, 597z, 11105, 11165.16, 12031, and 12583 of the Penal Code, relating to corporations.

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. 695 (Rainey)—An act to amend Sections 1872.8 and 1875.12 of, to amend and renumber Section 1876.2 of, to amend the heading of Article 6 (commencing with Section 1876) of Chapter 12 of Part 2 of Division 1 of, to add Section 1875.18 to, and to repeal Sections 1876, 1876.1, and 1876.20 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. 703 (Rainey)—An act to amend Sections 6351, 6352, and 6353 of, and to add Section 6354.1 to, the Public Utilities Code, relating to energy transporters.

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. 894 (Lee)—An act to amend Section 69535 of the Education Code, relating to postsecondary education.

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. 920 (Thompson)—An act to amend Section 112895 of the Health and Safety Code, relating to food labeling.

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. 946 (Maddy)—An act to amend Sections 82030 87103, 87303, 89506, 91005, and 91011 of, and to add Section 87209 to, the Government Code, relating to the Political Reform Act of 1974, 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. 999 (Maddy)—An act to amend Section 1430 of the Code of Civil Procedure, relating to escheat, and making an appropriation therefor.

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

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

SENATE BILL NO. 1003 (McPherson)—An act to amend Sections 6433, 6434, and 6439 of the Fish and Game Code, relating to aquatic species, and making an appropriation therefor.

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

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

SENATE BILL NO. 1015 (Schiff)—An act to amend Section 56728.9 of the Education Code, relating to special education.

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. 1049 (Maddy)—An act to amend Sections 1746, 1747, 1748, and 1749 of the Health and Safety Code, relating to hospice.

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. 1104 (Committee on Revenue and Taxation)—An act to add and repeal Article 2.5 (commencing with Section 7076.1) of Chapter 8 of Part 1 of Division 2 of the Revenue and Taxation Code, relating to taxation.

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. 1105 (Committee on Revenue and Taxation)—An act to amend Section 15031 of the Education Code, to amend Section 54902.5 of the Government Code, to amend Section 33674 of the Health and Safety Code, and to amend Sections 51, 69.5, 75.10, 408, 434.5, 670, 673, 1603, 1605, and 38904 of, and to amend, repeal, and add Section 619 of, the Revenue and Taxation Code, relating to taxation.

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. 1121 (Craven)—An act to amend Sections 8502 and 8801.5 of the Family Code, relating to family 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. 1238 (Johannessen)—An act to amend Section 368 of the Penal Code, relating to crime.

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. 1240 (Costa)—An act to add Section 51256 to, and to add and repeal Section 51257 of, the Government Code, relating to the Williamson Act.

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. 1245 (Costa)—An act to add Section 10756 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. 1302 (Leslie)—An act amend Section 11105.3 of the Penal Code, relating to employees.

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. 1325 (Mountjoy)—An act to amend Section 2982 of the Civil 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.)*

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—76

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

NOES—None

ADJOURN IN MEMORY

Assembly Member Napolitano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Merle Minnehan, of Norwalk.

REQUEST TO TAKE UP ASSEMBLY BILL NO. 1430, OUT OF ORDER

Assembly Member Figueroa requested unanimous consent to take up Assembly Bill No. 1430, out of order.

Assembly Member Thompson withheld unanimous consent.

MOTION TO DISPENSE WITH CALL OF THE ASSEMBLY

Assembly Member Thompson moved that the Call of the Assembly be dispensed with as it relates to Senate Bill No. 1037.

Assembly Member Pacheco seconded the motion.

Motion lost by the following vote:

AYES—34

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

NOES—39

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

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

HOUSE RESOLUTION NO. 43—Relative to automated teller machine surcharges.

Resolution read; amendments proposed by the Committee on Banking and Finance read and adopted, resolution ordered reprinted and to be placed upon the third reading 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. 48, 110, 230, 273, 316, 328, 434, 483, 527, 536, 566, 657, 807, 826, 827, 842, 857, 873, 945, 1007, 1052, 1062, 1068, 1141, 1221, 1258, 1328, 1330, 1349, 235, 367, 413, 617, 675, 795, 1048, 1067, and 1348 ordered to third reading;

Senate Bills Nos. 320, 381, 383, 644, 810, 921, 1107, and 1346, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 187—An act to amend, renumber, and repeal Section 35294.1 of, to add Section 35294.2 to, and to add and repeal Sections 35294.1, 35294.6, 35294.7, 35294.8, and 35294.9 to, the Education Code, relating to school safety.

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

SENATE BILL NO. 438—An act to amend Section 502.01 of, and to add and repeal Chapter 5.7 (commencing with Section 13848) of Title 6 of Part 4 of, the Penal Code, relating to crimes.

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

SENATE BILL NO. 818—An act to amend Sections 2933, 3057, and 6250 of, to add Section 1170.96 to, to add an article heading to Chapter 9.5 (commencing with Section 6250) of Title 7 of Part 3 of, and to add Article 2 (commencing with Section 6259) to Chapter 9.5 of Title 7 of Part 3 of, the Penal Code, relating to prisons.

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

SENATE BILL NO. 1257—An act to add and repeal Section 1399.2 of the Health and Safety Code, relating to health coverage.

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

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 Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

SENATE BILL NO. 1271—An act to add Section 2194.5 to the Elections Code, and to amend Section 6254.4 of the Government Code, relating to voter registration.

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

SENATE BILL NO. 506—An act to amend Section 719 of the Harbors and Navigation Code, to amend Section 99234 of the Public Utilities Code, to amend Sections 2104, 2110, and 2152 of the Streets and Highways Code, and to amend Sections 1653.5, 1808, 1810, 4000.37, 11704.5, and 27314.5 of the Vehicle Code, relating to transportation, and making an appropriation therefor.

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

SENATE BILL NO. 1086—An act to amend Section 21701 of, and to add Section 21701.1 to, the Business and Professions Code, relating to business regulation.

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 returned to the second reading file.

SENATE BILL NO. 319—An act to amend Section 1057.6 of, and to add Sections 1057.61, 1057.62, and 1057.63 to, the Civil Code, and to add Sections 12340.12 and 12340.13 to the Insurance Code, relating to title insurance.

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

BILL RETURNED TO SENATE

Without objection, Assembly Member Villaraigosa returned Assembly Bill No. 1572 to the Senate for further action.

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

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 153 (Baldwin)—An act to add Section 53077.5 to the Government Code, and to amend Section 5353 of the Public Utilities Code, relating to youth groups.

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

NOES—5

Bowen	Mazzoni	Perata
Martinez	Migden	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 582 (Martinez)—An act to add Section 709.1 to the Public Utilities Code, relating to telecommunications.

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—49

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

NOES—16

Ackerman	Campbell	House	Morrow
Aguiar	Firestone	Kaloogian	Olberg
Ashburn	Goldsmith	McClintock	Oller
Bowler	Granlund	Miller	Thompson

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1041 (Committee on Revenue and Taxation)—An act to amend Section 15619 of the Government Code, to amend Section 1775.4 of the Insurance Code, and to amend Sections 8255, 8651.7, 9255, 12631, 12632, 12983.1, 30179, 30366, 30455, 32405, 40116, 43455, 45655, 46506, 50112.2, 50113, 50142.1, 50161, 55225, 60120, 60121, 60361, 60524, 60608, and 60609 of, to add Sections 9255.1, 50162, and 60105 to, to add Article 4.5 (commencing with Section 40086) to Chapter 4 of Part 19 of, to add Article 4.5 (commencing with Section 41084.1) to Chapter 4 of Part 20 of, to add Article 2.5 (commencing with Section 50113.5) to Chapter 3 of Part 26 of, and to add Chapter 9 (commencing with Section 50171) to Part 26 of, Division 2 of, and to repeal Sections 60104 and 60709 of, the Revenue and Taxation Code, relating to taxation.

Bill presented by Assembly Member Knox.

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.

Call of the Assembly

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

Motion carried. Time, 12:33 p.m.

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

ASSEMBLY BILL NO. 329 (Caldera)—An act to amend Section 45 of the Code of Civil Procedure, and to amend Sections 252 and 366.26 of the Welfare and Institutions Code, relating to minors.

Bill presented by Assembly Member Goldsmith.

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—56

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

NOES—16

Ackerman	Brewer	Leach	Oller
Baldwin	Granlund	Leonard	Poochigian
Battin	House	Morrow	Runner
Bowler	Kaloogian	Olberg	Thompson

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1237 (Granlund)—An act to amend Sections 5443.5 and 5463 of the Business and Professions Code, relating to advertising.

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

NOES—5

Aroner	Havice	Villaraigosa
Bowen	Sweeney	

Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1237: Assembly Member Lempert, from “Aye” to “Not Voting”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1527 (Brown)—An act to add Sections 66451.22 and 66451.23 to the Government Code, relating to land use.

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.

Call of the Assembly

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

Motion carried. Time, 12:43 p.m.

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

ASSEMBLY BILL NO. 1599 (Committee on Public Employees, Retirement and Social Security)—An act to add Section 25300.5 to the Government Code, relating to county employees.

Bill presented by Assembly Member Knox.

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—69

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

NOES—1

McClintock

REQUEST TO TEMPORARILY SUSPEND RULES

Assembly Member Figueroa was granted unanimous consent that Assembly Rule 77 be suspended to permit consideration of Senate amendments to Assembly Bill No. 1430.

Assembly Member Olberg withheld unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER SENATE BILL NO. 1329 WAIVED

Assembly Member Murray waived his motion to reconsider the vote whereby the urgency clause to Senate Bill No. 1329 was refused adoption.

Further Consideration of Senate Bill No. 1329

SENATE BILL NO. 1329 (Leslie)—An act to amend Section 51226.6 of the Education Code, and to amend Sections 12507.1, 12509, 12514, 12660, and 12814.6 of, and to repeal Sections 12507 and 12512 of, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend Pursuant to Joint Rule 23.5

Assembly Member Murray moved the adoption of amendments.

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

SENATE BILL NO. 248 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given, Assembly Member Murray was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 248 was refused passage; and that the bill be placed upon the inactive file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 70 WITHOUT REFERENCE TO FILE

Assembly Member Battin was granted unanimous consent to take up Assembly Concurrent Resolution No. 70, without reference to file, for purpose of amendment.

ASSEMBLY CONCURRENT RESOLUTION NO. 70 (Battin)—Relative to California Hispanic Heritage Month.

Resolution read.

Motion to Amend.

Assembly Member Battin moved the adoption of amendments.

Amendments read and adopted; resolution ordered reprinted.

Request for Unanimous Consent

Assembly Member Battin requested unanimous consent to take up Assembly Concurrent Resolution No. 70, as amended, without reference to print or file.

Assembly Member Martinez withheld unanimous consent.

REQUEST TO RETURN TO MOTIONS AND RESOLUTIONS

Assembly Member Martinez requested unanimous consent to return to Motions and Resolutions.

Assembly Member Thompson withheld unanimous consent.

Objection Withdrawn

Assembly Member Thompson withdrew his objection to the request by Assembly Member Martinez.

REQUEST TO WAIVE JOINT RULE 62(a)

Assembly Member Martinez requested unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 524 for hearing in the Committee on Utilities and Commerce, today.

Assembly Member Thompson withheld unanimous consent.

COMMITTEE MEETING CANCELED

Assembly Member Martinez announced that the meeting of the Committee on Utilities and Commerce scheduled for today has been canceled.

MOTION TO SUSPEND JOINT RULE 29.5(d)

Assembly Member Shelley moved that Joint Rule 29.5(d) be suspended, to permit the Conference Committee on Senate Bill No. 376 to meet without publishing notice of the meeting one day prior to the meeting.

Motion carried by the following vote:

AYES—76

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

NOES—None**NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Shelley announced his intention to request that Senate Bill No. 1351 be removed from the inactive file.

Pursuant to Assembly Rule 78, Assembly Member Thomson announced her intention to request that Senate Bill No. 190 be removed from the inactive file.

Pursuant to Assembly Rule 78, Assembly Member Ortiz announced her intention to request that Senate Bill No. 720 be removed from the inactive file.

REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, September 3, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(9), (a)(10), and (a)(11) as it relates to Senate Bill No. 524.

DIANE MARTINEZ

Above request ordered transmitted to the Committee on Rules.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Migden announced that the Committee on Appropriations would meet today at 5 p.m., instead of 4 p.m.

REQUEST TO TAKE UP SENATE BILL NO. 1291 OUT OF ORDER

Assembly Member Miller requested unanimous consent to take up Senate Bill No. 1291, out of order.

Assembly Member Martinez withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Assembly Member Miller moved that the Rules be temporarily suspended for the purpose of taking up Senate Bill No. 1291, out of order, for purpose of amendment.

Motion Withdrawn

Assembly Member Miller withdrew his motion to temporarily suspend the Rules to permit consideration of Senate Bill No. 1291, out of order.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 1:10 p.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Speaker's Conference Room, and without objection, the House was permitted to continue in Floor session.

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

Pursuant to Assembly Rule 78, Assembly Member Sweeney announced his intention to request that Senate Bill No. 880 be removed from the inactive file.

**REPORTS OF STANDING COMMITTEES
Committee on Rules**

September 3, 1997

Mr. Speaker: Your Committee on Rules recommends that the request to suspend Joint Rule 61(a), (9), (10), and (11), as it relates to the following bill be granted:
Senate Bill No. 524.

DON PERATA, Chairman

At 1:16 p.m., Hon. Fred Keeley, 27th District, presiding

RESOLUTIONS

The following resolution was offered:

Resolution to Suspend Joint Rules

By Assembly Member Martinez:

Resolved, That Joint Rule 61(a)(9), (a)(10), and (a)(11) be suspended to permit the Committees on Utilities and Commerce and Appropriations to meet, consider, and report Senate Bill No. 524 for further action.

Resolution read, and adopted by the following vote:

AYES—76

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

NOES—None

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Martinez announced that the Committee on Utilities and Commerce would meet at 5 p.m., today.

JOINT RULE 62(a) WAIVED

Assembly Member Martinez was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 524 for hearing in the Committee on Utilities and Commerce, today, at 5 p.m.

CONSIDERATION OF SENATE BILL NO. 1291 BY UNANIMOUS CONSENT

Assembly Member Miller was granted unanimous consent to take up Senate Bill No. 1291, out of order.

SENATE BILL NO. 1291 (Calderon)—An act to amend Sections 1799.90, 1799.91, 2985.7, 2986.3, 2986.4, 2986.13, and 2989.2 of, to add Section 2987 to, to repeal Section 2986.2 of, and to repeal and add Sections 2985.71 and 2985.8 of, the Civil Code, relating to motor vehicle leases.

Rules Temporarily Suspended

Assembly Member Miller was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1291.

Bill read third time.

Motion to Amend

Assembly Member Miller moved the adoption of amendments.

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

BILLS STRICKEN FROM FILE

Assembly Member Migden was granted unanimous consent that Assembly Bill No. 1602 be stricken from file.

MOTION TO DISPENSE WITH CALLS OF THE ASSEMBLY

Assembly Member Olberg moved that the Calls of the Assembly be dispensed with.

Assembly Member Battin seconded the motion.

CAUCUS ANNOUNCEMENTS

At 1:21 p.m., Assembly Member Shelley was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

At 1:30 p.m., Assembly Member Leonard announced that the Republican Caucus would meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 1:30 p.m., Acting Speaker Keeley declared the Assembly recessed.

REASSEMBLED

At 2:46 p.m., the Assembly reconvened.

Hon. Fred Keeley, Acting Speaker of the Assembly, presiding.

FURTHER CONSIDERATION OF OLBERG MOTION

The Olberg motion to dispense with Calls of the Assembly carried by unanimous consent.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 710**

At 2:46 p.m., 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 Bowen moved to continue the call of the Assembly.

Motion carried. Time, 2:47 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1037**

At 2:47 p.m., further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1037 refused passage by the following vote:

AYES—32

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

NOES—37

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

**Motion to Reconsider Senate Bill No. 1037
on Next Legislative Day**

Assembly Member Perata moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1037 was this day refused passage.

Senate Bill No. 1037 ordered to the unfinished business file.

Objection to Vote Adds

Assembly Member Morrissey withheld unanimous consent on any request for vote adds or vote changes on the roll call vote taken on this day on Senate Bill No. 1037.

**At 2:48 p.m., Assistant Speaker pro Tempore Joe Baca,
62nd District, presiding**

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1041**

At 2:48 p.m., further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1041 by the following vote:

AYES—41

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

NOES—34

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1527**

At 2:48 p.m., further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1527 by the following vote:

AYES—42

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

NOES—34

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 710**

At 2:49 p.m., on motion of Assembly Member Bowen, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 710 refused passage by the following vote:

AYES—48

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

NOES—24

Ackerman	Brewer	Margett	Pacheco
Ashburn	Campbell	McClintock	Poochigian
Baldwin	Goldsmith	Miller	Prenter
Battin	House	Morrow	Pringle
Bordonaro	Kaloogian	Olberg	Richter
Bowler	Leach	Oller	Runner

REQUEST TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 70

Assembly Member Battin requested unanimous consent to take up Assembly Concurrent Resolution No. 70 without reference to file.

Assembly Member Villaraigosa withheld unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 949 and 1577 and Senate Bills Nos. 682, 305, and 1174 were continued until the next legislative day.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 638 FROM COMMITTEE CONTINUED

By unanimous consent the notice of motion to withdraw Senate Bill No. 638 from the Committee on Natural Resources was continued until the next legislative day.

BILLS RETURNED TO THIRD READING FILE

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

Senate Bill No. 1014, on request of Assembly Member Perata;

Senate Bill No. 453, on request of Assembly Member Wayne;

Senate Bill No. 628, on request of Assembly Member Pacheco;

Senate Bill No. 1334, on request of Assembly Member Cardoza;

Senate Bill No. 882, on request of Assembly Member Wildman.

CAUCUS ANNOUNCEMENTS

Assembly Member Leonard announced that the Republican Caucus would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

VOTE ADDS

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

Assembly Bill No. 185 and Urgency: Bowen, Brown, Firestone, Gallegos, Kuykendall, Machado, Martinez, and Morrow—Aye.

Senate Bill No. 514: Bowen, Brown, Gallegos, Goldsmith, Kuykendall, Martinez, Sweeney, and Wildman—Aye; Morrow—No.

Senate Bill No. 1094: Bowen, Brown, Firestone, Gallegos, Kuykendall, Martinez, Morrow, and Sweeney—Aye.

Senate Bill No. 1323: Brown, Gallegos, Goldsmith, Kuykendall, Martinez, Morrissey, and Morrow—Aye; Bordonaro—No.

Senate Bill No. 119: Cunneen, Gallegos, and Martinez—Aye; Morrissey and Morrow—No.

Senate Bill No. 532: Bowler, Davis, Gallegos, Kuykendall, Martinez, and Poochigian—Aye; Leach and Morrow—No.

Senate Bill No. 609: Bowen, Gallegos, Kuykendall, Martinez, and Morrissey—Aye; Morrow—No.

Senate Bill No. 1040: Cunneen, Gallegos, Kuykendall, Morrow, and Shelley—Aye.

Senate Bill No. 1243: Battin, Bowen, Davis, Gallegos, and House—Aye; Morrow—No.

Senate Bill No. 36: Battin, Gallegos, and Kuykendall—Aye; House—No.

Senate Bill No. 1088: Battin, Cardoza, Havice, and Mazzoni—Aye.

Senate Bill No. 1081: Cunneen and House—Aye.

Senate Bill No. 1177: Cunneen and Honda—Aye.

Senate Bill No. 1100 and Urgency: Havice and Pacheco—Aye.

Senate Bill No. 348: Olberg—Aye.

Senate Bill No. 641: Torlakson—Aye.

Senate Bill No. 1009: Morrissey—Aye.

Assembly Bill No. 153, Concurrence: Bowler and Cunneen—Aye; Bowen—No.

Assembly Bill No. 582, Concurrence: Baca, Battin, and Cunneen—Aye; Bowler, Campbell, Firestone, and Morrow—No.

Assembly Bill No. 329, Concurrence: Cunneen—Aye; Bowler—No.

Assembly Bill No. 1599, Concurrence: Goldsmith—Aye.

Assembly Bill No. 1527, Concurrence: Machado—Aye.

Senate Bill No. 710: Machado—Aye.

MOTION TO ADJOURN

At 2:57 p.m., Assembly Member Villaraigosa moved that the Assembly do now adjourn.

Assembly Member Washington seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:57 p.m., Assistant Speaker pro Tempore Baca declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 38—Bustamante (Principal coauthors: Honda, Leonard, and Takasugi) (Principal Senate coauthors: Lockyer, Polanco, and Solis). Relative to Asian-American civil rights.

AUTHOR'S AMENDMENTS

Committee on Rules

September 3, 1997

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

House Resolution No. 38

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

PERATA, Chairman

HOUSE RESOLUTION NO. 38—Relative to Communities in Schools.

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

REPORTS OF STANDING COMMITTEES
Committee on Governmental Organization

Date of hearing: September 2, 1997

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 137

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

BROWN, Chairwoman

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: August 27, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 705

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: September 2, 1997

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 26

Assembly Concurrent Resolution No. 68

With the recommendation: Be adopted.

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

PERATA, Chairman

Above resolutions ordered on file.

Date of Hearing: September 2, 1997

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 39

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.

Date of Hearing: September 2, 1997

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 38

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.

Date of Hearing: September 2, 1997

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 49

With the recommendation: Be adopted, as amended.

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

PERATA, Chairman

Above resolution ordered on file.

Date of Hearing: September 2, 1997

Mr. Speaker: Your Committee on Rules reports:

Senate Joint Resolution No. 27

Senate Joint Resolution No. 29

With the recommendation: Be adopted.

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

PERATA, Chairman

Above resolutions ordered on file.

Senate Chamber, September 3, 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. 196

Senate Bill No. 340

Senate Bill No. 692

Senate Bill No. 693

Senate Bill No. 744

Senate Bill No. 908

Senate Bill No. 993

Senate Bill No. 1212

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

Senate Chamber, September 3, 1997

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

Senate Bill No. 147

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

Senate Chamber, September 3, 1997

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

Senate Concurrent Resolution No. 50

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

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 147—An act to amend Sections 6591 and 53316.2 of, and to add Section 6586.5 to, the Government Code, relating to local agency borrowing.

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 50—Relative to the 50th Anniversary of the United States Air Force.

INTRODUCTION OF GUESTS

Assembly Member Bowen, of the 53rd Assembly District, introduced former Member of the Assembly Bruce Bronzan.

Assembly Member House, of the 25th Assembly District, introduced Vern and Barbara Deatherage and Kevin and Shannyn Miller, of Modesto.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Villaraigosa, the Assembly adjourned until 10:30 a.m., Thursday, September 4, 1997, out of respect to the memory of Walter B. Gunnison, on motion of Assembly Member Migden; and out of respect to the memory of Merle Minnehan, on motion of Assembly Member Napolitano.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON SEPTEMBER 3, 1997

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

ACR	RN
70	9721300

HR	RN
38	9722278
43	9721933

SB	RN
187	9722031
319	9722132
438	9721821
506	9721841
712	9722093
713	9721800
818	9721869
1078	9722168
1086	9721958
1257	9721862
1271	9721945
1291	9722199
1329	9722302

SCR	RN
23	9722292

Daily Total:	17
Cumulative Total:	3241

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

SB
1100 (Runner amendments, RN 9722122, laid upon the table)