

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, September 4, 1997

ONE HUNDRED THIRTY-SECOND SESSION DAY

TWO HUNDRED SEVENTY-SEVENTH 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
Thursday, September 4, 1997

The Assembly met at 1:40 p.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 Kaloogian moved a quorum call of the Assembly.

Motion carried. Time, 1:41 p.m.

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

Quorum Present

At 1:53 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—77:

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

PRAYER

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Assembly Member Tom Bordonaro, of the 33rd Assembly District:

Almighty God, In our desire for You, we ask You to help us turn our faces away from the sins of the world, that we may see things as they really are, no longer believing in a shadow as in truth. Then we may hope with our mind full of confidence, to receive those great things promised in the Scriptures and prepared by Your love.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Bowen 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 Scott, seconded by Assembly Member Ackerman.

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 Alby.

Because of illness in her family: Assembly Member Martinez.

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

September 4, 1997

E. Dotson Wilson

Chief Clerk of the Assembly

State Capitol, Room 3196

Sacramento, California

Dear Dotson: Please be advised that I am appointing Assemblymember Keith Olberg to the Assembly Water, Parks and Wildlife Committee to replace Assemblymember Bruce Thompson for today, September 4, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

September 4, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Robert Hertzberg to replace Assemblymember Diane Martinez on the Assembly Appropriations Committee for today, September 4, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

September 4, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Tom Woods to the Assembly Utilities and Commerce Committee to replace Assemblymember Barbara Alby for today, September 4, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 4, 1997

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

Assembly Concurrent Resolution No. 26

Assembly Concurrent Resolution No. 68

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, September 4, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 70
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to third reading.

Assembly Chamber, September 4, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
House Resolution No. 38
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, September 4, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
House Resolution No. 43
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to third reading.

Assembly Chamber, September 4, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 2
And reports the same correctly enrolled, and presented to the Secretary of State on
the 4th day of September, 1997, at 12:30 p.m.

E. DOTSON WILSON, Chief Clerk

REQUEST TO SUSPEND JOINT RULES

The following requests were received, and read:

Assembly Chamber, September 4, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(9),
(10), and (11) as it relates to Senate Bill No. 163.

DION ARONER

Assembly Chamber, September 4, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(9),
(10), and (11) as it relates to Senate Bill No. 262.

MARTHA ESCUTIA

Assembly Chamber, September 4, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a) (9),
and (11) as it relates to Senate Bill No. 45.

KEVIN MURRAY

Above requests ordered transmitted to the Committee on Rules.

APPOINTMENT OF COMMITTEE ON CONFERENCE

The Speaker appointed the following Assembly Members as a
Committee on Conference concerning Senate Bill No. 376:

Mazzoni, Strom-Martin, and Pacheco.

MESSAGES FROM THE SENATE

Senate Chamber, August 28, 1997

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

Assembly Bill No. 246
Assembly Bill No. 989

Assembly Bill No. 1191
Assembly Bill No. 1472

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, August 29, 1997

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

Assembly Bill No. 686
Assembly Bill No. 996

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

Above bills ordered enrolled.

Senate Chamber, August 29, 1997

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

Assembly Bill No. 1519

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

Above bill ordered enrolled.

Senate Chamber, August 29, 1997

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

Assembly Bill No. 226
Assembly Bill No. 304
Assembly Bill No. 374
Assembly Bill No. 397
Assembly Bill No. 441
Assembly Bill No. 590

Assembly Bill No. 731
Assembly Bill No. 739
Assembly Bill No. 917
Assembly Bill No. 1127
Assembly Bill No. 1186
Assembly Bill No. 1423

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, August 29, 1997

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

Assembly Bill No. 355
Assembly Bill No. 379
Assembly Bill No. 450
Assembly Bill No. 475
Assembly Bill No. 541
Assembly Bill No. 640
Assembly Bill No. 747
Assembly Bill No. 772
Assembly Bill No. 882

Assembly Bill No. 980
Assembly Bill No. 1054
Assembly Bill No. 1061
Assembly Bill No. 1088
Assembly Bill No. 1089
Assembly Bill No. 1280
Assembly Bill No. 1320
Assembly Bill No. 1399
Assembly Bill No. 1611

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, August 29, 1997

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

Assembly Concurrent Resolution No. 32

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

Above resolution ordered enrolled.

Senate Chamber, August 29, 1997

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

Assembly Concurrent Resolution No. 63

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

Above resolution ordered enrolled.

Senate Chamber, August 29, 1997

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

Assembly Concurrent Resolution No. 12

And respectfully requests the Assembly to concur in said amendments.

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

Above resolution ordered to unfinished business file.

Senate Chamber, August 29, 1997

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

Assembly Joint Resolution No. 32

And respectfully requests the Assembly to concur in said amendments.

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

Above resolution ordered to unfinished file.

Senate Chamber, September 2, 1997

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

Assembly Bill No. 318
Assembly Bill No. 712
Assembly Bill No. 845

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

Above bills ordered enrolled.

Senate Chamber, September 2, 1997

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

Assembly Bill No. 553

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

Above bill ordered enrolled.

Senate Chamber, September 3, 1997

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

- Assembly Bill No. 467
- Assembly Bill No. 797

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

Above bills ordered enrolled.

Senate Chamber, September 2, 1997

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

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 12 | Assembly Bill No. 358 |
| Assembly Bill No. 160 | Assembly Bill No. 491 |
| Assembly Bill No. 186 | Assembly Bill No. 504 |
| Assembly Bill No. 202 | Assembly Bill No. 520 |

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, September 2, 1997

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 568 | Assembly Bill No. 1189 |
| Assembly Bill No. 584 | Assembly Bill No. 1209 |
| Assembly Bill No. 595 | Assembly Bill No. 1245 |
| Assembly Bill No. 620 | Assembly Bill No. 1252 |
| Assembly Bill No. 870 | Assembly Bill No. 1458 |
| Assembly Bill No. 1144 | |

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, September 3, 1997

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

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 42 | Assembly Bill No. 865 |
| Assembly Bill No. 75 | Assembly Bill No. 875 |
| Assembly Bill No. 176 | Assembly Bill No. 995 |
| Assembly Bill No. 193 | Assembly Bill No. 1029 |
| Assembly Bill No. 424 | Assembly Bill No. 1303 |
| Assembly Bill No. 446 | Assembly Bill No. 1341 |
| Assembly Bill No. 727 | Assembly Bill No. 1537 |
| Assembly Bill No. 839 | |

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, September 4, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Johnston, Lee and Maddy as a Committee on Conference concerning:

Assembly Bill No. 534.

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

Senate Chamber, September 4, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Johnston, Lee and Maddy as a Committee on Conference concerning:

Senate Bill No. 860.

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

Senate Chamber, September 4, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Johnston, Lee and Maddy as a Committee on Conference concerning:

Senate Bill No. 954.

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

BILLS PLACED ON SPECIAL CONSENT CALENDAR

The following bills were placed on the Special Consent Calendar:

Assembly Bills Nos. 989, 739, 379, 541, 747, 772, 882, 980, 1054, 1061, 1088, 1089, 1280, 1320, 1399, 1611, 358, 1209, and 75; Assembly Concurrent Resolution No. 12; and Assembly Joint Resolution No. 32.

REQUEST FOR PHOTOGRAPHER

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

ADJOURN IN MEMORY

Speaker pro Tempore Kuehl was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lotus Weinstock, of Los Angeles.

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 M. Lear, of Davis.

Assembly Member Davis was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the victims of the terrorist bombing in Jerusalem.

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

Pursuant to Assembly Rule 78, Assembly Member Ortiz announced her intention to request that Senate Bill No. 1251 be removed from the inactive file.

ACTION RESCINDED ON SENATE BILL NO. 348

Assembly Member Thomson was granted unanimous consent to rescind the action whereby the Assembly, on September 3, 1997 (Assembly Journal, page 4039), passed Senate Bill No. 348, and whereby the bill was ordered transmitted to the Senate.

Further Consideration of Senate Bill No. 348 Without Reference to File

Assembly Member Thomson was granted unanimous consent to take up Senate Bill No. 348, without reference to file, for purpose of amendment.

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.

Motion to Amend

Assembly Member Thomson moved the adoption of amendments.

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

SENATE BILL NO. 383 REMOVED FROM CONSENT CALENDAR AND TAKEN UP

Assembly Member Takasugi was granted unanimous consent that Senate Bill No. 383 be removed from the Consent Calendar, and to take the bill up at this time, without reference to file, for purpose of amendment.

SENATE BILL NO. 383 (O'Connell)—An act to amend Sections 77411, 77416, 77421, 77425, 77430, 77434, 77442, 77481, 77483, and 77485 of the Food and Agricultural Code, relating to agriculture.

Bill read third time.

Motion to Amend

Assembly Member Takasugi 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. 1102 BY UNANIMOUS CONSENT

Assembly Member Brown was granted unanimous consent to take up Senate Bill No. 1102, out of order.

SENATE BILL NO. 1102 (Committee on Revenue and Taxation)—An act to amend Section 15619 of the Government Code, and to amend Sections 6203, 7102, 8255, 8651.7, 9255, 30179, 30366, 30455, 32405, 40116, 43455, 45655, 46506, 46751, 50142.1, 50161, 55225, 60120, 60121, 60361, 60524, 60608, and 60609 of, to add Sections 9255.1, 50162, and 60105 to, and to repeal Sections 60104 and 60709 of, the Revenue and Taxation Code, and to amend Sections 2104, 2105, and 2107 of the Streets and Highways Code, relating to taxation.

Rules Temporarily Suspended

Assembly Member Brown was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of amendments to Senate Bill No. 1102.

Bill read third time.

Motion to Amend

Assembly Member Brown, moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading 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. 644, on request of Assembly Member Goldsmith.

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Strom-Martin announced her intention to request that Senate Bill No. 916 be removed from the inactive file.

CONSIDERATION OF SENATE BILL NO. 1048 BY UNANIMOUS CONSENT

Assembly Member Cunneen was granted unanimous consent to take up Senate Bill No. 1048, out of order.

SENATE BILL NO. 1048 (Sher)—An act to amend Section 31006 of, and to add Chapter 4.5 (commencing with Section 31160) to Division 21, of the Public Resources Code, relating to coastal resources.

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.

**SENATE BILL NO. 320 REMOVED FROM CONSENT
CALENDAR AND TAKEN UP**

Assembly Member Torlakson was granted unanimous consent that Senate Bill No. 320 be removed from the Consent Calendar, and to take the bill up at this time, without reference to file, for purpose of amendment.

SENATE BILL NO. 320 (Committee on Housing and Land Use)—An act to amend Sections 8767, 8768, and 8771 of the Business and Professions Code, to amend Sections 8001, 53091, 65040.6, 65460.2, 65460.4, 65588, 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, 50199.50, 50199.52, 50517, and 51058 of, to amend and renumber Sections 33320.5 and 33320.7 of, to amend and renumber Article 7 (commencing with Section 33493.1 of Chapter 4.5 of Part 1 of Division 24 of, 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 33320.6, 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 third time.

Motion to Amend

Assembly Member Torlakson moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading 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. 1107, on request of Assembly Member Takasugi.

ADJOURN IN MEMORY

Assembly Members Alquist and Honda were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of James Nathan Walker, of Arcadia.

BILL RETURNED TO SENATE

Without objection, Assembly Member Bordonaro returned Assembly Bill No. 75 to the Senate for further action.

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

Pursuant to Assembly Rule 78, Assembly Member Gallegos announced his intention to request that Senate Bill No. 1111 be removed from the inactive file.

SPECIAL COMMITTEE MEETINGS

Assembly Member Perata was granted unanimous consent that the Committee on Rules be permitted to hold a special meeting at this time, and without objection, the House was permitted to continue in Floor session.

JOINT RULE 62(a) WAIVED

Assembly Member Perata was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 521 for hearing in the Committee on Rules.

BILLS PLACED ON INACTIVE FILE

The following bills were placed upon the inactive file:

Senate Bill No. 1329, on request of Assembly Member Murray.

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

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. 187, 438, 818, 1257, 713, 1271, 1086, and 319, ordered to third reading;

Senate Bill No. 506, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 137—An act to add Section 19823.5 to the Business and Professions Code, relating to gaming.

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

SENATE BILL NO. 705—An act to amend Sections 1621.5 and 120290 of, and to add Sections 120291 and 120292 to, the Health and Safety Code, relating to human immunodeficiency virus.

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 CONCURRENT RESOLUTION NO. 49—Relative to school safety.

Resolution read; amendments proposed by the Committee on Rules read and adopted, resolution ordered reprinted and to be placed upon the Consent Calendar.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 193 (Mountjoy)—An act to amend Section 14850 of the Government Code, to amend Sections 2 and 3 of Chapter 352 of the Statutes of 1976, to amend Section 4 of Chapter 620 of the Statutes of 1989, to amend Section 2 of Chapter 625 of the Statutes of 1991, and to amend Section 1 of Chapter 317 of the Statutes of 1993, relating to state administration.

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

Bill passed by the following vote:

AYES—74

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

NOES—2

Miller Pringle

Bill ordered transmitted to the Senate.

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.

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

Bill passed by the following vote:

AYES—62

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

NOES—10

Ackerman	Brewer	Margett	Thompson
Baldwin	Cardoza	McClintock	
Baugh	Leonard	Pringle	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 1217: Assembly Member Cardoza, from "Aye" to "No".

Bill ordered transmitted to the Senate.

RECESS

By unanimous consent, at 2:28 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Richter introduced Hon. Annabel Young, Member of Parliament, House of Representatives, New Zealand.

REASSEMBLED

At 2:28 p.m., the Assembly reconvened.

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 4, 1997

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

Assembly Bill No. 388	Assembly Bill No. 1093
Assembly Bill No. 489	Assembly Bill No. 1325
Assembly Bill No. 500	Assembly Bill No. 1491
Assembly Bill No. 588	Assembly Bill No. 1546
Assembly Bill No. 816	

An reports the same correctly enrolled, and presented to the Governor at 2 p.m., September 4, 1997.

E. DOTSON WILSON, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Rules

September 4, 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. 231.

DON PERATA, Chairman

September 4, 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. 879.

DON PERATA, Chairman

At 2:29 p.m., Hon. Fred Keeley, 27th District, presiding

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

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

Resolution read, presented by Assembly Member Ducheny, and adopted by the following vote:

AYES—56

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

NOES—15

Ackerman	Bowler	McClintock	Richter
Baldwin	Granlund	Miller	Thompson
Battin	Leonard	Morrow	Woods
Baugh	Margett	Olberg	

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Concurrent Resolution No. 23: Assembly Members Ashburn, Brewer, Frusetta, House, and Leach, from ‘No’ to ‘Aye’.

Resolution ordered transmitted to the Senate.

Objection to Vote Adds

Assembly Member Shelley withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Senate Concurrent Resolution No. 23.

(NOTE: Later this day, objection was withdrawn.)

SENATE BILL NO. 227 (Solis)—An act to amend Sections 22509, 22801, and 22803 of, and to add Sections 22508.5 and 70905 to, the Education Code, and to add Section 20309 to the Government Code, relating to community colleges.

Bill read third time.

Motion to Amend

Assembly Member Ducheny moved the adoption of amendments.

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

SENATE BILL NO. 233 (Solis)—An act to amend Section 1256 of the Unemployment Insurance Code, relating to unemployment compensation benefits.

Bill read third time.

Motion to Amend

Assembly Member Migden moved the adoption of amendments.

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

SENATE BILL NO. 314 (Ayala)—An act to amend Sections 290 and 290.4 of the Penal Code, relating to sex offenders.

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.

SENATE BILL NO. 653 (Calderon)—An act to amend Sections 1706, 1756, 1758, and 1759 of, to add Sections 1766.1 and 1766.2 to, to repeal Sections 1757.1 and 1765 of, and to repeal and add Section 1757 of, the Public Utilities Code, relating to the Public Utilities Commission.

Bill read third time.

Motion to Amend

Assembly Member Pacheco moved the adoption of amendments.

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

SENATE BILL NO. 654 (Johnston)—An act to amend Section 12926 of the Government Code, relating to discrimination.

Bill read third time.

Motion to Amend

Assembly Member Knox moved the adoption of amendments.

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

SENATE BILL NO. 1144 (Rosenthal)—An act to amend Section 19596 of the Business and Professions Code, relating to horseracing, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately as an urgency statute.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—65

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

NOES—6

Bowen	Frusetta	Scott
Floyd	Havice	Thompson

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—65

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

NOES—6

Bowen	Frusetta	Scott
Floyd	Havice	Thompson

Vote Changes

By unanimous consent, the following vote change was permitted on the urgency clause to Senate Bill No. 1144, and on passage of the bill: Assembly Member Bowen, from "Aye" to "No".

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1220 (Solis)—An act to add Section 1367.51 to, and to repeal Section 1367.5 of, the Health and Safety Code, and to add Section 10176.61 to the Insurance Code, relating to health insurance.

Bill read third time.

Motion to Amend

Assembly Member Goldsmith moved the adoption of amendments.

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

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

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

Bill passed by the following vote:

AYES—63

Ackerman	Escutia	Mazzoni	Scott
Aguiar	Figueroa	McClintock	Shelley
Alquist	Firestone	Migden	Sweeney
Ashburn	Frusetta	Miller	Takasugi
Baca	Gallegos	Morrissey	Thompson
Baldwin	Goldsmith	Morrow	Thomson
Battin	Granlund	Napolitano	Torlakson
Baugh	Hertzberg	Olberg	Villaraigosa
Bordonaro	House	Ortiz	Vincent
Bowler	Keeley	Pacheco	Washington
Brewer	Knox	Papan	Wayne
Campbell	Kuehl	Perata	Wildman
Cardenas	Kuykendall	Poochigian	Woods
Cardoza	Leach	Prenter	Wright
Davis	Machado	Richter	Mr. Speaker
Ducheny	Margett	Runner	

NOES—8

Aroner	Brown	Havice	Oller
Bowen	Cunneen	Leonard	Strom-Martin

Bill ordered transmitted to the Senate.

SENATE BILL NO. 931 (Schiff)—An act to amend Section 6025 of the Penal Code, relating to corrections.

Bill read third time.

Motion to Amend

Assembly Member Goldsmith moved the adoption of amendments.

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

SENATE BILL NO. 543 (Committee on Agriculture and Water Resources)—An act to amend Sections 11454, 13459.5, 74224, and 78645 of, and to add Section 36560 to, the Water Code, to amend Section 4 of Chapter 1428 of the Statutes of 1985, and to add Section 32.5 to the Water Conservation Act of 1927 (Chapter 91 of the Statutes of 1927), relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Gallegos moved the adoption of amendments.

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

SENATE BILL NO. 1234 (Alpert)—An act to amend Sections 17009, 17039, 17941, 18633.5, 23036, and 23038 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

Bill passed by the following vote:

AYES—75

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

NOES—None

Bill ordered transmitted to the Senate.

At 3:03 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

SENATE BILL NO. 392 (Gallegos)—An act to amend Sections 1357 and 1357.50 of the Health and Safety Code, and to amend Sections 10198.6 and 10700 of the Insurance Code, relating to health care coverage.

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

Bill passed by the following vote:

AYES—75

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

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 392: Assembly Member Pringle, from “Aye” to “No”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1184 (Thompson)—An act to amend Sections 63000, 63010, 63021, 63025.1, 63026, 63055, and 63071 of, to amend and renumber Sections 63042 and 63048 of, to amend and renumber the headings of Article 4 (commencing with Section 63042) and Article 6 (commencing with Section 63048) of Chapter 2 of Division 1 of Title 6.7 of, to add Sections 63027, 63028, 63040, 63084, 63085, 63086, and 63087 to, to repeal Section 63001 of, to repeal Article 3 (commencing with Section 63040) of Chapter 2 of Division 1 of Title 6.7 of, to repeal the heading of Article 1 (commencing with Section 63050) of Chapter 3 of Division 1 of Title 6.7 of, to repeal Part 10.2 (commencing with Section 15710) of Division 3 of Title 2 of, and to repeal and add Article 5 (commencing with Section 63043) of Chapter 2 of Division 1 of Title 6.7 of, the Government Code, relating to state infrastructure.

Bill read third time.

Motion to Amend

Assembly Member Perata moved the adoption of amendments.

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

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 3:13 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 Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

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

SENATE BILL NO. 472 (Maddy)—An act to amend Sections 6450, 6453, and 6455 of, to add Sections 6440, 6459, and 6460 to, and to repeal Section 6458 of, the Fish and Game Code, relating to fish, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—73

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 48 (Solis)—An act to repeal and add Section 10214.7 of the Unemployment Insurance Code, relating to unemployment insurance, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—73

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

NOES—1

McClintock

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—73

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

NOES—1

McClintock

Bill ordered transmitted to the Senate.

SENATE BILL NO. 316 (Hayden)—An act to add and repeal Chapter 7 (commencing with Section 99300) of Part 65 of the Education Code, relating to postsecondary education.

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

Bill passed by the following vote:

AYES—62

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

NOES—7

Ackerman	Brewer	Morrow	Runner
Baugh	McClintock	Oller	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 525 (Maddy)—An act to amend Sections 1961 and 1967 of the Streets and Highways Code, and to amend Section 21716 of the Vehicle Code, relating to vehicles.

Bill read third time.

Motion to Amend

Assembly Member Battin moved the adoption of amendments.

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

REQUEST FOR PHOTOGRAPHER

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

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 328, on request of Assembly Member Machado.

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

SENATE BILL NO. 657 (Sher)—An act to amend Sections 25501, 25501.4, 25503.3, and 25505 of the Health and Safety Code, relating to hazardous materials.

Bill read third time.

Motion to Amend

Assembly Member Lempert moved the adoption of amendments.

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

SENATE BILL NO. 566 (Thompson)—An act to add Chapter 8 (commencing with Section 51298) to Part 1 of Division 1 of Title 5 of the Government Code, relating to local government.

Bill read third time.

Motion to Amend

Assembly Member Migden moved the adoption of amendments.

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

At 3:27 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding

SENATE BILL NO. 842 (Hayden)—An act to amend Section 23221 of the Revenue and Taxation Code, relating to taxation.

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

Point of Order

Assembly Member Wildman arose to the following point of order:

Pursuant to the provisions of Joint Rule 37.5, Senate Bill No. 842 requires 54 votes for passage.

Ruling by Assistant Speaker pro Tempore Baca

The Assistant Speaker pro Tempore ruled the point of order not well-taken; that the vote requirement key in the Legislative Counsel’s digest in the bill indicates 41 votes required for passage.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—42

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

NOES—31

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

~~Bill ordered transmitted to the Senate.~~

(NOTE: Later this day a motion to reconsider the above vote on Senate Bill No. 842 was offered by Assembly Member Davis.)

BILLS PASSED ON FILE

Senate Bills Nos. 857 and 1007—Passed on file.

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

SENATE BILL NO. 945 (Wright)—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 third time, and presented by Assembly Member Takasugi.

Bill passed by the following vote:

AYES—71

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

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR PHOTOGRAPHER

Assembly Member Pringle was granted unanimous consent that a photographer be permitted in the Assembly Gallery.

JOINT RULE 62(a) WAIVED

Assembly Member Aguilar was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 879 for hearing in the Committee on Rules.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 3:39 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 Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

REPORTS OF STANDING COMMITTEES

Committee on Rules

September 4, 1997

Mr. Speaker: Your Committee on Rules recommends that the request to suspend Joint Rule 61(a)(9) and (11), as it relates to the following bill be granted:

Senate Bill No. 614 to be heard today only.

DON PERATA, Chairman

Objection Withdrawn

Assembly Member Shelley withdrew his objection to any request for vote adds or vote changes on the roll call vote taken on this day on Senate Concurrent Resolution No. 23.

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Aroner announced her intention to request that Senate Bills Nos. 513 and 560 be removed from the inactive file.

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

SENATE BILL NO. 453 (Solis)—An act to amend Section 27 of the Labor Code, relating to workers' compensation.

Bill read third time.

Motion to Amend

Assembly Member Wayne 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 Miller announced his intention to request that Senate Bill No. 825 be removed from the inactive file.

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

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

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

Bill passed by the following vote:

AYES—59

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

NOES—6

Baugh	Frusetta	Morrow
Bordonaro	Leonard	Pringle

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 1221: Assembly Member Frusetta, from "Aye" to "No".

Bill ordered transmitted to the Senate.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 705, on request of Assembly Member Hertzberg.

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

SENATE BILL NO. 1141 (Johnson)—An act to add Section 138.7 to the Labor Code, relating to workers' compensation.

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

Bill passed by the following vote:

AYES—72

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

NOES—None

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

SENATE BILL NO. 1174 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given, Assembly Member Alquist was granted unanimous consent that the vote be reconsidered whereby the urgency clause to Senate Bill No. 1174 was refused adoption; and that the bill be placed upon the inactive file.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 675 (Costa)—An act to amend, repeal, and add Section 41705 of the Health and Safety Code, and to amend and repeal Section 43209.1 of the Public Resources Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—67

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

NOES—3

Bowen	Escutia	Havice
-------	---------	--------

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—67

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

NOES—3

Bowen	Escutia	Havice
-------	---------	--------

Vote Changes

By unanimous consent, the following vote change was permitted on the urgency clause to Senate Bill No. 675, and on passage of the bill: Assembly Member Havice, from "Aye" to "No".

Bill ordered transmitted to the Senate.

SENATE BILL NO. 394 (Johnston)—An act to add Section 33117.7 to the Education Code, and to amend Section 15037.1 of the Unemployment Insurance Code, relating to school-to-career opportunities.

Bill read third time.

Motion to Amend

Assembly Member Shelley moved the adoption of amendments.

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

SENATE BILL NO. 367 (Sher)—An act to amend Section 44241 of the Health and Safety Code, relating to air pollution.

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

Bill passed by the following vote:

AYES—65

Aguiar	Firestone	Mazzoni	Shelley
Alquist	Floyd	Migden	Strom-Martin
Aroner	Frusetta	Miller	Sweeney
Baca	Gallegos	Morrissey	Takasugi
Battin	Granlund	Morrow	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Villaraigosa
Brewer	Honda	Olberg	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	Richter	
Escutia	Machado	Runner	
Figueroa	Margett	Scott	

NOES—7

Ackerman	Baugh	House	Oller
Baldwin	Bowler	McClintock	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 827 (Greene)—An act to amend Sections 101, 128.5, 130, 200.1, 205, 675, 800, 1242.6, 1680, 2071, 2221.1, 2660, 2701, 2708, 2761, 2841, 2842, 2847, 2873.6, 2873.7, 2881, 2890, 2893, 2894, 3527, 3750, 4001, 4003, 4008, 4501, 4503, 4546, 4547, 4800, 4804.5, 4848, 4905, 4955, 5510, 5517, 5526, 5536.27, 8520, and 8528 of, to amend and repeal Sections 5566, 5566.1, and 5566.2 of, to add Sections 473.15, 473.16, 473.6, and 4832 to, to amend, repeal, and add Sections 4833, 4834, 4835, and 4842.2 of, the Business and Professions Code, relating to licensed professionals, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—66

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

NOES—1

McClintock

Bill ordered transmitted to the Senate.

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. 1346, on request of Assembly Member Gallegos.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Assembly Resolutions

ASSEMBLY CONCURRENT RESOLUTION NO. 72 (Baca)—Relative to parental notification of Megan’s Law by school districts.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 74 (Kaloogian)—Relative to Workplace Fitness Month.

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

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

Consent Calendar—Senate Bills

SENATE BILL NO. 95 (Ayala)—An act to amend Sections 11124.1, 11125, 11125.1, 11125.5, 11125.7, 11126, 11126.3, 11129, 11130, 11130.7, and 11131 of, and to add Sections 11121.95, 11125.4, 11125.8, 11128.5, and 11131.5 to, the Government Code, relating to open meetings.

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, by the following vote:

AYES—75

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

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

Pursuant to Assembly Rule 78, Assembly Member Poochigian announced his intention to request that Senate Bill No. 782 be removed from the inactive file.

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

SENATE BILL NO. 795 (Kopp)—An act to amend Sections 10153.6 and 10232 of, and to add Sections 10234.5, 10236.4, and 10236.5 to, the Business and Professions Code, relating to real estate.

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

Bill passed by the following vote:

AYES—45

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

NOES—23

Ackerman	Bowler	Leach	Oller
Aguiar	Campbell	Leonard	Pringle
Ashburn	Cardoza	McClintock	Runner
Baldwin	Frusetta	Miller	Takasugi
Baugh	Granlund	Morrow	Woods
Bordonaro	House	Olberg	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 795: Assembly Member Cardoza, from “Aye” to “No”.

Bill ordered transmitted to the Senate.

SPECIAL COMMITTEE MEETINGS

Assembly Member Migden was granted unanimous consent that the Committee on Appropriations be permitted to hold a special meeting on Friday, September 5, 1997, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 66 and Senate Bill No. 303 for hearing.

CAUCUS ANNOUNCEMENTS

Assembly Member Shelley announced that the Democratic Caucus would meet on Friday, September 5, 1997, at noon, in the Assembly Lounge.

**RULES TEMPORARILY SUSPENDED
FOR REMARKS ON CONDITION OF THE FILE**

Assembly Member Cardoza was granted unanimous consent to temporarily suspend the Rules to speak on the condition of the file.

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

SENATE BILL NO. 807 (Thompson)—An act to add Sections 44006 and 44026 to, and to add and repeal Section 44027 of, the Health and Safety Code, relating to air pollution.

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

Call of the Assembly

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

Motion carried. Time, 4:17 p.m.

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

**MOTION TO RECONSIDER SENATE BILL NO. 842
ON NEXT LEGISLATIVE DAY**

Assembly Member Davis moved to reconsider on the next legislative day the vote whereby Senate Bill No. 842 was this day passed.

Senate Bill No. 842 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 807**

At 4:32 p.m., on motion of Assembly Member Pringle, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 807 passed by the following vote:

AYES—41

Alquist	Frusetta	Migden	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
Ducheny	Kuehl	Shelley	Mr. Speaker
Escutia	Lempert	Strom-Martin	
Figueroa	Machado	Sweeney	
Floyd	Mazzoni	Thomson	

NOES—24

Ackerman	Bowler	Leonard	Poochigian
Aguiar	Brewer	McClintock	Prenter
Ashburn	Campbell	Miller	Pringle
Baldwin	Goldsmith	Morrow	Runner
Baugh	Granlund	Olberg	Takasugi
Bordonaro	House	Oller	Woods

Senate Bill No. 807 Reconsidered Immediately

Assembly Member Murray was granted unanimous consent that the vote be immediately reconsidered whereby Senate Bill No. 807 was this day passed and that the bill be passed on file, to retain its place on file.

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

Pursuant to Assembly Rule 78, Assembly Member Escutia announced her intention to request that Senate Bill No. 136 be removed from the inactive file.

RESOLUTIONS

The following resolutions were offered:

Resolutions to Suspend Joint Rules

By Assembly Member Machado:

Resolved, That Joint Rule 61(a)(9), (a)(10), and (a)(11) be suspended to permit the Committees on Water, Parks and Wildlife and Appropriations to meet, consider, and report Senate Bills Nos. 231 and 879 for further action on these bills only.

By Assembly Member Machado:

Resolved, That Joint Rule 61(a)(9) and (11) be suspended to permit the Committee on Water, Parks and Wildlife to meet, consider, and report Senate Bill No. 614 for further action, today only.

Resolutions read, and adopted by the following vote:

AYES—72

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

NOES—None

SPECIAL COMMITTEE MEETINGS

Assembly Member Machado was granted unanimous consent that the Committee on Water, Parks and Wildlife be permitted to hold a special meeting today, 30 minutes after adjournment of Floor session, in the Tom Bane Rules Committee Room, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bills Nos. 614, 879, and 231 for hearing.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Assembly Member Migden was granted unanimous consent that Assembly Rule 56 be temporarily suspended for the purpose of permitting the Committee on Appropriations to notice hearing of Senate Bills Nos. 231 and 879 in the Assembly Daily File prior to re-referral to the committee.

JOINT RULE 62(a) WAIVED

Assembly Member Migden was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bills Nos. 231 and 879 for hearing in the Committee on Appropriations on Friday, September 5, 1997.

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. 495, on request of Assembly Member Sweeney;
Senate Bill No. 1050, on request of Assembly Member Wayne;
Senate Bill No. 980, on request of Assembly Member Hertzberg;
Senate Bill No. 202, on request of Assembly Member Knox;
Senate Bill No. 941, on request of Assembly Member Cardenas;
Senate Bill No. 731, on request of Assembly Member Campbell;
Senate Bill No. 283, on request of Assembly Member Bowler;
Senate Bill No. 364, on request of Assembly Member Papan;
Senate Bill No. 512, on request of Assembly Member Papan;
Senate Bill No. 772, on request of Assembly Member Cardoza;
Senate Bill No. 280, on request of Assembly Member Granlund;
Senate Bill No. 750, on request of Assembly Member Gallegos;
Senate Bill No. 1351, on request of Assembly Member Shelley;
Senate Bill No. 190, on request of Assembly Member Thomson;
Senate Bill No. 720, on request of Assembly Member Ortiz;
Senate Bill No. 880, on request of Assembly Member Sweeney.

**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, 1174, and 1037 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.

VOTE ADDS

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

Senate Bill No. 193: Battin, Baugh, Bowler, Machado, Mazzoni, McClintock, Migden, Morrow, Washington, and Woods—Aye.

Senate Bill No. 1217: Aguiar, Ashburn, Battin, Bordonaro, Bowler, Goldsmith, Machado, Mazzoni, Migden, Morrow, Pacheco, and Washington—Aye; Baugh—No.

Senate Concurrent Resolution No. 23: Bordonaro, Machado, Mazzoni, Pacheco, and Takasugi—Aye; Bowler, Granlund, Morrow, and Olberg—No.

Senate Bill No. 1144 and Urgency: Aguiar, Ashburn, Bowler, Cardenas, Granlund, Knox, Machado, Miller, and Morrow—Aye; Scott—No.

Senate Bill No. 74: Battin, Bowler, Davis, Granlund, Knox, Mazzoni, and Morrow—Aye; Cunneen—No.

Senate Bill No. 1234: Baugh, Bowler, Cardenas, Cunneen, Granlund, Knox, Machado, and Morrow—Aye.

Senate Bill No. 392: Baugh, Bowler, Cunneen, Granlund, Miller, Pacheco, and Woods—Aye.

Senate Bill No. 472: Ashburn, Bowler, Cardenas, Cunneen, Granlund, Pacheco, and Woods—Aye.

Senate Bill No. 48 and Urgency: Baca, Baugh, Bowler, Cunneen, Goldsmith, Granlund, Pacheco, and Woods—Aye.

Senate Bill No. 316: Aguiar, Baca, Bordonaro, Bowen, Bowler, Cunneen, Goldsmith, Granlund, Mazzoni, Pacheco, and Prenter—Aye; Baugh and Morrow—No.

Senate Bill No. 842: Bowler, Cunneen, Granlund, Pacheco, and Prenter—No.

Senate Bill No. 945: Ackerman, Baugh, Bowen, Bowler, Cunneen, Granlund, Pacheco, and Prenter—Aye.

Senate Bill No. 1221: Aguiar, Figueroa, Granlund, Leach, Mazzoni, and Pacheco—Aye; Baugh and Morrow—No.

Senate Bill No. 1141: Baugh, Granlund, Mazzoni, and Pacheco—Aye.

Senate Bill No. 675 and Urgency: Alquist, Cunneen, Granlund, Honda, Lempert, Mazzoni, and Pacheco—Aye.

Senate Bill No. 367: Cunneen, Granlund, Mazzoni, Morrow, Pacheco, and Takasugi—Aye; Baugh—No.

Senate Bill No. 827: Baugh, Cardoza, Olberg, and Pacheco—Aye.

Senate Bill No. 795: Ducheny, Mazzoni, and Pacheco—Aye; Baugh, Granlund, and Morrow—No.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4:46 p.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources

Date of Hearing: September 4, 1997

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 1066

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

BOWEN, Chairwoman

Above bill re-referred to the Committee on Appropriations.

Committee on Appropriations

Date of Hearing: September 3, 1997

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|---------------------|----------------------|
| Senate Bill No. 3 | Senate Bill No. 721 |
| Senate Bill No. 31 | Senate Bill No. 820 |
| Senate Bill No. 49 | Senate Bill No. 914 |
| Senate Bill No. 72 | Senate Bill No. 936 |
| Senate Bill No. 172 | Senate Bill No. 1034 |
| Senate Bill No. 200 | Senate Bill No. 1035 |
| Senate Bill No. 255 | Senate Bill No. 1051 |
| Senate Bill No. 377 | Senate Bill No. 1113 |
| Senate Bill No. 445 | Senate Bill No. 1135 |
| Senate Bill No. 499 | Senate Bill No. 1179 |
| Senate Bill No. 535 | Senate Bill No. 1270 |
| Senate Bill No. 545 | Senate Bill No. 1306 |
| Senate Bill No. 669 | Senate Bill No. 1307 |
| Senate Bill No. 673 | Senate Bill No. 1339 |

With the recommendation: Do pass,

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: September 3, 1997

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|---------------------|----------------------|
| Senate Bill No. 42 | Senate Bill No. 624 |
| Senate Bill No. 85 | Senate Bill No. 702 |
| Senate Bill No. 135 | Senate Bill No. 802 |
| Senate Bill No. 291 | Senate Bill No. 824 |
| Senate Bill No. 300 | Senate Bill No. 828 |
| Senate Bill No. 345 | Senate Bill No. 853 |
| Senate Bill No. 458 | Senate Bill No. 1031 |
| Senate Bill No. 463 | Senate Bill No. 1106 |
| Senate Bill No. 550 | Senate Bill No. 1130 |
| Senate Bill No. 623 | |

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: September 3, 1997

Mr. Speaker: Your Committee on Appropriations reports:

- Senate Bill No. 45

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

MIGDEN, Chairwoman

Above bill re-referred to the Committee on Transportation.

Date of Hearing: September 3, 1997

Mr. Speaker: Your Committee on Appropriations reports:

- Senate Bill No. 521

With the recommendation: That the bill be re-referred to the Committee on Rules.

MIGDEN, Chairwoman

Above bill re-referred to the Committee on Rules.

Date of Hearing: September 3, 1997

Mr. Speaker: Your Committee on Appropriations reports:

- Assembly Constitutional Amendment No. 22

With the recommendation: Be adopted.

MIGDEN, Chairwoman

Above resolution ordered to second reading.

MESSAGES FROM THE SENATE

September 4, 1997

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

Dear Dotson: The Senate this day by a two-thirds vote suspended Joint Rule 29.5(a) on Senate Bill 376.

Sincerely,

GREGORY SCHMIDT
Secretary of the Senate

Senate Chamber, September 4, 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. 475
- Senate Bill No. 517

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

Senate Chamber, September 4, 1997

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

Senate Bill No. 1088.

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

Senate Chamber, September 4, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Greene, O'Connell and Brulte as a Committee on Conference concerning:

Assembly Bill No. 1580.

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

Senate Chamber, September 4, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Lockyer, Vasconcellos and Maddy as a Committee on Conference concerning:

Senate Bill No. 1088.

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

MESSAGES FROM THE SENATE

Senate Chamber, September 4, 1997

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

- Senate Bill No. 218

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. 218—An act to amend Section 203 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

APPOINTMENT OF COMMITTEE ON CONFERENCE

The Speaker appointed the following Assembly Members as a Committee on Conference concerning Senate Bill No. 1088:

Hertzberg, Wayne, and Morrow.

INTRODUCTION OF GUESTS

Speaker pro Tempore Kuehl introduced Bill Jones, Secretary of State.

ADJOURNMENT

At 4:50 p.m., the Assembly adjourned until 9 a.m., Friday, September 5, 1997, out of respect to the memory of Lotus Weinstock, on motion of Speaker pro Tempore Kuehl; out of respect to the memory of the victims of the terrorist bombing in Jerusalem, on motion of Assembly Member Davis; out of respect to the memory of James Nathan Walker, on motion of Assembly Members Alquist and Honda; and out of respect to the memory of John M. Lear, on motion of Assembly Member Thomson.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON SEPTEMBER 4, 1997**

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

SB	RN
137	9722274
227	9722080
233	9722049
314	9722322
320	9721680
348	9722501
383	9722514
394	9722068
453	9721930
525	9722249
543	9722294
566	9722464
653	9722170
654	9722416
657	9722432
705	9721836
931	9722423
1048	9722296
1102	9721885
1184	9721956
1220	9722325

SCR	RN
49	9722054

Daily Total:	22
Cumulative Total:	3263