

CALIFORNIA LEGISLATURE

1973-74 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

First Legislative Day

First Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, September 25, 1974

At 12 m. the Assembly met pursuant to the provisions of the Proclamation of the Honorable Ronald Reagan, Governor of the State of California, dated September 23rd, 1974, convening the Legislature of the State of California on this day in extraordinary session.

James D. Driscoll, Chief Clerk for the 1973-74 Regular Session, presiding

Assistant Clerk Ray Monday reading.

ANNOUNCEMENTS

James D. Driscoll, Chief Clerk of the Assembly, announced that pursuant to the requirements of the Government Code, Section 9150, the following officers of the Assembly of the 1973-74 Regular Session of the Legislature would perform the duties of their respective offices:

James D. Driscoll, Chief Clerk; Anabel Fleury, Minute Clerk; and Tony Beard, Sergeant at Arms.

ROLL CALL

The roll was called, and the following answered to their names—74:

Alatorre	Craven	Johnson, Ray E.	Moretti
Antonovich	Cullen	Kaploff	Murphy
Arnett	Davis	Keene	Nimmo
Badham	Deddeh	Keysor	Papan
Bannai	Dixon	Knox	Powers
Bee	Duffy	Lancaster	Priolo
Berman	Dunlap	Lanterman	Quimby
Beverly	Fenton	Lewis	Ralph
Boatwright	Fong	MacDonald	Russell
Bond	Foran	MacGillivray	Seeley
Briggs	Garcia	Maddy	Szeroty
Brown	Gonsalves, Joe A.	McAlister	Thomas
Burke	Gonzales, Ray	McCarthy	Thurman
Carter	Greene, Bill	McLennan	Vasconcellos
Chacon	Greene, Leroy F.	Meade	Warren
Chappie	Hayden	Miller	Wilson
Cline	Holoman	Mobley	Wood
Collier	Ingalls	Montoya	Z'berg
Cory	Johnson, Harvey		

Quorum present.

ANNOUNCEMENTS

Chief Clerk James D. Driscoll announced that, without objection, representatives of the press, radio and television stations would be permitted on the floor of the Assembly during this day's session.

CAUCUS ANNOUNCEMENTS

At 12:13 p.m., unanimous consent was granted for the Democratic Caucus to meet at this time in Room 2170.

PRAYER

Upon invitation of the Chief Clerk, the following prayer was offered by Father Leo McAllister, Chaplain of the Assembly for the 1973-74 Regular Session:

God, Our Father, It is not part of Your design to stand aloof from us nor is it Your wont to make all of our decisions.

You have given us a shared responsibility for all that is to be hoped for in this world.

In this special session guide our representatives to an evenhanded consideration of all issues. Help them to welcome the burden of responsibility which is theirs, so that they may have an urgency in their efforts, a deep concern for their people in their minds and the Peace of God in their hearts.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Chief Clerk, Mr. Thomas then led the Assembly in the pledge of allegiance to the Flag.

LEAVES OF ABSENCE FOR THE DAY

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Bagley, on request of Speaker McCarthy.

Mr. Karabian, on request of Speaker McCarthy.

Mr. Lockyer, on request of Speaker McCarthy.

The following Members were excused for the day, and their per diem was waived:

Mr. Wakefield.

Mr. Waxman.

PROCLAMATION OF THE GOVERNOR

The Chief Clerk directed that the Proclamation of the Governor convening the Legislature in extraordinary session be read.

Whereupon, the following proclamation was read:

Proclamation

Executive Department, State of California

WHEREAS, An extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session; now, therefore,

I, Ronald Reagan, Governor of the State of California, by virtue of the power and authority in me vested by Section 3 (b) of Article IV of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California, on the 25th day of September, 1974, at 12:00 o'clock noon of said day for the following purpose and to legislate upon the following subject:

To consider and act upon legislation relative to the Legislators' Retirement System.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 23rd day of September, 1974.

RONALD REAGAN
Governor of California

ATTEST: EDMUND G BROWN JR.
Secretary of State

by Mary Ann Miller
Deputy Secretary of State

(SEAL)

RECEIPT

I acknowledge receipt this 23rd day of September, 1974, at 11:40 a.m. of the Governor's Proclamation convening the Legislature in extraordinary session at 12 o'clock noon on September 25, 1974.

R. BRIAN KIDNEY, Assistant Chief Clerk

ANNOUNCEMENTS

The Chief Clerk announced that the next order of business was the nomination and election of officers for the 1973-74 Second Extraordinary Session of the Assembly, and declared that nominations for officers of the Assembly were now in order.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Berman:

House Resolution No. 1

Relative to election of the Speaker of the Assembly

Resolved by the Assembly of the State of California, That the Honorable Leo T. McCarthy is the Speaker of the Assembly for the 1973-74 Second Extraordinary Session.

Resolution read, and on motion of Mr. Berman, adopted by the following vote (**AYES—58; NOES—2**):

AYES

Alatorre	Dunlap	Keysor	Murphy
Bee	Fenton	Knox	Nimmo
Berman	Fong	Lancaster	Papan
Beverly	Foran	Lanterman	Ralph
Boatwright	Garcia	Lewis	Russell
Bond	Gonzales, Joe A.	MacDonald	Seeley
Brown	Gonzales, Ray	Maddy	Sieroty
Chacon	Greene, Bill	McAlister	Thomas
Chappie	Greene, Leroy F.	McCarthy	Thurman
Collier	Hayden	Meade	Vasconcellos
Cory	Holoman	Miller	Warren
Davis	Ingalls	Mobley	Wilson
Deddeh	Johnson, Harvey	Montoya	Wood
Dixon	Kapiloff	Moretti	Z'berg
Duffy	Keene		

NOES

Briggs Carter

Whereupon the Chief Clerk announced the vote of the Assembly and declared Hon. Leo T. McCarthy the choice of the Assembly for Speaker for the 1973-74 Second Extraordinary Session.

APPOINTMENT OF COMMITTEE ON ESCORT

The Chief Clerk appointed Assemblymen Berman, Ray Gonzales, and Alatorre as a Select Committee to escort Speaker-elect Leo T. McCarthy to the bar of the Assembly.

Speaker-elect Presiding

At 2:10 p.m. Hon. Leo T. McCarthy presiding.
Chief Clerk James D. Driscoll at the Desk.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Berman:

House Resolution No. 2

Relative to the election of Assembly officers

Resolved by the Assembly of the State of California, That the following named persons constitute the officers, other than the Speaker, of the Assembly for the 1973-74 Second Extraordinary Session:

Honorable Carlos Bee.....Speaker pro Tempore
 James D. Driscoll.....Chief Clerk
 Tony Beard.....Sergeant at Arms
 Father Leo McAllister.....Chaplain

Resolution read, and on motion by Mr. Berman, adopted by the following vote (**AYES—68; NOES—None**):

AYES

Alatorre	Cory	Johnson, Harvey	Montoya
Antonovich	Craven	Johnson, Ray E.	Moretti
Arnett	Davis	Kapiloff	Murphy
Badham	Deddeh	Keene	Nimmo
Banna	Dixon	Keysor	Papan
Bee	Duffy	Knox	Priolo
Berman	Fenton	Lancaster	Quimby
Beverly	Fong	Lanterman	Ralph
Boatwright	Foran	Lewis	Russell
Bond	Garcia	MacDonald	Sieroty
Briggs	Gonsalves, Joe A.	MacGillivray	Thomas
Brown	Gonzales, Ray	McAlister	Thurman
Burke	Greene, Bill	McCarthy	Vasconcellos
Carter	Greene, Leroy F.	McLennan	Warren
Chacon	Hayden	Meade	Wilson
Chappie	Holoman	Miller	Wood
Chue	Ingalls	Mobley	Z'berg

NOES—None.

Whereupon the Speaker-elect announced the vote of the Assembly and declared the following officers elected as the choice of the Assembly for the 1973-74 Second Extraordinary Session of the Legislature:

Hon. Carlos Bee, Speaker pro Tempore; James D. Driscoll, Chief Clerk; Tony Beard, Sergeant at Arms; and Father Leo McAllister, Chaplain.

APPOINTMENT OF COMMITTEE ON ESCORT

Speaker-elect McCarthy appointed Assemblymen Davis, Burke, and Deddeh as a Select Committee to escort Speaker pro Tempore-elect Carlos Bee to the rostrum.

OATHS OF OFFICE ADMINISTERED

Hon. Leo T. McCarthy, Speaker-elect; Hon. Carlos Bee, Speaker pro Tempore-elect; and James D. Driscoll, Chief Clerk-elect; appeared at the bar of the Assembly, and took and subscribed to the following oath, administered by George Murphy, Legislative Counsel.

Oath

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Ralph:

House Resolution No. 3

Relative to the Assembly Rules

Resolved by the Assembly of the State of California, That the Permanent Standing Rules of the Assembly for the 1973-74 Regular Session are hereby adopted as the rules for the 1973-74 Second Extraordinary Session.

Resolution read, and on motion of Mr. Ralph, adopted by the following vote (**AYES—69; NOES—None**):

AYES

Alatorre	Craven	Johnson, Harvey	Moretti
Antonovich	Davis	Johnson, Ray E.	Murphy
Arnett	Deedeh	Kaploff	Nimmo
Badham	Dixon	Keene	Papan
Bannai	Duffy	Keysor	Prilo
Bee	Dunlap	Knox	Quimby
Berman	Fenton	Lancaster	Ralph
Beverly	Fong	Lanterman	Russell
Boatwright	Foran	Lewis	Sieroty
Bond	Garcia	MacDonald	Thomas
Briggs	Gonsalves, Joe A.	MacGillivray	Thurman
Brown	Gonzales, Ray	McAlister	Vasconcellos
Burke	Greene, Bill	McLennan	Warren
Carter	Greene, Leroy F.	Meade	Wilson
Chacon	Hayden	Miller	Wood
Chappie	Holoman	Mobley	Z'berg
Cline	Ingalls	Montoya	Mr. Speaker
Cory			

NOES—None.

By Assemblyman Ralph:

House Resolution No. 4

Relative to organization of the Assembly for the 1973-74 Second Extraordinary Session

Resolved by the Assembly of the State of California, (1) That the Chief Clerk or the Sergeant at Arms be and they are hereby authorized to receipt to the Controller for all warrants for the payment of Members, Officers, and Attachés of the Assembly.

(2) That the Chief Clerk is authorized to receipt from the Members of the Assembly, a mailing list of Histories, to be directed to libraries, chambers of commerce, and other public centers, and to individuals for general inspection. This list is to be limited to ten (10) names each, and shall be forwarded to the Legislative Bill Room for regular mailing. No member shall include on the list any state department or employee thereof except state colleges and universities. The Chief Clerk is further authorized to place accredited newspaper representatives on the regular mailing list as well as the Attorney General, the office of the Legislative Counsel, and the Governor's Office.

Request for Unanimous Consent

Mr Ralph was granted unanimous consent to take up House Resolution No. 4 without reference to committee or file.

Resolution read, and adopted by the following vote (**AYES—67; NOES—None**):

AYES

Alatorre	Cory	Johnson, Harvey	Murphy
Antonovich	Craven	Johnson, Ray E.	Nimmo
Arnett	Davis	Kaploff	Papan
Badham	Deddeh	Keene	Friolo
Banna	Dixon	Keyser	Quimby
Bee	Duffy	Knox	Ralph
Berman	Dunlap	Lancaster	Russell
Beverly	Fenton	Lanterman	Sieroty
Boatwright	Fong	Lewis	Thomas
Bond	Foran	MacDonald	Thurman
Briggs	Garcia	MacGillivray	Vasconcellos
Brown	Gonsalves, Joe A.	McAlister	Warren
Burke	Greene, Bill	McLennan	Wilson
Carter	Greene, Leroy F.	Meade	Wood
Chacon	Hayden	Miller	Z'berg
Chappie	Holoman	Mobley	Mr Speaker
Chue	Ingalls	Moretti	

NOES—None.**MESSAGES FROM THE SENATE**

Senate Chamber, September 25, 1974

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

SCR No. 1

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 1—Relative to the Temporary Joint Rules of the Senate and Assembly.

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP
SENATE CONCURRENT RESOLUTION NO. 1**

Mr. Ralph was granted unanimous consent to take up Senate Concurrent Resolution No. 1 without reference to committee, or file, for purpose of consideration at this time.

Consideration of Senate Concurrent Resolution No. 1

Senate Concurrent Resolution No. 1—Relative to the Temporary Joint Rules of the Senate and Assembly.

Resolution read, presented by Mr Ralph, and adopted by the following vote (**AYES—67; NOES—None**):

AYES

Alatorre	Cory	Ingalls	Murphy
Antonovich	Craven	Johnson, Farvey	Nimmo
Arnett	Davis	Johnson, Ray E.	Papan
Badham	Deddeh	Kapiloff	Priolo
Bannai	Dixon	Keene	Quimby
Bee	Duffy	Keysor	Ralph
Berman	Dunlap	Knox	Russell
Beverly	Fenton	Lancaster	Sieroty
Boatwright	Fong	Lanterman	Thomas
Bond	Foran	Lewis	Thurman
Briggs	Garcia	MacDonald	Vasconcellos
Brown	Gonsalves, Joe A.	MacGilhvray	Warren
Burke	Gonzales, Ray	McAlister	Wilson
Carter	Greene, Bill	Meade	Wood
Chacon	Greene, Leroy F.	Mobley	Z'berg
Chapple	Hayden	Montoya	Mr. Speaker
Cline	Holoman	Moretti	

NOES—None.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENTS

Speaker McCarthy announced he had appointed Assemblyman Leon Ralph Chairman of the Committee on Rules and Assemblyman Howard Berman as Majority Floor Leader.

Speaker McCarthy announced that the Committee on Public Employees and Retirement is activated for this session with the following membership: Deddeh (Chairman), Dixon (Vice Chairman), Bannai, Carter, Fong, Kapiloff, Papan, Russell, and Z'berg.

JOINT RULE 62(a) WAIVED

Mr. Ralph moved that Joint Rule 62(a) be waived for the purpose of setting all bills introduced today for hearing in the Committee on Public Employees and Retirement at 2 p.m., on Monday, September 30.

Demand for Previous Question

Messrs. Dixon, Foran, MacDonald, Leroy F. Greene, and Papan demanded the previous question. Demand sustained.

The question being on the motion to suspend Joint Rule 62(a) to permit all bills introduced today to be set for hearing in the Committee on Public Employees and Retirement on Monday, September 30, at 2 p.m.

Motion carried by the following vote (**AYES—45; NOES—24**):

AYES

Alatorre	Fenton	Kapiloff	Quimby
Badham	Fong	Keene	Ralph
Bee	Foran	Keysor	Russell
Berman	Garcia	Knox	Sieroty
Boatwright	Gonsalves, Joe A.	MacDonald	Thomas
Brown	Gonzales, Ray	McAlister	Thurman
Chacon	Greene, Bill	Meade	Vasconcellos
Cory	Greene, Leroy F.	Miller	Warren
Davis	Holoman	Montoya	Wilson
Deddeh	Ingalls	Moretti	Z'berg
Dixon	Johnson, Harvey	Papan	Mr. Speaker
Dunlap			

NOES

Antonovich	Burke	Hayden	McLennan
Arnett	Carter	Johnson, Ray E.	Mobley
Bannai	Chappie	Lancaster	Murphy
Beverly	Cline	Lanterman	Nimmo
Bond	Craven	Lewis	Priolo
Briggs	Duffy	MacGillivray	Wood

ANNOUNCEMENT OF COMMITTEE MEETING

Speaker McCarthy announced that the Committee on Public Employees and Retirement would meet on Monday, September 30, at 2 p m., to hear all bills which are introduced today.

ANNOUNCEMENTS

Speaker McCarthy announced that pursuant to the provisions of Assembly Rule 47, the roll would be called from A to Z and that, as each Member's name is called, he may introduce one bill, constitutional amendment, concurrent or joint resolution.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS—PURSUANT TO RULE 47

The following bills were introduced, and read the first time:

Assembly Bill No. 1: By Assemblymen Alatorre, Kapiloff, Ray Gonzales, and Keene—An act to add Section 9359.14 to the Government Code, relating to the Legislators' Retirement System, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker.

Assembly Bill No. 2: By Assemblyman Arnett—An act to add Section 18861 to the Government Code, relating to legislators' retirement.

Held at Desk by order of the Speaker.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Briggs:

House Resolution No. 5

Relative to the Assistant Speaker pro Tempore

Resolved by the Assembly of the State of California, That the Permanent Standing Rules of the Assembly for the 1973-74 Regular Session be amended to read as follows:

First—That Rule 28.5 is repealed.

Assistant Speaker pro Tempore

28.5. The Speaker shall appoint a Member to serve as the Assistant Speaker pro Tempore of the Assembly.

The Assistant Speaker pro Tempore, in the event of the absence or inability of the Speaker pro Tempore, for any reason or at any time, shall perform the duties of the Speaker pro Tempore as they relate to presiding over the daily sessions of the Assembly.

Second—That Rule 29 is amended to read:

Majority Floor Leader

29. The Speaker, after consultation with the members of his supporting majority, shall appoint one Member to be his personal representative on the floor of the Assembly, who shall be known as the Majority Floor Leader.

It shall be his duty to make such appropriate motions, points of order, or other arrangements as may be necessary to expedite the proceedings of the Assembly and he shall be responsible for the presentation of all matters which relate to the order of business, and to the promotion of harmony among the membership.

In the event of the absence or inability of the Speaker pro Tempore, for any reason or at any time, to perform the duties of his office, the Majority Floor Leader shall assume and perform such of those duties as may be required to conduct the business of the Assembly.

Resolution read, and referred by the Speaker to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)—PURSUANT TO RULE 47

The following bills were introduced, and read the first time:

Assembly Concurrent Resolution No. 1: By Assemblymen Carter and McLennan—Relative to expenses of members.

Held at Desk by order of the Speaker.

Assembly Bill No. 3: By Assemblymen Deddeh, Wilson, Badham, Boatwright, and Davis—An act to amend Section 9360.9 of, and to add Section 9359.05 to the Government Code, relating to the Legislators' Retirement System and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker.

Assembly Bill No. 4: By Assemblyman Lewis—An act to add Section 18861 to the Government Code, relating to legislators' retirement.

Held at Desk by order of the Speaker.

Assembly Bill No. 5: By Assemblymen McLennan, Antonovich, Arnett, Bannai, Bagley, Beverly, Bond, Briggs, Burke, Carter, Chappie, Cline, Craven, Ray Gonzales, Hayden, Ray E Johnson, Lanterman, MacDonald, MacGillivray, Mobley, Nimmo, Priolo, and Wilson (Senator Deukmejian, coauthor)—An act to amend Section 9360 7, and to repeal Sections 9359.01, 9359 02, and 9359 04 of the Government Code, relating to the Legislators' Retirement System, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker.

Assembly Bill No. 6: By Assemblymen Papan and Joe A. Gonsalves—An act to amend Section 9360.7 of, to add Section 9360.11 to, and to repeal Sections 9356.7, 9359 01, 9359.02, and 9359.04 of the Government Code, relating to the Legislators' Retirement System, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker.

Assembly Bill No. 7: By Assemblymen Wilson, Deddeh, Davis, McAlister, Boatwright, Joe A. Gonsalves, and Keene—An act to amend Sections 9359 1, 9360.7, and 9360 9 of, and to repeal Sections 9356.7, 9359 01, 9359 02, and 9359 04 of the Government Code, relating to the Legislators' Retirement System, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker.

Assembly Constitutional Amendment No. 1: By Assemblymen Z'berg, McAlister, Boatwright, Dunlap, Ray Gonzales, and MacDonald—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 4 of Article III, Section 4 of Article IV, and Section 12 of Article V of, and by adding Section 6 to Article III thereof, relating to salaries and retirement of elected state officers.

Held at Desk by order of the Speaker.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 8: By Assemblyman Arnett—An act to amend Section 9360.9 of the Government Code, relating to the Legislators' Retirement System, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker.

Assembly Bill No. 9: By Assemblymen Papan and Joe A. Gonsalves—An act to amend Sections 9355 16, 9359 1, 9360 7, and 9360 9 of, and to repeal Sections 9356 7, 9359 01, 9359 02 and 9359 04 of the Government Code, relating to the Legislators' Retirement System, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker.

Assembly Bill No. 10: By Assemblyman MacDonald—An act to amend Sections 9359.1 and 9360 9 of the Government Code, relating to the Legislators' Retirement System, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker.

Assembly Concurrent Resolution No. 2: By Assemblyman Arnett—Relative to the compensation of Members of the Legislature.

Held at Desk by order of the Speaker.

COMMUNICATIONS

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

September 25, 1974

*Mr. James D. Driscoll, Chief Clerk
California State Assembly
State Capitol, Sacramento, California 95814*

Dear Jim: I would like to waive my per diem expenses for as many days as the Legislature meets on the legislators' pension abuses.

Thank you for your consideration.

Sincerely,

DOUG CARTER

MOTION TO TAKE UP ASSEMBLY BILL NO. 5

Mr. McLennan moved that he be permitted to take up Assembly Bill No. 5, without reference to committee or file, for purpose of consideration at this time.

Hon. Julian C. Dixon Presiding

At 2:52 p.m., Hon. Julian C. Dixon, 63rd District, presiding.

Speaker Presiding

At 2:55 p.m., Hon. Leo T. McCarthy, 19th District, presiding.

Motion lost by the following vote (**AYES—34; NOES—35**):

AYES

Antonovich	Cline	Keene	Mobley
Arnett	Collier	Lancaster	Murphy
Bannai	Craven	Lanterman	Nimmo
Beverly	Davis	Lewis	Priolo
Bond	Duffy	MacDonald	Seeley
Briggs	Fong	MacGillivray	Thurman
Burke	Gonzales, Ray	Maddy	Wilson
Carter	Hayden	McLennan	Wood
Chappie	Johnson, Ray E.		

NOES

Alatorre	Dunlap	Johnson, Harvey	Quimby
Badham	Fenton	Keysor	Ralph
Bee	Foran	Knox	Sieroty
Berman	Garcia	McAlister	Thomas
Boatwright	Gonsalves, Joe A.	Meade	Vasconcellos
Brown	Greene, Bill	Miller	Warren
Chacon	Greene, Leroy F.	Montoya	Z'berg
Deddeh	Holoman	Moretti	Mr. Speaker
Dixon	Ingalls	Papan	

ANNOUNCEMENTS

Mr. Ralph announced that the Rules Committee would meet at 11 a.m. on Tuesday, October 1.

COMMUNICATIONS

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

Communication From Democratic Caucus

September 25, 1974

*Mr James Driscoll**Chief Clerk, State Assembly*

Dear Mr. Driscoll: This is to advise you that the Democratic Caucus today elected Louis Papan, John Quimby, and Joe Montoya to the Rules Committee for the Special Session.

Sincerely,

JULIAN C DIXON

ELECTION OF MEMBERS OF COMMITTEE ON RULES

Speaker McCarthy announced that the next order of business would be the approval or rejection of the Rules Committee nominees.

Election of Democratic Nominees to the Committee on Rules

The question being: Shall Mr. Papan, a nominee of the Democratic Caucus to the Rules Committee, be approved or rejected?

The roll was called, and Mr Papan was approved by the following vote (**AYES—68; NOES—None**):

AYES

Alatorre	Craven	Johnson, Harvey	Murphy
Antonovich	Davis	Johnson, Ray E.	Nimmo
Arnett	Deddeh	Kapiloff	Papan
Bannai	Dixon	Keene	Priolo
Bee	Duffy	Keysor	Quimby
Berman	Dunlap	Knox	Ralph
Beverly	Fenton	Lancaster	Russell
Boatwright	Fong	Lanterman	Secley
Bond	Foran	Lewis	Sieroty
Briggs	Garcia	MacGillivray	Thomas
Brown	Gonsalves, Joe A	Maddy	Thurman
Burke	Gonzales, Ray	McAlister	Vasconcellos
Carter	Greene, Bill	Meade	Warren
Chacon	Greene, Leroy F	Miller	Wilson
Chappie	Hayden	Moblely	Wood
Chne	Holoman	Montoya	Z'berg
Cory	Ingalls	Moretti	Mr. Speaker

NOES—None.

The question being: Shall Mr Quimby, a nominee of the Democratic Caucus to the Rules Committee, be approved or rejected?

The roll was called, and Mr. Quimby was approved by the following vote (**AYES—65; NOES—None**):

AYES

Alatorre	Craven	Ingalls	Murphy
Antonovich	Davis	Johnson, Harvey	Nimmo
Arnett	Deddeh	Johnson, Ray E.	Papan
Bannai	Dixon	Kaploff	Priolo
Bee	Duffy	Keene	Quimby
Berman	Dunlap	Keyser	Ralph
Beverly	Fenton	Lancaster	Russell
Boatwright	Fong	Lanterman	Seeley
Bond	Foran	Lewis	Seroty
Briggs	Garcia	MacGillivray	Thomas
Brown	Gonsalves, Joe A.	Maddy	Thurman
Burke	Gonzales, Ray	McAlister	Vasconcellos
Carter	Greene, Bill	Meade	Wilson
Chacon	Greene, Leroy F.	Miller	Wood
Chappie	Hayden	Mobley	Z'berg
Cline	Holoman	Moretti	Mr. Speaker
Cory			

NOES—None.

The question being: Shall Mr. Montoya, a nominee of the Democratic Caucus to the Rules Committee, be approved or rejected?

The roll was called, and Mr. Montoya was approved by the following vote (**AYES—64; NOES—1**):

AYES

Alatorre	Davis	Johnson, Ray E.	Nimmo
Arnett	Deddeh	Kaploff	Papan
Bannai	Dixon	Keene	Priolo
Bee	Duffy	Keyser	Quimby
Beverly	Dunlap	Knox	Ralph
Boatwright	Fenton	Lancaster	Russell
Bond	Fong	Lanterman	Seeley
Briggs	Foran	Lewis	Seroty
Brown	Garcia	MacGillivray	Thomas
Burke	Gonsalves, Joe A.	Maddy	Thurman
Carter	Gonzales, Ray	McAlister	Vasconcellos
Chacon	Greene, Bill	Miller	Warren
Chappie	Greene, Leroy F.	Mobley	Wilson
Cline	Hayden	Montoya	Wood
Cory	Holoman	Moretti	Z'berg
Craven	Ingalls	Murphy	Mr. Speaker

NOES

Meade

MOTION TO ADJOURN

At 3:25 p.m., Mr. Papan moved that the Assembly do now adjourn until 10 a.m., on Monday, September 30, 1974.

Mr. Ralph seconded the motion.

Hon. Wadie P. Deddeh Presiding

At 3:26 p.m., Hon. Wadie P. Deddeh, 77th District, presiding.

Hon. Julian C. Dixon Presiding

At 3:30 p.m., Hon. Julian C. Dixon, 63rd District, presiding.

REMARKS ON CONDITION OF THE FILE

Mr. Cory, Speaker McCarthy, and Messrs. Priolo and Beverly arose to speak on the condition of the file.

Speaker Presiding

At 3.34 p.m., Hon. Leo T. McCarthy, 19th District, presiding.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion by Mr. Papan that the Assembly adjourn until 10 a.m., on Monday, September 30, 1974

Motion carried by the following vote (**AYES—39; NOES—29**):

AYES

Alatorre	Fong	Kaploff	Quimby
Bee	Foran	Keene	Ralph
Berman	Garcia	Keysor	Sieroty
Boatwright	Gonsalves, Joe A.	Knox	Thomas
Brown	Gonzales, Ray	McAlister	Thurman
Chacon	Greene, Bill	Meade	Vasconcellos
Cory	Greene, Leroy F.	Miller	Warren
Dixon	Holoman	Montoya	Z'berg
Dunlap	Ingalls	Moretti	Mr. Speaker
Fenton	Johnson, Harvey	Papan	

NOES

Antonovich	Chappie	Lancaster	Murphy
Arnett	Cline	Lanterman	Nimmo
Bunnau	Craven	Lewis	Priolo
Beverly	Davis	MacGillivray	Russell
Bond	Duffy	Maddy	Seeley
Briggs	Hayden	McLennan	Wilson
Burke	Johnson, Ray E.	Mobley	Wood
Carter			

CAUCUS ANNOUNCEMENTS

Mr. Murphy announced that there would be a Republican Caucus immediately upon adjournment today, in Sergeant at Arms' office.

VOTE CHANGES

The following Members were granted unanimous consent to change their votes:

On House Resolution No. 1: Messrs. Hayden, Wood, Collier, Maddy, and Seeley, "Aye".

On the motion by Mr. McLennan to take up Assembly Bill No. 5 without reference to committee or file: Mr. Thurman, "No" to "Aye"; Mr. Russell, "No" to "Not voting"; Mrs. Fong, "Aye", Messrs. Maddy and Seeley, "Aye".

COMMUNICATIONS

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

Appointment of Assistant Speaker pro Tempore

September 25, 1974

Mr. James Driscoll

Chief Clerk of the Assembly

Assembly Chamber, Sacramento, California

Dear Jim: I have appointed Assemblywoman Pauline Davis Assistant Speaker pro Tempore for the 1973-74 Regular Session and the 1973-74 Second Special Session pursuant to Rule 28.5.

Sincerely,

LEO T. McCARTHY

INTRODUCTION, FIRST READING AND SECOND READING OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 11: By Assemblyman Montoya—An act to add Section 9359 14 to the Government Code, relating to legislators' retirement.

Held at Desk by order of the Speaker.

Assembly Bill No. 12: By Assemblyman Montoya—An act to add Section 9359 15 to the Government Code, relating to the Legislators' Retirement Law.

Held at Desk by order of the Speaker.

Assembly Constitutional Amendment No. 10: By Assemblymen Bond and Cullen—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 4 of Article IV thereof, relating to Members of the Legislature

Held at Desk by order of the Speaker.

REFERENCE OF BILLS TO COMMITTEES

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

Assembly

Bill No.

Committee

1	Public Employees and Retirement
2	Public Employees and Retirement
3	Public Employees and Retirement
4	Public Employees and Retirement
5	Public Employees and Retirement
6	Public Employees and Retirement
7	Public Employees and Retirement
8	Public Employees and Retirement
9	Public Employees and Retirement
10	Public Employees and Retirement
11	Public Employees and Retirement
12	Public Employees and Retirement

Assembly Constitutional

Amendment No.

Committee

1	Public Employees and Retirement
2	Public Employees and Retirement

Assembly Concurrent

Resolution No.

Committee

1	Rules
2	Public Employees and Retirement

ADJOURNMENT

At 5 p m, pursuant to the motion by Mr Papan, Speaker McCarthy declared the Assembly adjourned until 10 a m, Monday, September 30, 1974.

LEO T McCARTHY, Speaker

ANABEL FLEURY, Minute Clerk

CALIFORNIA LEGISLATURE

1973-74 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Second Legislative Day

Sixth Calendar Day

IN ASSEMBLYAssembly Chamber, Sacramento
Monday, September 30, 1974

The Assembly met at 10:41 a.m.

Hon. Leo T. McCarthy, Speaker of the Assembly, presiding.

Chief Clerk James D. Driscoll at the Desk

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names—75:

Alatorre	Cullen	Kapiloff	Papan
Antonovich	Davis	Keene	Powers
Arnett	Deddeh	Keysor	Priolo
Badham	Dixon	Knox	Quimby
Bannai	Duffy	Lancaster	Ralph
Bee	Dunlap	Lanterman	Russell
Berman	Fenton	Lewis	Secley
Beverly	Fong	Lockyer	Sieroty
Boatwright	Foran	MacDonald	Thomas
Bond	Garcia	MacGillivray	Thurman
Briggs	Gonsalves, Joe A.	Maddy	Vasconcellos
Brown	Gonzales, Ray	McAlister	Wakefield
Burke	Greene, Bill	McLennan	Warren
Carter	Greene, Leroy F.	Meade	Waxman
Chacon	Hayden	Mobley	Wilson
Chappie	Holoman	Montoya	Wood
Collier	Ingalls	Moretti	Z'berg
Cory	Johnson, Harvey	Murphy	Mr. Speaker
Craven	Johnson, Ray E.	Nimmo	

Quorum present

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Chne, on request of Speaker McCarthy.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem:

Mr. Bagley, on request of Speaker McCarthy.

Mr. Karabian, on request of Speaker McCarthy.

Mr. Miller, on request of Speaker McCarthy.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 13: By Assemblyman Badham—An act to add Section 8900 to the Government Code, relating to the California Commission on Legislative Compensation and Retirement.

Referred by the Speaker to the Committee on Public Employment and Retirement.

JOINT RULE 62(a) WAIVED

Mr. Badham was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 13 for hearing in the Committee on Public Employees and Retirement today.

OATH OF OFFICE—SERGEANT AT ARMS

The following oath of office for Tony Beard, Sergeant at Arms-elect of the Assembly for the 1973-74 Second Extraordinary Session, was presented, and ordered printed in the Journal

Oath

for the Office of Sergeant at Arms of the Assembly

I, Tony Beard, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

TONY BEARD

Subscribed and sworn to before me, this 25th day of September A.D. 1974.

GEORGE MURPHY, Legislative Counsel

BIRTHDAY GREETINGS EXTENDED TO ASSEMBLYMAN KNOX

Mr. Warren announced that today is the birthday of Assemblyman John T. Knox, of the 11th District, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Knox.

COMMUNICATIONS

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

Communication from Republican Caucus

September 25, 1974

Mr. James Driscoll

Chief Clerk of the Assembly

Dear Mr. Driscoll: This is to advise you that the Republican Caucus today elected Ray E. Johnson, Robert H. Burke, and Ernest N. Mobley to the Rules Committee for the Special Session.

Sincerely,

FRANK MURPHY, JR

ELECTION OF MEMBERS OF COMMITTEE ON RULES

Speaker McCarthy announced that the next order of business would be the approval or rejection of the Rules Committee nominees

Election of Republican Nominees to the Committee on Rules

The question being: Shall Mr. Ray E. Johnson, a nominee of the Republican Caucus to the Rules Committee, be approved or rejected?

The roll was called, and Mr. Ray E. Johnson was approved by the following vote (**AYES—61; NOES—None**):

AYES

Alatorre	Craven	Kaploff	Nimmo
Antonovich	Davis	Keene	Powers
Arnett	Deddeh	Keysor	Priolo
Badham	Dixon	Knox	Qumby
Bannai	Duffy	Lancaster	Russell
Bee	Dunlap	Lauterman	Seeley
Berman	Fenton	Lewis	Thomas
Beverly	Foran	Lockyer	Thurman
Boatwright	Garcia	MacDonald	Wakefield
Briggs	Gonsalves, Joe A.	MaeGillivray	Warren
Burke	Greene, Leroy F.	Maddy	Waxman
Carter	Hajden	McAlister	Wilson
Chacon	Ingalls	Mobley	Wood
Chappie	Johnson, Harvey	Montoya	Z'berg
Collier	Johnson, Ray E.	Murphy	Mr. Speaker
Cory			

NOES—None.

The question being: Shall Mr. Burke, a nominee of the Republican Caucus to the Rules Committee, be approved or rejected?

The roll was called, and Mr. Burke was approved by the following vote (**AYES—63; NOES—None**):

AYES

Alatorre	Craven	Keysor	Powers
Antonovich	Davis	Knox	Priolo
Arnett	Deddeh	Lancaster	Quimby
Badham	Dixon	Lanterman	Russell
Bannai	Duffy	Lewis	Seeley
Bee	Dunlap	Lockyer	Sieroty
Berman	Fenton	MacDonald	Thomas
Beverly	Foran	MacGillivray	Thurman
Boatwright	Garcia	Maddy	Wakefield
Briggs	Gonsalves, Joe A.	McAlister	Warren
Burke	Hayden	Mobley	Waxman
Carter	Ingalls	Montoya	Wilson
Chacon	Johnson, Harvey	Moretti	Wood
Chappie	Johnson, Ray E.	Murphy	Z'berg
Collier	Kaploff	Nimmo	Mr Speaker
Cory	Keene	Papan	

NOES—None

The question being: Shall Mr Mobley, a nominee of the Republican Caucus to the Rules Committee, be approved or rejected?

The roll was called, and Mr Mobley was approved by the following vote (**AYES—63; NOES—None**):

AYES

Alatorre	Craven	Keysor	Powers
Antonovich	Davis	Knox	Priolo
Arnett	Deddeh	Lancaster	Quimby
Badham	Dixon	Lanterman	Russell
Bannai	Duffy	Lewis	Seeley
Bee	Dunlap	Lockyer	Sieroty
Berman	Fenton	MacDonald	Thomas
Beverly	Foran	MacGillivray	Thurman
Boatwright	Garcia	Maddy	Wakefield
Briggs	Gonsalves, Joe A.	McAlister	Warren
Burke	Hayden	Mobley	Waxman
Carter	Ingalls	Montoya	Wilson
Chacon	Johnson, Harvey	Moretti	Wood
Chappie	Johnson, Ray E.	Murphy	Z'berg
Collier	Kaploff	Nimmo	Mr Speaker
Cory	Keene	Papan	

NOES—None.

REACTIVATION OF COMMITTEES ON CONSTITUTIONAL AMENDMENTS AND WAYS AND MEANS

Speaker McCarthy announced that he had reactivated the Committees on Constitutional Amendments and Ways and Means for the 1973-74 Second Extraordinary Session, with the same membership as the 1973-74 Regular Session.

ANNOUNCEMENTS

Speaker McCarthy announced that the Committee on Public Employees and Retirement would meet at 2 p m today and the Committee on Ways and Means would meet at 9 a m tomorrow, October 1.

RULES TEMPORARILY SUSPENDED

Speaker McCarthy was granted unanimous consent that the Desk be held open today to receive the reports of the Committee on Public Employees and Retirement; that the rules be temporarily suspended to permit any bills reported from the committee to be taken up without reference to file, for purpose of second reading and adoption of committee amendments; that any amended bills be returned to the third reading file; and that all bills be considered engrossed.

Speaker McCarthy was also granted unanimous consent that Joint Rule 62(a) be waived for the purpose of permitting any bills that are reported from the Committee on Public Employees and Retirement and re-referred to the Committee on Ways and Means to be set for hearing in the Committee on Ways and Means.

CAUCUS ANNOUNCEMENTS

Speaker McCarthy announced that there would be a Democratic Caucus today, at 11:45 a m in Room 2170.

Mr. Murphy announced that there would be a Republican Caucus at 10:30 a m, October 1, 1974.

VOTE CHANGES

The following Members were granted unanimous consent to change their votes:

On the election of Mr. Ray E. Johnson as a member of the Committee on Rules: Messrs. Foran, Mobley, and Lanterman, "Aye".

On the election of Messrs. Robert H. Burke and Ernest N. Mobley as members of the Committee on Rules: Messrs. Mobley and Lanterman, "Aye".

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Constitutional Amendment No. 3: By Assemblyman Cullen—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 4 of Article IV thereof, relating to legislator's compensation and retirement.

Held at Desk by order of the Speaker.

Assembly Bill No. 14: By Assemblyman Cullen—An act to amend Section 8902 of, and to repeal Section 8901 of, the Government Code, relating to legislative compensation.

Held at Desk by order of the Speaker.

Assembly Bill No. 15: By Assemblyman Wilson—An act to amend Sections 17681, 17686, 24832, and 24835 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Held at Desk by order of the Speaker.

REFERENCE OF BILLS TO COMMITTEE

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

<i>Assembly Bill No.</i>	<i>Committee</i>
14-----	Public Employees and Retirement
<i>Assembly Constitutional Amendment No.</i>	<i>Committee</i>
3-----	Public Employees and Retirement

REPORTS OF STANDING COMMITTEES**Committee on Public Employees and Retirement**

Assembly Chamber, September 30, 1974

Mr Speaker: Your Committee on Public Employees and Retirement reports:

AB No 7

AB No. 9

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

DEDDER, Chairman

Above bills ordered to second reading.

Assembly Chamber, September 30, 1974

Mr Speaker: Your Committee on Public Employees and Retirement reports:

ACA No 1

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Constitutional Amendments.

DEDDER, Chairman

Above resolution ordered to second reading

**SECOND READING OF ASSEMBLY BILLS—
BY UNANIMOUS CONSENT**

Pursuant to unanimous consent granted earlier this day, the following bills were taken up, without reference to file, for purpose of second reading and adoption of committee amendments:

Assembly Bill No. 7—An act to amend Sections 9359.1, 9360 7, and 9360 9 of, and to repeal Sections 9356 7, 9359 01, 9359 02, and 9359 04 of the Government Code, relating to the Legislators' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Employees and Retirement, were read, and adopted:

Amendment No. 1

In line 2 of the heading of the printed bill, strike out "and Keene", and insert "Keene, Kapiloff, Thurman, Ray Gonzales, Keysor, Dixon, and Z'berg".

Amendment No. 2

In line 1 of the title, after "of", insert ", to add Section 9360.11 to".

Amendment No. 3

On page 10, between lines 26 and 27, insert "SEC. 7.5. Section 9360 11 is added to the Government Code, to read:

9360 11 Notwithstanding any other provisions of this chapter, any Member who would have been eligible to retire under Section 9359 01 prior to its repeal shall be deemed eligible for retirement for purposes of Sections 9360.7 and 9361.1 at any time thereafter."

Amendment No. 4

On page 10, line 27, strike out "Section 9359 01", and insert "Sections 9356 7, 9359.01, and 9359 02".

Amendment No. 5

On page 10, lines 31 and 32, strike out "Section 9359.01", and insert "those sections".

Amendment No. 6

On page 10, line 33, after "9", insert "If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable

SEC 10. This act may be cited as the Wilson-Kapiloff-Rains Legislative Retirement Reform Act of 1974.

SEC. 11."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 9—An act to amend Sections 9355 16, 9359 1, 9360 7, and 9360 9 of, and to repeal Sections 9356 7, 9359 01, 9359 02, and 9359 04 of the Government Code, relating to the Legislators' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Employees and Retirement, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 9355 16, 9359 1, 9360.7, and 9360.9 of,"; and strike out all of line 2 of the title, and insert "Section 9355.16".

Amendment No. 2

On page 3, strike out lines 19 to 40, inclusive; strike out pages 4 to 10, inclusive; and on page 11, strike out lines 1 to 24, inclusive.

Amendment No. 3

On page 11, line 25, strike out "SEC. 10", and insert "SEC. 2".

Amendment No. 4

On page 11, lines 31 and 32, strike out "who leave office".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 4 of Article III, Section 4 of Article IV, and Section 12 of Article V of, and by adding Section 6 to Article III thereof, relating to salaries and retirement of elected state officers.

Resolution read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Employees and Retirement, were read, and adopted:

Amendment No. 1

In line 1 of the heading of the printed measure, after "Z'berg," insert "Bond, Badham, Thurman, Joe A Gonsalves, Arnett,".

Amendment No. 2

On page 2, line 22, strike out "in", and insert "no later than August 1 of".

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments

ADJOURNMENT

At 8 p m., Speaker McCarthy declared the Assembly adjourned until 11 a.m., Tuesday, October 1, 1974.

LEO T. McCARTHY, Speaker

ANABEL FLEURY, Minute Clerk

CALIFORNIA LEGISLATURE

1973-74 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Third Legislative Day

Seventh Calendar Day

IN ASSEMBLY

Assembly Chamber, Sacramento

Tuesday, October 1, 1974

The Assembly met at 11 a m.

Hon Leo T McCarthy, Speaker of the Assembly, presiding.

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading.

ROLL CALL

The roll was called, and the following answered to their names—77:

Alatorre	Cullen	Kaploff	Nimmo
Antonovich	Davis	Keene	Papan
Arnett	Deddeh	Keysor	Powers
Badham	Dixon	Knox	Priolo
Bagley	Duffy	Lancaster	Quimby
Bannai	Dunlap	Lanterman	Ralph
Berman	Fenton	Lewis	Russell
Beverly	Fong	Lockyer	Seeley
Boatwright	Foran	MacDonald	Sieroty
Bond	Garcia	MacGillivray	Thomas
Briggs	Gonsalves, Joe A.	Maddy	Thurman
Brown	Gonzales, Ray	McAlister	Vasconcellos
Burke	Greene, Bill	McLennan	Wakefield
Carter	Greene, Leroy F	Mende	Warren
Chacon	Hayden	Miller	Waxman
Chappie	Holoman	Mobley	Wilson
Chne	Ingalls	Montoya	Wood
Collier	Johnson, Harvey	Moretti	Zberg
Cory	Johnson, Ray E.	Murphy	Mr. Speaker
Craven			

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Father Leo McAllister:

Father, You speak to men and women in human words and human deeds. You have given us the power to show each other what You are really like. We must take the time and the chance to be ourselves, not making false excuses for what we are, nor hiding behind a veil of what we are not. You have not been afraid to show us what You are, or what You would have us become.

We give You thanks for all that You have made us and all that You have called us to be.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker McCarthy, Mrs Fong then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

By unanimous consent, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Bee, on request of Speaker McCarthy.

The following Member was granted leave of absence for the day, on personal business, and desired to waive his per diem:

Mr. Karabian, on request of Speaker McCarthy.

ANNOUNCEMENTS

At 12:27 p.m., Speaker McCarthy announced that the Committee on Ways and Means would meet immediately in Room 4202; and that the Committee on Constitutional Amendments would meet immediately in the rear of the Assembly Chamber.

JOINT RULE 62(a) WAIVED

Mr. Z'berg was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Constitutional Amendment No. 1 for hearing in the Committee on Constitutional Amendments today.

RECESS

At 12:37 p.m., Speaker McCarthy declared the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened

Hon. Leo T. McCarthy, Speaker of the Assembly, presiding.

Quorum Call of the Assembly

Speaker McCarthy placed a quorum call upon the Assembly
Time, 2:15 p.m.

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

RECESS

By unanimous consent, at 2:24 p.m., Speaker McCarthy declared the Assembly recessed until 4:53 p.m.

REASSEMBLED

At 4:53 p.m., the Assembly reconvened

Hon. Leo T. McCarthy, Speaker of the Assembly, presiding.

MESSAGES FROM THE SENATE

Senate Chamber, September 30, 1974

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

SCR No. 2

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 2—Approving amendments to the Charter of the City of Mountain View, State of California, ratified by the qualified electors of the city at a special municipal charter election held therein on the ninth day of April, 1974.

Held at Desk by order of the Speaker.

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

Assembly Chamber, October 1, 1974

Mr Speaker - Your Committee on Ways and Means reports.

AB No. 9

With the recommendation - Do pass.

FORAN, Chairman

Above bill ordered to second reading.

Assembly Chamber, October 1, 1974

Mr Speaker - Your Committee on Ways and Means reports:

AB No. 7

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

FORAN, Chairman

~~Above bill ordered to second reading.~~

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP
ASSEMBLY BILL NO. 7**

Mr. Wilson was granted unanimous consent to take up Assembly Bill No. 7, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

Second Reading of Assembly Bill No. 7 by Unanimous Consent

Assembly Bill No. 7—An act to amend Sections 9359.1, 9360.7, and 9360.9 of, to add Section 9360.11 to, and to repeal Sections 9356.7, 9359.01, 9359.02, and 9359.04 of the Government Code, relating to the Legislators' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 8, line 24, of the printed bill, as amended in Assembly September 30, 1974, after "retirement", insert "benefits for his surviving spouse or dependent children".

Amendment No. 2

On page 9, strike out lines 9 to 11, inclusive.

Amendment No. 3

On page 9, line 12, strike out "11", and insert "10".

Amendment No. 4

In lines 3 and 4 of the heading, strike out "and Z'berg", and insert "Z'berg, Sieroty, Warren, Dunlap, McLennan, Lanterman, Collier, MacDonald, Mobley, Bagley, Dedden, Davis, Arnett, Maddy, and Hayden (Coauthors—Senators Rains and Stuenkel)".

Bill ordered reprinted.

NOTE: Later this day the action was rescinded whereby the above report of the Committee on Ways and Means relative to Assembly Bill No. 7 was received and read in the Assembly, whereby the bill was taken up without reference to file, read a second time, committee amendments to the bill read and adopted, and the bill ordered reprinted. See page 29.

CAUCUS ANNOUNCEMENTS

At 4:57 p m, Mr. Murphy was granted unanimous consent that the Republican Caucus be permitted to meet at this time in the Sergeant at Arms office.

**REQUEST FOR UNANIMOUS CONSENT TO RESCIND
ACTION ON ASSEMBLY BILL NO. 7**

Speaker McCarthy was granted unanimous consent to rescind the action whereby earlier this day, the Report of the Committee on Ways and Means relative to Assembly Bill No 7, was received and read in the Assembly, and whereby unanimous consent was granted, and the bill taken up without reference to file, read a second time, committee amendments read and adopted, and the bill ordered reprinted.

**REQUEST FOR UNANIMOUS CONSENT TO HOLD
SPECIAL MEETING OF COMMITTEE**

At 6.10 p m, Speaker McCarthy was granted unanimous consent to hold a special meeting of the Committee on Ways and Means at this time, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No 7 for further hearing at this time.

RECESS

By unanimous consent, at 6 29 p m., Speaker McCarthy declared the Assembly recessed until 7:22 p.m

REASSEMBLED

At 7 22 p m, the Assembly reconvened
Hon Leo T McCarthy, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

Assembly Chamber, October 1, 1974

Mr Speaker · Your Committee on Ways and Means reports:

AB No. 7

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

FORAN, Chairman

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP
ASSEMBLY BILL NO. 7**

Mr Wilson was granted unanimous consent to take up Assembly Bill No 7, without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time

Second Reading of Assembly Bill No. 7 by Unanimous Consent

Assembly Bill No. 7—An act to amend Sections 9359 1, 9360 7, and 9360 9 of, to add Section 9360 11 to, and to repeal Sections 9356 7, 9359 01, 9359 02, and 9359 04 of the Government Code, relating to the Legislators' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted.

Set No. 1**Amendment No. 1**

On page 8, line 34, of the printed bill, as amended in Assembly September 30, 1974, after "retirement", insert "benefits for his surviving spouse or dependent children".

Amendment No. 2

On page 9, strike out lines 9 to 11, inclusive.

Amendment No. 3

On page 9, line 12, strike out "11", and insert "10".

Amendment No. 4

In lines 3 and 4 of the heading, strike out "and Z'berg", and insert "Z'berg, Sieroty, Warren, Dunlap, McLennan, Lanterman, Collier, MacDonald, Mobley, Bagley, Deddeh, Davis, Arnett, Maddy, and Hayden

(Coauthors: Senators Rains and Stiern)".

Set No. 2**Amendment No. 1**

On page 8, line 33, of the printed bill, as amended in Assembly September 30, 1974, after "repeal", insert "had he chosen not to run or not been returned to office following the reapportionment of his district."

Amendment No. 2

In line 2 of the heading, after "Keene," insert "Bannai, Carter, Antonovich,".

Bill ordered reprinted.

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP
ASSEMBLY BILL NO. 7**

Mr. Wilson was granted unanimous consent to take up Assembly Bill No. 7, without reference to file, for purpose of consideration at this time, and that the bill be considered engrossed

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 7—An act to amend Sections 9359.1, 9360.7, and 9360.9 of, to add Section 9360.11 to, and to repeal Sections 9356.7, 9359.01, 9359.02, and 9359.04 of the Government Code, relating to the Legislators' Retirement System, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote (**AYES—73; NOES—1**):

AYES

Alatorre	Craven	Kapiloff	Nimmo
Antonovich	Davis	Keene	Papan
Arnett	Deddeh	Keysor	Powers
Badham	Dixon	Knox	Priolo
Bagley	Duffy	Lancaster	Ralph
Banna	Dunlap	Lanterman	Russell
Berman	Fenton	Lewis	Seeley
Beverly	Fong	Lockyer	Sieroty
Boatwright	Foran	MacDonald	Thomas
Bond	Garcia	MacGillivray	Thurman
Briggs	Gonsalves, Joe A.	Maddy	Vasconcellos
Brown	Gonzales, Ray	McAlister	Wakefield
Burke	Greene, Bill	McLennan	Warren
Carter	Greene, Leroy F.	Meade	Waxman
Chacon	Hayden	Mobley	Wilson
Chappie	Holoman	Montoya	Wood
Cline	Ingalls	Moretti	Z'berg
Collier	Johnson, Ray E.	Murphy	Mr. Speaker
Cory			

NOES

Miller

The question being on the passage of the bill

Bill passed by the following vote (**AYES—73; NOES—1**):

AYES

Alatorre	Craven	Kapiloff	Nimmo
Antonovich	Davis	Keene	Papan
Arnett	Deddeh	Keysor	Powers
Badham	Dixon	Knox	Priolo
Bagley	Duffy	Lancaster	Ralph
Banna	Dunlap	Lanterman	Russell
Berman	Fenton	Lewis	Seeley
Beverly	Fong	Lockyer	Sieroty
Boatwright	Foran	MacDonald	Thomas
Bond	Garcia	MacGillivray	Thurman
Briggs	Gonsalves, Joe A.	Maddy	Vasconcellos
Brown	Gonzales, Ray	McAlister	Wakefield
Burke	Greene, Bill	McLennan	Warren
Carter	Greene, Leroy F.	Meade	Waxman
Chacon	Hayden	Mobley	Wilson
Chappie	Holoman	Montoya	Wood
Cline	Ingalls	Moretti	Z'berg
Collier	Johnson, Ray E.	Murphy	Mr. Speaker
Cory			

NOES

Miller

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES
Committee on Constitutional Amendments

Assembly Chamber, October 1, 1974

Mr. Speaker: Your Committee on Constitutional Amendments reports:

ACA No. 1

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Ways and Means.

GARCIA, Chairman

Above bill ordered to second reading.

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP
ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 1**

Mr. Z'berg was granted unanimous consent to take up Assembly Constitutional Amendment No 1, without reference to file, for the purpose of reading the resolution a second time and adopting the committee amendments at this time and that the resolution be considered engrossed.

**Second Reading of Assembly Constitutional Amendment No. 1
By Unanimous Consent**

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the state, by amending Section 4 of Article III, Section 4 of Article IV, and Section 12 of Article V of, and by adding Section 6 to Article III thereof, relating to salaries and retirement of elected state officers.

Resolution read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

Amendment No. 1

In lines 2 and 3 of the heading of the printed measure, as amended in Assembly, September 30, 1974, strike out "McAlister, Boatwright, Dunlap, Ray Gonzales, and MacDonald", and insert "Antonovich, Bannai, Boatwright, Briggs, Carter, Craven, Cullen, Deddeh, Dixon, Dunlap, Fong, Garcia, Ray Gonzales, Hayden, Holoman, Kapiloff, MacDonald, McAlister, Montoya, Nimmo, Papan, Russell, and Vasconcellos

(Coauthor · Senator Nejedly)".

Amendment No. 2

In line 4 of the title, strike out the first comma, and insert "and".

Amendment No. 3

In line 4 of the title, strike out ", and Section"; and strike out line 5, and insert "of, by adding Section 6 to Article III of, and by repealing Section 12 of Article V".

Amendment No. 4

In line 6 of the title, strike out "salaries", and insert "compensation, expenses".

Amendment No. 5

On page 2, line 11, strike out "Salaries", and insert "Compensation".

Amendment No. 6

On page 2, line 17, after "Sec. 6.", insert "(a)".

Amendment No. 7

On page 3, lines 1 and 2, strike out ", beginning no later than August 1 of 1976," and insert "no later than December 15 of 1976 and each year thereafter".

Amendment No. 8

On page 2, lines 2 and 3, strike out "every even-numbered year prior to August 1 to", and insert "and".

Amendment No. 9

On page 3, line 3, strike out "salaries", and insert "compensation and reimbursement for living expenses".

Amendment No. 10

On page 3, line 7, strike out "following regular session", and insert "ensuing fiscal year".

Amendment No. 11

On page 3, in line 8, strike out "making this determination", and insert "establishing the compensation and reimbursement payable to such state officers".

Amendment No. 12

On page 3, line 10, strike out "occurring", and insert "occurring".

Amendment No. 13

On page 3, line 10, strike out "salary", and insert "compensation or reimbursement".

Amendment No. 14

On page 3, line 12, before "The", insert "(b)".

Amendment No. 15

On page 3, line 15, after the period, insert "The commission shall not make any change in that law which impairs the vested rights of Members of the Legislature."

Amendment No. 16

On page 3, in lines 16 and 17, strike out "regular session following August 1", and insert "ensuing fiscal year".

Amendment No. 17

On page 3, line 18, strike out "The", and insert
"(c) A referendum measure by the electors to reject a resolution of the commission or any part of a resolution may be proposed by presenting to the Secretary of State, within 90 days after the date of adoption of the resolution, a petition certified to have been signed by electors equal in number to 5 percent of the voters for all candidates for Governor at the last gubernatorial election, asking that the resolution of the commission or part of it be submitted to the electors. If the measure qualifies in an even-numbered year the Secretary of State shall submit the measure at the statewide primary election held that year. If the measure qualifies in an odd-numbered year, the Governor shall call a special statewide election for the measure on the first Tuesday of June of that year.

(d) The".

Amendment No. 18

On page 3, line 19, strike out "such", and insert "its".

Amendment No. 19

On page 3, line 29, after "Sec. 4", insert "(a) After June 1, 1976, any changes in the compensation, reimbursement for living expenses, and retirement benefits of Members of the Legislature shall be determined solely by the Commission on Legislative Salaries and Retirement."

Amendment No. 20

On page 3, in lines 29 and 30, strike out "Compensation of Members of the Legislature, and reimbursement", and insert
"(b) Reimbursement".

Amendment No. 21

On page 3, line 30, strike out "and living".

Amendment No. 22

On page 3, line 31, strike out "their official duties", and insert "the official duties of Members of the Legislature".

Amendment No. 23

On page 3, strike out lines 34 to 40, inclusive; and on page 4, strike out lines 1 to 27, inclusive.

Amendment No. 24

On page 4, strike out line 29, and insert "repealed."

Amendment No. 25

On page 4, strike out lines 30 to 40, inclusive, and insert
"Sec. 12. Compensation of the Governor, Lieutenant Governor, Attorney General, Controller, Secretary of State, Superintendent of Public Instruction, and Treasurer shall be prescribed by statute but may not be increased or decreased during a term."

Resolution ordered reprinted, and to be re-referred to the Committee on Ways and Means.

JOINT RULE 62(a) WAIVED

Mr Z'berg was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Constitutional Amendment No. 1 for hearing in the Committee on Ways and Means on Wednesday, October 2.

MESSAGES FROM THE SENATE

Senate Chamber, October 1, 1974

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

SB No. 1

DARRYL R WHITE, Secretary of the Senate
By John W Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 1—An act to amend Section 9360.7, and to repeal Sections 9356 7, 9359 01, 9359.02, and 9359 04 of the Government Code, relating to the Legislators' Retirement System, and declaring the urgency thereof, to take effect immediately.

Held at Desk by order of the Speaker

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bill was referred to committee:

Senate

Bill No.

Committee

1.....Public Employees and Retirement

JOINT RULE 62(a) WAIVED

Speaker McCarthy was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 1 for hearing in the Committee on Public Employees and Retirement on Wednesday, October 2

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP
SENATE CONCURRENT RESOLUTION NO. 2**

Mr Hayden was granted unanimous consent to take up Senate Concurrent Resolution No. 2 without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 2

Senate Concurrent Resolution No. 2—Approving amendments to the Charter of the City of Mountain View, State of California, ratified by the qualified electors of the city at a special municipal charter election held thereon on the ninth day of April, 1974.

Resolution read, presented by Mr Hayden, and adopted by the following vote (**AYES—65; NOES—None**):

AYES

Alatorre	Craven	Kapiloff	Murphy
Antonovich	Davis	Keene	Nimmo
Arnett	Deddeh	Knox	Papan
Bagley	Dixon	Lancaster	Powers
Bannai	Duffy	Lanterman	Priolo
Beverly	Dunlap	Lewis	Ralph
Boatwright	Fenton	Lockyer	Russell
Bond	Feran	MacDonald	Seeley
Briggs	Garcia	MacGillivray	Thurman
Brown	Gonsalves, Joe A	Maddy	Vasconcellos
Burke	Gonzales, Ray	McAlister	Warren
Carter	Hayden	Meade	Waxman
Chacon	Holoman	Miller	Wilson
Chappie	Ingalls	Mobley	Wood
Clune	Johnson, Harvey	Montoya	Z'berg
Collier	Johnson, Ray E.	Moretta	Mr. Speaker
Cory			

NOES—None.

Resolution ordered transmitted to the Senate.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 7:39 p.m., Speaker McCarthy declared the quorum call of the Assembly dispensed with.

RECESS

At 7:40 p.m., Speaker McCarthy declared the Assembly recessed until 8:06 p.m.

REASSEMBLED

At 8:06 p.m., the Assembly reconvened.

Hon. Leo T. McCarthy, Speaker of the Assembly, presiding.

VOTE CHANGES

The following Members were granted unanimous consent to change their votes:

On Assembly Bill No. 7; Messrs Berman and Bill Greene, "Aye".

ADJOURNMENT

At 8:08 p.m., Speaker McCarthy declared the Assembly adjourned until 10 a.m., Wednesday, October 2, 1974.

LEO T. McCARTHY, Speaker

ANABEL FLEURY, Minute Clerk

CALIFORNIA LEGISLATURE

1973-74 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Fourth Legislative Day

Eighth Calendar Day

IN ASSEMBLYAssembly Chamber, Sacramento
Wednesday, October 2, 1974

The Assembly met at 5 17 p m

Hon. Leo T McCarthy, Speaker of the Assembly, presiding

Chief Clerk James D Driscoll at the Desk.

Assistant Clerk Ray Monday reading

ROLL CALL

The roll was called, and the following answered to their names—76:

Alatorre	Cullen	Kapiloff	Nimmo
Antonovich	Davis	Keene	Papan
Arnett	Deddeh	Kejser	Powers
Badham	Dixon	Knox	Priolo
Bannai	Duffy	Lancaster	Quimby
Berman	Dunlap	Lanterman	Ralph
Beverly	Fenton	Lewis	Russell
Boatwright	Fong	Lockyer	Seeley
Bond	Foran	MacDonald	Sieroty
Briggs	Garcia	MacGillivray	Thomas
Brown	Gonsalves, Joe A	Maddy	Thurman
Burke	Gonzales, Ray	McAlister	Vasconcellos
Carter	Greene, Bill	McLennan	Wakefield
Chacon	Greene, Letoy F	Mcade	Warren
Chappie	Hayden	Miller	Wayman
Cline	Holoman	Mobley	Wilson
Collier	Ingalls	Montoya	Wood
Cory	Johnson, Harvey	Moretti	Z'berg
Craven	Johnson, Ray E	Murphy	Mr Speaker

Quorum present.

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

The following Member was granted leave of absence for the day, because of illness:

Mr. Bee, on request of Speaker McCarthy.

The following Members were granted leaves of absence for the day, on personal business, and desired to waive their per diem.

Mr. Bagley, on request of Speaker McCarthy.

Mr. Karabian, on request of Speaker McCarthy.

MESSAGES FROM THE SENATE

Senate Chamber, October 2, 1974

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

AB No. 7

And respectfully requests your honorable body to concur in said amendments.

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, October 2, 1974

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

SCR No. 3

DARRYL R. WHITE, Secretary of the Senate
By John W. Rovane, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read.

Senate Concurrent Resolution No. 3—Relative to final adjournment of the 1973-74 Second Extraordinary Session of the Legislature.

Held at Desk by order of the Speaker.

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP
SENATE AMENDMENTS TO ASSEMBLY BILL NO. 7**

Mr. Wilson was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 7, without reference to file.

Consideration of Senate Amendments to Assembly Bill No. 7

Assembly Bill No. 7—An act to amend Sections 9359 1, 9360 7, and 9360.9 of, to add Section 9360 11 to, and to repeal Sections 9356 7, 9359 01, 9359.02, and 9359 04 of the Government Code, relating to the Legislators' Retirement System, and declaring the urgency thereof, to take effect immediately.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 7?

Amendment No. 1

On page 3, line 36, of the printed bill, as amended in Assembly October 1, 1974, strike out "compensation payable to the officer at the time of his"; and on page 4, strike out "retirement", and insert

"highest compensation received by the officer while serving in such office".

Amendment No. 2

On page 7, line 11, after the period, insert "If there is no surviving spouse, or if such spouse dies or remarries, then the allowance payable under this paragraph shall be payable to the children of such member under the same conditions and qualifications as provided for the allowances of children under Article 8 (commencing with Section 9371) of this chapter."

Amendment No. 3

On page 8, strike out lines 31 to 40, inclusive, and insert "SEC 8. Section 9360 11 is added to the Government Code, to read: 9360.11 Notwithstanding any other provisions of this chapter, any member who would have been eligible to retire under Section 9359.01 had it not been repealed because he did not return to office or who would have been eligible to retire under such section had it not been repealed and had he chosen not to run or not been returned to office following the reapportionment of his district shall be deemed eligible for retirement for purposes of Sections 9360.7 and 9361.1 at any time thereafter."

Amendment No. 4

On page 9, line 6, strike out "2", and insert "3".

The roll was called, and the Assembly concurred in the above Senate amendments to Assembly Bill No. 7 by the following vote (AYES—71; NOES—None):

AYES

Alatorre	Davis	Keene	Powers
Antonovich	Deddeh	Keyser	Priolo
Arnett	Dixon	Lancaster	Quimby
Bannai	Duffy	Lanterman	Ralph
Berman	Dunlap	Lewis	Russell
Beverly	Fenton	Lockyer	Seeley
Boatwright	Fong	MacDonald	Sieroty
Bond	Foran	MacGillivray	Thomas
Briggs	Garcia	Maddy	Thurman
Brown	Gonsalves, Joe A.	McAlister	Vasconcellos
Burke	Gonzales, Ray	McLennan	Wakefield
Carter	Greene, Bill	Meade	Warren
Chappie	Greene, Leroy F.	Mobley	Waxman
Cline	Hayden	Montoya	Wilson
Collier	Holoman	Moretti	Wood
Cory	Ingalls	Murphy	Z'berg
Craven	Johnson, Ray E.	Nimmo	Mr. Speaker
Cullen	Kapiloff	Papan	

NOES—None.

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 3

By unanimous consent Senate Concurrent Resolution No. 3 was taken up without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 3

Senate Concurrent Resolution No. 3—Relative to final adjournment of the 1973-74 Second Extraordinary Session of the Legislature.

Resolution read, and adopted

Resolution ordered transmitted to the Senate.

RECESS

At 5:20 p.m., Speaker McCarthy declared the Assembly recessed until 5:58 p.m.

REASSEMBLED

At 5:58 p.m., the Assembly reconvened.

Hon. Leo T. McCarthy, Speaker of the Assembly, presiding.

VOTE CHANGES

The following Members were granted unanimous consent to change their votes:

On concurrence in Senate amendments to Assembly Bill No. 7: Messrs. Vasconcellos, Powers, Sieroty, Bond, Cline, and Berman, "Aye".

APPROVAL OF JOURNALS

By unanimous consent, the Assembly Daily Journals for September 25 and 30, and October 1 and 2, 1974, were approved as corrected by the Minute Clerk.

REPORTS OF STANDING COMMITTEES**Committee on Public Employees and Retirement**

Assembly Chamber, October 2, 1974

Mr. Speaker: Your Committee on Public Employees and Retirement reports:

AB No. 1	AB No. 5	AB No. 11
AB No. 2	AB No. 6	AB No. 12
AB No. 3	AB No. 8	AB No. 13
AB No. 4	AB No. 10	AB No. 14

Without action.

DEDDEH, Chairman

Assembly Chamber, October 2, 1974

Mr. Speaker: Your Committee on Public Employees and Retirement reports:

ACA No. 2
ACA No. 3

Without action.

DEDDEH, Chairman

Assembly Chamber, October 2, 1974

Mr. Speaker: Your Committee on Public Employees and Retirement reports:

ACR No. 2

Without action.

DEDDEH, Chairman

Assembly Chamber, October 2, 1974

Mr. Speaker: Your Committee on Public Employees and Retirement reports:

SB No 1

Without action.

DEDDEH, Chairman

Above bill ordered transmitted to the Senate.

Committee on Rules

Assembly Chamber, September 30, 1974

Mr Speaker: Your Committee on Rules reports:

ACR No 1

Without action.

RALPH, Chairman

Assembly Chamber, September 30, 1974

Mr Speaker Your Committee on Rules reports:

HR No. 5

Without action.

RALPH, Chairman

Committee on Ways and Means

Assembly Chamber, October 2, 1974

Mr Speaker: Your Committee on Ways and Means reports the following bill pursuant to the provisions of Joint Rule 62(a):

ACA No 1

FORAN, Chairman

Above resolution ordered filed with the Chief Clerk.

COMMUNICATIONS

Assembly Chamber, October 4, 1974

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

Assembly Bill No. 7—An act to amend Sections 9359.1, 9360.7, and 9360.9 of, to add Section 9360.11 to, and to repeal Sections 9356.7, 9359.01, 9359.02, and 9359.04 of the Government Code, relating to the Legislators' Retirement System, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 10 a m., October 4, 1974

JAMES D. DRISCOLL, Chief Clerk

BILLS REMAINING ON FILE WITHOUT FURTHER ACTION

The following bill remained on the Assembly Second Reading File, without further action:

Assembly Bill No. 9.

BILLS HELD AT DESK WITHOUT FURTHER ACTION

The following bill was held at the Desk, without further action:

Assembly Bill No. 15.

ASSEMBLY COMMITTEE ROLL CALLS

CONSTITUTIONAL AMENDMENTS

RECORD OF ROLL CALLS

Date of Hearing	10-1-74												
Bill No.	ACA 1												
ACTION VOTED ON	Be Adopted w/Author's Amendments												
	TO WAR Com.												
	Aye	No	Aye	No	Aye	No	Aye	No	Aye	No	Aye	No	Aye
Asmorch	X												
Craven	X												
Holman	X												
McAllister	X												
Montoya	X												
Vasconcellos	X												
Garcia, (Chmn)	X												
	Ayes 7	Noes 0	Ayes	Noes	Ayes	Noes	Ayes	Noes	Ayes	Noes	Ayes	Noes	Ayes

OCT 1 1974

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Signed

Alex S. Garcia
ALEX S. GARCIA

PUBLIC EMPLOYERS AND RETIREMENT

RECORD OF ROLL CALLS

Date of Hearing	9/30/74		9/30/74		9/30/74		9/30/74		9/30/74		9/30/74		9/30/74	
Bill No.	ACA 1		AB 7		AB 9		AB 1		AB 5		AB 7		AB 7	
ACTION VOTED ON	Be Adopted re-refer to Constitutional Amendments Committee		Do Pass as Amended re-refer to Ways & Means		Do Pass as Amended re-refer to Ways & Means		Do Pass Motion Failed		Z'berg substitute motion to table		Russell Amendment		Papan Amendment	
	Aye	No	Aye	No	Aye	No	Aye	No	Aye	No	Aye	No	Aye	No
Carter	X		X		X		X		X		X		X	
Fong	X		X		X		X		Abstain		Abstain		X	
Kaploff	X		X		X		X		X		Abstain		X	
Bennel	X		X		X		X		X		X		X	
Russell	X		X		X		X		X		X		X	
Z'berg	X		X		X		X		X		X		X	
Dizon (V. Chan)	X		X		X		X		X		X		X	
Jedidah (Chen)	X		X		X		X		X		X		X	
Papan	X		X		X		X		Abstain		X		Abstain	
	Ayes 9	Noes 0	Ayes 9	Noes 0	Ayes 7	Noes 2	Ayes 4	Noes 2	Ayes 5	Noes 3	Ayes 3	Noes 4	Ayes 6	Noes 3

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OCT 1 1974

Signed

Wadie P. Deider
WADIE P. DEIDER

WAYS AND MEANS
RECORD OF ROLL CALLS

Date of Hearing	10-1-74	10-1-74	10-1-74	10-1-74	10-1-74	10-1-74						
Bill No.	AB 7	AB 7	AB 7	AB 7	AB 7	AB 7						
ACTION VOTED ON	Motion On Adoption of Amendments	Do Pass Amended	Motion To Rescind Previous Roll Call	Motion On Adoption of Amendments	Do Pass Amended	Do Pass						
	Defeated		Adopted	Adopted								
	Yea	No	Yea	No	Yea	No	Yea	No	Yea	No	Yea	No
Radnan	✓		✓		✓		✓		✓		✓	
Begley	✓		✓		✓		✓		✓		✓	
Chacon	✓		✓		✓		✓		✓		✓	
Chapple	✓		✓		✓		✓		✓		✓	
Collier	✓		✓		✓		✓		✓		✓	
Cory	✓		✓		✓		✓		✓		✓	
Davis	✓		✓		✓		✓		✓		✓	
Duffy	✓		✓		✓		✓		✓		✓	
Dunlap	✓		✓		✓		✓		✓		✓	
Greene, Bill	✓		✓		✓		✓		✓		✓	
Knox	✓		✓		✓		✓		✓		✓	
Macdonald	✓		✓		✓		✓		✓		✓	
Miller	✓		✓		✓		✓		✓		✓	
Mobley	✓		✓		✓		✓		✓		✓	
Spence	✓		✓		✓		✓		✓		✓	
Stacey	✓		✓		✓		✓		✓		✓	
Vasconcellos	✓		✓		✓		✓		✓		✓	
Warren	✓		✓		✓		✓		✓		✓	
T'bars	✓		✓		✓		✓		✓		✓	
Lanterman (V Chen)	✓		✓		✓		✓		✓		✓	
Foran (Chen)	✓		✓		✓		✓		✓		✓	
	Yea 9	No 10	Yea 20	No 1	Yea 21	No 0	Yea 21	No 0	Yea 30	No 1	Yea 11	No 7
	Yea	No	Yea	No	Yea	No	Yea	No	Yea	No	Yea	No

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Signed *John J. Fourn*
Chairman

WAYS AND MEANS
RECORD OF ROLL CALLS

Date of Hearing	10-1-74	10-2-74				
Bill No.	AB 7	AB 7				
ACTION VOTED ON	Do Pass Amended	Do Pass Amended				
	Defeated					
	Yea	No	Yea	No	Yea	No
Radnan	✓		✓			
Begley	✓					
Chacon	✓		✓			
Chapple	✓		✓			
Collier	✓					
Cory	✓					
Davis	✓		✓			
Duffy	✓		✓			
Dunlap	✓		✓			
Greene, Bill	✓					
Knox	✓		✓			
Macdonald	✓		✓			
Miller	✓		✓			
Mobley	✓		✓			
Spence	✓					
Stacey	✓					
Vasconcellos	✓		✓			
Warren	✓		✓			
T'bars	✓		✓			
Lanterman (V Chen)	✓		✓			
Foran (Chen)	✓		✓			
	Yea 13	No 0	Yea 7	No 0	Yea	No
	Yea	No	Yea	No	Yea	No

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Signed *John J. Fourn*
Chairman

ADJOURNMENT

At 6:01 p.m., Speaker McCarthy declared the Assembly adjourned sine die for the 1973-74 Second Extraordinary Session of the Legislature, pursuant to the provisions of Senate Concurrent Resolution No. 3.

LEO T. McCARTHY, Speaker

ANABEL FLEURY, Minute Clerk