

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, September 8, 1997**

**ONE HUNDRED THIRTY-FOURTH SESSION DAY**

**TWO HUNDRED EIGHTY-FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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

## PROCEEDINGS OF THE ASSEMBLY

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### IN ASSEMBLY

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Assembly Chamber, Sacramento  
Monday, September 8, 1997

The Assembly met at 11 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 Poochigian moved a quorum call of the Assembly.

Motion carried. Time, 11:01 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 11:17 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—79:

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	Thompson
Baugh	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Murray	Torlakson
Bowen	Honda	Napolitano	Villaraigosa
Bowler	House	Olberg	Vincent
Brewer	Kaloogian	Oller	Washington
Brown	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker
Davis	Lempert	Prenter	

**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:

*Eternal Father*, We pray for the soul of Your servant, Mother Teresa, and we ask that You rest her soul where the righteous repose. Also Lord, we thank You for all the blessings of this life, especially for new friendships and for old ones made stronger and more precious with each passing day. Give us grace to listen to each other and to the prompting of Your Spirit, so we may work in unity and in the bonds of peace. Help us to do, with all our soul and mind and strength, the work committed to us by the people, that we fail neither them nor You.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Richter 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 Sweeney, seconded by Assembly Member Goldsmith.

**COMMUNICATIONS**

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

September 8, 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 8, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 8, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 1614

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, September 8, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 921

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, September 8, 1997

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

Assembly Concurrent Resolution No. 21

Assembly Concurrent Resolution No. 76

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered to the Consent Calendar.

Assembly Chamber, September 8, 1997

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

Assembly Joint Resolution No. 37

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, September 8, 1997

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

Assembly Joint Resolution No. 35

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

### **AUTHOR'S AMENDMENTS** **Committee on Appropriations**

September 8, 1997

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

Senate Bill No. 540

Senate Bill No. 93

Senate Bill No. 1099

Senate Bill No. 163

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

MIGDEN, Chairwoman

**SENATE BILL NO. 540**—An act relating to the San Joaquin County Office of Education, and making an appropriation therefor, to take effect immediately as an appropriation for the usual current expenses of the state.

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.

**SENATE BILL NO. 1099**—An act to add Section 14085.56 to the Welfare and Institutions Code, relating to human services.

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.

**SENATE BILL NO. 93**—An act to amend Sections 1760.8 and 1798 of, and to add Sections 1798.1 and 1798.2 to, the Welfare and Institutions Code, relating to youthful offenders.

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.

**SENATE BILL NO. 163**—An act relating to public social services.

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 8, 1997

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

Senate Bill No. 938

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

DUCHENY, Chairwoman

**SENATE BILL NO. 938**—An act add Article 4.5 (commencing with Section 52560) to Chapter 10 of Part 28 of the Education Code, to augment Item 4700-001-0890 and Item 6110-156-0890 of the Budget Act of 1996, and to augment Item 4700-101-0001 and item 6110-156-0001 of the Budget Act of 1997, relating to citizenship assistance, to take effect immediately as an appropriation for the usual current expenses of the state.

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 Appropriations**

Date of Hearing: September 5, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 614

With the recommendation: Do pass.

MIGDEN, Chairwoman

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. 524

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

MARTINEZ, Chairwoman

Above bill re-referred to the Committee on Appropriations.

**ADJOURN IN MEMORY**

Assembly Member Baca was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frances Calderon, of San Bernardino.

Assembly Member Frusetta was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bill Eade, of Rabbit Valley-Bitterwater.

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

Assembly Member House was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lyle Harlan, of Turlock.

**At 11:21 a.m., Assistant Speaker pro Tempore Joe Baca,  
62nd District, presiding**

**RECESS**

By unanimous consent, at 11:22 a.m., Assistant Speaker pro Tempore Baca declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Kuehl introduced the Right Honorable Kim Campbell, Consul General of Canada, Los Angeles.

The Right Honorable Kim Campbell then addressed the assemblage.

### **REASSEMBLED**

At 11:27 a.m., the Assembly reconvened.

Hon. Joe Baca, Assistant Speaker pro Tempore of the Assembly, presiding.

**At 11:29 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

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

Upon request of Assembly Member Murray, pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 176 to the Committee on Transportation.

### **BILLS PLACED ON INACTIVE FILE**

The following bills were placed upon the inactive file:

**Assembly Bill No. 424**, on request of Assembly Member Baldwin;

**Senate Bill No. 750**, on request of Assembly Member Gallegos.

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

Pursuant to Assembly Rule 78, Assembly Member Aroner announced her intention to request that Senate Bill No. 867 be removed from the inactive file.

### **CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS**

**HOUSE RESOLUTION NO. 44**—Relative to religious tolerance in Russia.

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

**ASSEMBLY JOINT RESOLUTION NO. 38**—Relative to Asian-American civil rights.

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

**ASSEMBLY BILL NO. 1218**—An act to amend Sections 24344 and 24410 of the Revenue and Taxation Code, relating to taxation, 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 BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

**Senate Bills Nos. 42, 85, 135, 291, 300, 345, 458, 463, 550, 623, 624, 702, 802, 824, 828, 853, 1031, 1106 and 1130**, ordered to third reading.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 247**—An act to amend Section 19272 of, and to amend and renumber Section 19532 of, the Revenue and Taxation Code, and to amend Section 11475.1 of the Welfare and Institutions Code, relating to support.

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. 526**—An act to add Article 5.4 (commencing with Section 1788) to Chapter 1 of Division 2.5 of the Welfare and Institutions Code, relating to the Youth Authority, 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. 660**—An act to amend Sections 25143, 25160.5, 25165, 25166, 25166.5, 25174, 25174.1, 25174.2, 25174.6, 25178.1, 25187, 25192, 25201.6, 25201.9, 25204.7, 25205.4, 25205.5, 25205.6, 25205.7, 25205.12, 25205.14, 25205.15, 25205.16, 25205.18, 25205.19, 25207.12, 25209.7, 25221, 25324, 25330, 25330.4, 25336, 25337, 25343, 25351.1, 25354.5, 25360, 25404.5, and 25416 of, to add Sections 25173.6 and 25173.7 to, to add Article 9.2 (commencing with Section 25206.1) to Chapter 6.5 of Division 20 of, and to repeal Sections 25167, 25187.9, 25205.8, 25205.9, 25340, 25341, 25345, and 25351 of, the Health and Safety Code, and to amend Sections 43053, 43054, and 43101 of, and to repeal Section 43055 of, the Revenue and Taxation Code, relating to hazardous waste and substances, 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. 812**—An act to amend Section 10789 of the Revenue and Taxation Code, and to amend Section 9107 of the Vehicle Code, relating to vehicles.

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. 1092**—An act to add Section 13967.6 to the Government Code, to amend and renumber Sections 18966 and 18966.1 of, to amend, renumber, and add Section 18965 of, and to add Sections 18965.1, 18965.2, and 18965.3 to, the Welfare and Institutions Code, relating to victims of crime, 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. 1161**—An act to amend Sections 12021, 12103, 12104, 12112, 12201, 12252, 12784, 12843, 12845, 12846, 12931, 12991, 12999.4, and 14152, and the heading of Chapter 7 (commencing with Section 12101) of Division 6 of, to amend and renumber Sections 12115.3, 12115.5, and 12115.6 of, to add Chapter 10 (commencing with Section 12400) to Division 6 of, to repeal Sections 12115, 12115.1, 12115.2, 12115.4, 12932, and 12971.5 of, the heading of Article 1.5 (commencing with Section 12115) of Chapter 7 of Division 6 of, and Article 4.6 (commencing with Section 12848) of Chapter 2 of Division 7 of, to repeal and add Sections 12841, 12842, 12844, and 12847 of, and to repeal, add, and repeal Section 12841.1 of, the Food and Agricultural Code, relating to pesticides.

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. 1195**—An act to amend Sections 656.2 and 707 of the Welfare and Institutions Code, relating to minors.

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. 1198**—An act to amend Sections 226, 55403, 55435.5, 55483, 55485, 55523, 55525, 55721, 55722, 55741, 55742, 55743, 55744, 55861, 56109, 56133.5, 56161, 56186, 56381, 56382, and 56571 of, to amend and renumber Sections 55751, 56252, and 56451 of, to amend and repeal Sections 55861.7 and 56571.7 of, to add Sections 55462, 55484.5, 55484.75, 55485.5, 55485.75, 55524.5, 55524.75, 55525.75, 55722.5, 56183.5, 56185.5, 56185.75, 56186.5, 56186.75, 56382.5, 56701.5, and 56717 to, to repeal Sections 55486, 55487, 55489, 55490, 55526, 55527, 55528.5, 55529, 55529.5, 55745, 55745.5, 55746, 55747, 55748, 55749, 55750, 56187, 56188, 56191, 56191.5, 56192, 56192.5, 56446, 56447, 56448, 56449, 56450, and 56452 of, to repeal Article 13 (commencing with Section 55781) and Article 15 (commencing with Section 55841) of Chapter 6 of, and Article 14 (commencing with Section 56471) and Article 16 (commencing with Section 56531) of Chapter 7 of, and Chapter 7.5 (commencing with Section 56701) of, Division 20 of, and to repeal and add Sections 55484, 55488, 55524, 55528, 56185, 56190, 56443, 56444, and 56445 of, the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

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

**SENATE BILL NO. 1254**—An act to amend Sections 290 and 11166.5 of the Penal Code, relating to children.

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. 318**—An act to amend Sections 41865 and 44507 of, and to add Chapter 4.5 (commencing with Section 39750) to Part 2 of Division 26 of, the Health and Safety 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. 940**—An act to amend Sections 136.1 and 186.22 of the Penal Code, relating to crimes.

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

**SENATE BILL NO. 1039**—An act to amend Sections 4500.5, 4501, 4508, 4512, 4593, 4595, 4598, 4622, 4625, 4629, 4646, 4646.5, 4647, 4648, 4660, 4661, 4664, 4666, 4677, and 4791 of, and to add Sections 4414, 4418.3, 4434, 4542, 4602, 4640.8, and 4731 to, the Welfare and Institutions Code, 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.

**SENATE BILL NO. 1110**—An act to amend Section 51201.5 of, and to add Sections 51554 and 51555 to, the Education Code, relating to education.

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

**SENATE BILL NO. 1163**—An act to add Section 42247.5 to the Education Code, relating to school desegregation.

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. 1189**—An act to add Article 12 (commencing with Section 25299.97) and Article 13 (commencing with Section 25299.99) to Chapter 6.75 of Division 20 of, and to add Article 7.5 (commencing with Section 116610) to Chapter 4 of Part 12 of Division 104 of, the Health and Safety Code, and to add Section 13272.1 to the Water Code, relating to drinking water, 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. 1338**—An act relating to state purchases, 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. 879**—An act to amend Section 2081 of, and to add Sections 2052.1 and 2081.1 to, the Fish and Game Code, relating to endangered species.

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

**SENATE BILL NO. 1054**—An act to add Section 54954.7 to the Government Code, and to add Section 454.1 to the Public Utilities Code, relating to water and sewer systems.

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

**SENATE BILL NO. 1268**—An act to amend Section 10061 of, and to add Chapter 2.5 (commencing with Section 2718) to Division 2 of, the Public Utilities Code, relating to water corporations.

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

**SENATE BILL NO. 1305**—An act to amend Section 25320 of, and to add Chapter 4.7 (commencing with Section 25380) to Division 15 of, the Public Resources Code, and to add Article 14 (commencing with Section 398.1) to Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code, relating to public utilities.

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

**SENATE BILL NO. 90**—An act to add Chapter 7.1 (commencing with Section 25260) to Division 15 of the Public Resources Code, and to amend Section 371 of, to add Sections 383.5 and 384 to, and to add Article 5 (commencing with Section 445) to Chapter 2.5 of Part 1 of Division 1 of, and to add and repeal Section 380 of, the Public Utilities Code, relating to energy resources, and making an appropriation therefor.

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

**SENATE BILL NO. 1026**—An act to amend Section 24415 of, and to add Sections 22951.5, 24416, and 24417 to, the Education Code, relating to retirement, 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. 965**—An act to add Section 7089 to the Government Code, and to amend Sections 17053.17, 17053.74, 17256, 17260, 23036, 23622.7, 23623.5, 24345, 24349.1, 24356.5, 24422, and 24916 of, to repeal Sections 17053.70, 17053.73, 17053.8, 17235, 17267, 23612.2, 23622, 23622.5, 24356.7, and 24384.5 of, and to repeal and amend Section 17053.75 of, the Revenue and Taxation Code, relating to economic development, to take effect immediately, tax levy.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 303**—An act to amend Section 41204.1 of the Education Code, and to amend Sections 97.2 and 97.3 of the Revenue and Taxation Code, relating to local government finance.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 88**—An act to amend Section 8686.1 of the Government Code, relating to natural disaster assistance.

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. 225**—An act to amend Section 1861.10 of, and to repeal and add Section 12900 of, the Insurance Code, relating to insurance.

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. 1066**—An act to amend Sections 40001, 41820, 41821, 41850, 42000, 42005, and 42010 of, to amend and repeal Sections 41785 and 41820 of, to add Sections 40900.1, 41821.6, 42024, and 42241.5 to, and to repeal Section 42242 of, the Public Resources Code, relating to solid waste.

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. 1273**—An act to add Section 11104.5 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, and to be placed upon the Consent Calendar.

### THIRD READING OF SENATE BILLS

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

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

### Call of the Assembly

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

Motion carried. Time, 11:47 a.m.

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

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

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

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	Frusetta	Mazzoni	Shelley
Baca	Gallegos	McClintock	Strom-Martin
Baldwin	Goldsmith	Miller	Sweeney
Battin	Granlund	Morrissey	Takasugi
Baugh	Havice	Morrow	Thompson
Bordonaro	Hertzberg	Murray	Thomson
Bowen	Honda	Napolitano	Torlakson
Bowler	House	Olberg	Vincent
Brewer	Kaloogian	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—4**

Aroner	Migden	Washington	Wright
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**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 314: Assembly Member Ducheny, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 227**, on request of Assembly Member Ducheny.

**At 11:49 a.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

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

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

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

Bill passed by the following vote:

**AYES—52**

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

**NOES—23**

Ackerman	Bordonaro	Margett	Poochigian
Alby	Bowler	McClintock	Pringle
Ashburn	Brewer	Miller	Runner
Baldwin	Campbell	Morrow	Takasugi
Battin	Firestone	Olberg	Thompson
Baugh	Leonard	Oller	

Bill ordered transmitted to the Senate.

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

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

**Demand for Previous Question**

Assembly Members Sweeney, Escutia, Figueroa, Brown, and Villaraigosa demanded the previous question.

**Roll Call Demanded**

Assembly Members Runner, Thompson, and Ackerman, demanded a roll call.

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

**AYES—38**

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

**NOES—35**

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

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—75**

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

**NOES—2**

Leonard	Richter
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Bill ordered transmitted to the Senate.

**At 12:04 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

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

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

**Senate Bill No. 654 Passed Temporarily**

By unanimous consent Senate Bill No. 654 was passed temporarily on file.

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

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

Bill passed by the following vote:

**AYES—50**

Ackerman	Escutia	Margett	Shelley
Aguiar	Figueroa	Martinez	Strom-Martin
Alquist	Firestone	Mazzoni	Sweeney
Aroner	Gallegos	Migden	Thomson
Baca	Goldsmith	Miller	Torlakson
Bordonaro	Havice	Napolitano	Villaraigosa
Bowen	Hertzberg	Olberg	Vincent
Brewer	House	Ortiz	Washington
Brown	Keeley	Papan	Wayne
Cardenas	Kuehl	Perata	Wildman
Cardoza	Kuykendall	Prenter	Mr. Speaker
Davis	Lempert	Richter	
Ducheny	Machado	Scott	

**NOES—20**

Alby	Campbell	Leach	Poochigian
Ashburn	Cunneen	McClintock	Pringle
Battin	Frusetta	Morrissey	Runner
Baugh	Granlund	Morrow	Takasugi
Bowler	Kaloogian	Oller	Wright

Bill ordered transmitted to the Senate.

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

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

Bill passed by the following vote:

**AYES—58**

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

**NOES—18**

Ackerman	Granlund	Morrow	Runner
Baldwin	Kaloogian	Olberg	Thompson
Baugh	Leonard	Oller	Woods
Bowler	McClintock	Poochigian	
Campbell	Miller	Pringle	

Bill ordered transmitted to the Senate.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—77**

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

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—77**

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

**NOES—None**

Bill ordered transmitted to the Senate.

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

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

Bill passed by the following vote:

**AYES—75**

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

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.



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

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

Bill passed by the following vote:

**AYES—77**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 826 (Greene)**—An act to amend Sections 1601, 1616.5, and 1742 of, and to add Sections 160.5 and 1616.1 to, the Business and Professions Code, and to amend Section 830.3 of the Penal Code, relating to dentistry.

Bill read third time, and presented by Assembly Member Campbell

Bill passed by the following vote:

**AYES—73**

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

**NOES—4**

Battin	Leonard	Thompson	Wildman
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Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1068 (Thompson)**—An act to add Sections 8709.2, 8709.3, and 8709.4 to the Water Code, relating to water.

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

**At 12:45 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

**Demand for Previous Question**

Assembly Members Sweeney, Wayne, Escutia, Mazzoni, and Washington demanded the previous question.

**Roll Call Demanded**

Assembly Members Miller, Kuykendall, and Leach, 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	Granlund	Migden	Torlakson
Bowen	Hertzberg	Murray	Villaraigosa
Brown	Honda	Napolitano	Vincent
Cardenas	Keeley	Ortiz	Washington
Cardoza	Knox	Papan	Wayne
Davis	Kuehl	Scott	Wildman
Ducheny	Lempert	Shelley	Wright
Escutia	Machado	Strom-Martin	Mr. Speaker

**NOES—34**

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

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 Machado moved a call of the Assembly.

Motion carried. Time, 12:50 p.m.

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

**SENATE BILL NO. 413 (Peace)**—An act to add Section 1260 of the Health and Safety Code, relating to health, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—77**

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

**NOES—1**

McClintock

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—77**

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

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

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

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

Bill passed by the following vote:

**AYES—52**

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

**NOES—24**

Ackerman	Bowler	McClintock	Pringle
Aguiar	Brewer	Miller	Richter
Alby	House	Morrow	Runner
Baldwin	Kaloogian	Olberg	Takasugi
Battin	Leonard	Oller	Thompson
Baugh	Margett	Poochigian	Woods

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1067 (Polanco)**—An act to add Section 330d to the Penal Code, relating to gaming.

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

Bill passed by the following vote:

**AYES—60**

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

**NOES—9**

Alby	Kaloogian	Oller
Bowler	Leach	Thompson
House	Morrow	Woods

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 1067: Assembly Member Oller, from "Aye" to "No".

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 453 (Solis)**—An act to add Article 16 (commencing with Section 11475.10) to Chapter 4.5 of Part 1 of Division 3 of Title 2 of the Government Code, and to amend Sections 27 and 123.6 of the Labor Code, relating to administrative law.

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

**Motion to Re-refer Senate Bill No. 453 to Committee**

Assembly Member Morrow moved that Senate Bill No. 453 be re-referred to the Committee on Insurance.

Assembly Member Pringle seconded the motion.

Motion lost by the following vote:

**AYES—37**

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

**NOES—41**

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

**Senate Bill No. 453 Passed Temporarily**

By unanimous consent Senate Bill No. 453 was passed temporarily on file.

**SENATE BILL NO. 1102 (Committee on Revenue and Taxation)**—An act to amend Section 15619 of the Government Code, and to amend Sections 6203, 7102, 8255, 8651.7, 9255, 30179, 30366, 30455, 32405, 40116, 43455, 45655, 46506, 46751, 50142.1, 50161, 55225, 60120, 60121, 60361, 60524, 60608, and 60609 of, to add Sections 7204.5, 9255.1, 50162, and 60105 to, and to repeal Sections 60104 and 60709 of, the Revenue and Taxation Code, and to amend Sections 2104, 2105, and 2107 of the Streets and Highways Code, relating to taxation.

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

Bill passed by the following vote:

**AYES—77**

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

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.



Bill passed by the following vote:

**AYES—43**

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

**NOES—34**

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

Bill ordered transmitted to the Senate.

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

**Senate Bill No. 818**—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.



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

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

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

Bill passed by the following vote:

**AYES—68**

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

**NOES—9**

Baugh	McClintock	Pacheco
House	Morrow	Runner
Kaloogian	Olberg	Thompson

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Bill No. 1257: Assembly Member Baldwin, from “No” to “Aye”; Assembly Member Prenter, from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

**At 1:30 p.m. Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**SENATE BILL NO. 713 (Rosenthal)**—An act to amend Sections 1743 and 1748 of, and to add Section 1746.1 to, the Business and Professions Code, realting to dentistry.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

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

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

Bill passed by the following vote:

**AYES—51**

Aguiar	Figueroa	Machado	Shelley
Alquist	Firestone	Mazzoni	Strom-Martin
Aroner	Gallegos	McClintock	Sweeney
Baca	Goldsmith	Murray	Thomson
Baldwin	Hertzberg	Napolitano	Torlakson
Bordonaro	Honda	Oller	Villaraigosa
Bowen	House	Ortiz	Vincent
Brown	Kaloogian	Pacheco	Washington
Cardenas	Keeley	Papan	Wayne
Cardoza	Knox	Poochigian	Wildman
Cunneen	Kuehl	Prenter	Wright
Davis	Kuykendall	Richter	Mr. Speaker
Escutia	Lempert	Scott	

**NOES—24**

Ackerman	Brewer	Margett	Olberg
Alby	Campbell	Martinez	Perata
Ashburn	Granlund	Migden	Runner
Battin	Havice	Miller	Takasugi
Baugh	Leach	Morrissey	Thompson
Bowler	Leonard	Morrow	Woods

Bill ordered transmitted to the Senate.

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

**Senate Bill No. 1086**—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

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

**SENATE BILL NO. 202 (Solis)**—An act to amend Section 1275 of the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

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

**Parliamentary Inquiry**

Assembly Member Goldsmith arose to the following parliamentary inquiry:

What is the vote required for passage of Senate Bill No. 202?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that Senate Bill No. 202 is appropriately keyed by Legislative Counsel to require 41 votes for passage.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 1:52 p.m.

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

**BILLS PASSED ON FILE**

**Senate Bill No. 941**—Passed on file.

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

**SENATE BILL NO. 772 (Johannessen)**—An act to amend Sections 44012, 44036, and 44036.2 of, and to add Section 44012.5 to, the Health and Safety Code, relating to air pollution.

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

Bill passed by the following vote:

**AYES—78**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 280 (Brulte)**—An act to add Section 5408.7 to the Business and Professions Code, and to amend Section 4000.37 of the Vehicle Code, relating to highways, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—73**

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

**NOES—2**

Baldwin                      Bowen

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

**AYES—73**

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

**NOES—2**

Baldwin                      Bowen

Bill ordered transmitted to the Senate.

**BILLS PASSED ON FILE**

**Senate Bill No. 1351**—Passed on file.

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

**SENATE BILL NO. 348 (Thompson)**—An act to amend Sections 11019.5 and 14670.15 of the Government Code, to amend Section 6840 of, to add Section 6835.1 to, and to repeal Sections 6831, 6832, and 6842 of, the Harbors and Navigation Code, to amend Section 5782.27 of the Public Resources Code, and to amend Section 55310.2 of the Water Code, relating to local government.

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

Bill passed by the following vote:

**AYES—67**

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

**NOES—7**

Alby	Bowler	Leach	Thompson
Baugh	Brewer	McClintock	

Bill ordered transmitted to the Senate.

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

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—2**

Bowen                      McClintock

Bill ordered transmitted to the Senate.

**CAUCUS ANNOUNCEMENTS**

At 2:02 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 2:03 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

**REASSEMBLED**

At 4:34 p.m., the Assembly reconvened.

Hon. Joe Baca, Assistant Speaker pro Tempore of the Assembly, presiding.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 8, 1997

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

Assembly Bill No. 44	Assembly Bill No. 662
Assembly Bill No. 153	Assembly Bill No. 686
Assembly Bill No. 175	Assembly Bill No. 719
Assembly Bill No. 207	Assembly Bill No. 758
Assembly Bill No. 259	Assembly Bill No. 797
Assembly Bill No. 329	Assembly Bill No. 845
Assembly Bill No. 445	Assembly Bill No. 1041
Assembly Bill No. 460	Assembly Bill No. 1200
Assembly Bill No. 582	Assembly Bill No. 1221
Assembly Bill No. 650	Assembly Bill No. 1226

And reports the same correctly enrolled, and presented to the Governor at 3:30 p.m., September 8, 1997.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 1997

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

Assembly Bill No. 1237

Assembly Bill No. 1527

Assembly Bill No. 1519

Assembly Bill No. 1543

And reports the same correctly enrolled, and presented to the Governor at 3:30 p.m., September 8, 1997.

E. DOTSON WILSON, Chief Clerk

**REQUEST TO SUSPEND JOINT RULES**

The following request was received, and read:

Assembly Chamber, September 8, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(10) and (11) as it relates to Senate Bills Nos. 163, 273, 298, 368, and 655.

CAROLE MIGDEN

Above request ordered transmitted to the Committee on Rules.

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

Pursuant to Assembly Rule 78, Assembly Member Hertzberg announced his intention to request that Senate Bill No. 818 be removed from the inactive file.

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

**SENATE BILL NO. 137 (Maddy)**—An act to add Division 8.6 (commencing with Section 22980) to the Business and Professions Code, relating to smoking.

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

**Demand for Previous Question**

Assembly Members Kaloogian, Wright, Washington, Sweeney, and Honda demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—44**

Ackerman	Cardenas	House	Oller
Aguiar	Cardoza	Kaloogian	Pacheco
Alby	Cunneen	Leach	Papan
Ashburn	Ducheny	Leonard	Poochigian
Baca	Firestone	Machado	Pringle
Baldwin	Frusetta	Margett	Runner
Battin	Gallegos	McClintock	Takasugi
Baugh	Goldsmith	Miller	Vincent
Bowler	Granlund	Morrow	Woods
Brewer	Havice	Murray	Wright
Campbell	Hertzberg	Olberg	Mr. Speaker

**NOES—28**

Alquist	Honda	Mazzoni	Strom-Martin
Aroner	Keeley	Migden	Sweeney
Bowen	Knox	Napolitano	Thompson
Brown	Kuehl	Ortiz	Thomson
Davis	Kuykendall	Perata	Torlakson
Escutia	Lempert	Richter	Washington
Figueroa	Martinez	Scott	Wildman

Bill ordered transmitted to the Senate.



**SENATE BILL NO. 3 (Leslie)**—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 third time, and presented by Assembly Member Bowler.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—76**

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

**NOES—None**

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

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 31 (Maddy)**—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 third time, and presented by Assembly Member Poochigian.

Bill passed by the following vote:

**AYES—59**

Ackerman	Cardoza	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Machado	Richter
Ashburn	Firestone	Margett	Runner
Baca	Frusetta	Mazzoni	Shelley
Baldwin	Gallegos	McClintock	Takasugi
Battin	Goldsmith	Migden	Thompson
Baugh	Granlund	Miller	Torlakson
Bordonaro	Havice	Morrissey	Villaraigosa
Bowler	Hertzberg	Morrow	Vincent
Brewer	House	Murray	Washington
Brown	Kalোগian	Napolitano	Wildman
Campbell	Keeley	Olberg	Mr. Speaker
Cardenas	Knox	Oller	

**NOES—7**

Aroner	Ortiz	Sweeney	Wright
Bowen	Perata	Thomson	

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Bill No. 31: Assembly Members Aroner, Ortiz, and Wright, from ‘‘Aye’’ to ‘‘No’’.

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.

**REQUEST TO TRANSMIT TO SENATE IMMEDIATELY**

Assembly Member Thomson requested unanimous consent that Senate Bill No. 348 be transmitted to the Senate immediately.

Unanimous consent was withheld.

**REQUEST TO TAKE UP NOTICE OF MOTION TO WITHDRAW OUT OF ORDER**

Assembly Member Goldsmith requested unanimous consent to take up the notice of motion to withdraw Senate Bill No. 6 from committee, out of order.

Unanimous consent was withheld.

**ORDERS OF THE DAY DEMANDED**

Assembly Member Goldsmith demanded the Orders of the Day.

**SPECIAL COMMITTEE MEETINGS**

Assembly Member Machado was granted unanimous consent that the Committee on Water, Parks and Wildlife be permitted to hold a special meeting today, at 5:30 p.m., in the Tom Bane Rules Committee Room, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 231 for hearing.

**BILLS REMOVED FROM SPECIAL CONSENT CALENDAR**

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

**Assembly Bills Nos. 989 and 1611**, on request of Assembly Member Runner.

**CAUCUS ANNOUNCEMENTS**

At 5:20 p.m., Assembly Member Shelley was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

**RECESS**

By unanimous consent, at 5:21 p.m., Assistant Speaker pro Tempore Baca declared the Assembly recessed.

**REASSEMBLED**

At 5:55 p.m., the Assembly reconvened.

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

**MESSAGES FROM THE SENATE**

Senate Chamber, September 4, 1997

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 55   | Assembly Bill No. 1071 |
| Assembly Bill No. 248  | Assembly Bill No. 1104 |
| Assembly Bill No. 405  | Assembly Bill No. 1296 |
| Assembly Bill No. 536  | Assembly Bill No. 1298 |
| Assembly Bill No. 589  | Assembly Bill No. 1337 |
| Assembly Bill No. 690  | Assembly Bill No. 1344 |
| Assembly Bill No. 699  | Assembly Bill No. 1460 |
| Assembly Bill No. 847  | Assembly Bill No. 1464 |
| Assembly Bill No. 925  | Assembly Bill No. 1468 |
| Assembly Bill No. 968  | Assembly Bill No. 1485 |
| Assembly Bill No. 1022 | Assembly Bill No. 1518 |
| Assembly Bill No. 1040 | Assembly Bill No. 1588 |

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, September 4, 1997

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

- Assembly Bill No. 1020
- Assembly Bill No. 1103

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

Above bills ordered enrolled.

Senate Chamber, September 5, 1997

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

- Assembly Bill No. 408
- Assembly Bill No. 1128
- Assembly Bill No. 1206

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

Above bills ordered enrolled.

Senate Chamber, September 5, 1997

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

Assembly Bill No. 6

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

Above bill ordered enrolled.

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. 43  
Assembly Bill No. 51  
Assembly Bill No. 59  
Assembly Bill No. 267  
Assembly Bill No. 293  
Assembly Bill No. 301  
Assembly Bill No. 320  
Assembly Bill No. 326  
Assembly Bill No. 369  
Assembly Bill No. 418  
Assembly Bill No. 421  
Assembly Bill No. 459  
Assembly Bill No. 472  
Assembly Bill No. 482  
Assembly Bill No. 524  
Assembly Bill No. 530  
Assembly Bill No. 573  
Assembly Bill No. 618

Assembly Bill No. 633  
Assembly Bill No. 652  
Assembly Bill No. 874  
Assembly Bill No. 885  
Assembly Bill No. 1139  
Assembly Bill No. 1163  
Assembly Bill No. 1213  
Assembly Bill No. 1230  
Assembly Bill No. 1275  
Assembly Bill No. 1321  
Assembly Bill No. 1335  
Assembly Bill No. 1353  
Assembly Bill No. 1395  
Assembly Bill No. 1433  
Assembly Bill No. 1475  
Assembly Bill No. 1508  
Assembly Bill No. 1520  
Assembly Bill No. 1545

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, September 5, 1997

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

Assembly Bill No. 156  
Assembly Bill No. 221  
Assembly Bill No. 515  
Assembly Bill No. 572  
Assembly Bill No. 736  
Assembly Bill No. 753  
Assembly Bill No. 837  
Assembly Bill No. 838  
Assembly Bill No. 877

Assembly Bill No. 1105  
Assembly Bill No. 1211  
Assembly Bill No. 1222  
Assembly Bill No. 1238  
Assembly Bill No. 1242  
Assembly Bill No. 1306  
Assembly Bill No. 1505  
Assembly Bill No. 1511  
Assembly Bill No. 1606

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, September 5, 1997

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

Assembly Concurrent Resolution No. 57

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

Above resolution ordered enrolled.

Senate Chamber, September 5, 1997

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

Assembly Concurrent Resolution No. 58

Assembly Joint Resolution No. 18

And respectfully requests the Assembly to concur in said amendments.

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

Above resolutions ordered to unfinished business file.

Senate Chamber, September 5, 1997

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

Senate Bill No. 920  
Senate Bill No. 946  
Senate Bill No. 999  
Senate Bill No. 1003  
Senate Bill No. 1006  
Senate Bill No. 1009  
Senate Bill No. 1015  
Senate Bill No. 1040  
Senate Bill No. 1061  
Senate Bill No. 1077

Senate Bill No. 1081  
Senate Bill No. 1100  
Senate Bill No. 1105  
Senate Bill No. 1123  
Senate Bill No. 1231  
Senate Bill No. 1240  
Senate Bill No. 1243  
Senate Bill No. 1302  
Senate Bill No. 1312  
Senate Bill No. 1323

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

Senate Chamber, September 5, 1997

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

Senate Bill No. 36  
Senate Bill No. 57  
Senate Bill No. 62  
Senate Bill No. 65  
Senate Bill No. 66  
Senate Bill No. 70  
Senate Bill No. 73  
Senate Bill No. 89  
Senate Bill No. 124  
Senate Bill No. 150  
Senate Bill No. 214  
Senate Bill No. 219  
Senate Bill No. 236  
Senate Bill No. 275  
Senate Bill No. 296  
Senate Bill No. 329  
Senate Bill No. 365  
Senate Bill No. 402  
Senate Bill No. 408  
Senate Bill No. 417

Senate Bill No. 451  
Senate Bill No. 461  
Senate Bill No. 492  
Senate Bill No. 514  
Senate Bill No. 547  
Senate Bill No. 548  
Senate Bill No. 558  
Senate Bill No. 576  
Senate Bill No. 603  
Senate Bill No. 609  
Senate Bill No. 633  
Senate Bill No. 641  
Senate Bill No. 695  
Senate Bill No. 703  
Senate Bill No. 707  
Senate Bill No. 716  
Senate Bill No. 726  
Senate Bill No. 768  
Senate Bill No. 883  
Senate Bill No. 912

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

Senate Chamber, September 8, 1997

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

**Assembly Bill No. 1430.**

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

Senate Chamber, September 8, 1997

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

**Senate Bill No. 406.**

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

Senate Chamber, September 8, 1997

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

Assembly Bill No. 768

And respectfully request the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

Senate Chamber, September 8, 1997

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

Assembly Bill No. 1059

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

**BILLS PLACED ON SPECIAL CONSENT CALENDAR**

The following bills were placed on the Special Consent Calendar:

Assembly Bills Nos. 768, 925, 1071, 1518, 51, 59, 293, 320, 459, 482, 874, 1545, 156, 221, 572, 736, 877, 1105, 1211, 1222, 1242, and 1306 and Assembly Joint Resolution No. 18.

**MESSAGES FROM THE GOVERNOR**

The following veto message from the Governor was received and ordered printed in the Journal and the bill ordered to the unfinished business file:

**Veto Message—Assembly Bill No. 400**

Governor's Office, Sacramento  
September 8, 1997

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 400 without my signature:

This bill would revise spousal support provisions. Specifically, the bill would provide that marriages of long duration remain with the Court's discretion and jurisdiction to determine the appropriate spousal support, and these marriages would not be subject to the "one-half the length of marriage" rule. The bill would also eliminate the admonishment the court is required to give recipients of spousal support to make reasonable good faith efforts to become self-supporting.

Current law directs the court to consider specified circumstances in determining spousal support in a dissolution or legal separation action. Among the circumstances under consideration is the goal that

the supported party become self-supporting within a reasonable period of time, which is defined as one-half the length of the marriage.

This bill assumes that those recently enacted provisions (SB 509—Calderon, Ch. 1163, statutes of 1996), require the court to automatically terminate spousal support payments after a certain period of time, thereby creating economic hardships for particular recipients. They do no such thing. The law recognizes that a dissolution of marriage presents an anxious and uncertain period, so the statute specifically grants the court discretion to order support for whatever period of time is necessary. Self-support within a reasonable period of time should be the goal of the supported party, but that is only one factor, among many others, to be considered by the court in ordering spousal support. In every instance the court is required to determine what is equitable based upon the particular circumstances of the case.

Likewise, the admonition required to be given by the court in specific instances is not an ultimatum, but a fair and reasonable advisement of the goal of this state that each party should make sincere efforts to become self-supporting as soon as practicable.

Cordially,

PETE WILSON

#### RECEIPT

I acknowledge receipt this 8th day of September 1997, at 5 p.m., of Assembly Bill No. 400, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

#### **CONSIDERATION OF SENATE BILL NO. 660 BY UNANIMOUS CONSENT**

Assembly Member Wayne was granted unanimous consent to take up Senate Bill No. 660, without reference to file.

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

Upon request of Assembly Member Wayne, pursuant to Assembly Rule 77.2, the Speaker re-referred Senate Bill No. 660 to the Committee on Environmental Safety and Toxic Materials.

#### **Special Committee Meetings**

Assembly Member Wayne was granted unanimous consent that the Committee on Environmental Safety and Toxic Materials be permitted to hold a special meeting tomorrow, at 8:30 a.m., and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 660 for hearing.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Water, Parks and Wildlife**

Date of Hearing: September 8, 1997

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

Senate Bill No. 231

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

MACHADO, Chairman

Above bill re-referred to the Committee on Appropriations.

**SPECIAL COMMITTEE MEETINGS**

Assembly Member Migden was granted unanimous consent that the Committee on Appropriations be permitted to hold a special meeting in 10 minutes, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bills Nos. 231 and 879 for hearing.

**RE-REFERENCE OF BILLS**

Assembly Member Migden was granted unanimous consent that Senate Bill No. 491 be re-referred from the Committee on Appropriations to the Committee on Public Safety.

**ANNOUNCEMENT OF CONFERENCE COMMITTEE MEETING**

Assembly Member Keeley announced that the Conference Committee on Assembly Bill No. 1581 would meet immediately, in Room 126.

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

**SENATE BILL NO. 49 (Karnette)**—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 third time, and presented by Assembly Member Cunneen.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—73**

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

**NOES—3**

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

**AYES—73**

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

**NOES—3**

Ackerman	Miller	Thompson
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Bill ordered transmitted to the Senate.

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

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

Bill passed by the following vote:

**AYES—74**

Ackerman	Davis	Lempert	Richter
Aguiar	Ducheny	Machado	Runner
Alby	Escutia	Margett	Scott
Alquist	Figueroa	Martinez	Shelley
Aroner	Firestone	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	

**NOES—4**

Leonard	McClintock	Pringle	Thompson
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Bill ordered transmitted to the Senate.

**SENATE BILL NO. 172 (Rainey)**— 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 third time, and presented by Assembly Member Lempert.

Bill passed by the following vote:

**AYES—77**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**BILLS PASSED ON FILE**

**Senate Bills Nos. 200 and 377**—Passed on file.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)**

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

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

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, 6:14 p.m.

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

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 6:15 p.m., by unanimous consent, the members of the Committee on Appropriations were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

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

**SENATE BILL NO. 545 (Rosenthal)**—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 third time, and presented by Assembly Member Murray

**At 6:34 p.m., Hon. Martha Escutia 50th District, presiding**

Bill passed by the following vote:

**AYES—45**

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

**NOES—30**

Ackerman	Bowler	McClintock	Prenter
Aguiar	Campbell	Miller	Pringle
Alby	Cunneen	Morrissey	Runner
Ashburn	Frusetta	Morrow	Takasugi
Baldwin	Granlund	Olberg	Thompson
Battin	Kaloogian	Oller	Woods
Baugh	Leach	Pacheco	
Bordonaro	Leonard	Poohigian	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 669 (Vasconcellos)**—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 third time, and presented by Assembly Member Mazzoni.

**At 6:39 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

**Demand for Previous Question**

Assembly Members Morrissey, Escutia, Sweeney, Washington, and Brewer demanded the previous question.

**Roll Call Demanded**

Assembly Members Woods, Miller, and Leach, demanded a roll call.

The roll was called, and the demand for the previous question was not sustained by the following vote:

**AYES—37**

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

**NOES—38**

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

**Point of Order**

Assembly Member Washington arose to the following point of order:

That Assembly Member Miller limit debate to the merits of Senate Bill No. 669.

**Ruling by Assistant Speaker pro Tempore Baca**

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 7:14 p.m.

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

**BILLS PASSED ON FILE**

**Senate Bill No. 67**—Passed on file.

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

**SENATE BILL NO. 820 (Polanco)**—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 third time, and presented by Assembly Member Firestone.

Bill passed by the following vote:

**AYES—74**

Ackerman	Davis	Lempert	Richter
Aguiar	Ducheny	Leonard	Runner
Alby	Escutia	Machado	Scott
Alquist	Figueroa	Margett	Shelley
Aroner	Firestone	Martinez	Strom-Martin
Ashburn	Frusetta	Mazzoni	Sweeney
Baca	Gallegos	Migden	Takasugi
Baldwin	Goldsmith	Miller	Thompson
Battin	Granlund	Morrissey	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	

**NOES—2**

McClintock                      Pringle

Bill ordered transmitted to the Senate.

**BILLS PASSED ON FILE**

**Senate Bill No. 1035**—Passed on file.

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

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

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

Bill passed by the following vote:

**AYES—59**

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

**NOES—14**

Ackerman	Bordonaro	Leonard	Pringle
Aguiar	Brewer	Miller	Thompson
Ashburn	House	Olberg	
Baugh	Kaloogian	Oller	

Bill ordered transmitted to the Senate.

**SPECIAL COMMITTEE MEETINGS**

Assembly Member Murray was granted unanimous consent that the Committee on Transportation 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 Bill No. 45 and Assembly Bill No. 176 for hearing.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Wayne announced that the Committee on Environmental Safety and Toxic Materials would meet on September 9, 1997 at 8:30 a.m., in Room 437.

**REQUEST TO SUSPEND JOINT RULES**

The following request was received, and read:

Assembly Chamber, September 8, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(11) as it relates to Senate Bills Nos. 93, 540, 5, and 455.

CAROLE MIGDEN

Above request ordered transmitted to the Committee on Rules.

**BILLS PASSED ON FILE**

**Senate Bill No. 1113**—Passed on file.

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

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

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

**At 7:33 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

Bill passed by the following vote:

**AYES—62**

Ackerman	Ducheny	Machado	Richter
Aguiar	Escutia	Margett	Runner
Alby	Figueroa	Mazzoni	Scott
Aroner	Firestone	McClintock	Shelley
Ashburn	Frusetta	Migden	Takasugi
Baca	Goldsmith	Miller	Thompson
Baldwin	Granlund	Morrissey	Thomson
Battin	Hertzberg	Olberg	Torlakson
Baugh	House	Oller	Villaraigosa
Bordonaro	Kaloogian	Ortiz	Washington
Bowler	Keeley	Pacheco	Wayne
Brewer	Knox	Papan	Woods
Campbell	Kuykendall	Perata	Wright
Cardenas	Leach	Poochigian	Mr. Speaker
Cardoza	Lempert	Prenter	
Cunneen	Leonard	Pringle	

**NOES—9**

Alquist	Honda	Morrow
Bowen	Kuehl	Strom-Martin
Brown	Martinez	Sweeney

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Bill No. 1179: Assembly Members Baugh and Oller, from "No" to "Aye".

Bill ordered transmitted to the Senate.

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

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

Bill passed by the following vote:

**AYES—70**

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

**NOES—6**

Baldwin	Goldsmith	McClintock
Baugh	Granlund	Pringle

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1306 (Sher)**—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 third time, and presented by Assembly Member Ducheny.

Bill passed by the following vote:

**AYES—46**

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

**NOES—29**

Ackerman	Bowler	Margett	Prenter
Aguiar	Brewer	McClintock	Pringle
Alby	Campbell	Miller	Takasugi
Ashburn	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Woods
Battin	House	Olberg	
Baugh	Kaloogian	Oller	
Bordonaro	Leonard	Poochigian	

Bill ordered transmitted to the Senate.



**BILLS PASSED ON FILE**

**Senate Bills Nos. 1307, 1339, and 1251**—Passed on file.

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

**SENATE BILL NO. 916 (Vasconcellos)**—An act to amend Section 1529.2 of the Health and Safety Code, and to add Section 16001.5 to the Welfare and Institutions Code, relating to human services.

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

Bill passed by the following vote:

**AYES—57**

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

**NOES—19**

Ackerman	Campbell	Leonard	Oller
Baldwin	Goldsmith	Margett	Pringle
Battin	Granlund	McClintock	Runner
Baugh	House	Morrow	Thompson
Bowler	Kaloogian	Olberg	

Bill ordered transmitted to the Senate.

### CONSIDERATION OF CONSENT CALENDAR

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

#### Consent Calendar—Senate Resolution

**SENATE CONCURRENT RESOLUTION NO. 49 (Hughes)**—Relative to school safety.

Resolution read and adopted by the following vote:

#### AYES—78

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

#### NOES—None

#### Vote Changes

By unanimous consent, the following vote change was permitted on the Consent Calendar: Assembly Member Pacheco, from “No” to “Aye”.

Resolution ordered transmitted to the Senate.

### CONSIDERATION OF SPECIAL CONSENT CALENDAR

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

#### Consideration of Senate Amendments to Assembly Bills

**ASSEMBLY BILL NO. 739 (Machado)**—An act to amend Section 12002 of, and to add Section 12003.1 to, the Fish and Game Code, relating to fish and game.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY BILL NO. 379 (Alquist)**—An act to add Section 2400.7 to, and to repeal Section 2400.5 of, the Vehicle Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY BILL NO. 541 (Ducheny)**—An act to amend Section 13271 of, and to add Sections 13529, 13529.2, and 13529.4 to, the Water Code, relating to water.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY BILL NO. 747 (Alby)**—An act to amend Sections 1506.5, 1520.3, 1522, 1534, 1558, 1568.065, 1568.09, 1569.16, 1569.17, 1569.58, 1596.851, 1596.871, and 1596.8897 of, to amend and renumber Section 1568.066 of, to add Sections 1558.1, 1568.093, 1569.59, and 1596.8898 to, and to repeal Section 1568.092 of, the Health and Safety Code, relating to care facilities.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY BILL NO. 772 (Margett)**—An act to amend Section 7071.17 of the Business and Professions Code, relating to contractors.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY BILL NO. 882 (Wayne)**—An act to amend Section 25124 of the Health and Safety Code, relating to hazardous waste.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY BILL NO. 980 (Ashburn)**—An act to add Section 13331 to the Government Code, relating to the State Budget, and declaring the urgency thereof, to take effect immediately.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY BILL NO. 1054 (Goldsmith)**—An act to amend Section 1749.5 of the Civil Code, and to amend Section 1520.5 of the Code of Civil Procedure, relating to gift certificates, and making an appropriation therefor.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY BILL NO. 1061 (Machado)**—An act to amend Section 40727 of, and to add Section 40727.2 to, the Health and Safety Code, relating to air pollution.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY BILL NO. 1088 (Committee on Judiciary)**—An act to amend Section 1005 of, and to repeal and add Section 199.3 of, the Code of Civil Procedure, and to amend Sections 69601, 69892.1, 69911, 70046.2, 72602.14, 72608, 72609, 72702.5, 72769, 72778, 72782, 72784, 73077, 73084.3, 73084.4, 73084.5, 73089, 73096, 73096.1, 73348, 73350, 73433, 73433.1, 73433.4, 73434, 73435, 73436, 73436.1, 73436.2, 73483, 73487, 73683, 73684, 73691, 73692, 73699.1, 73705, 73710, 73713, 73766, 74344, 74604, 74607, 74610, 74642, 74643, 74663, 74665, 74745, 74803, 74805, 74807, 74808, and 74811, to repeal Sections 73367, 7368, 74644, 74644.3, and 74644.5 of, to add Article 12.2 (commencing with Section 73783.1) and Article 41 (commencing with Section 74993) to Chapter 10 of Title 8 of, and to repeal and add Sections 72776, 73353, 73757, 73759, and 74949.1 of, the Government Code, to amend Section 11205 of the Vehicle Code, and to amend Sections 1430 and 1440 of the Welfare and Institutions Code, relating to courts.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY BILL NO. 1089 (Miller)**—An act to amend Sections 25244.14, 25244.15, 25244.16, 25244.18, 25244.19, 25244.20, 25244.21, 25244.22, and 25244.23 of, and to repeal Section 25244.24 of, the Health and Safety Code, relating to hazardous waste.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY BILL NO. 1280 (Bustamante)**—An act to amend Sections 2105, 2106, 2107, 2109, 2112, and 2115 of the Fish and Game Code, relating to endangered and threatened species, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The Assembly adopted the urgency clause and concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY BILL NO. 1320 (Bordonaro)**—An act to amend Sections 19352, 19352.5, 19352.8, 19353, 19353.5, 19354, 19354.5, 19356.6, and 19806 of the Welfare and Institutions Code, relating to human services.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY BILL NO. 1399 (Cardenas)**—An act to amend, repeal, and add Section 12741 of the Insurance Code, relating to insurance.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY BILL NO. 358 (House)**—An act to amend Section 17052 of the Health and Safety Code, relating to housing.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY BILL NO. 1209 (Olberg)**—An act to amend, repeal, and add Section 22352 of, and to add and repeal Section 22352.1 of, the Vehicle Code, relating to vehicles.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

**ASSEMBLY CONCURRENT RESOLUTION NO. 12 (Cunneen)**—Relative to State Highway Route 85.

The Assembly concurred in the above Senate amendments; resolution ordered enrolled.

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

**ASSEMBLY JOINT RESOLUTION NO. 32 (Kuykendall)**—Relative to Allied Hmong-Lao veterans.

The Assembly concurred in the above Senate amendments; resolution ordered enrolled.

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

**Special Consent Calendar Roll Call**

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

**AYES—77**

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

**NOES—None**

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 233**

At 7:52 p.m., on motion of Assembly Member Migden, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 233 refused passage by the following vote:

**AYES—29**

Aroner	Keeley	Papan	Vincent
Baca	Knox	Perata	Washington
Cardenas	Kuehl	Shelley	Wildman
Escutia	Lempert	Strom-Martin	Wright
Figueroa	Migden	Sweeney	Mr. Speaker
Gallegos	Murray	Thomson	
Havice	Napolitano	Torlakson	
Honda	Ortiz	Villaraigosa	

**NOES—39**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 233: Assembly Member Wayne, from "Aye" to "Not Voting".

**Motion to Reconsider Senate Bill No. 233  
on Next Legislative Day**

Assembly Member Migden moved to reconsider on the next legislative day the vote whereby Senate Bill No. 233 was this day refused passage.

Senate Bill No. 233 ordered to the unfinished business file

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1068**

At 7:52 p.m., on motion of Assembly Member Machado, 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 Machado moved to continue the call of the Assembly.

Motion carried. Time, 7:54 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. 202**

At 7:54 p.m., on motion of Assembly Member Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 202 refused passage by the following vote:

**AYES—39**

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

**NOES—37**

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

**Motion to Reconsider Senate Bill No. 202  
on Next Legislative Day**

Assembly Member Knox moved to reconsider on the next legislative day the vote whereby Senate Bill No. 202 was this day refused passage.

Senate Bill No. 202 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 445**

At 7:55 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.

Senate Bill No. 445 passed by the following vote:

**AYES—54**

Ackerman	Cardoza	Leonard	Pringle
Aguiar	Cunneen	Machado	Richter
Alby	Figueroa	Margett	Runner
Ashburn	Firestone	McClintock	Takasugi
Baca	Frusetta	Miller	Thompson
Baldwin	Goldsmith	Morrissey	Torlakson
Battin	Granlund	Morrow	Vincent
Baugh	Hertzberg	Olberg	Washington
Bordonaro	House	Oller	Wayne
Bowen	Kaloogian	Pacheco	Woods
Bowler	Keeley	Papan	Wright
Brewer	Knox	Perata	Mr. Speaker
Campbell	Kuykendall	Poochigian	
Cardenas	Leach	Prenter	

**NOES—17**

Aroner	Honda	Ortiz	Villaraigosa
Brown	Martinez	Shelley	Wildman
Escutia	Mazzoni	Strom-Martin	
Gallegos	Migden	Sweeney	
Havice	Murray	Thomson	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 445: Assembly Member Thomson, from "Aye" to "No".

Bill ordered transmitted to the Senate.



**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 669**

At 7:56 p.m., on motion of Assembly Member Mazzoni, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 669 passed by the following vote:

**AYES—41**

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

**NOES—37**

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

Bill ordered transmitted to the Senate.

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

**SENATE BILL NO. 842 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Davis was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 842 was passed; and that the bill be passed on file, to retain its place on file.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Perata announced that the Committee on Rules would meet tomorrow in the Tom Bane Rules Committee Room, 15 minutes prior to Floor session.

**NOTICES OF MOTIONS TO WITHDRAW BILLS  
FROM COMMITTEE CONTINUED**

By unanimous consent the notices of motions to withdraw Senate Bills Nos. 638 and 6 from committees were continued until the next legislative day.

**BILLS RETURNED TO THIRD READING FILE**

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the third reading file.

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

**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 and 305 were continued until the next legislative day.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1068**

At 7:59 p.m., on motion of Assembly Member Machado, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

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

Motion carried. Time, 7:59 p.m.

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

**OBJECTION TO VOTE ADDS**

Assembly Member Thompson withheld unanimous consent on any requests for vote adds or vote changes on the roll call votes taken on this day on Senate Bills Nos. 233 and 202.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1068**

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

Senate Bill No. 1068 refused passage by the following vote:

**AYES—39**

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

**NOES—37**

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

**Motion to Reconsider Senate Bill No. 1068  
on Next Legislative Day**

Assembly Member Machado moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1068 was this day refused passage.

Senate Bill No. 1068 ordered to the unfinished business file.

**MOTION TO ADJOURN**

At 8:05 p.m., Assembly Member Morrissey moved that the Assembly do now adjourn.

Assembly Member Washington seconded the motion.

**REMARKS ON CONDITION OF THE FILE**

Assembly Members Wright and House arose to speak on the condition of the file.

**FURTHER CONSIDERATION OF MOTION TO ADJOURN**

the question being on the motion of Assembly Member Morrissey that the Assembly adjourn.

Motion carried.

**VOTE ADDS**

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

**Senate Bill No. 314:** Baugh, Brewer and McClintock—Aye.

**Senate Bill No. 394:** Goldsmith—Aye; Baldwin, Baugh, Brewer, Firestone, McClintock and Miller—No.

**Senate Bill No. 653, Demand for Previous Question:** Bowen—Aye; Baugh and Olberg—No.

**Senate Bill No. 653:** Baugh, Brewer, Firestone, McClintock, and Migden—Aye.

**Senate Bill No. 931:** Ackerman, Baca, Brewer, and Prenter—Aye; Alby, Ashburn, Baugh, Cunneen, Morrissey, and Poochigian—No.

**Senate Bill No. 1220:** Ashburn and Brewer—Aye.

**Senate Bill No. 543 and Urgency:** Brewer—Aye.

**Senate Bill No. 1184:** Bowen, Bowler, and Brewer—Aye.

**Senate Bill No. 657:** Brewer and Wright—Aye.

**Senate Bill No. 826:** Brewer and Olberg—Aye.

**Senate Bill No. 1068, Demand for Previous Question:** Havice—No.

**Senate Bill No. 413 and Urgency:** Ashburn, Baugh, and Goldsmith—Aye; McClintock—No.

**Senate Bill No. 1048:** Prenter—Aye; Baugh and McClintock—No.

**Senate Bill No. 1067:** Honda—Aye; Morrow—No.

**Senate Bill No. 453, Morrow Motion to Refer to Committee:** Martinez—No.

**Senate Bill No. 1102:** Baldwin, Ducheny, and Martinez—Aye.

**Senate Bill No. 525:** Bowen and Runner—Aye; Martinez—No.

**Senate Bill No. 453:** Cardoza—Aye; Baldwin—No.

**Senate Bill No. 1257:** Campbell and Poochigian—Aye; Morrow and Runner—No.

**Senate Bill No. 713:** Runner—Aye.

**Senate Bill No. 1271:** Figueroa and Goldsmith—Aye; Olberg, Runner, and Woods—No.

**Senate Bill No. 772:** Bowen, Martinez, Miller and Woods—Aye.

**Senate Bill No. 280 and Urgency:** Machado and Runner—Aye; Baldwin—No.

**Senate Bill No. 348:** Baldwin, Machado, and Runner—Aye.

**Senate Bill No. 383:** Ducheny—Aye; McClintock—No.

**Senate Bill No. 137:** Cardoza, Cunneen, and McClintock—Aye; Mazzoni—No.

**Senate Bill No. 3 and Urgency:** Baugh and Figueroa—Aye.

**Senate Bill No. 31:** Baugh, McClintock, Villaraigosa, and Vincent—Aye; Sweeney—No.

**Senate Bill No. 49 and Urgency:** Olberg and Richter—Aye.

**Senate Bill No. 72:** Baldwin—Aye.

**Senate Bill No. 172:** McClintock—Aye.

**Senate Bill No. 545:** Gallegos—Aye; Ackerman, Aguiar, Cunneen, Olberg, and Prenter—No.

**Senate Bill No. 820:** Baldwin, Brewer, Mazzoni, and Poochigian—Aye.

**Senate Bill No. 1051:** Margett—Aye; Ashburn and Brewer—No.

**Senate Bill No. 1179:** Escutia and Prenter—Aye; Alquist—No.

**Senate Bill No. 1270:** Olberg—Aye; Goldsmith—No.

**Consent Calendar:** Goldsmith—Aye.

**Special Consent Calendar:** Runner—Aye.

**Senate Bill No. 445:** Shelley—No.

#### **QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 8:07 p.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

#### **RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY JOINT RESOLUTION NO. 39—Thomson and Murray, (Principal coauthors: Battin, Baugh, Leach, and Washington) and Bustamante, (Senators Costa, Johannessen, Kelley, Kopp, Lee Lockyer, and Monteith, coauthors).** Relative to the Intermodal Surface Transportation Efficiency Act.

#### **AUTHOR'S AMENDMENTS**

##### **Committee on Appropriations**

September 8, 1997

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

Senate Bill No. 5

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

MIGDEN, Chairwoman

**SENATE 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.

**REPORTS OF STANDING COMMITTEES**

**Committee on Appropriations**

Date of Hearing: September 8, 1997

Mr. Speaker: Your Committee on Appropriation reports:

Senate Bill No. 231

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: September 5, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 521

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

**INTRODUCTION OF GUESTS**

Assembly Member Kaloogian, of the 74th Assembly District, introduced Karen Gill, President of the California League of Women Voters, who was accompanied by her son, Sandy Gill, from Solana Beach.

**ADJOURNMENT**

At 8:07 p.m., pursuant to the motion by Assembly Member Morrissey, the Assembly adjourned until 9 a.m., Tuesday, September 9, 1997, out of respect to the memory of Frances Calderon, on motion of Assembly Member Baca; out of respect to the memory of Bill Eade, on motion of Assembly Member Frusetta; out of respect to the memory of Lyle Harlan, on motion of Assembly Member House; and out of respect to the memory of Stephanie Frazier McDowell, on motion of Assembly Member Ortiz.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON SEPTEMBER 8, 1997**

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

<b>AB</b>	<b>RN</b>	<b>SB</b>	<b>RN</b>
1218	9722851	812	9722736
		879	9722600
<b>AJR</b>	<b>RN</b>	938	9723071
38	9722663	940	9722778
		1026	9722909
<b>HR</b>	<b>RN</b>	1039	9722860
44	9722604	1054	9722873
		1066	9723001
		1092	9722535
<b>SB</b>	<b>RN</b>	1099	9723096
5	9723170	1110	9722830
88	9723054	1161	9722795
90	9723046	1163	9722798
93	9723061	1189	9722796
163	9723084	1195	9722111
225	9722849	1198	9722109
247	9722733	1254	9722624
318	9722675	1268	9722942
526	9722684	1273	9722858
540	9722946	1305	9722665
660	9722787	1338	9722857

**Daily Total: 35**  
**Cumulative Total: 3373**