

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

---

---

# ASSEMBLY DAILY JOURNAL

---

---

**Wednesday, September 10, 1997**

**ONE HUNDRED THIRTY-SIXTH SESSION DAY  
TWO HUNDRED EIGHTY-THIRD CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



---

---

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

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, September 10, 1997

The Assembly met at 9 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Woods moved a quorum call of the Assembly. Motion carried. Time, 9:01 a.m.

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

#### Quorum Present

At 9:30 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:

*Lord God, You have taught us that “Those who wait upon the Lord shall renew their strength.” (Isaiah 40:31). Renew us with Your grace and wisdom. Today as we pause to pray together, teach us to pray every day, to pray at work as well as at worship, to pray alone and with others, to pray at all times and in all places, to live in the spirit of prayer and always to be in harmony with Your will.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**At 9:33 a.m., Hon. Fred Keeley, 27th District, presiding**

**MOTION TO DISPENSE WITH READING OF THE JOURNAL**

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

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 10, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Joint Resolution No. 39

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to third reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, September 9, 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. 74
- Senate Bill No. 95
- Senate Bill No. 193
- Senate Bill No. 316
- Senate Bill No. 367
- Senate Bill No. 392
- Senate Bill No. 472
- Senate Bill No. 589
- Senate Bill No. 675

- Senate Bill No. 827
- Senate Bill No. 945
- Senate Bill No. 1094
- Senate Bill No. 1144
- Senate Bill No. 1221
- Senate Bill No. 1234
- Senate Concurrent Resolution No. 23
- Senate Concurrent Resolution No. 54

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

Senate Chamber, September 9, 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. 48
- Senate Bill No. 500
- Senate Bill No. 795

- Senate Bill No. 1141
- Senate Bill No. 1145
- Senate Concurrent Resolution No. 43

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

**ADJOURN IN MEMORY**

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 Eddie Martin, of Hollister.

Assembly Member Shelley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Juanita Hill Schurman, of San Francisco.

**CONSIDERATION OF DAILY FILE  
SENATE BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

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

**Senate Bill No. 521**, ordered to third reading.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 45**—An act to amend Sections 14523, 14524, 14525, 14526, 14527, 14530.1, 14531, 14536, 65081.1, 65082, 65083, and 65086 of, to add Sections 14529.1, 14529.8, 14529.12, and 14529.15 to, to repeal and add Sections 14520.3, 14529, 65080, and 65086.4 of, and to repeal Sections 14524.5, 14529.01, 14529.2, 14529.6, 14530.5, 14555, 65071, and 65081 of, the Government Code, to amend Sections 99310, 99312, and 99315 of, and to repeal Sections 99315.5, 99315.6, 99318, and 99318.2 of, the Public Utilities Code, and to amend Sections 164.3, 167, 188, and 188.8 of, to amend and repeal Sections 2601, 2602, and 2602.1 of, to add Sections 164.6 and 188.10 to, to repeal and add Sections 163, 164, and 182.5 of, and to repeal Sections 164.2, 164.4, 164.35, 164.50, 164.51, 164.52, 164.55, 164.57, 168, 182.4, 182.8, 188.9, 199, 199.1, 199.2, 199.3, 199.4, 199.6, 199.7, 199.8, 199.9, 199.10, 199.11, and 2600 of, the Streets and Highways Code, relating to transportation.

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

**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, and ordered to third reading.

**SENATE BILL NO. 163**—An act to amend Sections 18250, 18251, 18252, 18253, 18254, 18255, 18256, and 18257 of, to amend the heading of Chapter 4 (commencing with Section 18250) of Part 6 of Division 9 of, and to add Sections 18253.5 and 18256.5 to, the Welfare and Institutions Code, relating to public social services.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 455**—An act to amend Sections 17008.5, 17020.6, 17024.5, 17041, 17052.12, 17054, 17062, 17063, 17072, 17077, 17085, 17088, 17139, 17250, 17273, 17279, 17507, 17561, 17750, 17860, 18037, 18180, 18601, 18624, 18645, 19144, 19164, 19184, 23038.5, 23045, 23453, 23456, 23457, 23609, 23732, 23801, 23802, 23806, 24326, 24343.3, 24349, 24355, 24355.5, 24357, 24443, 24692, 24870, 24916, and 24993 of, to amend the heading of Chapter 14.5 (commencing with Section 24870) of Part 11 of, to add Sections 17088.3, 17132.5, 17154, 17215, 17250.5, 17251.5, 17270.5, 17275.5, 17278.5, 17731.5, 18044, 18152, 18648.5, 19136.2, 19136.3, 19141.2, 19182.5, 19365, 23800.5, 23813, 24272.5, 24343.7, 24429, 24875, 24949.5, 24954, and 24956 to, to repeal Sections 17131.5, 17132, 17137, 17138.5, 17141.5, 17150, 17201.5, 17210, 17213, 17249, 17267, 17283, 17748, 18035, 18040, 18060, 18166, 18173, 24371.5, 24966.3, 24971, 24990.8, and 24990.9 of, and to repeal and add Sections 17255, 17271, 23701h, 24372.5, and 24947 of, the Revenue and Taxation Code, and to amend Sections 928.5 and 934 of the Unemployment Insurance Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

**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, and ordered to third reading.

**SENATE BILL NO. 1305**—An act 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, and ordered to Consent Calendar.

**SENATE BILL NO. 298**—An act to amend Section 41204 of the Education Code, relating to school finance.

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. 540**—An act to add and repeal Section 42250.2 of the Education Code, relating to school facilities.

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. 655**—An act to amend Section 10201 of the Unemployment Insurance Code, relating to employment.

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 Environmental Safety and Toxic Materials read and adopted, bill ordered reprinted and to be returned to the second reading file.

**At 9:34 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

### **THIRD READING OF SENATE BILLS**

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

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

The roll was opened.

### **Call of the Assembly**

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

Motion carried. Time, 9:44 a.m.

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

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

Bill read third time.

**Motion to Amend**

Without objection, Assembly Member Napolitano moved the adoption of amendments.

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

(NOTE: Pursuant to the leadership announcement on August 28, 1997 (Assembly Journal, page 3894), September 5, 1997 was the last day to amend bills on third reading in the Assembly.)

**At 9:47 a.m., Hon. Fred Keeley, 27th District, presiding**

**SENATE BILL NO. 853 (Schiff)**—An act to add and repeal Title 5.5 (commencing with Section 13760) of Part 4 of the Penal Code, relating to firearms, and making an appropriation therefor.

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

Bill passed by the following vote:

**AYES—72**

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

**NOES—2**

House                      Morrow

Bill ordered transmitted to the Senate.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

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

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

**SENATE BILL NO.**

**247 (Lockyer)**—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 third time, and presented by Assembly Member Escutia.

Bill passed by the following vote:

<b>AYES—50</b>			
Alquist	Floyd	Machado	Shelley
Aroner	Frusetta	Martinez	Strom-Martin
Baca	Gallegos	Mazzoni	Sweeney
Bowen	Goldsmith	McClintock	Thomson
Brown	Havice	Migden	Torlakson
Cardenas	Hertzberg	Morrissey	Villaraigosa
Cardoza	Honda	Murray	Vincent
Cunneen	House	Napolitano	Washington
Davis	Keeley	Ortiz	Wayne
Ducheny	Knox	Pacheco	Wildman
Escutia	Kuehl	Papan	Mr. Speaker
Figueroa	Kuykendall	Perata	
Firestone	Lempert	Scott	

**NOES—28**

Ackerman	Bordonaro	Leonard	Pringle
Aguiar	Bowler	Margett	Richter
Alby	Brewer	Miller	Runner
Ashburn	Campbell	Morrow	Takasugi
Baldwin	Granlund	Olberg	Thompson
Battin	Kaloogian	Oller	Woods
Baugh	Leach	Poohigian	Wright

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 812 (Hayden)**—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 third time, and presented by Assembly Member Sweeney.

Bill passed by the following vote:

**AYES—74**

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
Baldwin	Granlund	Morrissey	Thompson
Battin	Havice	Morrow	Thomson
Baugh	Hertzberg	Murray	Torlakson
Bordonaro	Honda	Napolitano	Villaraigosa
Bowen	House	Olberg	Vincent
Bowler	Kaloogian	Ortiz	Washington
Brewer	Knox	Pacheco	Wayne
Brown	Kuehl	Papan	Wildman
Campbell	Kuykendall	Perata	Woods
Cardenas	Leach	Poohigian	Wright
Cunneen	Lempert	Prenter	Mr. Speaker
Davis	Leonard	Pringle	
Ducheny	Machado	Richter	

**NOES—None**

Bill ordered transmitted to the Senate.

**At 9:57 a.m., Assistant Speaker pro Tempore Joe Baca,  
62nd District, presiding**

**SENATE BILL NO. 965 (Costa)**—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 third time, and presented by Assembly Member Honda.

Bill passed by the following vote:

**AYES—78**

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

**NOES—1**

Pringle

Bill ordered transmitted to the Senate.



**SENATE BILL NO. 1195 (Schiff)**—An act to amend Sections 656.2 and 707 of the Welfare and Institutions Code, relating to minors.

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

Bill passed by the following vote:

**AYES—78**

Ackerman	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Takasugi
Battin	Granlund	Morrissey	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	Mr. Speaker
Cunneen	Leach	Poochigian	
Davis	Lempert	Prenter	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 318 (Thompson)**—An act to amend Sections 41865, 44535, and 44537.5 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 third time, and presented by Assembly Member Woods.

Bill passed by the following vote:

**AYES—77**

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	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	Perata	Mr. Speaker
Cardoza	Leach	Poochigian	
Cunneen	Lempert	Prenter	
Davis	Leonard	Pringle	

**NOES—1**

Thomson.

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 940 (Leslie)**—An act to amend Sections 136.1 and 186.22 of the Penal Code, relating to crimes.

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

Bill passed by the following vote:

**AYES—76**

Ackerman	Davis	Leonard	Pringle
Aguiar	Ducheny	Machado	Richter
Alby	Escutia	Margett	Runner
Alquist	Figueroa	Martinez	Scott
Aroner	Firestone	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	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	Knox	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. 1039 (Thompson)**—An act to amend Sections 4500.5, 4501, 4508, 4512, 4590, 4593, 4595, 4598, 4629, 4646, 4646.5, 4647, 4648, 4660, 4661, 4664, 4666, 4677, 4701.6, 4705, 4710.8, 4791, and 4803 of, to amend, repeal, and add Sections 4622 and 4625 of, and to add Sections 4414, 4418.3, 4434, 4519.5, 4542, 4602, 4640.8, and 4731 to, the Welfare and Institutions Code, relating to human services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—78**

Ackerman	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Takasugi
Battin	Granlund	Morrissey	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	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker
Cunneen	Leach	Poohigian	
Davis	Lempert	Prenter	

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—78**

Ackerman	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Takasugi
Battin	Granlund	Morrissey	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	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker
Cunneen	Leach	Poohigian	
Davis	Lempert	Prenter	

**NOES—None**

Bill ordered transmitted to the Senate.

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

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

Bill passed by the following vote:

**AYES—73**

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

**NOES—2**

Floyd                      Migden

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 1110: Assembly Member Migden, from “Aye” to “No”.

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1338 (Johannessen)**—An act relating to state purchases, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

**Urgency clause read, and adopted by the following vote:**

**AYES—78**

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

**NOES—1**

Bowen

The question being on the passage of the bill:

Bill passed by the following vote:

**AYES—78**

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

**NOES—1**

Bowen

Bill ordered transmitted to the Senate:

(NOTE: Later this day, the action was rescinded whereby the urgency clause to Senate Bill No. 1338 was adopted and the bill was passed, and whereby the bill was ordered transmitted to the Senate. See page \_\_\_\_.)

**RECESS**

By unanimous consent, at 10:15 a.m., Assistant Speaker pro Tempore Baca declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Olberg introduced Ian White-Thomson, Chairman and C.E.O. of U.S. Borax, whereupon he presented a resolution to him commending the 125th anniversary of U.S. Borax and its commitment to excellence in meeting customer needs worldwide, and upon being named California Manufacturer of the Year.

Mr. Ian White-Thomson then addressed the assemblage.

**REASSEMBLED**

At 10:19 a.m., the Assembly reconvened.

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

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 10, 1997

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

Assembly Bill No. 446

And reports the same correctly enrolled, and presented to the Governor at 9:45 a.m., September 10, 1997.

E. DOTSON WILSON, Chief Clerk

**SENATE BILL NO. 1273 REMOVED FROM CONSENT CALENDAR AND TAKEN UP**

Assembly Member Alquist was granted unanimous consent that Senate Bill No. 1273 be removed from the Consent Calendar, and to take the bill up at this time, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1273 (Hurtt)**—An act to add Section 11104.5 to the Government Code, relating to state agencies.

Bill read third time.

**Motion to Amend**

Without objection, Assembly Member Alquist moved the adoption of amendments.

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

(NOTE: Pursuant to the leadership announcement on August 28, 1997 (Assembly Journal, page 3894), September 5, 1997 was the last day to amend bills on third reading in the Assembly.)

**BILLS PASSED ON FILE**

**Senate Bill No. 1026**—Passed on file.

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

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

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

Bill passed by the following vote:

**AYES—74**

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

**NOES—2**

McClintock                      Perata

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 88: Assembly Member Perata, from ‘‘Aye’’ to ‘‘No’’.

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 225 (Kopp)**—An act to repeal and add Section 12900 of the Insurance Code, relating to insurance.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 10:35 a.m.

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

**SENATE BILL NO. 1066 (Sher)**—An act to amend Sections 40001, 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 third time, and presented by Assembly Member Honda.

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 614 (Thompson)**—An act to amend Section 5652 of the Fish and Game Code, relating to pollution, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

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

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

**Request for Use of Visual Aids**

Assembly Member Battin was granted unanimous consent to use visual aids on the Floor to assist in debate.

**Demand for Previous Question**

Assembly Members Sweeney, Shelley, Villaraigosa, House, and Morrissey demanded the previous question.

**Roll Call Demanded**

Assembly Members Kuykendall, Leach, and Pringle, demanded a roll call.

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

**AYES—38**

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

**NOES—38**

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

**CAUCUS ANNOUNCEMENTS**

At 11:10 a.m., Assembly Member Villaraigosa was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

**RECESS**

By unanimous consent, at 11:10 a.m., Assistant Speaker pro Tempore Baca declared the Assembly recessed.

**REASSEMBLED**

At 11:30 a.m., the Assembly reconvened.

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

**FURTHER CONSIDERATION OF SENATE BILL NO. 818**

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

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 Hertzberg moved a call of the Assembly.

Motion carried. Time, 12:01 p.m.

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

**At 12:02 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

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

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

**Motion to Amend by Assembly Member Floyd**

**Objection Raised**

Assembly Member Murray objected to the presentation of amendments by Assembly Member Floyd, after the September 5, 1997 deadline to amend bills on the Assembly Floor

**Parliamentary Inquiry**

Assembly Member Battin arose to the following parliamentary inquiry:

Pursuant to Assembly Rule 69(e) no motion to amend a bill on the third reading file is in order on the last two days preceding the scheduled commencement of the interim study recess. By what rule was September 5, 1997 the last day to amend bills on the third reading file in the Assembly?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that the last day to amend bills on third reading in the Assembly was September 5, 1997 pursuant to a leadership agreement; and that Assembly Member Floyd's amendments are in order under the Assembly Rules.

**Further Consideration of Amendments Offered by  
Assembly Member Floyd**

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

**Motion to Table Floyd Amendments  
to Senate Bill No. 1329**

Assembly Member Battin moved that the amendments offered by Assembly Member Floyd to Senate Bill No. 1329 be laid upon the table.

Assembly Member Kuykendall seconded the motion.

Motion carried by the following vote:

**AYES—49**

Ackerman	Campbell	Keeley	Poochigian
Aguiar	Cardoza	Kuykendall	Prenter
Alby	Cunneen	Leonard	Pringle
Alquist	Escutia	Margett	Runner
Ashburn	Firestone	Mazzoni	Scott
Baca	Frusetta	Miller	Sweeney
Baldwin	Goldsmith	Morrow	Takasugi
Battin	Granlund	Murray	Torlakson
Baugh	Havice	Napolitano	Wayne
Bordonaro	Hertzberg	Olberg	Woods
Bowen	Honda	Oller	
Bowler	House	Pacheco	
Brown	Kaloogian	Perata	

**NOES—15**

Aroner	Leach	Morrissey	Thomson
Floyd	Lempert	Papan	Villaraigosa
Gallegos	Martinez	Strom-Martin	Wildman
Kuehl	Migden	Thompson	

**Demand for Previous Question**

Assembly Members Shelley, Honda, Martinez, Scott, and Sweeney demanded the previous question.

**Roll Call Demanded**

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

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

**AYES—41**

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

**NOES—32**

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

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—47**

Ackerman	Escutia	Kuykendall	Shelley
Aguiar	Figueroa	Machado	Sweeney
Alquist	Firestone	Martinez	Takasugi
Baca	Frusetta	Mazzoni	Thomson
Battin	Gallegos	Miller	Torlakson
Bordonaro	Havice	Murray	Villaraigosa
Bowler	Hertzberg	Napolitano	Vincent
Brewer	Honda	Pacheco	Wayne
Brown	House	Perata	Wildman
Cardenas	Kaloogian	Prenter	Woods
Cardoza	Keeley	Runner	Mr. Speaker
Davis	Knox	Scott	

**NOES—25**

Alby	Cunneen	Leonard	Poochigian
Aroner	Floyd	Margett	Pringle
Ashburn	Goldsmith	McClintock	Richter
Baldwin	Granlund	Migden	Thompson
Baugh	Kuehl	Morrissey	
Bowen	Leach	Morrow	
Campbell	Lempert	Olberg	

Bill ordered transmitted to the Senate.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 1037**, on request of Assembly Member Migden.

Bill ordered transmitted to the Senate.

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

**SENATE BILL NO. 1062 (Peace)**—An act to add Section 1374.17 to the Health and Safety Code, relating to health care service plans.

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

Bill passed by the following vote:

**AYES—69**

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

**NOES—6**

Ackerman	Goldsmith	McClintock
Campbell	Leach	Runner

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Bill No. 1062: Assembly Members Alby, Baldwin, Bowler, and Takasugi, from ‘No’ to ‘Aye’.

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 255 (Leslie)**—An act to amend Section 15301 of, to add Section 15301.6 to, to repeal Section 15301.7 of, and to repeal and add Section 15301.5 of, the Government Code, relating to armories, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 12:34 p.m.

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

**SENATE BILL NO. 802 (Costa)**—An act relating to independent study, and making an appropriation therefor.

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

Bill passed by the following vote:

**AYES—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	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 526 (Hayden)**—An act to add Article 12 (commencing with Section 1915) 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 third time.

**Motion to Amend**

Assembly Member Hertzberg moved the adoption of amendments.

Amendments read and adopted.

**Senate Bill No. 526 Passed Temporarily**

By unanimous consent Senate Bill No. 526 was passed temporarily on file.

**BILLS PASSED ON FILE**

**Senate Bill No. 1092**—Passed on file.

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

**SENATE BILL NO. 1198 (Costa)**—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, 56273.1, 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, 56134.5, 56134.75, 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, 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, 56445, and 56447 of, the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

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

Bill passed by the following vote:

**AYES—75**

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

**NOES—2**

Bowen                      Cardenas

Bill ordered transmitted to the Senate.

**At 12:43 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**



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

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

Bill passed by the following vote:

**AYES—44**

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

**NOES—35**

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

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1189 (Hayden)**—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 third time, and presented by Assembly Member Kuehl.

Bill passed by the following vote:

**AYES—76**

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

**NOES—1**

Ackerman

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 1189: Assembly Member Oller, from ‘‘No’’ to ‘‘Aye’’.

Bill ordered transmitted to the Senate.

**At 1:05 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**SENATE BILL NO. 867 (Lee)**—An act to amend Section 96.31 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

**Motion to Amend by Assembly Member Goldsmith—Set 1**

Assembly Member Goldsmith moved the adoption of amendments—Set 1.

Amendments read.

**Request for Use of Visual Aids**

Assembly Member Goldsmith was granted unanimous consent to use visual aids on the Floor to assist in debate.

**Motion to Table Goldsmith Amendments to Senate Bill No. 867—Set 1**

Assembly Member Villaraigosa moved that the amendments offered by Assembly Member Goldsmith to Senate Bill No. 867—Set 1 be laid upon the table.

Assembly Member Shelley seconded the motion.

Motion carried by the following vote:

**AYES—41**

Alquist	Floyd	Migden	Torlakson
Aroner	Gallegos	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	

**NOES—35**

Ackerman	Brewer	Kuykendall	Pacheco
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	Oller	

**Objection to Vote Adds**

Assembly Member Thompson withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Villaraigosa motion to table Goldsmith amendments to Senate Bill No. 867—Set 1.

**Motion to Amend by Assembly Member Goldsmith—Set 2**

Assembly Member Goldsmith moved the adoption of amendments.

Amendments read.

**Request for Use of Visual Aids**

Assembly Member Goldsmith was granted unanimous consent to use visual aids on the Floor to assist in debate.

**Motion to Table Goldsmith Amendments to Senate Bill No. 867—Set 2**

Assembly Member Villaraigosa moved that the amendments offered by Assembly Member Goldsmith to Senate Bill No. 867—Set 2 be laid upon the table.

Assembly Member Shelley seconded the motion.

Motion carried by the following vote:

**AYES—40**

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

**NOES—35**

Ackerman	Brewer	Kuykendall	Pacheco
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	Oller	

**Objection to Vote Adds**

Assembly Member Thompson withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Villaraigosa motion to table Goldsmith amendments to Senate Bill No. 867—Set 2.

**Further Consideration of Senate Bill No. 867**

Bill presented by Assembly Member Aroner.

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 Aroner moved a call of the Assembly.

Motion carried. Time, 1:06 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. 110**

At 1:07 p.m., on motion of Assembly Member Kuykendall, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 110 passed by the following vote:

**AYES—48**

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

**NOES—25**

Ackerman	Brewer	McClintock	Runner
Alby	Campbell	Miller	Takasugi
Baldwin	Frusetta	Morrow	Thompson
Battin	Granlund	Olberg	Woods
Baugh	House	Oller	
Bordonaro	Leach	Poochigian	
Bowler	Margett	Pringle	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 225**

At 1:08 p.m., on motion of Assembly Member Papan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

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

Motion carried. Time, 1:08 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. 225**

At 1:10 p.m., on motion of Assembly Member Papan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 225 refused passage by the following vote:

**AYES—35**

Aguiar	Cardenas	Leach	Shelley
Alby	Cunneen	Lempert	Thompson
Alquist	Ducheny	Leonard	Thomson
Baugh	Firestone	Mazzoni	Torlakson
Bordonaro	Floyd	McClintock	Vincent
Bowen	Hertzberg	Morrow	Washington
Bowler	Kalooagian	Oller	Wright
Brewer	Knox	Papan	Mr. Speaker
Campbell	Kuykendall	Poochigian	

**NOES—36**

Ackerman	Gallegos	Migden	Prenter
Aroner	Goldsmith	Miller	Pringle
Ashburn	Granlund	Morrissey	Runner
Baca	Havice	Murray	Strom-Martin
Baldwin	Honda	Napolitano	Sweeney
Battin	House	Olberg	Takasugi
Davis	Keeley	Ortiz	Wayne
Figueroa	Kuehl	Pacheco	Wildman
Frusetta	Margett	Perata	Woods

**Senate Bill No. 225 Reconsidered Immediately**

Assembly Member Papan was granted unanimous consent that the vote be immediately reconsidered whereby Senate Bill No. 225 was this day refused passage and that the bill be passed temporarily on file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 818**

At 1:12 p.m., on motion of Assembly Member Hertzberg, 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 Hertzberg moved to continue the call of the Assembly.

Motion carried. Time, 1:14 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 URGENCY  
CLAUSE TO SENATE BILL NO. 255**

At 1:14 p.m., on motion of Assembly Member Honda, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

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

Motion carried. Time, 1:15 p.m.

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

**ADJOURN IN MEMORY**

Assembly Member Scott was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Tuskegee Airman Robert W. Williams, of Pasadena.

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

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 255**

At 1:18 p.m. on motion of Assembly Member Honda, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

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

Motion carried. Time, 1:19 p.m.

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

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

Pursuant to Assembly Rule 78, Assembly Member Ducheny announced her intention to request that Senate Bill No. 227 be removed from the inactive file.

**REQUEST TO EXPUNGE RECORD AND RESCIND ACTION**

Assembly Member Napolitano requested unanimous consent that the record be expunged and the action rescinded whereby a roll call vote was taken on this day on Senate Bill No. 1338.

Assembly Member Leonard withheld unanimous consent.

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

Pursuant to Assembly Rule 78, Assembly Member Vincent announced his intention to request that Senate Bill No. 990 be removed from the inactive file.

**CAUCUS ANNOUNCEMENTS**

At 1:21 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 1:21 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

**REASSEMBLED**

At 3:36 p.m., the Assembly reconvened.

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

**MESSAGES FROM THE SENATE**

Senate Chamber, August 28, 1997

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

Assembly Bill No. 1269

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.

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. 52

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.

Senate Chamber, September 8, 1997

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

Assembly Bill No. 513

Assembly Bill No. 1106

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

Above bills ordered enrolled.



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. 939  | Assembly Bill No. 1357 |
| Assembly Bill No. 1033 | Assembly Bill No. 1362 |
| Assembly Bill No. 1190 | Assembly Bill No. 1378 |
| Assembly Bill No. 1193 | Assembly Bill No. 1394 |
| Assembly Bill No. 1194 | Assembly Bill No. 1425 |
| Assembly Bill No. 1198 | Assembly Bill No. 1456 |
| Assembly Bill No. 1210 | Assembly Bill No. 1483 |
| Assembly Bill No. 1214 | Assembly Bill No. 1556 |
| Assembly Bill No. 1266 | Assembly Bill No. 1568 |
| Assembly Bill No. 1277 | Assembly Bill No. 1597 |
| Assembly Bill No. 1346 |                        |

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 9, 1997

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

- Assembly Bill No. 21

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

Above bill ordered enrolled.

Senate Chamber, September 9, 1997

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

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 10  | Assembly Bill No. 931  |
| Assembly Bill No. 49  | Assembly Bill No. 963  |
| Assembly Bill No. 127 | Assembly Bill No. 994  |
| Assembly Bill No. 152 | Assembly Bill No. 1065 |
| Assembly Bill No. 177 | Assembly Bill No. 1082 |
| Assembly Bill No. 219 | Assembly Bill No. 1159 |
| Assembly Bill No. 290 | Assembly Bill No. 1345 |
| Assembly Bill No. 437 | Assembly Bill No. 1391 |
| Assembly Bill No. 605 | Assembly Bill No. 1480 |
| Assembly Bill No. 627 | Assembly Bill No. 1555 |
| Assembly Bill No. 713 | Assembly Bill No. 1558 |
| Assembly Bill No. 749 | Assembly Bill No. 1575 |
| Assembly Bill No. 781 | Assembly Bill No. 1601 |
| Assembly Bill No. 792 |                        |

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 9, 1997

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

Assembly Bill No. 58	Assembly Bill No. 1099
Assembly Bill No. 76	Assembly Bill No. 1172
Assembly Bill No. 140	Assembly Bill No. 1224
Assembly Bill No. 178	Assembly Bill No. 1293
Assembly Bill No. 501	Assembly Bill No. 1302
Assembly Bill No. 764	Assembly Bill No. 1429
Assembly Bill No. 794	Assembly Bill No. 1551
Assembly Bill No. 827	Assembly Bill No. 1553
Assembly Bill No. 940	

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 9, 1997

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

Assembly Joint Resolution No. 4

And respectfully requests the Assembly to concur in said amendments.

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

Above resolution ordered to unfinished business file.

Senate Chamber, September 9, 1997

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

Assembly Concurrent Resolution No. 74

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

Above resolution ordered enrolled.

Senate Chamber, September 9, 1997

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

Assembly Joint Resolution No. 36

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

Above resolution ordered enrolled.

Senate Chamber, September 10, 1997

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

Assembly Bill No. 2

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.

September 10, 1997

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

Dear Dotson: By direction of the Senate I am returning Senate Bill 810 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT  
Secretary of the Senate

Above bill held at the Desk.

Senate Chamber, September 10, 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. 187 | Senate Bill No. 807  |
| Senate Bill No. 314 | Senate Bill No. 826  |
| Senate Bill No. 381 | Senate Bill No. 921  |
| Senate Bill No. 383 | Senate Bill No. 951  |
| Senate Bill No. 394 | Senate Bill No. 1007 |
| Senate Bill No. 413 | Senate Bill No. 1014 |
| Senate Bill No. 434 | Senate Bill No. 1078 |
| Senate Bill No. 438 | Senate Bill No. 1121 |
| Senate Bill No. 483 | Senate Bill No. 1245 |
| Senate Bill No. 617 | Senate Bill No. 1291 |
| Senate Bill No. 657 | Senate Bill No. 1325 |
| Senate Bill No. 712 | Senate Bill No. 1330 |
| Senate Bill No. 713 | Senate Bill No. 1344 |
| Senate Bill No. 720 | Senate Bill No. 1349 |
| Senate Bill No. 772 |                      |

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

Senate Chamber, September 10, 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. 3    | Senate Bill No. 1102                |
| Senate Bill No. 253  | Senate Bill No. 1184                |
| Senate Bill No. 525  | Senate Bill No. 1220                |
| Senate Bill No. 931  | Senate Bill No. 1257                |
| Senate Bill No. 1048 | Senate Bill No. 1271                |
| Senate Bill No. 1067 | Senate Concurrent Resolution No. 49 |

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

Senate Chamber, September 10, 1997

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

Senate Constitutional Amendment No. 12

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

**FIRST READING OF SENATE BILLS**

The following resolution was read the first time:

**SENATE CONSTITUTIONAL AMENDMENT NO. 12**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIII A thereof, and by amending Section 18 of Article XVI thereof, relating to school facilities financing.

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

**ASSEMBLY BILL NO. 1191 (Shelley)**—An act to add Section 1463.11 of the Penal Code, and to amend Section 42001 of, and to add Sections 42001.15 and 42007.3 to, the Vehicle Code, relating to vehicles.

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

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

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

**AYES—53**

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

**NOES—26**

Ackerman	Goldsmith	Miller	Richter
Alby	Granlund	Morrow	Runner
Ashburn	House	Olberg	Takasugi
Baldwin	Kaloogian	Oller	Thompson
Baugh	Leonard	Pacheco	Woods
Bowler	Margett	Poochigian	
Campbell	McClintock	Pringle	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1472 (Thomson)**—An act to add Chapter 2.93 (commencing with Section 7286.52) to Part 1.7 of Division 2 of the Revenue and Taxation Code, relating to taxation.

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

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

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

**AYES—42**

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

**NOES—35**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 491 (Keeley)**—An act to amend Sections 12035 and 12071 of, and to add Section 12036 to, the Penal Code, relating to firearms.

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

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 3:53 p.m.

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

**ASSEMBLY BILL NO. 595 (Brown)**—An act to add Chapter 12 (commencing with Section 8500) to Part 2 of Division 2 of the Revenue and Taxation Code, relating to transportation.

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

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

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

**AYES—44**

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

**NOES—34**

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

Above bill ordered enrolled.

**At 3:54 p.m., Assistant Speaker pro Tempore Joe Baca,  
62nd District, presiding**

**ASSEMBLY BILL NO. 1537 (Machado)**—An act to amend Section 17311 of the Education Code, relating to school facilities, and making an appropriation therefor.

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

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

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

**AYES—50**

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

**NOES—28**

Ackerman	Bowler	Kaloogian	Poochigian
Aguiar	Brewer	Leonard	Pringle
Alby	Campbell	McClintock	Richter
Ashburn	Cunneen	Miller	Runner
Baldwin	Goldsmith	Morrow	Takasugi
Baugh	Granlund	Olberg	Thompson
Bordonaro	House	Oller	Woods

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 248 (Honda)**—An act to add Chapter 12.5 (commencing with Section 52920) to Part 28 of the Education Code, relating to education, and making an appropriation therefor.

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

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

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

**AYES—73**

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
Battin	Granlund	Morrow	Thomson
Baugh	Havice	Murray	Torlakson
Bordonaro	Hertzberg	Napolitano	Villaraigosa
Bowen	Honda	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	Richter	
Ducheny	Machado	Runner	

**NOES—4**

Ackerman	Baldwin	House	McClintock
----------	---------	-------	------------

Above bill ordered enrolled.



**ASSEMBLY BILL NO. 405 (Kuehl)**—An act to add Section 1250.05 to the Health and Safety Code, relating to health facilities.

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

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

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

**AYES—64**

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

**NOES—12**

Ackerman	Baugh	Leonard	Olberg
Aguiar	Granlund	McClintock	Oller
Baldwin	Kaloogian	Morrow	Thompson

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 405: Assembly Member Miller, from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 536 (Gallegos)**—An act to amend Section 1363.5 of the Health and Safety Code, relating to health care coverage.

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

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

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

**AYES—51**

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

**NOES—28**

Ackerman	Brewer	Margett	Poochigian
Alby	Campbell	McClintock	Prenter
Ashburn	Granlund	Miller	Pringle
Baldwin	House	Morrow	Richter
Battin	Kalooagian	Olberg	Runner
Baugh	Leach	Oller	Takasugi
Bowler	Leonard	Pacheco	Thompson

**Motion to Reconsider Assembly Bill No. 536  
on Next Legislative Day**

Assembly Member Thompson moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Bill No. 536 were this day concurred in.

Assembly Bill No. 536 ordered to the unfinished business file.

**ASSEMBLY BILL NO. 589 (Figueroa)**—An act relating to health care service plans.

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

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

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

**AYES—4**

Figueroa	Gallegos	Martinez	Wright
----------	----------	----------	--------

**NOES—72**

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

**ASSEMBLY BILL NO. 690 (Morrow)**—An act to add and repeal Section 1596.7925 of the Health and Safety Code, relating to child day care facilities.

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

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

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

**AYES—59**

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

**NOES—14**

Bowen	Havice	Mazzoni	Sweeney
Brown	Knox	Migden	Villaraigosa
Escutia	Kuehl	Napolitano	
Figueroa	Martinez	Perata	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 699 (Migden)**—An act to amend Section 33492.5 of the Health and Safety Code, and to add Section 2.1 to Chapter 1333 of the Statutes of 1968, relating to redevelopment.

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

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

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

**AYES—46**

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

**NOES—29**

Ackerman	Brewer	Margett	Pringle
Aguiar	Firestone	McClintock	Richter
Alby	Frusetta	Miller	Runner
Ashburn	Goldsmith	Morrissey	Thompson
Baldwin	House	Olberg	Woods
Battin	Kaloogian	Oller	
Baugh	Leach	Poochigian	
Bordonaro	Leonard	Prenter	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 699: Assembly Member Scott, from "Aye" to "Not Voting".

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 847 (Wayne)**—An act to add Article 10.1 (commencing with Section 25211) to Chapter 6.5 of Division 20 of the Health and Safety Code, and to amend Sections 42167 and 42175 of, and to add Section 42175.1 to, the Public Resources Code, relating to hazardous materials.

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

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

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

**AYES—47**

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

**NOES—32**

Ackerman	Bowler	Leonard	Poochigian
Aguiar	Brewer	Margett	Prenter
Alby	Campbell	McClintock	Pringle
Ashburn	Floyd	Miller	Richter
Baldwin	Frusetta	Morrissey	Runner
Battin	Granlund	Morrow	Takasugi
Baugh	Kaloojian	Olberg	Thompson
Bordonaro	Leach	Oller	Woods

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence to Senate amendments to Assembly Bill No. 847: Assembly Member House, from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 968 (Knox)**—An act to add Sections 39619 and 39619.5 to the Health and Safety Code, relating to air pollution.

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

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

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

**AYES—57**

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

**NOES—18**

Ackerman	Brewer	Morrow	Pringle
Ashburn	Kaloogian	Olberg	Runner
Baldwin	Leonard	Oller	Thompson
Battin	Margett	Poochigian	
Baugh	McClintock	Prenter	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1022 (Lempert)**—An act to amend Section 30324 of the Public Resources Code, relating to coastal resources.

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

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

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

**AYES—78**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1040 (Caldera)**—An act to amend Section 30 of the Business and Professions Code, to amend Section 1666.5 of the Insurance Code, to amend Sections 17052.15, 17053.45, 17053.46, 17220, 18402, 18604, 18606, 18621.5, 18637, 18638, 18639, 18645, 18662, 18670, 19009, 19011, 19021, 19023, 19024, 19058, 19132.5, 19141.5, 19141.6, 19147, 19164, 19192, 19254, 19263, 19301, 19340, 19392, 19411, 19542, 19563, 19701, 19705, 19706, 19719, 23037, 23038, 23040.1, 23095, 23098, 23151, 23151.1, 23151.2, 23153, 23183.1, 23183.2, 23186, 23303, 23305.2, 23332, 23332.5, 23334, 23455, 23501, 23610.5, 23612.6, 23623.5, 23625, 23645, 23646, 23731, 23802, 23809, 23811, 24346, 24356.4, 24356.8, 24357, 24358, 24359, 24402, 24407, 24408, 24409, 24411, 24416, 24416.2, 24677, 24678, 24901, 24912, 24916, 24917, 24942, 25105, 25110, 25111, 25112, and 25128 of, and to repeal Sections 23184, 23184.5, 23185, 23185a, 23185b, 23186.1, 23186.2, and 23186.5 of, the Revenue and Taxation Code, and to amend Section 56 of Chapter 952 of the Statutes of 1996, relating to taxation.

Bill presented by Assembly Member Knox.

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

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

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

**AYES—45**

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

**NOES—30**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1040: Assembly Member Takasugi, from "Aye" to "No".

Above bill ordered enrolled.



**ASSEMBLY BILL NO. 1104 (Knox)**—An act to add Section 13081 to the Financial Code, relating to financial transactions.

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

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

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

**AYES—77**

Ackerman	Figueroa	Margett	Runner
Aguiar	Firestone	Martinez	Scott
Alby	Floyd	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
Bowen	House	Olberg	Vincent
Bowler	Kaloogian	Oller	Washington
Brewer	Keeley	Ortiz	Wayne
Brown	Knox	Pacheco	Wildman
Campbell	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker
Davis	Lempert	Prenter	
Ducheny	Leonard	Pringle	
Escutia	Machado	Richter	

**NOES—1**

Bordonaro

Above bill ordered enrolled.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Assembly Bill No. 1298**, on request of Assembly Member Villaraigosa.

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

**ASSEMBLY BILL NO. 1337 (Shelley)**—An act to add Section 14087.329 to the Welfare and Institutions Code, relating to health facilities.

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

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

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

**AYES—72**

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

**NOES—6**

Baugh	Miller	Oller
Kaloogian	Olberg	Pringle

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1460 (Bordonaro)**—An act to amend Section 115825 of, and to add Section 115841 to, the Health and Safety Code, relating to water.

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

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

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

**AYES—77**

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

**NOES—2**

Bowen                      Martinez

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1468 (Runner)**—An act to amend Section 12050 of the Penal Code, relating to concealed weapons.

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

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

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

**AYES—72**

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

**NOES—5**

Aroner	Migden	Villaraigosa
Kuehl	Ortiz	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1588 (Brewer)**—An act to add Section 14087.330 to the Welfare and Institutions Code, relating to human services.

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

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

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

**AYES—78**

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

**NOES—1**

Martinez

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 43 (Murray)**—An act to add Section 1801.5 to the Vehicle Code, relating to vehicles.

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

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

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

**AYES—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**

Above bill ordered enrolled.

**At 4:45 p.m., Hon. Martha M. Escutia, 50th District, presiding.**

**ASSEMBLY BILL NO. 267 (Lempert)**—An act to add Sections 17030.7, 17269, and 32006 to the Education Code, relating to school facilities.

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

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

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

**AYES—66**

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

**NOES—11**

Ackerman	Granlund	McClintock	Runner
Baugh	Kaloogian	Olberg	Thompson
Brewer	Leonard	Oller	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 301 (Cunneen)**—An act to add Article 10 (commencing with Section 87880) to Chapter 3 of Part 51 of the Education Code, relating to community colleges.

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

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

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

**AYES—58**

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

**NOES—18**

Ackerman	Bowler	Leonard	Pringle
Alby	Campbell	McClintock	Runner
Ashburn	Goldsmith	Morrow	Thompson
Baldwin	Kaloogian	Oller	
Baugh	Leach	Poochigian	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 301: Assembly Member Woods, from ‘‘Aye’’ to ‘‘Not Voting’’.

Above bill ordered enrolled.



**ASSEMBLY BILL NO. 326 (Ortiz)**—An act to amend Section 8481 of the Education Code, relating to human services, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—63**

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

**NOES—16**

Ackerman	Baugh	Kaloogian	Oller
Ashburn	Brewer	Leonard	Poochigian
Baldwin	Campbell	McClintock	Pringle
Battin	House	Olberg	Thompson

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

**AYES—63**

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

**NOES—16**

Ackerman	Baugh	Kaloogian	Oller
Ashburn	Brewer	Leonard	Poochigian
Baldwin	Campbell	McClintock	Pringle
Battin	House	Olberg	Thompson

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 369 (Baca)**—An act to add Section 208.6 of the Welfare and Institutions Code, relating to minors.

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

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

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

**AYES—54**

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

**NOES—22**

Ackerman	Bowler	McClintock	Prenter
Alby	Goldsmith	Miller	Pringle
Ashburn	Kaloogian	Morrow	Runner
Baldwin	Leach	Oller	Woods
Battin	Margett	Pacheco	
Baugh	Mazzoni	Poohigian	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 418 (Migden)**—An act to add and repeal Chapter 3.2 (commencing with Section 8580) of Part 6 of the Education Code, relating to education.

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

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

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

**AYES—53**

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

**NOES—24**

Ackerman	Baugh	Kaloogian	Oller
Aguiar	Bordonaro	Leach	Poochigian
Alby	Bowler	Leonard	Pringle
Ashburn	Brewer	McClintock	Runner
Baldwin	Granlund	Morrow	Thompson
Battin	House	Olberg	Woods

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 524 (Cunneen)**—An act to amend Section 8700 of, and to add and repeal Article 5 (commencing with Section 52760) of Chapter 11 of Part 28 of, the Education Code, relating to education.

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

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

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

**AYES—61**

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

**NOES—16**

Ackerman	Baugh	McClintock	Pringle
Alby	Goldsmith	Miller	Richter
Ashburn	Kaloogian	Oller	Runner
Baldwin	Margett	Poochigian	Woods

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 530 (Lempert)**—An act to add Article 19 (commencing with Section 69980) to Chapter 2 of Part 42 of the Education Code, and to amend Section 23735 of, and to add Sections 17140, 24306, and 24328 to, the Revenue and Taxation Code, relating to postsecondary education, and making an appropriation therefor.

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

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

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

**AYES—76**

Ackerman	Davis	Leonard	Pringle
Aguiar	Ducheny	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	Kaloogian	Oller	Vincent
Brewer	Kealey	Ortiz	Washington
Brown	Knox	Pacheco	Wayne
Campbell	Kuehl	Papan	Wildman
Cardenas	Kuykendall	Perata	Woods
Cardoza	Leach	Poohigian	Wright
Cunneen	Lempert	Prenter	Mr. Speaker

**NOES—1**

McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 573 (Kuehl)**—An act to amend Sections 689.030, 695.221, 697.320, 704.130, and 706.030 of the Code of Civil Procedure, to amend Sections 3651, 3751.5, 3767, 4014, 4200, 4201, 4506.2, 4506.3, 5100, 5101, 5206, 5230, 5232, 5234, 5235, 5237, 5238, 5240, 5246, 5253, 7551, 7552, 7552.5, 7555, 7571, 7572, 7575, and 1005 of, to add Sections 3773, 4204, 5201, 5230.1, 5247, 7558, and 7604.5 to, to add Article 9 (commencing with Section 5600) to Chapter 8 of Division 9 of, and to repeal Sections 3780, 3781, 3782, and 5283 of, the Family Code, to amend Section 102425 of the Health and Safety Code, to add Section 19271.5 to the Revenue and Taxation Code, to add Section 1088.7 to the Unemployment Insurance Code, and to amend Sections 11350.1, 11350.6, 11350.7, 11352, 11356, 11478, 11478.1, 11478.2, 11478.5, 11478.51, 11478.8, 11489, and 14008.6 of, and to add Sections 11475.15, 11478.9, and 14008.7 to, the Welfare and Institutions Code, relating to child support.

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

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

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

**AYES—54**

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

**NOES—21**

Ackerman	Bowler	Leach	Runner
Alby	Brewer	Miller	Thompson
Ashburn	Campbell	Morrow	Wright
Baldwin	Goldsmith	Olberg	
Baugh	House	Oller	
Bordonaro	Kaloogian	Poochigian	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 618 (Cardenas)**—An act to amend Sections 980 and 1196 of the Penal Code, relating to bench warrants.

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

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

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

**AYES—74**

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

**NOES—1**

Brewer

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 633 (Cardenas)**—An act to add Section 14069.6 to the Corporations Code, relating to small business, and making an appropriation therefor.

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

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 5:05 p.m.

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

**ASSEMBLY BILL NO. 652 (Napolitano)**—An act to add Sections 20619 and 20620 to the Government Code, relating to public employees.

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

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

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

**AYES—45**

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

**NOES—30**

Ackerman	Brewer	McClintock	Pringle
Aguiar	Campbell	Miller	Richter
Alby	Frusetta	Morrow	Runner
Ashburn	Goldsmith	Olberg	Takasugi
Baldwin	House	Oller	Thompson
Battin	Kaloogian	Pacheco	Woods
Baugh	Leach	Poohigian	
Bordonaro	Margett	Prenter	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 885 (Honda)**—An act to amend Section 22200 of, and to add Section 22200.1 to, the Education Code, relating to the State Teachers' Retirement System.

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

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

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

**AYES—44**

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

**NOES—29**

Ackerman	Brewer	McClintock	Richter
Aguiar	Campbell	Miller	Runner
Alby	Goldsmith	Morrow	Takasugi
Ashburn	House	Olberg	Thompson
Baldwin	Kaloogian	Oller	Woods
Battin	Leach	Pacheco	
Baugh	Leonard	Poochigian	
Bordonaro	Margett	Prenter	

Above bill ordered enrolled.

**At 5:12 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**



**ASSEMBLY BILL NO. 1139 (Gallegos)**—An act to add Section 14085.51 to the Welfare and Institutions Code, relating to human services.

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

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

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

**AYES—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	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1213 (Miller)**—An act to amend Section 7150.1 of, and to add and repeal Sections 7150.2 and 7150.3 of, the Business and Professions Code, relating to contractors.

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

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

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

**AYES—78**

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

**NOES—1**

McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1275 (Baca)**—An act to amend Section 3003 of the Penal Code, relating to parole.

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

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

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

**AYES—78**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1321 (Alquist)**—An act to add and repeal Article 12.5 (commencing with Section 51840) of Chapter 5 of Part 28 of the Education Code, relating to education, and making an appropriation therefor.

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

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

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

**AYES—62**

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

**NOES—15**

Ackerman	Baugh	House	Olberg
Alby	Bordonaro	Kaloogian	Runner
Ashburn	Bowler	Leonard	Thompson
Baldwin	Brewer	McClintock	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1335 (Alquist)**—An act to amend Section 66903 of the Education Code, relating to education.

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

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

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

**AYES—43**

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

**NOES—34**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1353 (Havice)**—An act to add Section 87482.65 to the Education Code, relating to postsecondary education.

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

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

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

**AYES—42**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1395 (Escutia)**—An act to amend Section 19271 of, and to add Section 19274 to, the Revenue and Taxation Code, relating to child support.

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

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

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

**AYES—44**

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

**NOES—29**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1433 (Olberg)**—An act to amend Section 68075.1 of the Education Code, relating to postsecondary education.

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

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

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

**AYES—78**

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

**NOES—None**

Above bill ordered enrolled.

**CAUCUS ANNOUNCEMENTS**

At 5:37 p.m., Assembly Member Shelley was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

**REQUEST TO SUSPEND JOINT RULES**

The following request was received, and read:

Assembly Chamber, September 10, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(9)(11) as it relates to Senate Constitutional Amendment No. 12.

KERRY MAZZONI

Above request ordered transmitted to the Committee on Rules.

**RECESS**

By unanimous consent, at 5:37 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

**REASSEMBLED**

At 6 p.m., the Assembly reconvened.

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



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

**ASSEMBLY BILL NO. 1475 (Bordonaro)**—An act to add Section 15333.4 to, and to repeal and add Section 15333.3 of, the Government Code, relating to the space industry.

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

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

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

**AYES—72**

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

**NOES—1**

Bowen

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1475: Assembly Member Vincent, from "Aye" to "Not Voting".

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1520 (Vincent)**—An act to add and repeal Sections 17053.57 and 23657 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

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

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

**AYES—78**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 515 (Ashburn)**—An act to amend Section 4548 of, and to add Sections 4502.1, 4502.2, and 4502.3 to, the Business and Professions Code, relating to psychiatric technicians, and making an appropriation therefor.

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

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

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

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 753 (Escutia)**—An act to amend Section 8181 of, to add Sections 8179.5 and 8182.5 to, to repeal Chapter 1.8 (commencing with Section 8170) of, and to repeal Chapter 1.9 (commencing with Section 8180) of, Part 6 of Title 1 of the Education Code, to add Chapter 3.35 (commencing with Section 1596.60) to Division 2 of the Health and Safety Code, and to amend Section 11170 of the Penal Code, relating to child care, and making an appropriation therefor.

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

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

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

**AYES—68**

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

**NOES—5**

Ashburn	Goldsmith	Thompson
Baugh	McClintock	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 837 (Thomson)**—An act to amend Sections 8956, 86103, and 86106 of the Government Code, relating to the Political Reform Act of 1974.

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

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

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

**AYES—76**

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

**NOES—2**

Leonard                      Martinez

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 838 (Pacheco)**—An act to add Sections 44205 and 44205.5 to the Education Code, relating to education.

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

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

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

**AYES—78**

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

**NOES—1**

Martinez

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1238 (Granlund)**—An act to amend Sections 12517.3 and 13376 of the Vehicle Code, relating to vehicles.

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

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

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

**AYES—74**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1505 (Ashburn)**—An act to add Section 1018 to the Fish and Game Code, relating to water facilities.

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

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

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

**AYES—76**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1511 (Olberg)**—An act relating to education.

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

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

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

**AYES—9**

Bowen	Floyd	Murray
Ducheny	Goldsmith	Olberg
Firestone	Leonard	Thompson

**NOES—69**

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



**ASSEMBLY BILL NO. 1606 (Knox)**—An act to add Section 19775.16 to the Government Code, and to add Section 395.08 to the Military and Veterans Code, relating to state employees, and declaring the urgency thereof, to take effect immediately.

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

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

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

**AYES—77**

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

Above bill ordered enrolled.

**ASSEMBLY CONCURRENT RESOLUTION NO. 58 (Ortiz)**—Relative to nutrition.

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

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

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

**AYES—52**

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

**NOES—23**

Ackerman	Bordonaro	House	Poochigian
Aguiar	Bowler	Margett	Pringle
Alby	Brewer	McClintock	Runner
Ashburn	Campbell	Miller	Thompson
Baldwin	Goldsmith	Morrow	Woods
Baugh	Granlund	Olberg	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Concurrent Resolution No. 58: Assembly Member Frusetta, from “No” to “Aye”.

Above resolution ordered enrolled.

**ASSEMBLY BILL NO. 176 (Shelley)**—An act to amend Section 8560 of the Health and Safety Code, relating to transportation.

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

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

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

**AYES—44**

Alquist	Ducheny	Kuykendall	Scott
Baca	Escutia	Lempert	Shelley
Baugh	Figueroa	Martinez	Strom-Martin
Bowen	Firestone	Mazzoni	Sweeney
Bowler	Gallegos	McClintock	Thomson
Brown	Havice	Migden	Torlakson
Campbell	Hertzberg	Napolitano	Villaraigosa
Cardenas	Honda	Ortiz	Vincent
Cardoza	Keeley	Perata	Wayne
Cunneen	Knox	Prenter	Wright
Davis	Kuehl	Richter	Mr. Speaker

**NOES—27**

Ackerman	Brewer	Margett	Poochigian
Aguiar	Frusetta	Miller	Pringle
Alby	Goldsmith	Morrissey	Runner
Ashburn	Granlund	Morrow	Takasugi
Baldwin	House	Olberg	Thompson
Battin	Kaloogian	Oller	Wildman
Bordonaro	Leonard	Pacheco	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 176: Assembly Member Wildman, from “Aye” to “No”.

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 255**

At 6:30 p.m., on motion of Assembly Member Sweeney, 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, 6:30 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. 867**

At 6:31 p.m., on motion of Assembly Member Aroner, 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 Washington moved to continue the call of the Assembly.

Motion carried. Time, 6:31 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 CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 491**

At 6:31 p.m., on motion of Assembly Member Keeley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 491 by the following vote:

**AYES—43**

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

**NOES—33**

Ackerman	Bowler	Leach	Poochigian
Aguiar	Brewer	Leonard	Pringle
Alby	Campbell	Margett	Richter
Ashburn	Cardoza	McClintock	Takasugi
Baca	Firestone	Miller	Thompson
Baldwin	Frusetta	Morrissey	Woods
Battin	Goldsmith	Morrow	
Baugh	Granlund	Olberg	
Bordonaro	House	Oller	

Above bill ordered enrolled.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 6:32 p.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

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

Upon request of Assembly Member Sweeney, pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 62 to the Committee on Local Government.

**SPECIAL COMMITTEE MEETINGS**

Assembly Member Sweeney was granted unanimous consent that the Committee on Local Government be permitted to hold a special meeting tomorrow, at 8:30 a.m., in Room 126, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 62 for hearing.

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

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

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

**Urgency Clause**

Urgency clause read.

**Point of Personal Privilege**

Assembly Member Granlund arose to a point of personal privilege. The question being on the adoption of the urgency clause. 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, 6:46 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 URGENCY  
CLAUSE TO SENATE BILL NO. 535**

At 6:47 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.

The roll was opened.

**Call of the Assembly Continued**

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

Motion carried. Time, 6:48 p.m.

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

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly Concurrent*

*Resolution No.* *Committee*  
77 ----- Rls.

*House*

*Resolution No.* *Committee*  
45 ----- Rls.  
46 ----- Rls.

*Senate Constitutional*

*Amendment No.* *Committee*  
12 ----- Ed.

*Senate Concurrent*

*Resolution No.* *Committee*  
55 ----- Rls.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

September 10, 1997

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

Senate Constitutional Amendment No. 12.

DON PERATA, Chairman

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS**

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

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—76**

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

**NOES—1**

Kuehl

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—76**

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

**NOES—1**

Kuehl

Bill ordered transmitted to the Senate.

**HOUSE RESOLUTION NO. 43 (Sweeney)**—Relative to automated teller machine surcharges.

Resolution read.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 7:10 p.m.

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

**SPECIAL COMMITTEE MEETINGS**

Assembly Member Woods was granted unanimous consent that the Committee on Natural Resources be permitted to hold a special meeting today, upon recess of Floor session, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 638 for hearing.

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

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

Resolution read third time, and adopted by the following vote:

**AYES—76**

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

**NOES—None**

Resolution ordered transmitted to the Senate.

**RECESS**

By unanimous consent, at 7:13 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

**REASSEMBLED**

At 8:22 p.m., the Assembly reconvened.

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

**REQUEST TO SUSPEND JOINT RULES**

The following request was received, and read:

Assembly Chamber, September 10, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(11) as it relates to Senate Bills Nos. 972 and 1155.

CAROLE MIGDEN

Above request ordered transmitted to the Committee on Rules.

**REPORTS OF STANDING COMMITTEES**

**Committee on Appropriations**

Date of Hearing: September 9, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 5

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

MIGDEN, Chairwoman

Above bill ordered to second reading.



**Committee on Rules**

Date of Hearing: September 10, 1997

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 45

House Resolution No. 46

With the recommendation: Be adopted.

PERATA, Chairman

Above resolutions ordered on file.

Date of Hearing: September 10, 1997

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 77

With amendments with the recommendation: Amend, and be adopted, as amended.

PERATA, Chairman

Above resolution ordered on file.

Date of Hearing: September 10, 1997

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 46

Senate Concurrent Resolution No. 50

Senate Concurrent Resolution No. 55

With the recommendation: Be adopted.

PERATA, Chairman

Above resolutions ordered on file.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 78—Bordonaro.** Relative to highways.

**HOUSE RESOLUTION NO. 48—Granlund, Alby, Ashburn, Bowler, Campbell, Morrow, and Runner.** Relative to Assembly employee compensation.

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly Concurrent*

*Resolution No.*

*Committee*

**78** ----- Rls.

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Assembly Resolutions**

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

Resolution read.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, a call of the Assembly was placed.

Motion carried. Time, 8:27 p.m.

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

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

**ASSEMBLY BILL NO. 1218 (Alquist)**—An act relating to taxation.

Bill read third time.

**Point of Order**

Assembly Member Kuykendall arose to the following point of order:

Pursuant to Joint Rule 61 Assembly Bill No. 1218 is not eligible for consideration on third reading.

**Point of Order**

Assembly Member Leonard arose to the following point of order:

Assembly Bill No. 1218 was reported from the Committee on Appropriations as a tax levy and subsequently amended to remove tax levy provisions and is therefore not in order for consideration without a rule waiver.

**Ruling by Speaker pro Tempore Kuehl**

The Speaker pro Tempore ruled the points of order not well-taken; that Assembly Bill No. 1218 was a tax levy that was reported and accepted at the Desk in compliance with deadlines, and is therefore on file, and eligible for consideration.

**Assembly Bill No. 1218 Passed Temporarily**

By unanimous consent Assembly Bill No. 1218 was passed temporarily on file.

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

**ASSEMBLY JOINT RESOLUTION NO. 39 (Thomson)**—Relative to the Intermodal Surface Transportation Efficiency Act.

Resolution read.

**Members Made Coauthors of Assembly Joint Resolution No. 39**

Assembly Member Thomson was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Joint Resolution No. 39.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors: Ackerman, Alquist, Aroner, Ashburn, Baca, Baldwin, Bowler, Brown, Campbell, Cardenas, Cardoza, Cunneen, Davis, Ducheny, Escutia, Figueroa, Firestone, Frusetta, Gallegos, Goldsmith, Granlund, Havice, Hertzberg, Honda, House, Keeley, Knox, Kuehl, Kuykendall, Lempert, Machado, Margett, Mazzoni, McClintock, Miller, Morrissey, Morrow, Napolitano, Olberg, Ortiz, Pacheco, Papan, Perata, Pochigian, Pringle, Richter, Runner, Shelley, Strom-Martin, Sweeney, Takasugi, Torlakson, Villaraigosa, Vincent, Wayne, Wildman, and Wright.

**Request for Unanimous Consent**

Assembly Member Thomson was granted unanimous consent to take up Assembly Joint Resolution No. 39, as amended, with out reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Joint Resolution No. 39, as Amended**

**ASSEMBLY JOINT RESOLUTION NO. 39**—Relative to the Intermodal Surface Transportation Efficiency Act.

Resolution read, and as amended, and adopted by the following vote:

**AYES—78**

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

**NOES—None**

Resolution ordered transmitted to the Senate.

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

**ASSEMBLY BILL NO. 421 (Baugh)**—An act to add Section 39618 to the Health and Safety Code, relating to air pollution.

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

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

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

**AYES—75**

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

**NOES—1**

Martinez

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 535**

At 8:36 p.m., on motion of Assembly Member Pacheco, 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 Migden moved to continue the call of the Assembly.

Motion carried. Time, 8:37 p.m.

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

**Bills Placed on Inactive File**

The following bill was placed upon the inactive file:

**Assembly Bill No. 1218**, on request of Assembly Member Alquist.

**UNFINISHED BUSINESS (RESUMED)  
SENATE BILL NO. 305 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Firestone was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 305 was refused passage; and that the bill be placed upon the inactive file.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

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

**ACTION RESCINDED ON SENATE BILL NO. 1338**

Assembly Member Napolitano was granted unanimous consent to rescind the action whereby the Assembly, earlier this day (Assembly Journal, page \_\_\_\_), adopted the urgency clause and passed Senate Bill No. 1338, and whereby the bill was ordered transmitted to the Senate; and that the bill be placed upon the inactive file.

**BILL RETURNED TO SENATE**

Assembly Member Alquist was granted unanimous consent that Assembly Bill No. 1345 be returned to the Senate for further action.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1464 (Strom-Martin)**—An act to add Section 13180.9 to the Water Code, relating to water.

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

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

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

**AYES—46**

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

**NOES—28**

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

Above bill ordered enrolled.

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

**SENATE BILL NO. 1161 (Costa)**—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 third time.

**Motion to Amend by Assembly Member Battin**

Assembly Member Battin moved the adoption of amendments.

Amendments read.

**Motion to Table Battin Amendments  
to Senate Bill No. 1161**

Assembly Member Villaraigosa moved that the amendments offered by Assembly Member Battin to Senate Bill No. 1161 be laid upon the table.

Assembly Member Shelley seconded the motion.

Motion carried by the following vote:

**AYES—42**

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

**Objection to Vote Adds**

Assembly Member Battin withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Villaraigosa motion to table Battin amendments to Senate Bill No. 1161.

**At 9:43 p.m., Hon. Fred Keeley, 27th District, presiding**

**Further Consideration of Senate Bill No. 1161**

Bill presented by Assembly Member Machado.

**Parliamentary Inquiry**

Assembly Member Goldsmith arose to the following parliamentary inquiry:

Is Senate Bill No. 1161 a majority vote bill or a vote bill?

**Reply by Acting Speaker Keeley**

The Acting Speaker replied that the bill has been determined to be a majority vote bill.

**Parliamentary Inquiry**

Assembly Member Goldsmith arose to the following parliamentary inquiry:

What is the basis of the ruling of the Chair?

**Reply by Acting Speaker Keeley**

The Acting Speaker replied that it is the custom of the Legislature to rely upon the opinion of Legislative Counsel for the vote requirement of a bill and Legislative Counsel has opined that Senate Bill No. 1161 is a majority vote bill.

**Parliamentary Inquiry**

Assembly Member Goldsmith arose to the following parliamentary inquiry:

Does the Chair rule that Senate Bill No. 1161 is a tax increase?

**Reply by Acting Speaker Keeley**

The Acting Speaker replied that Senate Bill No. 1161 is a fee, and is a majority vote bill.

The question being on passage of the bill.

Bill passed by the following vote:

**AYES—52**

Ackerman	Floyd	Margett	Strom-Martin
Aroner	Frusetta	Martinez	Sweeney
Ashburn	Gallegos	Mazzoni	Takasugi
Baca	Hertzberg	Migden	Thomson
Bordonaro	Honda	Murray	Torlakson
Brewer	House	Napolitano	Villaraigosa
Cardenas	Keeley	Papan	Vincent
Cardoza	Knox	Perata	Washington
Davis	Kuehl	Poohigian	Wayne
Ducheny	Kuykendall	Prenter	Wildman
Escutia	Lempert	Richter	Woods
Figueroa	Leonard	Scott	Wright
Firestone	Machado	Shelley	Mr. Speaker

**NOES—20**

Baldwin	Campbell	Leach	Olberg
Battin	Cunneen	McClintock	Oller
Baugh	Granlund	Miller	Ortiz
Bowen	Havice	Morrissey	Pacheco
Bowler	Kaloogian	Morrow	Runner

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Bill No. 1161: Assembly Members Bowen, Campbell, Miller, Morrissey, Ortiz, and Pacheco, from “Aye” to “No”; Assembly Member Goldsmith, from “No” to “Not Voting”.

Bill ordered transmitted to the Senate.

**At 9:54 p.m., Speaker pro Tempore, Sheila James Kuehl, 41st District, presiding**

**ACTION RESCINDED ON SENATE BILL NO. 66**

Assembly Member Mazzoni was granted unanimous consent to rescind the action whereby the Assembly, on August 28, 1997 (Assembly Journal, page 3864), adopted the urgency clause and passed Senate Bill No. 66, and whereby the bill was ordered transmitted to the Senate.

**Consideration of Senate Bill No. 66 Without Reference to File**

Assembly Member Mazzoni was granted unanimous consent to take up Senate Bill No. 66, without reference to file, for purpose of amendment.

**SENATE BILL NO. 66 (Greene)**—An act to add and repeal Chapter 19 (commencing with Section 17200) of Part 10 of the Education Code, relating to class size in the public elementary schools, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**Rules Temporarily Suspended**

Assembly Member Mazzoni was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 66.

Bill read third time.

**Motion to Amend**

Assembly Member Mazzoni moved the adoption of amendments.

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



**ASSEMBLY CONCURRENT RESOLUTION NO. 77 TAKEN UP  
BY UNANIMOUS CONSENT FOR SECOND READING**

Assembly Member Thomson was granted unanimous consent to take up Assembly Concurrent Resolution No. 77 without reference to file, for the purpose of reading the resolution a second time and adopting the committee amendments at this time.

**ASSEMBLY CONCURRENT RESOLUTION NO. 77**—Relative to Mental Health Awareness Week.

Resolution read; amendments proposed by the Committee on Rules read and adopted; resolution ordered reprinted.

**Further Consideration of Assembly Concurrent Resolution No. 77  
as Amended, by Unanimous Consent**

Assembly Member Thomson was granted unanimous consent to take up Assembly Concurrent Resolution No. 77, as amended, without reference to file, and that the same be considered engrossed.

**ASSEMBLY CONCURRENT RESOLUTION NO. 77 (Thomson)**—Relative to Mental Illness Awareness Week.

Resolution read.

**Members Made Coauthors of Assembly Concurrent Resolution No. 77**

Assembly Member Thomson was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 77.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Ackerman, Aguiar, Alquist, Aroner, Ashburn, Baca, Baugh, Bordonaro, Bowen, Brewer, Brown, Bustamante, Campbell, Cardenas, Cardoza, Cunneen, Davis, Escutia, Figueroa, Floyd, Frusetta, Gallegos, Goldsmith, Granlund, Havice, Hertzberg, Honda, House, Kaloogian, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Machado, Margett, Martinez, Mazzoni, McClintock, Migden, Morrissey, Murray, Napolitano, Oller, Ortiz, Pacheco, Papan, Poochigian, Prenter, Pringle, Scott, Shelley, Strom-Martin, Sweeney, Takasugi, Thompson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wildman, Woods, and Wright.

**Request for Unanimous Consent**

Assembly Member Thomson was granted unanimous consent to take up Assembly Concurrent Resolution No. 77, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of  
Assembly Concurrent Resolution No. 77, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 77**—Relative to Mental Illness Awareness Week.

Resolution read, as amended, and adopted by the following vote:

**AYES—75**

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

**NOES—None**

Resolution ordered transmitted to the Senate.

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

**SENATE BILL NO. 1254 (Calderon)**—An act to amend Section 11166.5 of, and to add and repeal Section 290.05 of, the Penal Code, relating to children, and making an appropriation therefor.

Bill read third time.

**Motion to Amend**

Assembly Member Morrow moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 660 WITHOUT REFERENCE TO FILE**

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

**SENATE BILL NO. 660 (Sher)**—An act to amend Sections 25143, 25160.5, 25165, 25166, 25166.5, 25174, 25174.1, 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, 25395, 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, to repeal Sections 25167, 25187.9, 25205.8, 25205.9, 25340, 25341, 25345, and 25351 of, to repeal and add Section 25174.2 of, and to repeal, add and repeal, and add Section 25174.6 of, the Health and Safety Code, and to amend Sections 43053, 43054, and 43101 of, to add Section 43152.16 to, and to repeal Section 43055 of, the Revenue and Taxation Code, relating to hazardous waste and substances, and making an appropriation therefor.

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

Bill passed by the following vote:

**AYES—73**

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

**NOES—2**

Bordonaro	Campbell
-----------	----------

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 660: Assembly Member Baldwin, from “No” to “Aye”.

Bill ordered transmitted to the Senate immediately.

**Further Consideration of Senate Bill No. 1273, As Amended,  
By Unanimous Consent**

Assembly Member Alquist was granted unanimous consent to take up Senate Bill No. 1273, as amended, without reference to file.

**SENATE BILL NO. 1273 (Hurt)**—An act to add Section 11104.5 to the Government Code, relating to state agencies.

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

Bill passed by the following vote:

**AYES—78**

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

**NOES—None**

**BILL ORDERED TRANSMITTED TO SENATE IMMEDIATELY**

Assembly Member Woods was granted unanimous consent that Senate Bill No. 318 be transmitted to the Senate immediately.

**OBJECTION TO VOTE ADDS**

Assembly Member Machado withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Senate Bill No. 1161.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 55  
WITHOUT REFERENCE TO FILE**

Assembly Member Perata was granted unanimous consent to take up Senate Concurrent Resolution No. 55, without reference to file, for purpose of consideration.

**SENATE CONCURRENT RESOLUTION NO. 55 (Mountjoy)**—Relative to Gladys Sargent.

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

**AYES—61**

Aguiar	Figueroa	McClintock	Shelley
Alby	Floyd	Migden	Strom-Martin
Alquist	Frusetta	Miller	Sweeney
Aroner	Gallegos	Morrissey	Takasugi
Baca	Havice	Murray	Thomson
Baugh	Hertzberg	Napolitano	Torlakson
Bordonaro	Honda	Olberg	Villaraigosa
Bowen	House	Oller	Vincent
Bowler	Kaloojian	Ortiz	Washington
Brown	Keeley	Pacheco	Wayne
Cardenas	Knox	Papan	Wildman
Cardoza	Kuehl	Perata	Woods
Cunneen	Lempert	Prenter	Mr. Speaker
Davis	Machado	Pringle	
Ducheny	Margett	Richter	
Escutia	Mazzoni	Scott	

**NOES—None**

Resolution ordered transmitted to the Senate.

**REPORTS OF STANDING COMMITTEES  
Committee on Natural Resources**

Date of Hearing: September 10, 1997

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 638

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

BOWEN, Chairwoman

Above bill ordered to second reading.

**SENATE BILL NO. 638 TAKEN UP BY UNANIMOUS CONSENT  
FOR SECOND READING**

Assembly Member Olberg was granted unanimous consent to take up Senate Bill No. 638 without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

**SENATE BILL NO. 638**—An act to amend Section 41806 of the Health and Safety Code, relating to air pollution.

Bill read second time; amendments proposed by the Committee on Natural Resources read and adopted; bill ordered reprinted.

**Consideration of Senate Bill No. 638 Without Reference to File**

Assembly Member Olberg was granted unanimous consent to take up Senate Bill No. 638, without reference to file, for purpose of consideration.

**SENATE BILL NO. 638 (O'Connell)**—An act to amend Section 41806 of the Health and Safety Code, relating to air pollution.

Bill read third time.

**Motion to Amend by Assembly Member Bowen**

Assembly Member Bowen moved the adoption of amendments. Amendments of 25 words or less read.

**Motion to Table Bowen Amendments to Senate Bill No. 638**

Assembly Member Woods moved that the amendments offered by Assembly Member Bowen to Senate Bill No. 638 be laid upon the table.

Assembly Member Firestone seconded the motion.

**At 10:30 p.m., Hon. Fred Keeley, 27th District, presiding**

**At 10:43 p.m., Speaker Cruz M. Bustamante, 31st District, presiding**

**Motion Withdrawn**

Assembly Member Woods, with consent of the second to the motion, withdrew his motion to table the amendments offered by Assembly Member Bowen to Senate Bill No. 638.

**Amendments Ruled Out of Order**

Speaker Bustamante ruled the amendments offered by Assembly Member Bowen to Senate Bill No. 638 not germane to the bill, and therefore out of order.

**Further Consideration of Senate Bill No. 638**

Bill presented by Assembly Member Olberg.

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—64**

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

**NOES—11**

Aroner	Honda	Mazzoni	Ortiz
Bowen	Kuehl	Migden	Villaraigosa
Escutia	Martinez	Napolitano	

Bill ordered transmitted to the Senate.

**Objection to Vote Adds**

Assembly Member Kuykendall withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Senate Bill No. 638.

**ACTION RESCINDED ON SENATE BILL NO. 731**

Assembly Member Olberg was granted unanimous consent to rescind the action whereby on September 5, 1997 (Assembly Journal, page 4167), Senate Bill No. 731 was read a third time, amendments to the bill adopted and the bill ordered reprinted and returned to the third reading file.

**Further Consideration of Senate Bill No. 731 Without Reference to File**

Assembly Member Baugh was granted unanimous consent to take up Senate Bill No. 731, without reference to file, for purpose of consideration.

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

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

Bill passed by the following vote:

**AYES—54**

Ackerman	Cardoza	Mazzoni	Richter
Aguiar	Cunneen	McClintock	Runner
Alby	Firestone	Miller	Scott
Alquist	Frusetta	Morrissey	Takasugi
Ashburn	Gallegos	Morrow	Thompson
Baca	Goldsmith	Murray	Thomson
Baldwin	Hertzberg	Napolitano	Torlakson
Battin	House	Olberg	Vincent
Baugh	Kaloogian	Oller	Wildman
Bordonaro	Kuykendall	Pacheco	Woods
Bowler	Leach	Papan	Wright
Brewer	Leonard	Poohigian	Mr. Speaker
Campbell	Machado	Prenter	
Cardenas	Margett	Pringle	

**NOES—19**

Aroner	Havice	Martinez	Strom-Martin
Bowen	Honda	Migden	Sweeney
Brown	Keeley	Ortiz	Villaraigosa
Escutia	Knox	Perata	Washington
Figueroa	Kuehl	Shelley	

Bill ordered transmitted to the Senate.

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

Upon request of Assembly Member Figueroa, pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 1394 to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

Upon request of Assembly Member Figueroa, pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 1551 to the Committee on Insurance.



**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

Date of Hearing: September 10, 1997

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 78

With the recommendation: Be adopted.

PERATA, Chairman

Above resolution ordered on file.

**ASSEMBLY CONCURRENT RESOLUTION NO. 78 TAKEN UP BY UNANIMOUS CONSENT**

Assembly Member Bordonaro was granted unanimous consent to take up Assembly Concurrent Resolution No. 78, without reference to print or file, and that the same be considered engrossed.

**ASSEMBLY CONCURRENT RESOLUTION NO. 78**—Relative to highways. Resolution read.

**Parliamentary Inquiry**

Assembly Member House arose to the following parliamentary inquiry:

Do the Rules provide for a division of the question?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that a question may be divided but a bill or resolution may not be divided.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

**AYES—67**

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

**NOES—None**

Resolution ordered transmitted to the Senate immediately.

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

**SENATE BILL NO. 550 (O'Connell)**—An act to amend Sections 35735.1 and 48664 of the Education Code, relating to education.

Bill read third time.

**Motion to Amend**

Assembly Member Machado moved the adoption of amendments.

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

**UNFINISHED BUSINESS (RESUMED)**

**SENATE BILL NO. 513 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Aroner was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 513 was refused passage.

**Further Consideration of Senate Bill No. 513**

**SENATE BILL NO. 513 (Hayden)**—An act to add Section 12001.1 to the Penal Code, relating to firearms.

**Rules Temporarily Suspended**

Assembly Member Pacheco was granted unanimous consent that Assembly Rule 69 be suspended to permit consideration of Senate Bill No. 513 on the next legislative day.

Bill read third time.

**Motion to Amend by Assembly Member Pacheco**

Assembly Member Pacheco moved the adoption of amendments.

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

**OBJECTION WITHDRAWN**

Assembly Member Kuykendall withdrew his objection to any requests for vote adds or vote changes on the roll call vote taken on this day on Senate Bill No. 638.

**SPECIAL COMMITTEE MEETINGS**

Assembly Member Davis was granted unanimous consent that the Committee on Consumer Protection, Government Efficiency and Economic Development be permitted to hold a special meeting on September 11, 1997, upon adjournment of Floor session, at 10:45 a.m., in Room 447, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 1394 for hearing.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Sweeney announced that the Committee on Local Government would meet on September 11, 1997 at 10:30 a.m., instead of 8:30 a.m.

**OBJECTION WITHDRAWN**

Assembly Member Machado withdrew his objection to any requests for vote adds or vote changes on the roll call vote taken on this day on Senate Bill No. 1161.

**BILL RETURNED TO SENATE**

Assembly Member Granlund was granted unanimous consent to return Senate Bill No. 810 to the Senate for further action.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Perata announced that the Committee on Rules would meet on September 11, 1997 at 11 a.m. in the Tom Bane Rules Committee Room.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 818**

At 11:21 p.m., on motion of Assembly Member Hertzberg, 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 Hertzberg moved to continue the call of the Assembly.

Motion carried. Time, 11:23 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 URGENCY  
CLAUSE TO SENATE BILL NO. 255**

At 11:23 p.m., on motion of Assembly Member Thompson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 255 adopted by the following vote:

**AYES—56**

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

**NOES—23**

Ackerman	Bowler	Leonard	Ortiz
Alby	Campbell	McClintock	Poohigian
Ashburn	Goldsmith	Miller	Pringle
Baldwin	House	Morrow	Runner
Baugh	Kalooagian	Olberg	Thompson
Bordonaro	Leach	Oller	

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

**AYES—56**

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

**NOES—23**

Ackerman	Bowler	Leonard	Ortiz
Alby	Campbell	McClintock	Poochigian
Ashburn	Goldsmith	Miller	Pringle
Baldwin	House	Morrow	Runner
Baugh	Kaloogian	Olberg	Thompson
Bordonaro	Leach	Oller	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 867**

At 11:23 p.m., on motion of Assembly Member Washington, and in the absence of any objection, further proceedings under the call of the

Assembly were dispensed with.

Senate Bill No. 867 refused passage by the following vote:

**AYES—34**

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

**NOES—39**

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

**Motion to Reconsider Senate Bill No. 867  
on Next Legislative Day**

Assembly Member Aroner moved to reconsider on the next legislative day the vote whereby Senate Bill No. 867 was this day refused passage.

Senate Bill No. 867 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 633**

At 11:23 p.m., on motion of Assembly Member Cardenas, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly refused to concur in Senate amendments to Assembly Bill No. 633 by the following vote:

**AYES—42**

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

**NOES—37**

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

**Motion to Reconsider Assembly Bill No. 633  
on Next Legislative Day**

Assembly Member Cardenas moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Bill No. 633 were this day refused concurrence.

Assembly Bill No. 633 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 535**

At 11:23 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.

The roll was opened.

**Call of the Assembly Continued**

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

Motion carried. Time, 11:23 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  
HOUSE RESOLUTION NO. 43**

At 11:24 p.m., on motion of Assembly Member Sweeney, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

House Resolution No. 43 adopted by the following vote:

**AYES—41**

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

**NOES—36**

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



**CALL OF THE ASSEMBLY DISPENSED WITH ON THE CONSENT CALENDAR**

At 11:24 p.m., in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The following measures on the Consent Calendar were read:

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

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

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

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

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

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

**Consent Calendar Roll Call**

The roll was called, and the above resolutions on the Consent Calendar 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	Poochigian	Mr. Speaker
Cunneen	Lempert	Prenter	
Davis	Leonard	Pringle	

**NOES—None**

**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. 768 (Gallegos)**—An act to amend Sections 14105.98 and 14163 of the Welfare and Institutions Code, relating to health, 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. 925 (Davis)**—An act to add Section 123996 to, and to add Article 5.5 (commencing with Section 124010) to Chapter 3 of Part 2 of Division 106 of, the Health and Safety Code, relating to human services, 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. 1071 (Cardoza)**—An act to amend Sections 17913, 17920, 17920.9, 17921, 17922.8, 17924, 17927, 17952, 17958, 17958.1, 17958.5, 17958.7, 18928, and 18941.7 of, and to add and repeal Section 18941.9 of, the Health and Safety Code, relating to building standards.

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. 1518 (Committee on Transportation)**—An act to amend Section 16728 of the Business and Professions Code, to amend Sections 728.5, 4001, and 5003.1 of, and to repeal Section 5003.3 of, the Public Utilities Code, to amend Sections 7231 and 7232 of the Revenue and Taxation Code, and to amend Sections 471, 1808.1, 16020, 34505.6, 34507.5, 34601, 34620, 34621, 34623, 34624, 34631, 34631.5, 34660, and 34670 of, to add Section 34505.10 to, and to repeal Section 34650 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 BILL NO. 51 (Murray)**—An act to amend Section 422.75 of the Penal Code, relating to crimes.

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. 59 (Brown)**—An act to amend Sections 208, 209, 290, 290.4, 667.7, 667.71, 667.8, 667.83, 667.85, 1170.1, 1203.066, and 2933.5 of, and to repeal and amend Section 667.61 of, the Penal Code, relating to crimes.

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. 293 (Cunneen)**—An act to amend Sections 1203.044 and 12022.6 of the Penal Code, and to repeal Section 3 of Chapter 1334 of the Statutes of 1992, relating to crimes.

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. 320 (Goldsmith)**—An act to add and repeal Article 29 (commencing with Section 990) of Chapter 2 of Part 1 of the Welfare and Institutions Code, relating to juveniles, 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. 459 (Firestone)**—An act to add and repeal Article 6 (commencing with Section 112290) of Chapter 5 of Part 6 of Division 104 of the Health and Safety Code, relating to food.

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. 482 (Aroner)**—An act to add Section 1262 to the Health and Safety Code, and to amend Section 5622 of, and to add Section 5768.5 to, 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. 874 (Takasugi)**—An act to amend Sections 15814.24, 15820.13, 16731.6, 17070, 17403, and 17404 of, and to add Sections 6547.8, 17070.1, and 17096.1 to, the Government Code, relating to government finance, 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. 1545 (Committee on Human Services)**—An act to amend Section 1507 of the Health and Safety Code, and to amend Section 17732.1 of the Welfare and Institutions Code, relating to human services, 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. 156 (Murray)**—An act to amend Sections 1785.14, 1785.16, 1785.30, 1785.31, and 1785.33 of the Civil Code, and to add Section 530.5 to the Penal Code, relating to personal information.

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. 221 (Goldsmith)**—An act to amend Sections 1241 and 2058 of the Business and Professions Code, and to add Section 1596.797 to the Health and Safety Code, relating to health.

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. 572 (Caldera)**—An act to amend Section 33126 of the Education Code, relating to schools.

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. 736 (Thomson)**—An act to amend Sections 17080, 17224, 17582, 17587, and 17591 of, to add Section 17584 to, and to repeal Section 39619 of, the Education Code, relating to school 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. 877 (Miller)**—An act to amend Sections 11737 and 11753.1 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. 1105 (Hertzberg)**—An act to amend Sections 255, 256, 256.5, 257, 258, 260, 261, 262, and 263 of, and to add and repeal Section 660.5 of, the Welfare and Institutions Code, relating to minors.

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. 1222 (Wright)**—An act to amend Sections 3030 and 7825 of the Family Code, relating to family law.

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. 1242 (Granlund)**—An act to amend Section 1276.5 of the Health and Safety Code, relating to health 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. 1306 (Granlund)**—An act to amend Sections 5775, 5777, and 5778 of the Welfare and Institutions Code, relating to human services, 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 JOINT RESOLUTION NO. 18 (Shelley)**—Relative to eliminating discrimination against women.

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—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**

**FURTHER CONSIDERATION OF SENATE BILL NO. 526  
BY UNANIMOUS CONSENT**

**SENATE BILL NO. 526 (Hayden)**—An act to add Article 12 (commencing with Section 1915) 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 third time.

**Motion to Amend by Assembly Member Morrissey**

Assembly Member Morrissey moved the adoption of amendments.

Amendments read.

**Motion to Table Morrissey Amendments to Senate Bill No. 526**

Assembly Member Villaraigosa moved that the amendments offered by Assembly Member Morrissey to Senate Bill No. 526 be laid upon the table.

Assembly Member Escutia seconded the motion.

Motion carried by the following vote:

**AYES—40**

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

**NOES—36**

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

**Objections to Vote Adds**

Assembly Member Thompson withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Villaraigosa motion to table Morrissey amendments to Senate Bill No. 526.

**Bill Ordered Reprinted**

Senate Bill No. 526, as amended earlier this day by Assembly Member Hertzberg, ordered reprinted and to be returned to the third reading file.

**SPECIAL COMMITTEE MEETINGS**

Assembly Member Murray was granted unanimous consent that the Committee on Transportation be permitted to hold a special meeting on September 11, 1997, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 368 for hearing.

**OBJECTION TO VOTE ADDS**

Assembly Member Shelley withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on House Resolution No. 43.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 818**

At 11:31 p.m., on motion of Assembly Member Hertzberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 818 refused passage by the following vote:

**AYES—22**

Ackerman	Escutia	Martinez	Villaraigosa
Baca	Figueroa	McClintock	Vincent
Baldwin	Gallegos	Migden	Woods
Campbell	Hertzberg	Napolitano	Mr. Speaker
Cardenas	Honda	Ortiz	
Ducheny	Kaloogian	Runner	

**NOES—47**

Aguiar	Firestone	Leonard	Scott
Alby	Floyd	Margett	Shelley
Alquist	Frusetta	Mazzoni	Strom-Martin
Aroner	Granlund	Miller	Sweeney
Ashburn	Havice	Morrissey	Takasugi
Battin	House	Olberg	Thompson
Bordonaro	Keeley	Oller	Thomson
Bowler	Knox	Pacheco	Torlakson
Brown	Kuehl	Perata	Washington
Cardoza	Kuykendall	Poochigian	Wayne
Cunneen	Leach	Prenter	Wright
Davis	Lempert	Richter	

**Motion to Reconsider Senate Bill No. 818  
on Next Legislative Day**

Assembly Member Hertzberg moved to reconsider on the next legislative day the vote whereby Senate Bill No. 818 was this day refused passage.

Senate Bill No. 818 ordered to the unfinished business file.



**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 535**

At 11:34 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.

The urgency clause to Senate Bill No. 535 refused adoption by the following vote:

**AYES—48**

Alquist	Floyd	Morrow	Thomson
Aroner	Gallegos	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Villaraigosa
Brewer	Honda	Ortiz	Vincent
Brown	Keeley	Papan	Washington
Campbell	Knox	Perata	Wildman
Cardenas	Kuehl	Pringle	Woods
Cunneen	Kuykendall	Richter	Wright
Davis	Lempert	Runner	Mr. Speaker
Ducheny	Martinez	Scott	
Escutia	Mazzoni	Shelley	
Figueroa	McClintock	Strom-Martin	
Firestone	Migden	Sweeney	

**NOES—21**

Ackerman	Bowler	Leach	Prenter
Aguiar	Cardoza	Margett	Takasugi
Alby	Frusetta	Miller	Thompson
Ashburn	Granlund	Olberg	
Baldwin	Havice	Pacheco	
Battin	Kaloogian	Poochigian	

**Motion to Reconsider Urgency Clause to Senate Bill No. 535 on Next Legislative Day**

Assembly Member Migden moved to reconsider on the next legislative day the vote whereby the urgency clause to Senate Bill No. 535 was this day refused adoption.

Senate Bill No. 535 ordered to the unfinished business file.

**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.

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

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

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 949 and 1577; Senate Bills Nos. 682, 233, 202, 1068, 828, 673, 1334, and 319 were continued until the next legislative day.

**BILLS PASSED ON FILE**

**Senate Bill No. 280**—Passed on file.

**VOTE ADDS**

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

**Senate Bill No. 853:** Battin, Bordonaro, Brewer, Brown, Campbell, Davis, Ducheny, Leach, Margett, Martinez, Migden, Olberg, Prenter, Pringle, Richter, Runner, and Scott—Aye; Morrow—No.

**Senate Bill No. 247:** Brown, Cunneen, Davis, Martinez, Vincent, and Wayne—Aye; Ashburn, Battin, Brewer, Campbell, Morrow, Olberg, Pringle, Richter, and Runner—No.

**Senate Bill No. 812:** Ashburn, Brown, Campbell, Davis, Martinez, McClintock, Morrow, Olberg, Pacheco, Poochigian, Prenter, Pringle, Richter, Runner, and Shelley—Aye.

**Senate Bill No. 965:** Ashburn, Brown, Campbell, Martinez, Morrow, Olberg, Pacheco, Prenter, Richter, Runner, and Shelley—Aye; Pringle—No.

**Senate Bill No. 1195:** Baldwin, Baugh, Brown, Campbell, Davis, Martinez, McClintock, Morrow, Olberg, Pacheco, Prenter, Pringle, Richter, Runner, and Shelley—Aye.

**Senate Bill No. 318:** Baugh, Bowen, Brown, Campbell, Davis, Margett, Martinez, Morrow, Pringle, Richter, and Runner—Aye; Thomson—No.

**Senate Bill No. 940:** Baugh, Bowen, Brown, Cardenas, Davis, Martinez, Morrow, Pringle, Richter, and Runner—Aye.

**Senate Bill No. 1039 and Urgency:** Baugh, Brown, Campbell, Davis, Martinez, McClintock, Miller, Morrow, Pringle, and Richter—Aye.

**Senate Bill No. 1110:** Alquist, Brown, Davis, Ducheny, Knox, Martinez, Morrow, Pringle, Richter, Runner, and Shelley—Aye.

**Senate Bill No. 1338 and Urgency:** Battin, Baugh, Brewer, Brown, Davis, Ducheny, Goldsmith, Martinez, McClintock, Morrow, Pringle, and Richter—Aye; Bowen—No.

**Senate Bill No. 88:** Bowen, Brown, Davis, Goldsmith, Martinez, Mazzoni, Richter, and Runner—Aye.

**Senate Bill No. 1066:** Martinez, McClintock, Pacheco, and Richter—Aye.

**Senate Bill No. 614 and Urgency:** Bowen, Martinez, Mazzoni, Pacheco, and Richter—Aye.

**Senate Bill No. 1329, Motion to Table Floyd Amendments:** Frusetta, Havice, Hertzberg, Olberg, and Perata—Aye.

**Senate Bill No. 1329, Demand for Previous Question:** Olberg—No.

**Senate Bill No. 1329:** Bordonaro and Perata—Aye; Baugh, Olberg, Poochigian, and Richter—No.

**Senate Bill No. 1062:** Aroner, Baugh, Bordonaro, Granlund, Kaloogian, Pacheco, and Poochigian—Aye; Campbell—No.

**Senate Bill No. 802:** Campbell, Olberg, and Richter—Aye.

**Senate Bill No. 1198:** Campbell, Davis, Olberg, and Richter—Aye; Bowen—No.

**Senate Bill No. 1163:** Baca—Aye; McClintock, Olberg, and Richter—No.

**Senate Bill No. 1189:** Bordonaro, Kaloogian, Olberg, Poochigian, Pringle, Richter, and Runner—Aye.

**Senate Bill No. 110:** Cunneen, Ducheny, Goldsmith, and Prenter—Aye; Campbell and Olberg—No.

**Senate Bill No. 225:** Ducheny—Aye; Olberg—No.

**Assembly Bill No. 1191, Concurrence:** Aguiar, Brewer, Cunneen, Ducheny, Figueroa, and Prenter—Aye; Baugh, Granlund, McClintock, Pacheco, and Runner—No.

**Assembly Bill No. 1472, Concurrence:** Aguiar, Baugh, Bordonaro, McClintock, Pacheco, and Runner—No.

**Assembly Bill No. 595, Concurrence:** Ducheny—Aye; Aguiar, Baugh, Kaloogian, McClintock, Oller, Pacheco, and Runner—No.

**Assembly Bill No. 1537, Concurrence:** Pacheco—Aye; Aguiar, Baugh, McClintock, and Poochigian—No.

**Assembly Bill No. 248, Concurrence:** Aguiar, Aroner, Battin, Baugh, Hertzberg, Pacheco, Poochigian, Prenter, and Strom-Martin—Aye; McClintock—No.

**Assembly Bill No. 405, Concurrence:** Aroner, Cardoza, Hertzberg, Machado, Pacheco, Runner, and Strom-Martin—Aye; Aguiar, Baugh, McClintock, and Olberg—No.

**Assembly Bill No. 536, Concurrence:** Aguiar—Aye; Baugh, McClintock, Pacheco, and Prenter—No.

**Assembly Bill No. 589, Concurrence:** Aguiar, Baugh, McClintock, and Pacheco—No.

**Assembly Bill No. 690, Concurrence:** Baugh, Cunneen, Gallegos, Hertzberg, Machado, McClintock, and Pacheco—Aye; Figueroa and Perata—No.

**Assembly Bill No. 699, Concurrence:** Cunneen and Washington—Aye; Alby and Baugh—No.

**Assembly Bill No. 847, Concurrence:** Honda—Aye; Baugh and McClintock—No.

**Assembly Bill No. 968, Concurrence:** Cunneen, Shelley, and Villaraigosa—Aye; Ashburn, Battin, Baugh, McClintock, Prenter, and Runner—No.

**Assembly Bill No. 1022, Concurrence:** Baugh, Cunneen, Figueroa, McClintock, and Perata—Aye.

**Assembly Bill No. 1040, Concurrence:** Migden, Shelley, and Washington—Aye; Aguiar, Baugh, Cunneen, McClintock, Pacheco, and Prenter—No.

**Assembly Bill No. 1104, Concurrence:** Aguiar, Baugh, Cunneen, Machado, McClintock, and Shelley—Aye.

**Assembly Bill No. 1337, Concurrence:** Cunneen, McClintock, Migden, Pacheco, Poochigian, and Washington—Aye; Baugh, Miller, and Olberg—No.

**Assembly Bill No. 1460, Concurrence:** Baugh, and McClintock—Aye; Bowen—No.

**Assembly Bill No. 1468, Concurrence:** Baugh, Mazzoni, McClintock, Strom-Martin, and Torlakson—Aye; Villaraigosa—No.

**Assembly Bill No. 1588, Concurrence:** Baugh, McClintock, Migden, Villaraigosa, and Washington—Aye.

**Assembly Bill No. 43, Concurrence:** Baugh, McClintock, and Olberg—Aye.

**Assembly Bill No. 267, Concurrence:** Miller, Morrow, Poochigian, and Woods—Aye; Baugh, Granlund, McClintock, and Olberg—No.

**Assembly Bill No. 301, Concurrence:** Alquist and Granlund—Aye; Baugh and McClintock—No.

**Assembly Bill No. 326, Concurrence:** Cunneen, Granlund, Morrissey, Morrow, and Prenter—Aye; Ashburn, Baugh, and McClintock—No.

**Assembly Bill No. 369, Concurrence:** Granlund, Morrissey, Strom-Martin, and Washington—Aye; Baugh, McClintock, and Prenter—No.

**Assembly Bill No. 418, Concurrence:** Alquist, Cunneen, Morrissey, Sweeney, and Washington—Aye; Alby, Baugh, Granlund, McClintock, and Runner—No.

**Assembly Bill No. 524, Concurrence:** Alquist, Cardoza, Frusetta, Granlund, and Morrissey—Aye; Baugh and McClintock—No.

**Assembly Bill No. 530, Concurrence:** Baugh, Granlund, and Olberg—Aye.

**Assembly Bill No. 573, Concurrence:** Alquist, Battin, Granlund, and Margett—Aye; Bordonaro, Campbell, Miller, and Morrow—No.

**Assembly Bill No. 618, Concurrence:** Battin, Bowler, Campbell, Frusetta, Goldsmith, Granlund, Morrow, Murray, Oller, Runner, and Washington—Aye.

**Assembly Bill No. 652, Concurrence:** Granlund and Wildman—Aye; Goldsmith, Prenter, and Runner—No.

**Assembly Bill No. 885, Concurrence:** Granlund—Aye.

**Assembly Bill No. 1139, Concurrence:** Granlund and Mazzoni—Aye.

**Assembly Bill No. 1213, Concurrence:** Granlund, Honda, and Murray—Aye; McClintock—No.

**Assembly Bill No. 1275, Concurrence:** Granlund, McClintock, Napolitano, and Olberg—Aye.

**Assembly Bill No. 1321, Concurrence:** Granlund—Aye; Bordonaro, McClintock, and Runner—No.

**Assembly Bill No. 1335, Concurrence:** Granlund—Aye; Battin and McClintock—No.

**Assembly Bill No. 1353, Concurrence:** Baugh, Granlund, and Prenter—No.

**Assembly Bill No. 1395, Concurrence:** Aguiar, Baugh, Granlund, and Prenter—No.

**Assembly Bill No. 1475, Concurrence:** Battin—Aye; Bowen—No.

**Assembly Bill No. 1520, Concurrence:** Battin, Honda, and Murray—Aye.

**Assembly Bill No. 515, Concurrence:** Battin, Honda, Murray, and Pringle—Aye.

**Assembly Bill No. 753, Concurrence:** Baldwin, Granlund, Kaloogian, Poochigian, and Runner—Aye; Ashburn—No.

**Assembly Bill No. 837, Concurrence:** Battin, Davis, and Pringle—Aye.

**Assembly Bill No. 838, Concurrence:** Battin and Pringle—Aye.

**Assembly Bill No. 1238, Concurrence:** Battin and Pringle—Aye.

**Assembly Bill No. 1505, Concurrence:** Battin and Pringle—Aye.

**Assembly Bill No. 1511, Concurrence:** Havice—No.

**Assembly Bill No. 1606, Concurrence:** Ashburn, Baldwin, and Runner—Aye.

**Assembly Concurrent Resolution No. 58, Concurrence:** Granlund, Poochigian, and Runner—No.

**Assembly Bill No. 176, Concurrence:** Baca and Strom-Martin—Aye; Baldwin and Runner—No.

**Assembly Bill No. 1614 Urgency:** Granlund, Machado, and Morrissey—Aye.

**Assembly Constitutional Amendment No. 22:** Baldwin, Granlund, McClintock, Murray, Pacheco, and Wildman—Aye.

**Assembly Joint Resolution No. 39, Coauthors:** Ackerman, Aroner, Baldwin, Ducheny, Gallegos, Granlund, Mazzoni, McClintock, Morrow, Napolitano, Pacheco, Pringle, and Vincent—Aye.

**Assembly Joint Resolution No. 39:** Ackerman, Battin, Mazzoni, McClintock, Napolitano, Prenter, Pringle, and Vincent—Aye.

**Assembly Bill No. 421, Concurrence:** Battin, Mazzoni, and McClintock—Aye.

**Assembly Bill No. 1464, Concurrence:** Baca, Havice, and Mazzoni—Aye; Aguiar, Baldwin, Battin, McClintock, Morrow, Pacheco, and Woods—No.

**Senate Bill No. 1161:** Bordonaro—Aye; Baldwin and Cunneen—No.

**Assembly Concurrent Resolution No. 77, Coauthors:** Granlund, Pacheco, and Pringle—Aye.

**Assembly Concurrent Resolution No. 77:** Ducheny and Granlund—Aye.

**Senate Bill No. 660:** Baugh, Granlund, and Kaloogian—Aye.

**Senate Bill No. 1273:** Granlund and Poochigian—Aye.

**Senate Concurrent Resolution No. 55, Coauthors:** Pacheco, Prenter, and Pringle—Aye.

**Senate Bill No. 638:** Alquist, Granlund, and Scott—Aye.

**Assembly Concurrent Resolution No. 78:** Battin—Aye.

#### **MOTION TO ADJOURN**

At 11:34 p.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Davis seconded the motion.

Motion carried.

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

At 11:35 p.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

**MESSAGES FROM THE SENATE**

Senate Chamber, September 10, 1997

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

Assembly Bill No. 594

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.

Senate Chamber, September 10, 1997

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

Senate Concurrent Resolution No. 59

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

**FIRST READING OF SENATE BILLS**

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 59**—Relative to Mother Teresa.

**BILLS PLACED ON SPECIAL CONSENT CALENDAR**

The following bills were placed on the Special Consent Calendar:

Assembly Bills Nos. 939, 1357, 1425, 1556, 127, 152, 219, 290, 605, 713, 994, 1065, 1082, 1391, 1480, 1555, 76, 178, and 1172.

**INTRODUCTION OF GUESTS**

Assembly Member Alby, of the 5th Assembly District, introduced Dave Burns and the Foothill High School Student Senate, of Sacramento.

**ADJOURNMENT**

At 11:35 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 11 a.m., Thursday, September 11, 1997, out of respect to the memory of Robert W. Williams, on motion of Assembly Member Scott; and out of respect to the memory of Juanita Hill Schurman, on motion of Assembly Member Shelley.

---

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON SEPTEMBER 10, 1997**

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

**ACR    RN**  
77    9723588

**AJR    RN**  
39 \*

**SB    RN**  
45    9722188  
66    9723599  
200   9723173  
298   9723115  
513   9723554  
526   9723242  
540   9723221  
550   9723177  
638   9723535  
655   9723398  
660   9723496  
1254   9723595  
1273   9723231

**SCR    RN**  
55 \*

**Daily Total:            16**  
**Cumulative Total:    3395**

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

**SB**

- 526 \* (Morrisey amendments—Set 2, laid upon the table)
- 867 (Goldsmith amendments—Set 1, RN 9721453, laid upon the table)
- 867 (Goldsmith amendments—Set 2, RN 9721392, laid upon the table)
- 1161 (Battin amendments, RN 9723187, laid upon the table)
- 1329 (Floyd amendments, RN 9722797, laid upon the table)

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