

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, September 5, 1997

ONE HUNDRED THIRTY-THIRD SESSION DAY

TWO HUNDRED SEVENTY-EIGHTH 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
Friday, September 5, 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 Aguiar 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 9:38 a.m., Speaker pro Tempore Kuehl declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—78:

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

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 God, Look upon our generation and grant that our days be lived in the light of Your transcendent and eternal goodness. Keep us, day by day, close to You, that we may be close to one another. Preserve us from prideful thoughts and from vanity, that with pure purpose and holy illumination we may set forward Your Kingdom of truth and righteousness.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Figueroa 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 Perata, seconded by Assembly Member Battin.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

Because of a death in his family: Assembly Member Thompson.

COMMUNICATIONS

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

September 5, 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 5, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

REPORTS OF STANDING COMMITTEES
Committee on Rules

September 5, 1997

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

Senate Bills Nos. 45 and 163 to be heard today only.

DON PERATA, Chairman

September 5, 1997

Mr. Speaker: Your Committee on Rules recommends that the request to suspend Joint Rule 61(a)(10) and (11), as it relates to the following bill be granted:

Senate Bill No. 1066 to be heard today only.

DON PERATA, Chairman

ADJOURN IN MEMORY

Assembly Member Shelley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Daniel Mark Pommon, and Fred H. Laubscher.

Assembly Member Leonard was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Christina E. Beeson Bailey, of Highland.

Assembly Member Lempert was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Michael Costa Rodrigues, of Half Moon Bay.

Assembly Member Bowler was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mark Kidd, of Rancho Cordova.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 495, on request of Assembly Member Sweeney.

RESOLUTIONS

The following resolutions were offered:

Resolutions to Suspend Joint Rules

By Assembly Member Murray:

Resolved, That Joint Rule 61(a)(9) and (11) be suspended to permit the Committee on Transportation to meet, consider, and report Senate Bill No. 45, today only, for further action.

By Assembly Member Aroner:

Resolved, That Joint Rule 61(a)(9) and (11) be suspended to permit the Committee on Human Services to meet, consider, and report Senate Bill No. 163, today only, for further action.

By Assembly Member Migden:

Resolved, That Joint Rule 61(a)(10) and (a)(11) be suspended to permit the committee on Appropriations to meet, consider, and report Senate Bill No. 1066, today only, for further action.

Resolutions read, and adopted by the following vote:

AYES—73

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

NOES—None

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 Bill No. 1066 for hearing in the Committee on Appropriations today.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

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

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

Bill passed by the following vote:

AYES—76

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 951 (Johnson)—An act to add Section 20417 to the Government Code, and to amend Section 830.3 of the Penal Code, relating to peace officers, and making an appropriation therefor.

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

Call of the Assembly

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

Motion carried. Time, 9:54 a.m.

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

CONSIDERATION OF SENATE BILL NO. 825 WITHOUT REFERENCE TO FILE

Assembly Member Miller was granted unanimous consent to take up Senate Bill No. 825, without reference to file, for purpose of amendment.

SENATE BILL NO. 825 (Greene)—An act to amend Sections 7000.5, 7011, 7155.5, 7156, 7157, and 7159 of the Business and Professions Code, relating to contractors.

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.

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

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, and presented by Assembly Member Sweeney.

Bill passed by the following vote:

AYES—75

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1291 (Calderon)—An act to amend Section 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.

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

Bill passed by the following vote:

AYES—76

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 110 (Dills)—An act to amend Section 7056 of, to add Section 7051.3 to, to add a chapter heading to, and to add Chapter 2 (commencing with Section 7221) to, Part 1.5 of Division 2 of, the Revenue and Taxation Code, relating to taxation.

Bill read third time.

Motion to Amend

Assembly Member Kuykendall moved the adoption of amendments.

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

SENATE BILL NO. 434 (Kopp)—An act to add Sections 2602 and 2603 to the Penal Code, relating to prisoners.

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

Bill passed by the following vote:

AYES—54

Ackerman	Figueroa	Martinez	Strom-Martin
Aguiar	Firestone	Mazzoni	Sweeney
Alquist	Floyd	McClintock	Takasugi
Aroner	Gallegos	Migden	Thomson
Battin	Goldsmith	Miller	Torlakson
Bowen	Hertzberg	Murray	Villaraigosa
Brewer	Honda	Napolitano	Vincent
Brown	Keeley	Oller	Washington
Campbell	Knox	Ortiz	Wayne
Cardenas	Kuehl	Papan	Wildman
Cunneen	Kuykendall	Perata	Woods
Davis	Lempert	Richter	Mr. Speaker
Ducheny	Leonard	Scott	
Escutia	Machado	Shelley	

NOES—19

Alby	Cardoza	Kaloogian	Olberg
Ashburn	Frusetta	Leach	Poohigian
Baldwin	Granlund	Margett	Prenter
Bordonaro	Havice	Morrissey	Runner
Bowler	House	Morrow	

Bill ordered transmitted to the Senate.

At 10:33 a.m., Hon. Fred Keeley, 27th District, presiding

SENATE BILL NO. 483 (Schiff)—An act to add Chapter 1.5 (commencing with Section 1950) to Division 2.5 of the Welfare and Institutions Code, relating to juvenile justice, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—61

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

NOES—14

Baldwin	Floyd	Miller	Oller
Baugh	Granlund	Morrissey	Runner
Bordonaro	Leonard	Morrow	
Brewer	McClintock	Olberg	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 273 (Burton)—An act to add and repeal Section 109281 of the Health and Safety Code, relating to prostate cancer.

Bill read third time.

Motion to Amend

Assembly Member Granlund moved the adoption of amendments.
Amendments read and adopted; bill ordered reprinted.

Re-reference of Bills to Committee Pursuant to Assembly Rule 77.2

Pursuant to Assembly Rule 77.2, the Speaker re-referred Senate Bill No. 273 to the Committee on Appropriations.

ADJOURN IN MEMORY

Moment of Silence

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 Mother Teresa and that the Assembly observe a moment of silence in her honor.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 527 (Rosenthal)—An act to add and repeal Sections 10232.2 and 10232.93 of the Insurance Code, relating to insurance.

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. 536 (Mountjoy)—An act to amend Sections 6601.3, 6601.5, 6602, 6609.1, 6609.2, and 6609.3 of, to amend, repeal, and add Section 6604 of, and to add Section 6602.5 to, the Welfare and Institutions Code, relating to sexually violent predators, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—73

Ackerman	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	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	Wayne
Brown	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cunneen	Leach	Poochigian	
Davis	Lempert	Prenter	

NOES—1

Migden

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—73

Ackerman	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	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	Wayne
Brown	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cunneen	Leach	Poochigian	
Davis	Lempert	Prenter	

NOES—1

Migden

Bill ordered transmitted to the Senate.

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.

Bill passed by the following vote:

AYES—64

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

NOES—8

Ackerman	Bowler	Granlund	Olberg
Baugh	Goldsmith	Kaloogian	Oller

Bill ordered transmitted to the Senate.

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

Pursuant to Assembly Rule 78, Assembly Member Murray announced his intention to request that Senate Bill No. 1329 be removed from the inactive file.

BILLS PASSED ON FILE

Senate Bill No. 826—Passed on file.

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

SENATE BILL NO. 857 (Polanco)—An act to amend Section 7057 of, and to add Section 7019.1 to, the Business and Professions Code, relating to contractors.

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.

SENATE BILL NO. 1007 (Vasconcellos)—An act to repeal and add Chapter 11 (commencing with Section 121150) of Part 4 of Division 105 of the Health and Safety Code, relating to HIV.

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

Bill passed by the following vote:

AYES—48

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

NOES—26

Ackerman	Campbell	Leonard	Oller
Alby	Frusetta	Margett	Poochigian
Ashburn	Goldsmith	McClintock	Prenter
Baldwin	Granlund	Miller	Runner
Baugh	House	Morrissey	Takasugi
Bordonaro	Kaloogian	Morrow	
Bowler	Leach	Olberg	

Bill ordered transmitted to the Senate.

At 11:02 a.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding

SENATE BILL NO. 1330 (Lockyer)—An act to amend Sections 42847, 42889, and 48653 of, and to add Chapter 2.5 (commencing with Section 48100) to Part 7 of Division 30 of, the Public Resources Code, relating to solid waste.

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

Bill passed by the following vote:

AYES—74

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

NOES—1

McClintock

Bill ordered transmitted to the Senate.

At 11:04 a.m., Hon. Fred Keeley, 27th District, presiding

SENATE BILL NO. 1349 (Committee on Business and Professions)—An act to amend Sections 4001, 4002, 4003, 4004, 4005, 4007, 4008, 4017, 4018, 4021, 4022, 4023, 4024, 4025, 4028, 4029, 4030, 4031, 4033, 4034, 4037, 4040, 4043, 4051, 4052, 4053, 4055, 4056, 4057, 4058, 4060, 4061, 4062, 4063, 4064, 4070, 4071, 4072, 4073, 4074, 4076, 4077, 4080, 4081, 4082, 4100, 4101, 4102, 4103, 4110, 4111, 4112, 4113, 4114, 4115, 4116, 4117, 4118, 4119, 4120, 4122, 4130, 4131, 4132, 4133, 4137, 4138, 4143, 4144, 4150, 4160, 4161, 4162, 4163, 4164, 4170, 4174, 4175, 4180, 4182, 4191, 4197, 4200, 4201, 4202, 4205, 4231, 4232, 4300, 4301, 4303, 4305, 4307, 4309, 4311, 4312, 4320, 4321, 4322, 4326, 4331, 4333, 4339, 4341, 4360, 4361, 4369, 4370, 4372, 4400, 4401, 4402, 19059.5, and 19170 of, to add Sections 4025.1, 4059.5, 4078, 4104, 4105, 4119.5, 4136.5, 4165, 4166, 4167, 4200.5, 4305.5, 4306.5, and 4313 to, to add and repeal Section 4200.1 of, to repeal Sections 4009, 4020, 4186, 4230, and 4233 of, and to repeal and add Sections 4016 and 4136 of, the Business and Professions Code, and to amend Sections 11122 and 11150 of the Health and Safety Code, relating to vocational licensing, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—75

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

NOES—1

McClintock

Bill ordered transmitted to the Senate.

SENATE BILL NO. 617 (Monteith)—An act to amend Section 16946 of the Welfare and Institutions Code, relating to human services.

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

Bill passed by the following vote:

AYES—62

Ackerman	Escutia	Lempert	Poochigian
Aguiar	Figueroa	Leonard	Richter
Alby	Firestone	Machado	Runner
Alquist	Floyd	Margett	Scott
Ashburn	Frusetta	Mazzoni	Strom-Martin
Baldwin	Goldsmith	Migden	Takasugi
Battin	Granlund	Miller	Thomson
Baugh	Havice	Morrissey	Torlakson
Bordonaro	Hertzberg	Morrow	Villaraigosa
Bowler	Honda	Murray	Vincent
Brewer	House	Napolitano	Washington
Campbell	Kaloogian	Olberg	Woods
Cardenas	Keeley	Oller	Wright
Cardoza	Kuehl	Ortiz	Mr. Speaker
Cunneen	Kuykendall	Pacheco	
Ducheny	Leach	Papan	

NOES—4

Bowen	Martinez	McClintock	Wildman
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Bill ordered transmitted to the Senate.

SENATE BILL NO. 1014 (Brulte)—An act to add Section 1684.5 to the Business and Professions Code, relating to dentistry.

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

Bill passed by the following vote:

AYES—77

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

NOES—1

McClintock

Bill ordered transmitted to the Senate.

SENATE BILL NO. 628 (Kopp)—An act to amend Section 1800.3 of the Probate Code, and to amend Sections 15610.07 and 15657.3 of, and to add Sections 15610.06 and 15657.05 to, the Welfare and Institutions Code, relating to elderly and dependent adults.

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.

BILLS PASSED ON FILE

Senate Bill No. 1334—Passed on file.

SENATE BILL NO. 1332 (Vasconcellos)—An act to add Section 19507 to the Welfare and Institutions Code, relating to human services, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Assembly Member Aroner moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—72

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

NOES—1

Goldsmith

Bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 987 (Sher)—An act to amend Section 41712 of the Health and Safety Code, relating to air pollution.

Bill read third time.

Motion to Amend

Assembly Member Olberg moved the adoption of amendments.

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

At 11:20 a.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding

SENATE BILL NO. 187 (Hughes)—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 third time, and presented by Assembly Member Alquist.

Demand for Previous Question

Assembly Members Sweeney, Honda, Washington, Shelley, and Margett demanded the previous question. Demand sustained.

Point of Order

Assembly Member Martinez arose to the following point of order:

Assembly Member Goldsmith arose to ask a question of the author and is engaging in debate.

Ruling by Assistant Speaker pro Tempore Baca

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

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—51

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

NOES—24

Ackerman	Brewer	Kuykendall	Olberg
Alby	Firestone	Leonard	Oller
Ashburn	Frusetta	Margett	Poochigian
Baldwin	Goldsmith	McClintock	Pringle
Baugh	House	Miller	Runner
Bordonaro	Kaloogian	Morrow	Woods

Bill ordered transmitted to the Senate.

SENATE BILL NO. 438 (Johnston)—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 third time, and presented by Assembly Member Hertzberg.

Bill passed by the following vote:

AYES—65

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

NOES—5

Baugh	Floyd	Oller
Ducheny	McClintock	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 776 (Johannessen)—An act to add Sections 13332.19 and 14661 to the Government Code, relating to state property.

Bill read third time.

Motion to Amend

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

Amendments Withdrawn

Without objection, Assembly Member Campbell withdrew his amendments to Senate Bill No. 776—Set 2.

Request for Unanimous Consent

Assembly Member Campbell requested unanimous consent that Senate Bill No. 776, as amended, be returned to the Consent Calendar.

Assembly Member Martinez withheld unanimous consent.

Parliamentary Inquiry

Assembly Member Aguiar arose to the following parliamentary inquiry:

What is the vote requirement to return a bill to the Consent Calendar after it has been removed and amendments to the bill read and adopted?

Reply by Assistant Speaker pro Tempore Baca

The Assistant Speaker pro Tempore replied that it would be a suspension of the Rules to return a bill to the Consent Calendar and would therefor require present and voting.

Senate Bill No. 776 ordered reprinted, and to be returned to the third reading file.

CONSIDERATION OF SENATE BILL NO. 719 BY UNANIMOUS CONSENT

Assembly Member Gallegos was granted unanimous consent to take up Senate Bill No. 719, out of order.

SENATE BILL NO. 719 (Johnston)—An act to add Article 3.5 (commencing with Section 1359) to Chapter 2.2 of Division 2 of the Health and Safety Code, to add Article 1.7 (commencing with Section 10128.50) to Chapter 1 of Part 2 of Division 2 of the Insurance Code, relating to health coverage.

Bill read third time.

Motion to Amend

Assembly Member Gallegos moved the adoption of amendments.

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

At 11:40 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

BILLS PASSED ON FILE

Senate Bills Nos. 818, 1257, 713, and 1086—Passed on file.

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

SENATE BILL NO. 494 (Maddy)—An act to amend Sections 19621.1, 19622.1, 19622.3, and 19622.4 of, and to repeal and add Section 19622.5 of, the Business and Professions Code, relating to district agricultural associations.

Bill read third time.

Motion to Amend

Assembly Member Cardoza moved the adoption of amendments.

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

SENATE BILL NO. 980 (Hayden)—An act to add and repeal Chapter 3.6 (commencing with Section 13827) of Title 6 of Part 4 of the Penal Code, relating to crime prevention.

Bill read third time.

Motion to Amend

Assembly Member Hertzberg moved the adoption of amendments.

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

SENATE BILL NO. 283 (Leslie)—An act to amend Section 1596.792 of the Health and Safety Code, and to amend Section 5056 of the Penal Code, relating to prisons.

Bill read third time.

Motion to Amend

Assembly Member Bowler moved the adoption of amendments.

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

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

Bill read third time.

Motion to Amend

Assembly Member Papan moved the adoption of amendments.

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

SENATE BILL NO. 512 (Rosenthal)—An act to amend Sections 45, 132, 685, 729, 1070.6, 1531, 1774, 1775, 1775.1, 1775.2, 1775.3, 1775.4, 1775.5, 1775.6, 1775.7, 1775.8, 1775.9, 1776, 1779, 12973.6, 12976, and 12976.5 of, and to repeal Section 685.3 of, the Insurance Code, and to amend Sections 12222, 12253, 12255, 12260, 12281, 12302, 12303, 12304, 12305, 12306, 12412, 12413, 12421, 12422, 12423, 12425, 12428, 12429, 12430, 12434, 12435, 12601, 12602, 12633, 12634, 12978, 13151, and 13170 of, and to add Sections 12009, 13171, 13172, 13173, and 13174 to, and to repeal Sections 12411, 12424, 12952, and 12982 of, the Revenue and Taxation Code, relating to insurance.

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.

Amendments Withdrawn

Without objection, Assembly Member Keeley withdrew his amendments to Senate Bill No. 512—Set 2.

BILLS PASSED ON FILE

Senate Bills Nos. 772 and 880—Passed on file.

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

SENATE BILL NO. 750 (Rosenthal)—An act to amend Section 1367.10 of the Health and Safety Code, relating to health care coverage.

Bill read third time.

Motion to Amend

Assembly Member Gallegos moved the adoption of amendments.

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

SENATE BILL NO. 720 (Lockyer)—An act to add and repeal Section 9250.19 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

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

Demand for Previous Question

Assembly Members Sweeney, Baca, Mazzoni, Margett, and Washington demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:16 p.m.

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

SENATE BILL NO. 1107 (Committee on Revenue and Taxation)—An act to amend Section 53684 of the Government Code, to amend Sections 2191.4, 2195, 2503.2, 2605, 2606, 2607, 2611.6, 2910.1, 3691, 4836.5, 4837.5, and 20583 of the Revenue and Taxation Code, and to amend Section 9880 of the Vehicle Code, relating to taxation.

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.

SENATE BILL NO. 1346 (Committee on Business and Professions)—An act to amend Sections 101, 485, 486, 489, 810, 2499.5, 2530.2, 2530.5, 2530.6, 2531, 2531.05, 2531.1, 2531.2, 2531.3, 2531.4, 2531.6, 2531.7, 2531.8, 2531.9, 2531.95, 2532.1, 2532.2, 2532.4, 2533.4, 2534, 2534.1, 2534.2, 2535, 2535.2, 2535.4, 2536, 2539, 2760.1, 2902, 2928, 2929, 2933, 2940, 2941, 2948, 2971, 2980, 2984, 3325, 3328, 3362, 3401, 5029, 5107, 7330, 7335, 7337, 7340, 7404, 7414, 7415, 7417, 7423, and 7860 of, to add Sections 144 and 2531.75 to, to repeal Sections 6529, 6548, 6560, 6625, 6630, 6632, 6633, 6634, 6635, 6635.2, 6636, 7302, 7311, 7312, 7314, 7314.1, 7314.2, 7320, 7322, 7373, 7384, 7390, 7391, 7392, 7393, 7394, 7395, 7412, 7420, 7427, 7431, 7436, 7437, 7437.3, and 7444 of, and to repeal and add Section 2531.5 of, the Business and Professions Code, and to amend Section 13401.5 of the Corporations Code, relating to professions and vocations.

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.

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. 506, on request of Assembly Member Cardoza.

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

SENATE BILL NO. 969 (Burton)—An act to amend Sections 75033.5, 75075, 75076, 75520, and 75522 of the Government Code, relating to judges.

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.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1614 (Lempert)—An act to add Part 32 (commencing with Section 65001) to Division 2 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

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.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 542 (Alpert)—An act to amend Sections 63.1, 255, 273, 273.5, 275, 275.5, 276, 401.13, 430.5, and 1603 of, and to add Section 5145.5 to, the Revenue and Taxation Code, relating to taxation.

Rules Temporarily Suspended

Assembly Member Takasugi was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 542.

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.

SENATE BILL NO. 873 (Vasconcellos)—An act to add Section 116064 to the Health and Safety Code, relating to pool safety.

Bill read third time.

Motion to Amend

Assembly Member Torlakson moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members Kuykendall, House, and Aguiar, demanded a roll call.

The roll was called, and the Torlakson amendments adopted by the following vote:

AYES—44

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

NOES—32

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

Bill ordered reprinted, and to be returned to the third reading file.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 1347 (Committee on Business and Professions)—An act to amend Sections 651, 2590, 2591, 2592, 3105.1, and 3135 of, and to add Section 17505.2 to, the Business and Professions Code, relating to healing arts, and making an appropriation therefor.

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. 1052 (Vasconcellos)—An act to amend Sections 10232.1, 10234.93, and 10237.1 of, to amend and renumber Section 10232.8 of, to add Sections 10232.2, 10232.92, 10232.93, 10232.95, 10232.96, 10234.86, 10234.87, 10235.9, 10235.30, 10235.40, 10235.50, 10235.51, 10235.52, 10235.90, 10237.4, 10237.5, and 10237.6 to, and to repeal and add Section 10234.95 of, the Insurance Code, relating to health insurance.

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. 1258 (Vasconcellos)—An act to amend Sections 35560, 35565, 35575, 35710, 35710.5, and 35753 of, and to add Section 35710.7 to, the Education Code, relating to education.

Bill read 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. 230 (Alpert)—An act to amend Section 41712 of the Health and Safety Code, relating to air pollution.

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.

SENATE BILL NO. 1328 (Brulte)—An act to amend Sections 1775, 1776, and 1813 of the Labor Code, relating to public works.

Rules Temporarily Suspended

Assembly Member Mazzoni was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1328.

Bill read third time.

Motion to Amend

Assembly Member Mazzoni moved the adoption of amendments.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 951**

At 12:41 p.m., on motion of Assembly Member Battin, 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 Battin moved to continue the call of the Assembly.

Motion carried. Time, 12:41 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. 720**

At 12:42 p.m., on motion of Assembly Member Ortiz, 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 Ortiz moved to continue the call of the Assembly.

Motion carried. Time, 12:42 p.m.

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

REQUEST TO SUSPEND JOINT RULES

The following requests were received, and read:

Assembly Chamber, September 5, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(11) as it relates to Senate Bill No. 972.

Assembly Chamber, September 5, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(10) and (a)(11) as it relates to Senate Bills Nos. 298 and 521.

CAROLE MIGDEN

Above requests ordered transmitted to the Committee on Rules.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Perata announced that the Committee on Rules would meet today, upon recess of Floor session (upon adjournment of Caucus meetings).

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.

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.

SPECIAL COMMITTEE MEETINGS

Assembly Member Aroner was granted unanimous consent that the Committee on Human Services be permitted to hold a special meeting today, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 163 for hearing.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Lempert was granted unanimous consent that the following communication be printed in the Journal:

September 5, 1997

E. Dotson Wilson

*Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California*

Mr. Speaker and Members of the Assembly: I am offering amendments to AB 1614 that restate more clearly an author's amendment I offered that was approved without opposition by the Revenue and Taxation Committee on July 14. In that Committee, I offered an amendment to allow continuation of local utility taxes as they apply to basic charges for telephone, cable or cellular telephone service, even though the customer might use their cellular or landline telephone or cable television to access the Internet some or all of the time. I also offered to work with interested local government representatives to resolve concerns about the application of cable franchise fees to charges for interactive computer services. The cable franchise fee issue was subsequently addressed by author's amendments added in the Televising the Assembly and Information Technology Committee on August 29 ((Section 65004(b)(7))).

At the same time, however, I made it clear that I did not want the utility users tax to apply to additional charges made specifically for Internet access. For example, if the basic charge by a local telephone company for monthly telephone service is \$10.00, my intent was for

utility users taxes to continue to apply to that charge, even though the customer may use his or her telephone line to access the Internet. On the other hand, if an interactive computer service, such as Netcom or America Online, or a local telephone company, cable television company or cellular telephone company makes an additional charge specifically for (such as \$19.95 a month for unlimited Internet access), those charges are not to be subjected to the utility users tax.

The language drafted following the Revenue and Taxation Committee hearing to memorialize this amendment has met with varying interpretations, and there is great disagreement over whether the language establishes the boundary line for taxation where we agreed it was established. The amendment I am making to AB 1614 simply sharpens the language of my original amendment consistent with the Committee's action on July 14.

Sincerely,

TED LEMPert, Assembly Member
Twenty-first District

ACTION RESCINDED ON SENATE BILL NO. 450

Assembly Member Kuykendall was granted unanimous consent to rescind the action whereby the Assembly, on August 7, 1997 (Assembly Journal, page 3540), passed Senate Bill No. 450, and whereby the bill was ordered transmitted to the Senate.

Consideration of Senate Bill No. 450 Without Reference to File

Assembly Member Kuykendall was granted unanimous consent to take up Senate Bill No. 450, without reference to file, for purpose of amendment.

SENATE BILL NO. 450 (Peace)—An act to amend Section 138.6 of the Labor Code, relating to workers' compensation.

Bill read third time.

Motion to Amend

Assembly Member Kuykendall 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. 506 WITHOUT REFERENCE TO FILE

Assembly Member Cardoza was granted unanimous consent to take up Senate Bill No. 506, without reference to file, for purpose of amendment.

SENATE BILL NO. 506 (Committee on Transportation)—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 third time.

Motion to Amend

Assembly Member Cardoza moved the adoption of amendments.

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

MOTION TO SUSPEND JOINT RULE 28.1

Assembly Member Leonard moved that Joint Rule 28.1 be suspended to permit the appointment of conferees to the Conference Committees on Assembly Bills Nos. 234, 252, 755, and 1580 and Senate Bill No. 1227.

Motion carried by the following vote:

AYES—76

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

NOES—None

MOTION TO SUSPEND JOINT RULE 28.1

Assembly Member Leonard moved that Joint Rule 28.1 be suspended to permit the appointment of conferees to the Conference Committees on Senate Bills Nos. 860 and 903.

Motion carried by the following vote:

AYES—76

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

NOES—None

APPOINTMENT OF COMMITTEE ON CONFERENCE

The Speaker appointed the following Assembly Members as Committees on Conference concerning:

Assembly Bill No. 534: Figueroa, Aguiar, and Villaraigosa.

Senate Bill No. 860: Figueroa, Aguiar, and Villaraigosa.

Senate Bill No. 954: Figueroa, Aguiar, and Villaraigosa.

Assembly Bill No. 252: Villaraigosa, Bordonaro, and Mazzoni.

Assembly Bill No. 1580: Villaraigosa, Bordonaro, and Mazzoni.

Senate Bill No. 903: Figueroa, Villaraigosa, and Aguiar.

CHANGES IN CONFEREES

The Speaker made the following changes in the Conference Committee on Assembly Bill No. 234:

Assembly Member Bordonaro, in place of Assembly Member Leonard.

The Speaker made the following changes in the Conference Committee on Assembly Bill No. 755:

Assembly Member Bordonaro, in place of Assembly Member Leonard.

The Speaker made the following changes in the Conference Committee on Senate Bill No. 250:

Assembly Member Bordonaro, in place of Assembly Member Leonard.

The Speaker made the following changes in the Conference Committee on Senate Bill No. 1227:

Assembly Member Bordonaro, in place of Assembly Member Leonard.

CAUCUS ANNOUNCEMENTS

At 12:55 p.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 12:56 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

REASSEMBLED

At 3:31 p.m., the Assembly reconvened.

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

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: September 3, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 247

Senate Bill No. 812

Senate Bill No. 526

Senate Bill No. 1092

Senate Bill No. 660

Senate Bill No. 1161

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. 1195
Senate Bill No. 1198
Senate Bill No. 1254

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

Committee on Rules

Date of Hearing: September 5, 1997

Mr. Speaker: Your Committee on Rules reports:
House Resolution No. 44

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 5, 1997

Mr. Speaker: Your Committee on Rules reports:
Senate Concurrent Resolution No. 52
Senate Concurrent Resolution No. 53

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 5, 1997

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 21
Assembly Concurrent Resolution No. 76

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 5, 1997

Mr. Speaker: Your Committee on Rules reports:
Assembly Joint Resolution No. 38

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.

MESSAGES FROM THE SENATE

Senate Chamber, September 5, 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. 406.

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

REPORTS OF STANDING COMMITTEES**Committee on Rules**

September 5, 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. 262.

DON PERATA, Chairman

September 5, 1997

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

Senate Bill No. 521, to be heard today only.

DON PERATA, Chairman

September 5, 1997

Mr. Speaker: Your Committee on Rules recommends that the request to suspend Joint Rule 61(a)(10) and (11), as it relates to the following bill be granted:

Senate Bill No. 614, today only.

DON PERATA, Chairman

September 5, 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. 45.

DON PERATA, Chairman

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 6 FROM COMMITTEE

Pursuant to the provisions of Assembly Rule 96, Assembly Member Goldsmith gave notice that he would move to withdraw Senate Bill No. 6 from the Committee on Appropriations.

SPECIAL RECOGNITION

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

ACTION RESCINDED ON SENATE BILL NO. 1238

Assembly member Hertzberg was granted unanimous consent to rescind the action whereby the Assembly, on September 3, 1997 (Assembly Journal, page 4046), passed Senate Bill No. 1238, and whereby the bill was ordered transmitted to the Senate.

Consideration of Senate Bill No. 1238 without Reference to File

Assembly Member Hertzberg was granted unanimous consent to take up Senate Bill No. 1238, without reference to file, for purpose of amendment.

SENATE BILL NO. 1238 (Johannessen)—An act to amend Section 368 of the Penal Code, relating to crime.

Bill read third time.

Motion to Amend

Assembly Member Hertzberg moved the adoption of amendments.

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

At 3:38 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding

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

SENATE BILL NO. 235 (Solis)—An act to amend Section 12926 of the Government Code, relating to employment.

Bill read third time.

Motion to Amend

Assembly Member Kuehl moved the adoption of amendments.

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

At 3:43 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 190, on request of Assembly Member Thomson.

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

Assembly Member Murray waived his notice of intention to request that Senate Bill No. 1329 be removed from the inactive file.

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

SENATE BILL NO. 731 (Hurt)—An act to repeal Section 43843 of the Health and Safety Code, relating to air pollution.

Bill read third time.

Motion to Amend by Assembly Member Olberg

Assembly Member Olberg moved the adoption of amendments.

Amendments read.

Motion to Offer Substitute Motion to Amend

Assembly Member Wayne moved to offer a substitute motion to amend.

Assembly Member Escutia seconded the motion.

Demand for Previous Question

Assembly Members Villaraigosa, Escutia, Napolitano, Figueroa, and Keeley demanded the previous question.

Roll Call Demanded

Assembly Members Miller, Kuykendall, and Brewer, demanded a roll call.

The roll was called, and the demand for the previous question was sustained by the following vote:

AYES—40

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

NOES—36

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

Objection to Vote Adds

Assembly Member Woods withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the demand for the previous question on the Wayne motion to offer a substitute motion to amend Senate Bill No. 731.

The question being on the Wayne motion to offer a substitute motion to amend.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 4:16 p.m.

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

ACTION RESCINDED ON SENATE BILL NO. 161

Assembly Member Mazzoni was granted unanimous consent to rescind the action whereby the Assembly, on June 19, 1997 (Assembly Journal page 2788), passed Senate Bill No. 161, and whereby the bill was ordered transmitted to the Senate.

Consideration of Senate Bill No. 161 Without Reference to File

Assembly Member Mazzoni was granted unanimous consent to take up Senate Bill No. 161, without reference to file, for purpose of amendment.

SENATE BILL NO. 161 (Greene)—An act to add Section 38060 to the Education Code, relating to schools.

Bill read third time.

Motion to Amend

Assembly Member Mazzoni moved the adoption of amendments.

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

BILL RETURNED TO SENATE

Without objection, Assembly Member Frusetta returned Assembly Bill No. 1029 to the Senate for further action.

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 Jasmine Torres, of Pico Rivera.

**CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILL NO. 255**

SENATE BILL NO. 255—An act to amend Sections 15301 and 15301.3 of, to repeal Section 15301.7 of, and to repeal and add Section 15301.5 of, the Government Code, relating to armories, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Assembly Member Honda moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members Kuykendall, Leonard, and Bowler, demanded a roll call.

The roll was called, and the Honda amendments adopted by the following vote:

AYES—42

Alquist	Escutia	Machado	Thomson
Aroner	Figueroa	Martinez	Torlakson
Baca	Firestone	Mazzoni	Villaraigosa
Battin	Frusetta	Migden	Vincent
Bowen	Gallegos	Murray	Washington
Brown	Havice	Napolitano	Wayne
Cardenas	Hertzberg	Pacheco	Wildman
Cardoza	Honda	Perata	Woods
Cunneen	Knox	Shelley	Mr. Speaker
Davis	Kuehl	Strom-Martin	
Ducheny	Lempert	Sweeney	

NOES—28

Ackerman	Bowler	Kuykendall	Olberg
Aguiar	Brewer	Leach	Oller
Alby	Campbell	Leonard	Ortiz
Ashburn	Goldsmith	Margett	Poochigian
Baldwin	Granlund	McClintock	Pringle
Baugh	House	Miller	Richter
Bordonaro	Kaloojian	Morrissey	Runner

Vote Changes

By unanimous consent, the following vote change was permitted on the amendments offered by Assembly Member Honda to Senate Bill No. 255: Assembly Member Ortiz, from "Aye" to "No".

Bill ordered reprinted, and ordered to the third reading file, by unanimous consent.

SECOND READING OF SENATE BILL NO. 535

SENATE BILL NO. 535—An act to add Section 11362.59 to the Health and Safety Code, relating to marijuana, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Assembly Member Migden moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and ordered to the third reading file, by unanimous consent.

SECOND READING OF SENATE BILL NO. 936

SENATE BILL NO. 936—An act to amend Sections 11475.8 and 15200.95 of, to add Sections 15200.75, 15200.8, 15200.91, and 15200.92 to, the Welfare and Institutions Code, relating to human services.

Bill read second time.

Motion to Amend

Assembly Member Escutia moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and ordered to the third reading file, by unanimous consent.

SECOND READING OF SENATE BILL NO. 1135

SENATE BILL NO. 1135—An act to add Section 25201.15 to the Health and Safety Code, relating to hazardous waste.

Bill read second time.

Motion to Amend

Assembly Member Wayne moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and ordered to the third reading file, by unanimous consent.

At 4:43 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 882 (Schiff)—An act to amend Section 290 of the Penal Code, relating to sex offenders.

Bill read third time.

Motion to Amend by Assembly Member Battin

Assembly Member Battin moved the adoption of amendments.

Amendments read.

Motion to Table Battin Amendments to Senate Bill No. 882

Assembly Member Villaraigosa moved that the amendments offered by Assembly Member Battin to Senate Bill No. 882 be laid upon the table.

Assembly Member Shelley seconded the motion.

Motion carried by the following vote:

AYES—38

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

NOES—36

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

Objection to Vote Adds

Assembly Member Margett withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Villaraigosa motion to table Battin amendments to Senate Bill No. 882.

**Further Consideration of Senate Bill No. 882
Motion to Amend**

Assembly Member Wildman moved the adoption of amendments.

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

SENATE BILL NO. 1348 (Committee on Business and Professions)—An act to amend Sections 5053, 5055, 5056, 5060, 5070.6, 5071, 5072, 5073, 5081.1, 5084, 5153, 11302, 11315, 11360, 11410, 17550.43, 17550.44, 17550.47, 17550.49, and 22958 of, to add Sections 5058.1, 11316, 11317, 11318, and 11409 to, to repeal Sections 5059, 5074, 5075, and 5076 of, and to repeal and add Section 5082.3 of, the Business and Professions Code, and to amend Section 719 of the Harbors and Navigation Code, relating to professions.

Bill read third time.

Motion to Amend

Assembly Member Davis moved the adoption of amendments.

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

SENATE BILL NO. 1050 (Alpert)—An act to add Section 601.5 to the Welfare and Institutions Code, relating to youths.

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.

REQUEST TO DISPENSE WITH CALLS OF THE ASSEMBLY

Assembly Member Floyd requested unanimous consent to dispense with Calls of the Assembly.

Unanimous consent was withheld.

Motion to Dispense with Calls of the Assembly

Assembly Member Floyd moved to dispense with the Calls of the Assembly.

Assembly Member Miller seconded the motion.

Motion lost by the following vote:

AYES—38

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

NOES—39

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

**CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILL NO. 499**

SENATE BILL NO. 499—An act to add Chapter 10 (commencing with Section 66406) to Division 1 of Title 7 of the Government Code, to add Sections 21083.10, 30012.5, and 30412.1 to the Public Resources Code, and to add Section 13167.1 to, and to add Chapter 5.4 (commencing with Section 13367) to Division 7 of, the Water Code, relating to water.

Bill read second time.

Motion to Amend

Assembly Member Wayne moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and ordered to the third reading file, by unanimous consent.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 914—An act to amend Section 654 of the Penal Code, relating to criminal procedure.

Bill read second time.

Motion to Amend

Assembly Member Hertzberg moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and ordered to the third reading file, by unanimous consent.

CONSIDERATION OF SENATE BILL NO. 782 WITHOUT REFERENCE TO FILE

Assembly Member Poochigian was granted unanimous consent to take up Senate Bill No. 782, without reference to file, for purpose of amendment.

SENATE BILL NO. 782 (Costa)—An act to add Sections 6523.6 and 6523.7 to the Government Code, relating to public health.

Bill read third time.

Motion to Amend

Assembly Member Poochigian moved the adoption of amendments.

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

RESOLUTIONS

The following resolutions were offered:

Resolution No. 1 to Suspend Joint Rules

By Assembly Member Migden:

Resolved, That Joint Rule 61(a)(11) be suspended to permit the Committee on Appropriations to meet, consider, and report Senate Bill No. 521 for further action today only.

Resolution No. 2 to Suspend Joint Rules

By Assembly Member Escutia:

Resolved, That Joint Rule 61(a)(9) and (11) be suspended to permit the Committee on Judiciary to meet, consider, and report Senate Bill No. 262 for further action.

Resolutions read.

Request for Division of the Question

Assembly Member Leonard requested that the question be divided to permit consideration of Resolution No. 2 to Suspend Rules as they relate to Senate Bill No. 262, separately.

Ruling by Speaker pro Tempore Kuehl

The Speaker pro Tempore ruled that the question is divisible, as requested.

Question 1

The question being on the adoption of Resolution No. 1 to Suspend Rules as they relate to Senate Bill No. 521.

Resolution adopted by the following vote:

AYES—71

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

NOES—None

Question 2

The question being on the adoption of Resolution No. 2 to Suspend Rules as they relate to Senate Bill No. 262.

Resolution refused adoption by the following vote:

AYES—40

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

NOES—36

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

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

ASSEMBLY BILL NO. 1430 (Figueroa)—An act to add Chapter 14 (commencing with Section 15775) to Part 3 of Division 9 of the Welfare and Institutions Code, relating to health care coverage.

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

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

The roll was opened, and the Assembly refused to concur in Senate amendments by the following vote:

AYES—1

Figueroa

NOES—70

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

SECOND READING OF SENATE BILL NO. 721

SENATE BILL NO. 721—An act to amend Sections 669, 1170, 1170.1, 1170.13, and 1170.15 of, to add Section 1170.11 to, and to repeal Section 1170.95 of, the Penal Code, relating to sentencing.

Bill read second time.

Motion to Amend

Assembly Member Hertzberg moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and ordered to the third reading file, by unanimous consent.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 319 (Burton)—An act 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 third time.

Motion to Amend

Assembly Member Hertzberg moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members Morrissey, Aguiar, and Margett, demanded a roll call.

The roll was called, and the Hertzberg amendments adopted by the following vote:

AYES—41

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

NOES—34

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

Bill ordered reprinted, and to be returned to the third reading file.

UNFINISHED BUSINESS (RESUMED)

SENATE BILL NO. 1037 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given by Assembly Member Perata, Assembly Member Migden was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 1037 was refused passage.

Further Consideration of Senate Bill No. 1037

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

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.

RESOLUTIONS

The following resolutions were offered:

Resolutions to Suspend Joint Rules

By Assembly Member Machado:

Resolved, That Joint Rule 61(a)(10) and (a)(11) to permit the Committee on Appropriations to meet, consider, and report Senate Bill No. 614 for further action today only.

By Assembly Member Murray:

Resolved, That Joint Rule 61(a)(9) and (a)(11) be suspended to permit the Committee on Transportation to meet, consider, and report Senate Bill No. 45 for further action.

Resolutions read, and adopted by the following vote:

AYES—76

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

NOES—None

At 5:28 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

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

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 of Article XIII A thereof, relating to taxation.

Bill read second time, and ordered to third reading.

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

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 137, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 3—An act to amend Section 11055 of the Health and Safety Code, relating to controlled substances, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 31—An act to add Sections 17053.50 and 23649.2 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

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

Bill read second time, and ordered to third reading.

SENATE BILL NO. 72—An act to amend Section 30620 of the Public Resources Code, relating to coastal resources.

Bill read second time, and ordered to third reading.

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

Bill read second time, and ordered to third reading.

SENATE BILL NO. 200—An act to add Section 7073.8 to the Government Code, and to amend Sections 17053.74 and 23622.7 of, to add Sections 17053.47 and 23622.8 to, and to repeal and amend Sections 17053.70, 17053.75, 17235, 23612.2, and 24384.5 of, the Revenue and Taxation Code, relating to economic development.

Bill read second time, and ordered to third reading.

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

Bill read second time, and ordered to third reading.

SENATE BILL NO. 445—An act to add Section 12803 to the Food and Agricultural Code, relating to agriculture.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 545—An act to amend Section 668.1 of, to add Section 658.6 to, and to repeal and add Section 658.5 of, the Harbors and Navigation Code, relating to vessels.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 669—An act to add Sections 48645.8 and 51220.6 to the Education Code, and to add Sections 885.5, 896.5, 1124.5, and 1857.5 to the Welfare and Institutions Code, relating to parenting education.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 673—An act to add Section 13396.9 to the Water Code, relating to water, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 820—An act to add Article 3 (commencing with Section 79140) to Chapter 9 of Part 48 of the Education Code, relating to education.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1034—An act to amend Sections 1226, 117670, 117680, 117690, 117705, 117755, 117760, and 129885 of, to add Sections 117672, 117776, 117777, 117778, and 118005 to, and to add Chapter 9.5 (commencing with Section 118321) to Part 14 of Division 104 of, the Health and Safety Code, relating to health services.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1035—An act relating to human services.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1051—An act to amend Section 42249 of, and to add Section 42249.8 to, the Education Code, relating to education.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1113—An act to amend Section 21087 of, and to add Section 21001.2 to, the Public Resources Code, relating to environmental quality.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1179—An act to add Section 40059.1 to the Public Resources Code, relating to solid waste.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1270—An act to add Section 8169.5 to the Government Code, relating to state property.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1306—An act to repeal, add, and repeal Chapter 6 (commencing with Section 39900) of Part 2 of Division 26 of the Health and Safety Code, relating to air pollution.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1307—An act to amend Sections 116275, 116285, 116290, 116325, 116390, 116425, 116540, 116565, 116580, 116585, 116650, and 116880 of, to amend and renumber Section 116300 of, to add Sections 116286 and 116287 to, to add Chapter 4.5 (commencing with Section 116760) to Part 12 of Division 104 of, and to repeal and add Section 116875 of, the Health and Safety Code, and to add Section 13169 to the Water Code, relating to drinking water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1339—An act to amend Section 12020 of the Penal Code, relating to firearms.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 42—An act to amend Section 44011 of the Health and Safety Code, and to amend Section 4000.1 of the Vehicle Code, relating to air pollution.

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. 85—An act to add Article 7.5 (commencing with Section 44579) to Chapter 3 of Part 25 of the Education Code, relating to staff development.

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. 135—An act to amend and repeal Sections 48431.6, 48431.7, 62000.1, and 62000.5 of, to amend, repeal, and add Sections 63000 and 64000 of, to add Part 28.5 (commencing with Section 53008) to, to add and repeal Sections 42926, 44498, 4689.6, 48642, 52091, 52115, 52187, 54669.1, 54686.3, 58410, and 58609 of, to add and repeal Article 4 (commencing with Section 44689.1) of Chapter 3.1 of Part 25 of, and Article 4 (commencing with Section 54146) of Chapter 2 of, and Article 3 (commencing with Section 54349) of Chapter 3 of, Part 29 of, Article 6 (commencing with Section 58070) of Chapter 1 of, and Article 7 (commencing with Section 58930) of Chapter 9 of, Part 31 of, to repeal Article 4 (commencing with Section 44490) of Chapter 3 of Part 25 of, Article 2 (commencing with Section 48630) of Chapter 4 of Part 27 of, Article 4 (commencing with Section 52180) of Chapter 7 of Part 28 of,

Article 3 (commencing with Section 54660) and Article 4.5 (commencing with Section 54685) of, Chapter 9 of Part 29 of, to repeal Chapter 11.3 (commencing with Section 42920) of, Part 24 of, Chapter 3.1 (commencing with Section 44670.1) of, and Chapter 3.15 (commencing with Section 44689.5) of, Part 25 of, Chapter 6.8 (commencing with Section 52080) of, and Chapter 6.9 (commencing with Section 52100) of, Part 28 of, Chapter 2 (commencing with Section 54100) of, and Chapter 3 (commencing with Section 54300) of, Part 29 of, and to repeal Chapter 1 (commencing with Section 58000) of, Chapter 2 (commencing with Section 58400) of, Chapter 4 (commencing with Section 58600) of, and Chapter 9 (commencing with Section 58900) of, Part 31 of, the Education Code, relating to education.

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. 291—An act relating to the payment of judgments and settlement claims against the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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. 300—An act to repeal and add and repeal Chapter 6.1 (commencing with Section 52050) of Part 28 of the Education Code, relating to education, 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.

SENATE BILL NO. 345—An act to amend Sections 33370, 33381, and 62000.14 of, to repeal Sections 33371 and 33372 of, the Education Code, relating to Indian education centers, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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. 458—An act to add Section 11019.7 to the Government Code, relating to state agencies.

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. 463—An act to amend Sections 12002.6, 12002.8, 12006.6, and 12009 of, to amend and renumber Sections 8306.7, 8311, 8313, and 8314 of, to add Sections 5520, 5521, 5521.5, 5522, 7149.8, and 7149.9 to, to add Article 3 (commencing with Section 7360) to Chapter 2 of Part 2 of Division 6 of, and to repeal Sections 8300, 8300.1, 8300.2, 8301, 8302, 8303, 8304, 8305, 8305.5, 8305.8, 8305.9, 8305.10, 8305.11, 8306, 8306.1, 8306.2, 81306.3, 8306.6, 8306.9, 8308, 8309, and 8310 of, the Fish and Game Code, relating to fish, 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.

SENATE BILL NO. 550—An act to amend Sections 35735.1 and 48664 of, and to add and repeal Section 52124.5 of, the Education Code, relating to education.

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. 623—An act to add Section 89009 to the Education Code, relating to postsecondary education, 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.

SENATE BILL NO. 624—An act to add Section 71051 to the Education Code, relating to postsecondary education.

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

SENATE BILL NO. 702—An act to repeal and add Article 4 (commencing with Section 15379.15) of Chapter 3.5 of Part 6.7 of Division 3 of Title 2 of the Government Code, relating to economic development.

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. 802—An act relating to independent study, 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.

SENATE BILL NO. 824—An act to add and repeal Article 4 (commencing with Section 90530) of Chapter 11 of Part 55 of the Education Code, relating to teacher recruitment, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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. 828—An act to amend Sections 6710, 6714, 6747, and 8710 of the Business and Professions Code, relating to professional engineers.

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. 853—An act to add and repeal Section 628.3 of, and to add and repeal Title 5.5 (commencing with Section 13760) of Part 4 of, the Penal Code, relating to firearms, 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.

SENATE BILL NO. 1031—An act to add and repeal Article 3.6 (commencing with Section 35746) of Chapter 4 of Part 21 of the Education Code, relating to education.

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. 1106—An act to amend Section 30 of the Business and Professions Code, to amend Section 1666.5 of the Insurance Code, to amend Sections 17053.49, 17062, 17220, 17276.2, 17502, 17570, 17935, 18633, 18633.5, 19021, 19024, 19141.6, 19280, 19282, 19340, 23183.1, 23183.2, 23221, 23332, 23332.5, 23455, 23649, 23802, 23809, 23811, 24416.2, 24602, 24710, and 24918 of, to amend and renumber Section 19532 of, to amend and renumber the heading of Article 6 (commencing with Section 19280) of Chapter 5 of Part 10.2 of Division 2 of, to add Sections 17936, 23114, and 24954 to, and to repeal Sections 23184, 23184.5, 23185, 23185a, 23185b, and 24903 of, the Revenue and Taxation Code, to amend Section 1088.5 of the Unemployment Insurance Code, and to amend Section 56 of Chapter 952 of the Statutes of 1996, relating to taxation, and making an appropriation therefor, to take effect immediately, tax levy.

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. 1130—An act relating to human services.

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.

RECESS

By unanimous consent, at 5:30 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

REASSEMBLED

At 5:31 p.m., the Assembly reconvened.

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

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. 26 (Gallegos)—Relative to Business Watch 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.)*

ASSEMBLY CONCURRENT RESOLUTION NO. 68 (Morrisey)—Relative to Mexican independence.

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

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

HOUSE RESOLUTION NO. 39 (Strom-Martin)—Relative to sister cities.

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. 381 (Watson)—An act to amend Sections 1562.3 and 1569.616 of the Health and Safety Code, relating to care facilities.

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. 810 (Johnson)—An act to amend Sections 654, 654.05, 654.06, 655.3, and 668 of the Harbors and Navigation Code, and to amend Section 256 of the Welfare and Institutions Code, relating to vessels.

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. 921 (Thompson)—An act to amend Sections 16809.4, 17603, and 17604 of, and to amend and repeal Sections 16809 and 16809.3 of, the Welfare and Institutions Code, relating to public social services.

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 CONCURRENT RESOLUTION NO. 38 (Alpert)—Relative to women in military service for America.

Resolution read, adopted and ordered transmitted to the Senate.

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

SENATE JOINT RESOLUTION NO. 27 (Kopp)—Relative to World Exposition, EXPO 2000.

Resolution read, adopted and ordered transmitted to the Senate.

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

SENATE JOINT RESOLUTION NO. 29 (Vasconcellos)—Relative to repealing export restrictions on encryption software and hardware products.

Resolution read, adopted and ordered transmitted to the Senate.

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

Consent Calendar Roll Call

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

AYES—78

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

NOES—None

SPECIAL COMMITTEE MEETINGS

Assembly Member Migden was granted unanimous consent that the Committee on Appropriations be permitted to hold a special meeting today, upon adjournment of Floor session, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bills Nos. 614 and 521 for hearing.

CALL OF THE ASSEMBLY DISPENSED WITH ON WAYNE MOTION TO OFFER A SUBSTITUTE MOTION TO AMEND SENATE BILL NO. 731

At 5:52 p.m., on motion of Assembly Member Villaraigosa, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Wayne motion to offer a substitute motion to amend Senate Bill No. 731 lost by the following vote:

AYES—31

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

NOES—44

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

FURTHER CONSIDERATION OF OLBERG AMENDMENTS TO SENATE BILL NO. 731

SENATE BILL NO. 731 (Hurt)—An act to repeal Section 43843 of the Health and Safety Code, relating to air pollution.

The question being on the adoption of the Olberg amendments to Senate Bill No. 731.

Roll Call Demanded

Assembly Members Morrow, Ackerman, and Leach, demanded a roll call.

Motion to Re-refer Senate Bill No. 731 to Committee

Assembly Member Bowen moved that Senate Bill No. 731 be re-referred to the Committee on Natural Resources.

Motion Ruled Out of Order

Speaker pro Tempore Kuehl ruled the motion out of order as the roll call has been demanded on the Olberg amendments to Senate Bill No. 731.

The question being on the Olberg amendments to Senate Bill No. 731.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 5:56 p.m.

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

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

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

Bill read 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.

REQUEST TO DISPENSE WITH CALL OF THE ASSEMBLY

Assembly Member Battin requested unanimous consent that the Call of the Assembly be dispensed with as it relates to Senate Bill No. 951.

Assembly Member Martinez withheld unanimous consent.

Motion to Dispense with Call of the Assembly

Assembly Member Battin moved that the Call of the Assembly be dispensed with as it relates to Senate Bill No. 951.

Assembly Member Pringle seconded the motion.

Motion carried by the following vote:

AYES—68

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

NOES—None

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 951**

At 6:06 p.m., further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 951 passed by the following vote:

AYES—54

Ackerman	Figueroa	Mazzoni	Strom-Martin
Aguiar	Firestone	Migden	Sweeney
Alquist	Floyd	Morrissey	Takasugi
Aroner	Gallegos	Murray	Thomson
Baca	Granlund	Napolitano	Torlakson
Battin	Havice	Ortiz	Villaraigosa
Bowen	Honda	Pacheco	Vincent
Bowler	House	Papan	Washington
Brown	Keeley	Perata	Wayne
Campbell	Knox	Poochigian	Wildman
Cardenas	Kuehl	Prenter	Wright
Davis	Kuykendall	Runner	Mr. Speaker
Ducheney	Lempert	Scott	
Escutia	Martinez	Shelley	

NOES—19

Alby	Brewer	Margett	Oller
Ashburn	Goldsmith	McClintock	Pringle
Baldwin	Kaloogian	Miller	Richter
Baugh	Leonard	Morrow	Woods
Bordonaro	Machado	Olberg	

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 951: Assembly Member Baugh, from "Aye" to "No"; Assembly Member Campbell, from "No" to "Aye"; Assembly Member Cunneen, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 720

At 6:06 p.m., on motion of Assembly Member Ortiz, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 720 passed by the following vote:

AYES—46

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

NOES—21

Ackerman	Firestone	Margett	Richter
Baldwin	Floyd	McClintock	Runner
Baugh	Goldsmith	Miller	Woods
Bordonaro	Kalोगian	Morrow	
Campbell	Kuykendall	Olberg	
Cunneen	Leonard	Oller	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 720: Assembly Member Havice, from “No” to “Not Voting”.

Bill ordered transmitted to the Senate.

CONSIDERATION OF SENATE BILL NO. 136 WITHOUT REFERENCE TO FILE

Assembly Member Machado was granted unanimous consent to take up Senate Bill No. 136, without reference to file, for purpose of amendment.

SENATE BILL NO. 136 (Costa)—An act to amend Section 5650 of the Fish and Game Code, relating to water pollution, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Machado moved the adoption of amendments.

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

REPORTS OF STANDING COMMITTEES

Committee on Water, Parks and Wildlife

Date of Hearing: September 4, 1997

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

Senate Bill No. 614

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

MACHADO, Chairman

Above bill ordered to second reading.

SENATE BILL NO. 614 TAKEN UP BY UNANIMOUS CONSENT FOR SECOND READING

Unanimous consent was granted to take up Senate Bill No. 614 without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

SENATE BILL NO. 614—An act to amend Section 5652 of the Fish and Game Code, relating to pollution.

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

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Migden announced that the Committee on Appropriations would meet at this time, in the Tom Bane Rules Committee Room.

Assembly Member Aroner announced that the Committee on Human Services would meet at this time, in the Speaker’s Conference Room.

RECESS

By unanimous consent, at 6:23 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

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

AUTHOR’S AMENDMENTS

Committee on Utilities and Commerce

September 5, 1997

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Senate Bill No. 524

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

MARTINEZ, Chairwoman

SENATE BILL NO. 524—An act to amend Sections 366 and 394 of, to add Sections 395.5, 395.6, and 395.7 to, and to add Article 12.5 (commencing with Section 396.5) to Chapter 2.3 of Part 1 of Division 1 of, the Public Utilities Code, relating to public utilities.

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

AUTHOR’S AMENDMENTS

Committee on Appropriations

September 5, 1997

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

Senate Bill No. 455

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

MIGDEN, Chairwoman

SENATE BILL NO. 455—An act to amend Sections 17020.6, 17024.5, 17041, 17052.12, 17054, 17062, 17063, 17072, 17077, 17085, 17088, 17139, 17250, 17273, 17279, 17507, 17561, 17750, 17860, 18037, 18180, 18601, 18624, 18645, 19144, 19164, 19184, 23045, 23453, 23456, 23457, 23609, 23732, 23801, 23802, 23806, 24326, 24343.3, 24349, 24355, 24355.5, 24357, 24443, 24692, 24870, 24903, 24916, and 24993 of, to amend the heading of Chapter 14.5 (commencing with Section 24870) of Part 11 of, to add Sections 17088.3, 17132.5, 17154, 17215, 17250.5, 17251.5, 17270.5, 17275.5, 17278.5, 17731.5, 18044, 18152, 18648.5, 19136.3, 19141.2, 19182.5, 19365, 23800.5, 23813, 24272.5, 24343.7, 24429, 24875, 24949.5, 24954, and 24956 to, to repeal Sections 17131.5, 17132, 17137, 17138.5, 17141.5, 17150, 17201.5, 17210, 17213, 17249, 17267, 17283, 17748, 18035, 18040, 18060, 18166, 18173, 24371.5, 24966.3, 24971, 24990.8, and 24990.9 of, and to repeal and add Sections 17255, 17271, 23701h, 24372.5, and 24947 of, the Revenue and Taxation Code, and to amend Sections 928.5 and 934 of the Unemployment Insurance Code, relating to taxation, to take effect immediately, tax levy.

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

AUTHOR'S AMENDMENTS
Committee on Budget

September 5, 1997

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

Senate Bill No. 766

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

DUCHENY, Chairwoman

SENATE BILL NO. 766—An act relating to the Department of Fish and Game, and declaring the urgency thereof, to take effect immediately.

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

AUTHOR'S AMENDMENTS
Committee on Environmental Safety and Toxic Materials

September 5, 1997

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 921

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

WAYNE, Chairman

ASSEMBLY BILL NO. 921—An act to amend Section 25197.2 of the Health and Safety Code, relating to hazardous waste.

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

AUTHOR'S AMENDMENTS
Committee on Appropriations

September 5, 1997

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

Senate Bill No. 5

Senate Bill No. 655

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

MIGDEN, Chairwoman

ASSEMBLY BILL NO. 5—An act to amend Sections 17152, 18042, 18510, 18601, 23732, 23801, 23802, 23806, and 24611 of, and to add Sections 17731.5, 18037.5, 19136.4, 19365, 23800.5, 23804, 23802.5, 23804.5, 23813, 24954, and 24990.4 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ASSEMBLY BILL NO. 655—An act to add Chapter 6 (commencing with Section 11010) to Part 1 of Division 3 of the Unemployment Insurance Code, relating to employment.

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

REPORTS OF STANDING COMMITTEES

Committee on Human Services

Date of Hearing: September 5, 1997

Mr. Speaker: Your Committee on Human Services reports:

Senate Bill No. 163

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

ARONER, Chairwoman

Above bill re-referred to the Committee on Appropriations.

Committee on Water, Parks and Wildlife

Date of Hearing: September 4, 1997

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

Senate Bill No. 879

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

MACHADO, Chairman

Above bill ordered to second reading.

Committee on Utilities and Commerce

Date of Hearing: September 3, 1997

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 1054

Senate Bill No. 1268

Senate Bill No. 1305

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

MARTINEZ, Chairwoman

Above bills ordered to second reading.

Date of Hearing: September 3, 1997

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 90

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

MARTINEZ, Chairwoman

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: September 3, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1026

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: September 3, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1218

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: August 27, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 965

With the recommendation: Do pass.

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: September 5, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 303

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: September 3, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 88

Senate Bill No. 225

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: September 5, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1066

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 5, 1997

Mr. Speaker: Your Committee on Rules reports:

Senate Bill No. 521

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

PERATA, Chairman

Above bill re-referred to the Committee on Appropriations.

Committee on Rules

Date of Hearing: September 5, 1997

Mr. Speaker: Your Committee on Rules reports:

Assembly Joint Resolution No. 37

With the recommendation: Be adopted.

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

PERATA, Chairman

Above resolution ordered on file.

Committee on Appropriations

Date of Hearing: September 3, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1273

With the recommendation: Do pass, as amended.

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

CALL OF THE ASSEMBLY DISPENSED WITH ON OLBERG MOTION TO AMEND SENATE BILL NO. 731

At 8:03 p.m., on motion of Assembly Member Martinez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Olberg amendments to Senate Bill No. 731 adopted by the following vote:

AYES—55

Ackerman	Davis	Leonard	Richter
Aguiar	Firestone	Machado	Runner
Alby	Floyd	Margett	Scott
Ashburn	Frusetta	McClintock	Sweeney
Baca	Goldsmith	Miller	Takasugi
Baldwin	Granlund	Morrissey	Thomson
Battin	Havice	Morrow	Torlakson
Baugh	House	Olberg	Vincent
Bordonaro	Kaloogian	Oller	Washington
Bowler	Keeley	Pacheco	Wayne
Brewer	Knox	Papan	Woods
Campbell	Kuykendall	Poochigian	Wright
Cardoza	Leach	Prenter	Mr. Speaker
Cunneen	Lempert	Pringle	

NOES—14

Aroner	Honda	Migden	Strom-Martin
Bowen	Kuehl	Napolitano	Villaraigosa
Escutia	Martinez	Ortiz	
Figueroa	Mazzoni	Perata	

Bill ordered reprinted, and to be returned to the third reading file.

Objection to Vote Adds

Assembly Member Woods withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Olberg amendments to Senate Bill No. 731.

ANNOUNCEMENTS

Assembly Members Aguiar and Villaraigosa announced that leadership had agreed to waive rules as they relate to consideration of amendments to Senate Bill No. 660, on Monday, September 8, 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. 1251**, on request of Assembly Member Ortiz;
- Senate Bill No. 916**, on request of Assembly Member Strom-Martin;
- Senate Bill No. 1111**, on request of Assembly Member Gallegos;
- Senate Bill No. 513**, on request of Assembly Member Aroner;
- Senate Bill No. 560**, on request of Assembly Member Aroner.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

**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 legislation day.

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 842 were continued until the next legislative day.

VOTE ADDS

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

Resolution to suspend rules: Bowen, Campbell, Cardoza, Martinez, Mazzoni, and Prenter—Aye.

Senate Bill No. 1078: Aroner, Cardoza, Martinez, Morrow, and Poochigian —Aye.

Senate Bill No. 712: Aroner, Ducheny, Knox, Martinez, Mazzoni, and Morrow—Aye.

Senate Bill No. 1291: Aroner, Martinez, Mazzoni, Morrow, and Poochigian—Aye.

Senate Bill No. 434: Aroner, Battin, Knox, Martinez, and Oller—Aye; Kaloogian and Prenter—No.

Senate Bill No. 483: Aguiar, Aroner, and Cunneen—Aye; Baugh, Bordonaro, and Runner—No.

Senate Bill No. 536 and Urgency: Baugh, Bowen, Brewer, Cunneen, Mazzoni, and Pacheco—Aye; Migden—No.

Senate Bill No. 807: Aroner, Bowen, Brewer, Cunneen, Martinez, and Prenter—Aye; Baugh, Goldsmith, Granlund, and Olberg—No.

Senate Bill No. 1007: Aroner and Battin—Aye; Baugh, Goldsmith, Granlund, Morrow, Poochigian, Prenter, and Runner—No.

Senate Bill No. 1330: Alby, Aroner, Baugh, Frusetta, and Granlund—Aye.

Senate Bill No. 1349: Aroner, Baldwin, Baugh, Campbell, Goldsmith, Havice, Honda, and Murray—Aye; McClintock—No.

Senate Bill No. 617: Battin, Baugh, Cardenas, Ducheny, Figueroa, Honda, Murray, and Strom-Martin—Aye; Martinez and McClintock—No.

Senate Bill No. 1014: Baugh and Poochigian—Aye; McClintock—No.

Senate Bill No. 1332, Aroner Amendments: Baugh, Gallegos, Granlund, McClintock—Aye; Goldsmith—No.

Senate Bill No. 187: Cardenas, Cardoza, Cunneen, Granlund, and Keeley—Aye; Baldwin, Baugh, McClintock, Miller, Morrow, and Poochigian—No.

Senate Bill No. 438: Baldwin, Granlund, Knox, Machado, Morrow, and Runner—Aye; Baugh—No.

Senate Bill No. 873, Torlakson Amendments: Cardenas and Machado—Aye; Granlund, Morrow, and Pacheco—No.

Senate Bill No. 255, Honda Amendments: Cunneen—Aye; Poochigian—No.

Senate Bill No. 521, Resolution to Suspend Rules: Firestone—Aye.

Senate Bill No. 1430, Concurrence: Havice—No.

Senate Bill No. 319, Hertzberg Amendments: Machado—No.

Consent Calendar: Machado—Aye.

Battin Motion to Dispense With Call of Assembly: Davis—Aye.

Senate Bill No. 720: Granlund and Papan—Aye.

MOTION TO ADJOURN

At 8:04 p.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Villaraigosa seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Member Firestone arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

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

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 8:05 p.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

APPOINTMENT OF COMMITTEE ON CONFERENCE

The Speaker appointed the following Assembly Members as a Committee on Conference concerning Assembly Bill No. 1430:

Figueroa, Villaraigosa, and Aguiar.

MESSAGES FROM THE SENATE

Senate Chamber, September 5, 1997

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

Assembly Bill No. 1188

Assembly Bill No. 1587

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.

ADJOURNMENT

At 8:06 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 11 a.m., Monday, September 8, 1997, out of respect to the memory of Mother Teresa, on motion of Speaker pro Tempore Kuehl; out of respect to the memory of Daniel Mark Pommon and Fred H. Loubser, on motion of Assembly Member Shelley; out of respect to the memory of Christina E. Beeson Bailey, on motion of Assembly Member Leonard; out of respect to the memory of Michael Costa Rodrigues, on motion of Assembly Member Lempert; out of respect to the memory of Jasmine Torres, on motion of Assembly Member Napolitano; and out of respect to the memory of Mark Kidd, on motion of Assembly Member Bowler.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON SEPTEMBER 5, 1997**

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

AB	RN	SB	RN
921	9722732	550	9721600
1614	9722560	614	9721334
		623	9722510
		624	9722288
		628	9722646
		644	9722928
		655	9723038
		702	9722244
		719	9722334
		721	9722941
		731	*
		750	9722107
		766	9722922
		776	9722544
		782	9722918
		802	9722314
		824	9722306
		825	9722550
		828	9722426
		853	9722076
		857	9722695
		873	9722763
		882	9722738
		914	9722722
		936	9722536
		969	9722802
		980	9722680
		987	9722603
		1031	9722458
		1037	9722773
		1050	9722764
		1052	9722440
		1106	9722103
		1107	9722310
		1130	9722333
		1135	9722831
		1238	9722524

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

SB	RN	SB	RN
1258	9722620	1346	9722597
1328	9722869	1347	9722425
1332	9722677	1348	9722542

Daily Total: 75
Cumulative Total: 3338

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

SB

882 (Battin amendments, RN 9722307, laid upon the table)

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