

Volume 6

Journal of the Assembly

Legislature of the State of California

1995–96 Regular Session

December 5, 1994 to November 30, 1996

1995–96 First Extraordinary Session

January 19, 1995 to September 1, 1996

1995–1996 Second Extraordinary Session

February 17, 1995 to September 1, 1996

1995–96 Third Extraordinary Session

January 4, 1996 to March 15, 1996

1995–96 Fourth Extraordinary Session

February 13, 1996 to March 28, 1996



HON. CURT PRINGLE
Speaker

HON. FRED AGUIAR
Speaker pro Tempore

HON. JAMES E. ROGAN
Majority Floor Leader

HON. RICHARD KATZ
Minority Floor Leader

E. DOTSON WILSON
Chief Clerk of the Assembly

Volume 6

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CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Saturday, August 31, 1996

TWO HUNDRED SIXTY-FOURTH SESSION DAY

SIX HUNDRED THIRTY-SIXTH 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
Saturday, August 31, 1996

The Assembly met at 10 a.m.
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Conroy moved a quorum call of the Assembly.
Motion carried. Time, 10:01 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 10:25 a.m., Speaker pro Tempore Aguiar declared a quorum of
the Assembly present.

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

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Setencich
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McPherson	Vasconcellos
Brown	Harvey	Migden	Villaraigosa
Brulte	Hauser	Miller	Weggeland
Burton	Hawkins	Morrissey	Woods
Bustamante	Hoge	Morrow	Mr. Speaker

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O Lord, We confess that true life, a life of faith in You begins at any age and on any day. You, O Lord, have the power to redeem the past, sanctify the present and brighten the future. Grant us all who are gathered here this morning, an understanding heart, that we may see into the hearts of Your people, and know their strengths and weaknesses, their need of love and their need to love. And finally we ask that the members of this Assembly and its staff, know in abundance all the good things on earth, and be found worthy to enjoy the promised blessings as well. For You O God, are the God of mercy and compassion and to You we send up all glory, to the Father and the Son and the Holy Spirit, now and always and to the ages.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Members Caldera and Hannigan.

SPECIAL RECOGNITION

Assembly Member Frusetta gave special recognition to his daughter, Nancy Barbara Frusetta, on the occasion of her 28th birthday.

COMMITTEE MEETING CANCELED

Assembly Member Knowles announced that the meeting of the Committee on Insurance scheduled for Tuesday, September 3, 1996 has been canceled, and will be rescheduled to October 1, 1996.

CONGRATULATIONS EXTENDED

Assembly Member Migden introduced Elaine Mackis, wife of Assembly Sergeant George Mackis, and was joined by the Members of the Assembly in extending congratulations to them on the occasion of their 25th wedding anniversary on September 11, 1996.

**CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS**

SENATE BILL NO. 858 (Mountjoy)—An act to amend Section 7102 of, and to add Section 7104 to, the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor.

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

Call of the Assembly

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

Motion carried. Time, 10:40 a.m.

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

SENATE BILL NO. 752 (Kopp)—An act to add Section 2144 to the Elections Code, relating to elections.

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

Call of the Assembly

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

Motion carried. Time, 10:50 a.m.

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

SENATE BILL NO. 1414 (Greene)—An act to amend Sections 17770, 17775, 17776, 46205, 52122, 52123, and 52124 of, to add Sections 37611.5, 52121.5, and 52122.5 to, and to add and repeal Section 17775.5 of, the Education Code, relating to class size reduction in public elementary schools, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—74

Ackerman	Campbell	House	Napolitano
Aguiar	Cannella	Isenberg	Olberg
Alby	Conroy	Kaloogian	Pochigian
Alpert	Cortese	Katz	Rainey
Archie-Hudson	Cunneen	Knight	Richter
Baca	Davis	Kuehl	Rogan
Baldwin	Ducheny	Kuykendall	Setencich
Bates	Escutia	Lee	Speier
Battin	Figueroa	Machado	Sweeney
Baugh	Firestone	Margett	Takasugi
Boland	Friedman	Martinez	Thompson
Bordonaro	Frusetta	Mazzoni	Tucker
Bowen	Gallegos	McPherson	Vasconcellos
Bowler	Goldsmith	Migden	Villaraigosa
Brewer	Granlund	Miller	Weggeland
Brown	Harvey	Morrissey	Woods
Brulte	Hauser	Morrow	Mr. Speaker
Burton	Hawkins	Murray, Kevin	
Bustamante	Hoge	Murray, Willard	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—74

Ackerman	Campbell	House	Napolitano
Aguiar	Cannella	Isenberg	Olberg
Alby	Conroy	Kaloogian	Poochigian
Alpert	Cortese	Katz	Rainey
Archie-Hudson	Cunneen	Knight	Richter
Baca	Davis	Kuehl	Rogan
Baldwin	Ducheny	Kuykendall	Setencich
Bates	Escutia	Lee	Speier
Battin	Figueroa	Machado	Sweeney
Baugh	Firestone	Margett	Takasugi
Boland	Friedman	Martinez	Thompson
Bordonaro	Frusetta	Mazzoni	Tucker
Bowen	Gallegos	McPherson	Vasconcellos
Bowler	Goldsmith	Migden	Villaraigosa
Brewer	Granlund	Miller	Weggeland
Brown	Harvey	Morrissey	Woods
Brulte	Hauser	Morrow	Mr. Speaker
Burton	Hawkins	Murray, Kevin	
Bustamante	Hoge	Murray, Willard	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1698 (Haynes)—An act to amend Section 451.5 of the Penal Code, relating to arson.

Bill read third time, and presented by Assembly Member Kevin Murray.

Bill passed by the following vote:

AYES—71

Ackerman	Cannella	Isenberg	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Katz	Poochigian
Alpert	Cunneen	Knowles	Rainey
Archie-Hudson	Davis	Kuehl	Richter
Baca	Ducheny	Kuykendall	Rogan
Baldwin	Escutia	Lee	Setencich
Battin	Figueroa	Machado	Speier
Baugh	Firestone	Margett	Sweeney
Boland	Frusetta	Martinez	Takasugi
Bordonaro	Gallegos	Mazzoni	Thompson
Bowler	Goldsmith	McPherson	Tucker
Brewer	Granlund	Migden	Vasconcellos
Brown	Harvey	Miller	Villaraigosa
Brulte	Hauser	Morrissey	Weggeland
Burton	Hawkins	Morrow	Woods
Bustamante	Hoge	Murray, Kevin	Mr. Speaker
Campbell	House	Murray, Willard	

NOES—1

Bowen

Bill ordered transmitted to the Senate.

CONSIDERATION OF SENATE BILL NO. 1823 BY UNANIMOUS CONSENT

Assembly Member Burton was granted unanimous consent to take up Senate Bill No. 1823, out of order.

SENATE BILL NO. 1823 (Marks)—An act to amend Sections 2340, 2341, and 2342 of, and to add Section 1805 to, the Probate Code, relating to professional fiduciaries.

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

Bill passed by the following vote:

AYES—73

Ackerman	Cannella	Isenberg	Olberg
Aguiar	Conroy	Kaloogian	Poochigian
Alpert	Cortese	Katz	Rainey
Archie-Hudson	Cunneen	Knowles	Richter
Baca	Davis	Kuehl	Rogan
Baldwin	Ducheny	Kuykendall	Setencich
Bates	Escutia	Lee	Speier
Battin	Figueroa	Machado	Sweeney
Baugh	Firestone	Margett	Takasugi
Boland	Friedman	Martinez	Thompson
Bordonaro	Frusetta	Mazzoni	Tucker
Bowen	Gallegos	McPherson	Vasconcellos
Bowler	Goldsmith	Migden	Villaraigosa
Brewer	Granlund	Miller	Weggeland
Brown	Harvey	Morrissey	Woods
Brulte	Hauser	Morrow	Mr. Speaker
Burton	Hawkins	Murray, Kevin	
Bustamante	Hoge	Murray, Willard	
Campbell	House	Napolitano	

NOES—None

Bill ordered transmitted to the Senate.

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

SENATE BILL NO. 76 (Haynes)—An act to add and repeal Section 35179.5 of Education Code, relating to school districts.

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

Bill passed by the following vote:

AYES—73

Ackerman	Conroy	Kaloogian	Olberg
Aguiar	Cortese	Katz	Poochigian
Alby	Cunneen	Knight	Rainey
Alpert	Davis	Knowles	Richter
Archie-Hudson	Ducheny	Kuehl	Rogan
Baca	Escutia	Kuykendall	Setencich
Baldwin	Figueroa	Lee	Speier
Battin	Firestone	Machado	Sweeney
Baugh	Friedman	Margett	Takasugi
Boland	Frusetta	Martinez	Thompson
Bordonaro	Gallegos	Mazzoni	Tucker
Bowen	Goldsmith	McPherson	Vasconcellos
Bowler	Granlund	Migden	Villaraigosa
Brewer	Harvey	Miller	Weggeland
Brown	Hauser	Morrissey	Woods
Brulte	Hawkins	Morrow	Mr. Speaker
Burton	Hoge	Murray, Kevin	
Bustamante	House	Murray, Willard	
Cannella	Isenberg	Napolitano	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 2067 (Haynes)—An act to add Sections 8625 and 8721 to the Family Code, relating to children.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:05 a.m.

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

REQUEST FOR UNANIMOUS CONSENT

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

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

SENATE BILL NO. 1906 (Johnston)—An act to amend Section 1765.1 of the Insurance Code, relating to insurance.

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

Bill passed by the following vote:

AYES—76

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Setencich
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McPherson	Vasconcellos
Brown	Harvey	Migden	Villaraigosa
Brulte	Hauser	Miller	Weggeland
Burton	Hawkins	Morrissey	Woods
Bustamante	Hoge	Morrow	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 217 (Beverly)—An act to amend Sections 18990 and 18992 of, and to repeal and add Section 18993 of, the Government Code, relating to state employees, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—76

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poohigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Setencich
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McPherson	Vasconcellos
Brown	Harvey	Migden	Villaraigosa
Brulte	Hauser	Miller	Weggeland
Burton	Hawkins	Morrissey	Woods
Bustamante	Hoge	Morrow	Mr. Speaker

NOES—None

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

AYES—76

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poohigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Setencich
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McPherson	Vasconcellos
Brown	Harvey	Migden	Villaraigosa
Brulte	Hauser	Miller	Weggeland
Burton	Hawkins	Morrissey	Woods
Bustamante	Hoge	Morrow	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1516 (Solis)—An act to amend Sections 300, 317, 361, 361.2, 366.21, 366.22, and 16500 of, and to add Section 300.2 to, the Welfare and Institutions Code, relating to dependent children.

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

Bill passed by the following vote:

AYES—61

Aguiar	Campbell	Katz	Napolitano
Alby	Cannella	Knowles	Olberg
Alpert	Conroy	Knox	Poochigian
Archie-Hudson	Cortese	Kuehl	Rainey
Baca	Cunneen	Kuykendall	Rogan
Bates	Davis	Lee	Setencich
Battin	Escutia	Machado	Sweeney
Boland	Firestone	Margett	Takasugi
Bordonaro	Friedman	Martinez	Tucker
Bowen	Frusetta	Mazzoni	Vasconcellos
Bowler	Gallegos	Migden	Villaraigosa
Brewer	Goldsmith	Miller	Woods
Brown	Granlund	Morrissey	Mr. Speaker
Brulte	Hawkins	Morrow	
Burton	Hoge	Murray, Kevin	
Bustamante	Kaloogian	Murray, Willard	

NOES—13

Ackerman	Harvey	McPherson	Weggeland
Baugh	Hauser	Richter	
Ducheny	House	Speier	
Figueroa	Isenberg	Thompson	

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Kuehl was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marie Whipp, of North Hollywood.

Assembly Member Baldwin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles E. Cordell, of El Cajon.

BILLS PLACED ON INACTIVE FILE

The following bills were placed upon the inactive file:

Senate Bill No. 1076, by unanimous consent;

Senate Bill No. 1515, by unanimous consent.

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

SENATE BILL NO. 1378 (Peace)—An act to amend Section 290 of the Penal Code, relating to sex offenders.

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

Bill passed by the following vote:

AYES—75

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Vasconcellos
Brewer	Granlund	Migden	Villaraigosa
Brown	Harvey	Miller	Weggeland
Brulte	Hauser	Morrissey	Woods
Burton	Hawkins	Morrow	Mr. Speaker
Bustamante	Hoge	Murray, Kevin	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1864 (Alquist)—An act to repeal and add Chapter 12.3 (commencing with Section 8876.1) of Division 1 of Title 2 of the Government Code, relating to seismic safety, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—74

Ackerman	Campbell	Isenberg	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Vasconcellos
Brewer	Granlund	Migden	Villaraigosa
Brown	Harvey	Miller	Weggeland
Brulte	Hauser	Morrissey	Woods
Burton	Hawkins	Morrow	
Bustamante	Hoge	Murray, Kevin	

NOES—1

House

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—74

Ackerman	Campbell	Isenberg	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Vasconcellos
Brewer	Granlund	Migden	Villaraigosa
Brown	Harvey	Miller	Weggeland
Brulte	Hauser	Morrissey	Woods
Burton	Hawkins	Morrow	
Bustamante	Hoge	Murray, Kevin	

NOES—1

House

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Bustamante was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dale Alderette, of Selma.

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

SENATE BILL NO. 1502 (Kopp)—An act to amend, repeal, and add Section 1001.65 of the Penal Code, and to amend Sections 19705, 19706, 19717, and 19721 of the Revenue and Taxation Code, relating to taxation.

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

Bill passed by the following vote:

AYES—74

Ackerman	Cannella	Kaloogian	Napolitano
Aguiar	Conroy	Katz	Olberg
Alby	Cortese	Knight	Poochigian
Alpert	Cunneen	Knowles	Rainey
Archie-Hudson	Davis	Knox	Richter
Baca	Ducheny	Kuehl	Rogan
Baldwin	Escutia	Kuykendall	Setencich
Bates	Figueroa	Lee	Speier
Battin	Firestone	Machado	Sweeney
Baugh	Friedman	Margett	Takasugi
Boland	Frusetta	Martinez	Thompson
Bordonaro	Callegos	Mazzoni	Tucker
Bowen	Goldsmith	McPherson	Vasconcellos
Bowler	Granlund	Migden	Villaraigosa
Brewer	Harvey	Miller	Weggeland
Brown	Hauser	Morrissey	Woods
Brulte	Hawkins	Morrow	Mr. Speaker
Burton	Hoge	Murray, Kevin	
Bustamante	House	Murray, Willard	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1841 (Mello)—An act to amend Section 84300 of the Government Code, relating to the Political Reform Act of 1974.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:26 a.m.

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

SENATE BILL NO. 1529 (Kopp)—An act to amend Section 160006 of the Public Utilities Code, and add Section 30922 to the Streets and Highways Code, relating to transportation.

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

Bill passed by the following vote:

AYES—74

Ackerman	Cannella	Kaloogian	Napolitano
Aguiar	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Vasconcellos
Brewer	Granlund	Migden	Villaraigosa
Brown	Harvey	Miller	Weggeland
Brulte	Hauser	Morrissey	Woods
Burton	Hawkins	Morrow	Mr. Speaker
Bustamante	House	Murray, Kevin	
Campbell	Isenberg	Murray, Willard	

NOES—1

Hoge

Bill ordered transmitted to the Senate.

SENATE BILL NO. 2164 (Hayden)—An act to amend Section 11057 of the Health and Safety Code, relating to controlled substances.

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

Bill passed by the following vote:

AYES—75

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Setencich
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McPherson	Villaraigosa
Brown	Harvey	Migden	Weggeland
Brulte	Hauser	Miller	Woods
Burton	Hawkins	Morrissey	Mr. Speaker
Bustamante	Hoge	Morrow	

NOES—None

Bill ordered transmitted to the Senate.

At 11:28 a.m., Hon. James E. Rogan, 43rd District, presiding

SENATE BILL NO. 1646 (Johnson)—An act to add Section 1714.35 to the Civil Code, relating to civil liability.

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

Call of the Assembly

Pending the announcement of the vote, Assembly Member Archie-Hudson moved a call of the Assembly.

Motion carried. Time, 11:37 a.m.

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

SENATE BILL NO. 1865 (Craven)—An act to amend Section 6591 of the Government Code, relating to bonds.

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

Bill passed by the following vote:

AYES—74

Ackerman	Cannella	Isenberg	Murray, Willard
Aguiar	Conroy	Kaloogian	Napolitano
Alby	Cortese	Katz	Olberg
Alpert	Cunneen	Knight	Poochigian
Archie-Hudson	Davis	Knowles	Rainey
Baca	Ducheny	Knox	Rogan
Baldwin	Escutia	Kuehl	Setencich
Bates	Figueroa	Kuykendall	Speier
Battin	Firestone	Lee	Sweeney
Baugh	Friedman	Machado	Takasugi
Boland	Frusetta	Margett	Thompson
Bordonaro	Gallegos	Martinez	Tucker
Bowen	Goldsmith	Mazzoni	Vasconcellos
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Harvey	Migden	Weggeland
Brulte	Hauser	Miller	Woods
Burton	Hawkins	Morrissey	Mr. Speaker
Bustamante	Hoge	Morrow	
Campbell	House	Murray, Kevin	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1609 (Petris)—An act to amend Sections 30, 485, 486, 489, 7317, 7330, 7335, and 7417 of, to amend and renumber Section 7431.5 of, to add Section 7412.5 to, and to repeal Sections 7302, 7311, 7312, 7314, 7314.1, 7314.2, 7320, 7322, 7373, 7384, 7390, 7391, 7392, 7393, 7394, 7395, 7396, 7397, 7398, 7399, 7403, 7412, 7420, 7431, 7436, 7437, 7437.3, and 7444 of, the Business and Professions Code, relating to barbering and cosmetology.

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

Bill passed by the following vote:

AYES—55

Alby	Cannella	Kaloogian	Napolitano
Alpert	Conroy	Knight	Olberg
Archie Hudson	Cortese	Knowles	Poochigian
Baca	Gunneen	Kuehl	Rainey
Bates	Davis	Kuykendall	Rogan
Battin	Ducheny	Lee	Seteneich
Boland	Escutia	Machado	Takasugi
Bowen	Figueroa	Margett	Tucker
Bowler	Firestone	Mazzone	Vasconcellos
Brewer	Frusetta	McPherson	Villaraigosa
Brulte	Gallegos	Migden	Wegeland
Burton	Cranlund	Miller	Woods
Bustamante	Hoge	Morrissey	Mr. Speaker
Campbell	Isenberg	Murray, Kevin	

NOES—17

Ackerman	Goldsmith	Katz	Speier
Aguilar	Harvey	Knox	Thompson
Baldwin	Hauser	Martinez	
Baugh	Hawkins	Morrow	
Bordonaro	House	Murray, Willard	

Bill ordered transmitted to the Senate.

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 1609 was passed, and whereby the bill was ordered transmitted to the Senate. See page 9023.)

SENATE BILL NO. 569 (Leonard)—An act to amend Section 17717.7 of, to add Section 17727 to, and to add Part 68 (commencing with Section 100400) to, the Education Code, to amend Sections 53080, 53080.1, 65995, 65996, and 66007 of, and to add Section 65995.4 to, the Government Code, and to repeal Section 9 of Chapter 1354 of the Statutes of 1992 and Section 2 of Chapter 333 of the Statutes of 1996, relating to governmental functions, including providing the funds necessary for public education facilities construction through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:42 a.m.

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

SENATE BILL NO. 2139 (Haynes)—An act to amend Section 14089.05 of the Welfare and Institutions Code, relating to Medi-Cal.

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

Bill passed by the following vote:

AYES—74

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Rogan
Baldwin	Ducheny	Kuehl	Setencich
Bates	Escutia	Kuykendall	Speier
Battin	Figueroa	Lee	Sweeney
Baugh	Firestone	Machado	Takasugi
Boland	Friedman	Margett	Thompson
Bordonaro	Frusetta	Martinez	Tucker
Bowen	Gallegos	Mazzoni	Vasconcellos
Bowler	Goldsmith	McPherson	Villaraigosa
Brewer	Granlund	Migden	Weggeland
Brown	Harvey	Miller	Woods
Brulte	Hauser	Morrissey	Mr. Speaker
Burton	Hawkins	Morrow	
Bustamante	Hoge	Murray, Kevin	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1205 (Hughes)—An act to amend Section 4108 of the Food and Agricultural Code, and to amend Section 830.7 of the Penal Code, relating to fairs and expositions.

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

Bill passed by the following vote:

AYES—71

Ackerman	Cannella	Kaloogian	Murray, Willard
Aguiar	Cortese	Katz	Napolitano
Alby	Davis	Knight	Olberg
Alpert	Ducheny	Knowles	Poochigian
Archie-Hudson	Escutia	Knox	Rainey
Baca	Figueroa	Kuehl	Richter
Bates	Firestone	Kuykendall	Rogan
Battin	Friedman	Lee	Setencich
Baugh	Frusetta	Machado	Speier
Boland	Gallegos	Margett	Sweeney
Bordonaro	Goldsmith	Martinez	Takasugi
Bowler	Granlund	Mazzoni	Tucker
Brewer	Harvey	McPherson	Vasconcellos
Brown	Hauser	Migden	Villaraigosa
Brulte	Hawkins	Miller	Weggeland
Burton	Hoge	Morrissey	Woods
Bustamante	House	Morrow	Mr. Speaker
Campbell	Isenberg	Murray, Kevin	

NOES—3

Bowen	Cunneen	Thompson
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Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 1205: Assembly Member Bowen, from "Aye" to "No".

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1748 (Committee on Housing and Land Use)—An act to amend Section 42238 of the Education Code, to amend Sections 65009, 65040.3, 65352, 65920, and 66031 of, to amend and renumber Section 65302.9 of, to add Section 66000.5 to, and to repeal Sections 65035.1 and 65907 of, the Government Code, to amend Sections 18025.5, 18035.1, 18075.5, 18117, 18304, 19825, 33021, 33320.2, 33324, 33367, 33676, and 51622 of, to repeal Section 33030.5 of, and to repeal Article 4 (commencing with Section 33250) of Chapter 3 of Part 1 of Division 24 of, the Health and Safety Code, relating to the Housing and Land Use Omnibus Act of 1996.

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

Bill passed by the following vote:

AYES—75

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Rogan
Bates	Escutia	Kuehl	Setencich
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Bowler	Goldsmith	Mazzoni	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Harvey	Migden	Weggeland
Brulte	Hauser	Miller	Woods
Burton	Hawkins	Morrissey	Mr. Speaker
Bustamante	Hoge	Morrow	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1943 (Watson)—An act to add Sections 14087.327 and 14087.328 to the Welfare and Institution Code, relating to Medi-Cal.

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

Bill passed by the following vote:

AYES—57

Ackerman	Cannella	Katz	Napolitano
Aguiar	Cortese	Knox	Rainey
Alpert	Cunneen	Kuehl	Rogan
Archie-Hudson	Davis	Kuykendall	Setencich
Baca	Ducheny	Lee	Speier
Bates	Escutia	Machado	Sweeney
Battin	Figuroa	Margett	Takasugi
Baugh	Firestone	Martinez	Tucker
Boland	Friedman	Mazzoni	Vasconcellos
Bordonaro	Frusetta	McPherson	Villaraigosa
Bowen	Gallegos	Migden	Woods
Brown	Granlund	Miller	Mr. Speaker
Burton	Hauser	Morrissey	
Bustamante	Hawkins	Murray, Kevin	
Campbell	Isenberg	Murray, Willard	

NOES—14

Bowler	Goldsmith	Kaloogian	Thompson
Brewer	Harvey	Knight	Weggeland
Brulte	Hoge	Knowles	
Conroy	House	Olberg	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 1943: Assembly Member Brulte, from “Aye” to “No”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1391 (Johnston)—An act to amend Sections 1370 and 1370.1 of the Penal Code, and to amend Sections 4800, 4801, 6500, 6504.5, 6506, 6509, and 6513 of the Welfare and Institutions Code, relating to criminal procedure.

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

Bill passed by the following vote:

AYES—73

Ackerman	Cannella	Kaloogian	Napolitano
Aguiar	Conroy	Katz	Olberg
Alby	Cortese	Knight	Poochigian
Alpert	Cunneen	Knowles	Rainey
Archie-Hudson	Davis	Knox	Rogan
Baca	Ducheny	Kuehl	Setencich
Baldwin	Escutia	Kuykendall	Speier
Bates	Figuroa	Lee	Sweeney
Battin	Firestone	Machado	Takasugi
Baugh	Friedman	Margett	Thompson
Boland	Frusetta	Martinez	Tucker
Bordonaro	Gallegos	Mazzoni	Vasconcellos
Bowen	Goldsmith	McPherson	Villaraigosa
Bowler	Granlund	Migden	Weggeland
Brewer	Harvey	Miller	Woods
Brown	Hauser	Morrissey	Mr. Speaker
Brulte	Hawkins	Morrow	
Burton	Hoge	Murray, Kevin	
Bustamante	House	Murray, Willard	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1504 (Calderon)—An act to amend Section 54952 of the Government Code, relating to open meetings.

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

Call of the Assembly

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

Motion carried. Time, 11:52 a.m.

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

SENATE BILL NO. 661 (Maddy)—An act to amend Sections 12718 and 12737 of the Insurance Code, relating to health insurance.

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

Bill passed by the following vote:

AYES—72

Ackerman	Bustamante	Hoge	Murray, Kevin
Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Kaloogian	Napolitano
Alpert	Conroy	Knight	Olberg
Archie-Hudson	Cortese	Knowles	Poochigian
Baca	Cunneen	Knox	Rainey
Baldwin	Davis	Kuehl	Rogan
Bates	Ducheny	Kuykendall	Setencich
Battin	Escutia	Lee	Speier
Baugh	Figueroa	Machado	Sweeney
Boland	Firestone	Margett	Takasugi
Bordonaro	Friedman	Martinez	Thompson
Bowen	Frusetta	Mazzoni	Tucker
Bowler	Gallegos	McPherson	Vasconcellos
Brewer	Goldsmith	Migden	Villaraigosa
Brown	Granolund	Miller	Weggeland
Brulte	Harvey	Morrissey	Woods
Burton	Hauser	Morrow	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 908, on request of Assembly Member Escutia.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 2112 (Leonard)—An act to amend Sections 33200 and 34120 of the Health and Safety Code, relating to community development.

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

Call of the Assembly

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

Motion carried. Time, 12:02 p.m.

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

SENATE BILL NO. 282 (Johannessen)—An act to amend Sections 3304 and 3309.5 of, and to add Section 3306.5 to, the Government Code, relating to public safety officers.

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

Bill passed by the following vote:

AYES—66

Ackerman	Cannella	Katz	Olberg
Aguiar	Conroy	Knight	Poochigian
Alby	Cortese	Knowles	Rainey
Alpert	Cunneen	Knox	Richter
Archie-Hudson	Davis	Kuehl	Rogan
Baca	Figueroa	Kuykendall	Setencich
Baldwin	Firestone	Machado	Speier
Battin	Frusetta	Margett	Sweeney
Baugh	Gallegos	Martinez	Takasugi
Boland	Goldsmith	Mazzoni	Thompson
Bordonaro	Granlund	McPherson	Tucker
Bowen	Harvey	Miller	Vasconcellos
Bowler	Hauser	Morrissey	Weggeland
Brewer	Hawkins	Morrow	Woods
Brown	Hoge	Murray, Kevin	Mr. Speaker
Brulte	House	Murray, Willard	
Bustamante	Kaloogian	Napolitano	

NOES—4

Bates	Burton	Lee	Migden
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Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 282: Assembly Members Knox and Kevin Murray, from "No" to "Aye".

Bill ordered transmitted to the Senate.

SENATE BILL NO. 980 (Solis)—An act to amend Section 18 of Chapter 204 of the Statutes of 1996, relating to postsecondary education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—72

Ackerman	Bustamante	House	Murray, Kevin
Aguiar	Campbell	Kaloogian	Murray, Willard
Alby	Cannella	Katz	Napolitano
Alpert	Conroy	Knight	Olberg
Archie-Hudson	Cortese	Knowles	Poochigian
Baca	Cunneen	Knox	Rainey
Baldwin	Davis	Kuehl	Rogan
Bates	Ducheny	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Vasconcellos
Brewer	Granlund	Migden	Villaraigosa
Brown	Harvey	Miller	Weggeland
Brulte	Hauser	Morrissey	Woods
Burton	Hoge	Morrow	Mr. Speaker

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—72

Ackerman	Bustamante	House	Murray, Kevin
Aguiar	Campbell	Kaloogian	Murray, Willard
Alby	Cannella	Katz	Napolitano
Alpert	Conroy	Knight	Olberg
Archie-Hudson	Cortese	Knowles	Poochigian
Baca	Cunneen	Knox	Rainey
Baldwin	Davis	Kuehl	Rogan
Bates	Ducheny	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Vasconcellos
Brewer	Granlund	Migden	Villaraigosa
Brown	Harvey	Miller	Weggeland
Brulte	Hauser	Morrissey	Woods
Burton	Hoge	Morrow	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1162 (Leslie)—An act to add and repeal Sections 13202.3 and 14907 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—70

Ackerman	Conroy	Isenberg	Napolitano
Aguiar	Cortese	Kaloogian	Olberg
Alby	Cunneen	Knight	Poochigian
Alpert	Davis	Knowles	Rainey
Archie-Hudson	Ducheny	Knox	Richter
Baca	Escutia	Kuehl	Rogan
Baldwin	Figueroa	Kuykendall	Setencich
Battin	Firestone	Lee	Speier
Baugh	Friedman	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Tucker
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Harvey	Miller	Weggeland
Brown	Hauser	Morrissey	Woods
Brulte	Hawkins	Morrow	Mr. Speaker
Bustamante	Hoge	Murray, Kevin	
Cannella	House	Murray, Willard	

NOES—2

Migden Vasconcellos

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—70

Ackerman	Conroy	Isenberg	Napolitano
Aguiar	Cortese	Kaloogian	Olberg
Alby	Cunneen	Knight	Poochigian
Alpert	Davis	Knowles	Rainey
Archie-Hudson	Ducheny	Knox	Richter
Baca	Escutia	Kuehl	Rogan
Baldwin	Figueroa	Kuykendall	Setencich
Battin	Firestone	Lee	Speier
Baugh	Friedman	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Tucker
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Harvey	Miller	Weggeland
Brown	Hauser	Morrissey	Woods
Brulte	Hawkins	Morrow	Mr. Speaker
Bustamante	Hoge	Murray, Kevin	
Cannella	House	Murray, Willard	

NOES—2

Migden Vasconcellos

Bill ordered transmitted to the Senate.

SENATE BILL NO. 398 (Dills)—An act to amend Sections 19406 and 19414 of, and to amend, add, and repeal Section 19613 of, the business and Professions Code, relating to horseracing.

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

Bill passed by the following vote:

AYES—74

Ackerman	Campbell	Isenberg	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Tucker
Bowen	Gallegos	Mazzoni	Vasconcellos
Bowler	Goldsmith	McPherson	Villaraigosa
Brewer	Granlund	Migden	Weggeland
Brown	Harvey	Miller	Woods
Brulte	Hauser	Morrissey	Mr. Speaker
Burton	Hawkins	Morrow	
Bustamante	Hoge	Murray, Kevin	

NOES—2

House Thompson

Bill ordered transmitted to the Senate.

BILL RETURNED TO SENATE

Without objection, Assembly Member Margett returned Assembly Bill No. 2377 to the Senate for further action.

At 12:10 p.m., Speaker Curt Pringle, 68th District, presiding

SPECIAL CEREMONY HONORING RETIRING MEMBERS

At 12:16 p.m. a special ceremony was convened to honor Members retiring from the California State Assembly.

The following resolution was read:

House Resolution No. 57

By Assembly Member Pringle

Relative to commending the Honorable Tom Bates.

WHEREAS, The Honorable Tom Bates, the distinguished and able Assembly Member from the 14th Assembly District, is drawing to a close his tenure with the California State Assembly following 20 years of exemplary service, and it is appropriate at this time to highlight his many achievements and to commend him for his illustrious record of service to the State of California; and

WHEREAS, A native Californian, Tom Bates was born in San Diego and raised in La Habra Heights and graduated from the University of California at Berkeley, where he was a letterman in both football and rugby and a starting member of the 1959 University of California Rose Bowl team; and

WHEREAS, Prior to his election to the California State Assembly, he served four years as an Alameda County supervisor; and

WHEREAS, Assembly Member Tom Bates was first elected to the California State Assembly in 1976 as the representative of the 14th Assembly District, which includes Albany, Berkeley, El Cerrito, El Sobrante, Emeryville, Kensington, Richmond, San Pablo, and parts of Oakland, and he was reelected to a 10th term in 1994; and

WHEREAS, He has served the Assembly admirably as a member of the Committees on Appropriations, Budget, Consumer Protection, Governmental Efficiency and Economic Development, Human Services, Insurance, Education, and Agriculture, as Vice Chair of the Committee on Human Services, and as a member of the Budget, Consumer Protection, Appropriations, and Natural Resources Committees and the Select Committees on California's Children and Defense Conversion, and he is the senior Democratic member on welfare reform issues; and

WHEREAS, He has served with distinction as Co-Chair of the Legislative Task Force on the Changing Family, the first legislative body of its kind in the nation to address family policy issues, and he was Co-Chair of the Welfare Reform Committee of the National Conference of State Legislatures; and

WHEREAS, During his distinguished tenure with the California State Assembly, he has carried important legislation in the areas of mental health, child care, senior health care, urban creek restoration, campaign financing, micro-breweries, fire prevention, parks development, San Francisco Bay and coastal protection, welfare reform, education, and housing, and he has personally authored 214 bills that have been signed into law, including the establishment of the Eastshore State Park, the Bay Area's premier urban shoreline park; and

WHEREAS, Assembly Member Bates is the Founding Chairperson of the East Bay Public Safety Corridor partnership, an innovative collaboration involving Alameda and Contra Costa Counties and

nearly three dozen cities and school districts working together to prevent crime and violence; and

WHEREAS, He is the father of two sons, Casey and Jon, and is married to Loni Hancock; and

WHEREAS, Through his professional, public, and community activities, he has made a significant impact on the people of the 14th Assembly District and the State of California, and he will be sorely missed by those individuals with whom he has been associated; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members express their appreciation to their fellow public official and friend, Assembly Member Tom Bates, for his many invaluable contributions to the people of the State of California throughout his distinguished tenure with the California State Assembly, and convey to him best wishes for continued success in the future; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the Honorable Tom Bates.

House Resolution No. 57 Taken Up by Unanimous Consent

Assembly Member Campbell was granted unanimous consent to take up House Resolution No. 57, without reference to committee or file.

HOUSE RESOLUTION NO. 57—Relative to commending the Honorable Tom Bates.

Resolution read, and adopted unanimously.

Best Wishes Expressed

Speaker Pringle appointed Assembly Member Campbell to escort Assembly Member Bates to the Rostrum, whereupon a resolution was presented expressing the best wishes of all Members of the Assembly as he departs the California State Assembly.

Assembly Member Tom Bates then addressed the assemblage.

* * *

House Resolution No. 63

By Assembly Member Pringle

Relative to commending the Honorable Barbara Friedman.

WHEREAS, The Honorable Barbara Friedman, the distinguished and able Assembly Member from the 40th Assembly District, is drawing to a close her tenure with the California State Assembly following more than five years of exemplary service, and it is appropriate at this time to highlight the many achievements of her illustrious tenure and to extend to her the highest commendations; and

WHEREAS, Barbara Friedman was first elected to the California State Assembly in a special election on July 31, 1991, and has represented the 40th Assembly District, which includes Van Nuys and portions of Canoga Park, Encino, North Hollywood, Northridge, Panorama City, Reseda, Sherman Oaks, Studio City, and Sun Valley; and

WHEREAS, During her service in the California State Legislature she has achieved particular success as to issues concerning health,

women, and children, including passage of landmark breast cancer legislation that created a statewide research and early detection program and established the most far-reaching breast cancer program ever launched by a state, financed by the first cigarette tax to pass the Legislature in 27 years; and

WHEREAS, In the 1995–96 Regular Session of the Legislature, Assembly Member Friedman carried legislation seeking to establish a state committee to study the feasibility of publishing five-year survival rates for breast and prostate cancer patients under the care of a health maintenance organization (HMO), authored a bill prohibiting various bonus compensation payments to HMO utilization reviewers for denial of care, and introduced legislation to require HMOs to provide independent experts to review denials of care to terminally ill patients; and

WHEREAS, She authored the Battered Women Support Act of 1994, the most significant domestic violence measure in California's history and, in 1995, she succeeded in procuring the enactment of legislation to require alternative schooling for students expelled from school; and

WHEREAS, Assembly Member Friedman has distinguished herself through her legislative tenure, as Vice Chair of the Assembly Health Committee, as Chair of the Assembly Select Committee on California's Health Care Safety Net, as Chair of the former Ways and Means Subcommittee on Health and Human Services, and as a member of the Committees on Insurance, Banking and Finance, Appropriations, and Agriculture; and

WHEREAS, She has demonstrated a longtime commitment to the community and public service, in that, prior to her election to the California State Assembly, she served as Chief Deputy to Los Angeles City Controller Rick Tuttle and as Chief of Staff for Assembly Member Burt Margolin, and was a community organizer in Arkansas and Texas, assisting low- and moderate-income families to gain access to health care programs and government services; and

WHEREAS, Assembly Member Friedman was raised in Los Angeles and graduated from the University of California at Berkeley with a Bachelor of Arts degree in history; and

WHEREAS, Through her professional, public, and community activities, she has made a significant impact on the people of the 40th Assembly District and the State of California, and will be sorely missed by those individuals with whom she has been associated; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members take great pride in honoring Assembly Member Barbara Friedman for her outstanding service to the people of the 40th Assembly District and the people of California during her tenure as a Member of the Legislature, and extend to her heartiest best wishes for happiness and success in her future endeavors; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the Honorable Barbara Friedman.

House Resolution No. 63 Taken Up by Unanimous Consent

Assembly Member Alpert was granted unanimous consent to take up House Resolution No. 63, without reference to committee or file.

HOUSE RESOLUTION NO. 63—Relative to commending the Honorable Barbara Friedman.

Resolution read, and adopted unanimously.

Best Wishes Expressed

Speaker Pringle appointed Assembly Member Alpert to escort Assembly Member Friedman to the Rostrum, whereupon a resolution was presented expressing the best wishes of all Members of the Assembly as she departs the California State Assembly.

Assembly Member Barbara Friedman then addressed the assemblage.

* * *

House Resolution No. 79

By Assembly Member Pringle

Relative to commending the Honorable Dominic L. Cortese.

WHEREAS, Assembly Member Dominic L. Cortese is drawing to a close his tenure with the California State Assembly following 16 years of exemplary service, and it is appropriate at this time to highlight the many achievements of his illustrious tenure and to extend to him the highest commendations; and

WHEREAS, A native Californian, Dominic L. Cortese was born in San Jose and has been a resident of the Evergreen area for the past 20 years; and

WHEREAS, He graduated from Bellarmine College Preparatory in 1950 and received his Bachelor of Science degree in political science from the University of Santa Clara in 1954; and

WHEREAS, He served his country with distinction from 1954 to 1956 as a First Lieutenant in the United States Army; and

WHEREAS, Long active in the community affairs of his district, he was a member of the Santa Clara County Board of Supervisors for 12 years and served as the board's chairperson for 3 years; he also provided outstanding leadership as Chairperson of the Santa Clara County Transit District, the Regional Criminal Justice Planning Board, and the Santa Clara County Local Agency Formation Commission, and was Chairperson of the Executive Board of the California Association of LAFCO's from April 1972 until November 1973; and

WHEREAS, Assembly Member Dominic Cortese was first elected to the California State Assembly in 1980 to represent the 24th Assembly District; due to redistricting, he currently represents the new 23rd Assembly District which encompasses downtown San Jose, including the Guadalupe River Park, Lake Cunningham Park, the Civic Center, San Jose State University, and the Santa Clara County Fairgrounds; and

WHEREAS, He has served the Assembly admirably as Chair of the Water, Parks and Wildlife Committee and as a member of the Agriculture, Elections, Reapportionment and Constitutional Amendments, Governmental Organization, Public Employees, Retirement and Social Security, and Utilities and Commerce

Committees, and the Select Committee on California Wine Production and Economy; and

WHEREAS, While he has introduced, coauthored, and supported legislation on numerous issues of importance to his district, he is renowned for his authorship of legislation creating the Santa Clara County Transit District and the County Commissions on Drug Abuse, Alcoholism, Consumer Affairs, the Status of Women, and Human Relations, and the Mobilehome Owners Task Force; and

WHEREAS, Assembly Member Cortese has been the recipient of numerous awards, honors, and special recognitions, including the El Matador Fellowship Award, which is the highest award bestowed by the California Contract Cities Association, the First Legislative Merit Award from the Association of California Water Agencies, the Commitment to Children Award from the Association for the Education of Young Children, and the Legislator of the Year award from numerous organizations; in 1995 he received the Legislator of the Year Award from the California Park and Recreation Society, becoming the only legislator to have received this distinction twice, and he was also a 1995 Honorary Member of the California Aquaculture Association; and

WHEREAS, A public-spirited and civic-minded citizen, he has provided dynamic leadership as a member of the Civic Club of San Jose, the American Legion Post 250, the Benevolent and Protective Order of Elks Lodge 522, and the Italian American Heritage Foundation; and

WHEREAS, Through his professional, public, and community activities, he has made a significant impact on the people of the 23rd Assembly District and the State of California, and he will be sorely missed by those individuals with whom he has been associated; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members express their appreciation to their fellow public official and friend, Assembly Member Dominic L. Cortese, for his many invaluable contributions to the people of the State of California throughout his distinguished tenure with the California State Assembly, and convey to him best wishes for continued success in the future; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the Honorable Dominic L. Cortese.

House Resolution No. 79 Taken Up by Unanimous Consent

House Resolution No. 79 was taken up, without reference to committee or file.

HOUSE RESOLUTION NO. 79—Relative to commending the Honorable Dominic L. Cortese.

Resolution read, and adopted unanimously.

Farewell Remarks

Assembly Member Cortese was escorted to the Rostrum by Assembly Members Rogan and Cannella whereupon he addressed the assemblage expressing his gratitude to his constituents and colleagues and his pleasure in having served in the California State Assembly.

Best Wishes Expressed

Speaker Pringle presented a resolution to Assembly Member Cortese expressing the best wishes of all Members of the Assembly as he departs the California State Assembly.

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

SENATE BILL NO. 2091 (Beverly)—An act to amend Section 2938 of the Civil Code, to amend Section 2101 of the Code of Civil Procedure, to amend Sections 9104, 9105, 9402, 9403, and 9407 of, and to add Division 17 (commencing with Section 17101) to, the Commercial Code, and to amend Section 129052 of the Health and Safety Code, relating to commercial law.

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

Bill passed by the following vote:

AYES—73

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Rogan
Baldwin	Ducheney	Kuehl	Speier
Bates	Escutia	Kuykendall	Sweeney
Battin	Figueroa	Lee	Takasugi
Baugh	Firestone	Machado	Thompson
Boland	Friedman	Margett	Tucker
Bordonaro	Frusetta	Martinez	Vasconcellos
Bowen	Gallegos	Mazzoni	Villaraigosa
Bowler	Goldsmith	McPherson	Weggeland
Brewer	Granlund	Migden	Woods
Brown	Harvey	Miller	Mr. Speaker
Bulte	Hauser	Morrissey	
Burton	Hawkins	Morrow	
Bustamante	Hoge	Murray, Kevin	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 2161 (Leslie)—An act to amend Section 290.5 of the Penal Code, and to add Section 6600.1 to the Welfare and Institutions Code, relating to sex offenders.

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

Bill passed by the following vote:

AYES—69

Ackerman	Cannella	House	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Katz	Poochigian
Alpert	Cunneen	Knight	Rainey
Archie-Hudson	Davis	Knowles	Rogan
Baca	Ducheny	Knox	Setencich
Baldwin	Escutia	Kuehl	Speier
Battin	Figueroa	Kuykendall	Sweeney
Baugh	Firestone	Machado	Takasugi
Boland	Friedman	Margett	Thompson
Bordonaro	Frusetta	Martinez	Tucker
Bowen	Gallegos	Mazzoni	Vasconcellos
Bowler	Goldsmith	McPherson	Weggeland
Brewer	Granlund	Miller	Woods
Brown	Harvey	Morrissey	Mr. Speaker
Brulte	Hauser	Morrow	
Burton	Hawkins	Murray, Kevin	
Bustamante	Hoge	Murray, Willard	

**NOES—None
Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 2161: Assembly Member Migden, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1583 (Calderon)—An act to add Chapter 10 (commencing with Section 249) to Title 8 of Part 1 of the Penal Code, relating to defamation.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:35 p.m.

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

REQUEST FOR UNANIMOUS CONSENT

Assembly Member House was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frank A. Lopes, Jr., of Twain Harte.

ACTION RESCINDED ON SENATE BILL NO. 1609

Assembly Member Firestone was granted unanimous consent to rescind the action whereby the Assembly, earlier this day (Assembly Journal, page 9009), passed Senate Bill No. 1609, and whereby the bill was ordered transmitted to the Senate.

Consideration of Senate Bill No. 1609 by Unanimous Consent

Assembly Member Firestone was granted unanimous consent to take up Senate Bill No. 1609, without reference to file, for purpose of consideration.

SENATE BILL NO. 1609 (Petris)—An act to amend Sections 30, 485, 486, 489, 7317, 7330, 7335, and 7417 of, to amend and renumber Section 7431.5 of, to add Section 7412.5 to, and to repeal Sections 7302, 7311, 7312, 7314, 7314.1, 7314.2, 7320, 7322, 7373, 7384, 7390, 7391, 7392, 7393, 7394, 7395, 7396, 7397, 7398, 7399, 7403, 7412, 7420, 7431, 7436, 7437, 7437.3, and 7444 of, the Business and Professions Code, relating to barbering and cosmetology.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:46 p.m.

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

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

Upon request of Assembly Member Baldwin, pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 1513 to the Committee on Education.

SPECIAL COMMITTEE MEETINGS

Assembly Member Baldwin was granted unanimous consent that the Committee on Education be permitted to hold a special meeting today, at 2 p.m., in Room 4202, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 1513 for hearing.

MESSAGES FROM THE SENATE

Senate Chamber, August 30, 1996

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

Assembly Bill No. 1184

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.

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

Upon request of Assembly Member Granlund, pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 1184 to the Committee on Health.

SPECIAL COMMITTEE MEETINGS

Assembly Member Granlund was granted unanimous consent that the Committee on Health be permitted to hold a special meeting today, at 2:15 p.m., in Room 4202, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bills Nos. 161, 1841, 3109, and 1184 for hearing.

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

Upon request of Assembly Member Bowler, pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 2852 to the Committee on Transportation.

SPECIAL COMMITTEE MEETINGS

Assembly Member Bowler was granted unanimous consent that the Committee on Transportation be permitted to hold a special meeting today, at 2 p.m., in the Tom Bane Rules Committee Room, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 2852 for hearing.

COMMITTEE MEETING ANNOUNCEMENTS

Speaker Pringle announced that the Committee on Local Government would meet at 2 p.m. today, upon recess of Floor session; and that the Committee on Education would meet today at 2 p.m., in Room 4202.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 858**

At 1:49 p.m., on motion of Assembly Member Margett, 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, 1:49 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. 752**

At 1:50 p.m., on motion of Assembly Member Knight, 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, 1:50 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. 2067**

At 1:51 p.m., on motion of Assembly Member Brewer, 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 Kuehl moved to continue the call of the Assembly.

Motion carried. Time, 1:51 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. 1841**

At 1:51 p.m., on motion of Assembly Member Brewer, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1841 passed by the following vote:

AYES—62

Aguiar	Cunneen	Kaloogian	Napolitano
Alpert	Davis	Katz	Olberg
Archie-Hudson	Ducheny	Knowles	Poochigian
Baca	Escutia	Knox	Rainey
Bates	Figueroa	Kuehl	Rogan
Battin	Firestone	Kuykendall	Setencich
Bordonaro	Friedman	Lee	Speier
Bowen	Callegos	Machado	Sweeney
Brewer	Goldsmith	Margett	Takasugi
Brown	Granlund	Martinez	Tucker
Brulte	Harvey	Mazzoni	Vasconcellos
Burton	Hauser	McPherson	Villaraigosa
Bustamante	Hawkins	Migden	Weggeland
Campbell	Hoge	Miller	Mr. Speaker
Cannella	House	Murray, Kevin	
Cortese	Isenberg	Murray, Willard	

NOES—7

Ackerman	Baugh	Knight	Thompson
Baldwin	Boland	Morrow	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1646**

At 1:52 p.m., on motion of Assembly Member Archie-Hudson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1646 passed by the following vote:

AYES—44

Ackerman	Brulte	Hoge	Murray, Willard
Aguiar	Conroy	House	Olberg
Alby	Cortese	Kaloogian	Poochigian
Baldwin	Cunneen	Knight	Rainey
Battin	Firestone	Knowles	Richter
Baugh	Frusetta	Kuykendall	Rogan
Boland	Goldsmith	Margett	Takasugi
Bordonaro	Granlund	McPherson	Thompson
Bowen	Harvey	Miller	Weggeland
Bowler	Hauser	Morrissey	Woods
Brewer	Hawkins	Morrow	Mr. Speaker

NOES—30

Alpert	Cannella	Katz	Napolitano
Archie-Hudson	Davis	Knox	Speier
Baca	Ducheny	Kuehl	Sweeney
Bates	Escutia	Lee	Tucker
Brown	Figueroa	Martinez	Vasconcellos
Burton	Friedman	Mazzoni	Villaraigosa
Bustamante	Callegos	Migden	
Campbell	Isenberg	Murray, Kevin	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO SENATE BILL NO. 569**

At 1:52 p.m., on motion of Assembly Member Olberg, 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, 1:52 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. 1504**

At 1:53 p.m., on motion of Assembly Member Hawkins, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1504 passed by the following vote:

AYES—51

Ackerman	Bustamante	Hoge	Murray, Willard
Aguiar	Conroy	House	Olberg
Alby	Cortese	Kaloogian	Poochigian
Alpert	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Firestone	Kuykendall	Rogan
Battin	Frusetta	Margett	Setencich
Baugh	Callegos	Martinez	Takasugi
Boland	Goldsmith	Mazzoni	Thompson
Bordonaro	Granlund	McPherson	Weggeland
Bowler	Harvey	Miller	Woods
Brewer	Hauser	Morrissey	Mr. Speaker
Brulte	Hawkins	Morrow	

NOES—22

Archie-Hudson	Cannella	Katz	Speier
Bates	Ducheny	Knox	Sweeney
Bowen	Escutia	Kuehl	Vasconcellos
Brown	Figueroa	Lee	Villaraigosa
Burton	Friedman	Migden	
Campbell	Isenberg	Murray, Kevin	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 1504: Assembly Member Mazzoni, from "No" to "Aye".

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 2112**

At 1:53 p.m., on motion of Assembly Member Brulte, 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, 1:53 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. 1583**

At 1:54 p.m., on motion of Assembly Member Morrow, 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, 1:54 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1609**

At 1:54 p.m., on motion of Assembly Member Firestone, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Record Expunged and Action Rescinded on Senate Bill No. 1609

Assembly Member Burton was granted 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. 1609, and that the bill be placed upon the inactive file.

COMMUNICATIONS

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

August 31, 1996

*E. Dotson Wilson
Chief Clerk, State Assembly
State Capitol, Room 3196*

Dear Mr. Wilson: Please be advised that Assembly Member Migden is temporarily appointed to the Health Committee, replacing Assembly Member Burton, for the purpose of today's hearing.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

RECESS

By unanimous consent, at 1:55 p.m., Speaker Pringle declared the Assembly recessed.

REASSEMBLED

At 3:45 p.m., the Assembly reconvened.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

ENGIROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 31, 1996

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 444 | Assembly Bill No. 2221 |
| Assembly Bill No. 573 | Assembly Bill No. 2432 |
| Assembly Bill No. 588 | Assembly Bill No. 2564 |
| Assembly Bill No. 622 | Assembly Bill No. 2588 |
| Assembly Bill No. 1077 | Assembly Bill No. 2599 |
| Assembly Bill No. 1137 | Assembly Bill No. 2827 |
| Assembly Bill No. 1751 | Assembly Bill No. 3106 |
| Assembly Bill No. 1941 | Assembly Bill No. 3145 |
| Assembly Bill No. 1999 | Assembly Bill No. 3263 |
| Assembly Bill No. 2135 | |

And reports the same correctly enrolled, and presented to the Governor at 2 p.m., August 31, 1996.

E. DOTSON WILSON, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Date of Hearing: August 31, 1996

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 2852

With the recommendation: That the Senate amendments be concurred in.

BOWLER, Chairman

Above bill ordered to unfinished business.

Committee on Health

Date of Hearing: August 31, 1996

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1184

Assembly Bill No. 3109

With the recommendation: That the Senate amendments be concurred in.

GRANLUND, Chairman

Above bills ordered to unfinished business.

Date of Hearing: August 31, 1996

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 161

With the recommendation: Be concurred in, and be re-referred to the Committee on Appropriations.

GRANLUND, Chairman

Above bill re-referred to the Committee on Appropriations.

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

ASSEMBLY BILL NO. 2294 (Sweeney)—An act to amend Section 3058.6 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.

Call of the Assembly

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

Motion carried. Time, 3:46 p.m.

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

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

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

Senate Bills Nos. 575 and 484, ordered to third reading.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 2294**

At 3:46 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 Assembly concurred in Senate amendments to Assembly Bill No. 2294 by the following vote:

AYES—65

Ackerman	Burton	Hauser	Morrow
Aguiar	Bustamante	Hawkins	Murray, Kevin
Alby	Cannella	Hoge	Murray, Willard
Alpert	Conroy	House	Napolitano
Archie-Hudson	Cortese	Kaloogian	Olberg
Baca	Cunneen	Katz	Rainey
Baldwin	Davis	Knox	Richter
Bates	Ducheny	Kuehl	Rogan
Battin	Escutia	Kuykendall	Speier
Baugh	Figueroa	Lee	Sweeney
Boland	Firestone	Machado	Takasugi
Bordonaro	Friedman	Martinez	Thompson
Bowen	Frusetta	Mazzoni	Villaraigosa
Bowler	Callegos	McPherson	Weggeland
Brewer	Goldsmith	Migden	
Brown	Granlund	Miller	
Brulte	Harvey	Morrissey	

NOES—None

Above bill ordered enrolled.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 644, on request of Assembly Member Richter.

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

ASSEMBLY BILL NO. 2848 (Speier)—An act to add and repeal Section 11160.1 of the Penal Code, relating to abuse reporting.

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

Aguiar	Campbell	Hauser	Miller
Alpert	Cannella	Hawkins	Morrissey
Archie-Hudson	Conroy	Hoge	Morrow
Baca	Cortese	Kaloogian	Murray, Kevin
Baldwin	Cunneen	Katz	Murray, Willard
Bates	Davis	Knight	Napolitano
Battin	Ducheny	Knowles	Olberg
Baugh	Escutia	Knox	Rainey
Boland	Figueroa	Kuehl	Richter
Bordonaro	Firestone	Kuykendall	Rogan
Bowen	Friedman	Lee	Setencich
Brewer	Frusetta	Machado	Speier
Brown	Gallegos	Martinez	Sweeney
Brulte	Goldsmith	Mazzoni	Villaraigosa
Burton	Granlund	McPherson	Weggeland
Bustamante	Harvey	Migden	Woods

NOES—2

Ackerman Thompson

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2452 (Hauser)—An act to amend Sections 8276, 8279.1, and 8834.5 of, and to add Section 8279.2 to, the Fish and Game Code, relating to Dungeness crab.

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 Hauser moved a call of the Assembly.

Motion carried. Time, 3:51 p.m.

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

ASSEMBLY BILL NO. 2344 (Woods)—An act to amend Section 2985.71 of the Civil Code, relating to vehicle leases.

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	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Setencich
Baugh	Firestone	Lee	Takasugi
Boland	Friedman	Machado	Thompson
Bordonaro	Frusetta	Margett	Tucker
Bowen	Gallegos	Martinez	Vasconcellos
Bowler	Goldsmith	Mazzoni	Villaraigosa
Brewer	Granlund	McPherson	Weggeland
Brown	Harvey	Migden	Woods
Brulte	Hauser	Miller	Mr. Speaker
Burton	Hawkins	Morrissey	
Bustamante	Hoge	Morrow	

NOES—1

Speier

Above bill ordered enrolled.

ASSEMBLY BILL NO. 857 (Woods)—An act to amend Section 15660 of the Welfare and Institutions Code, relating to public social 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—67

Ackerman	Conroy	Kaloogian	Murray, Willard
Aguiar	Cortese	Knight	Napolitano
Alby	Cunneen	Knowles	Olberg
Alpert	Davis	Knox	Poochigian
Archie-Hudson	Ducheny	Kuehl	Rainey
Baca	Figueroa	Kuykendall	Richter
Baldwin	Firestone	Lee	Rogan
Battin	Friedman	Machado	Setencich
Baugh	Frusetta	Margett	Speier
Boland	Gallegos	Martinez	Sweeney
Bordonaro	Goldsmith	Mazzoni	Takasugi
Bowler	Granlund	McPherson	Thompson
Brewer	Harvey	Migden	Vasconcellos
Brown	Hauser	Miller	Weggeland
Brulte	Hawkins	Morrissey	Woods
Burton	Hoge	Morrow	Mr. Speaker
Cannella	House	Murray, Kevin	

NOES—3

Bowen Bustamante Escutia

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2902 (Vasconcellos)—An act to add Section 48054 to the Education Code, relating to pupils.

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	Bustamante	Hoge	Murray, Kevin
Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Isenberg	Napolitano
Alpert	Conroy	Kaloogian	Olberg
Archie-Hudson	Cortese	Katz	Poochigian
Baca	Cunneen	Knight	Rainey
Baldwin	Davis	Knox	Richter
Bates	Ducheny	Kuehl	Rogan
Battin	Escutia	Lee	Setencich
Baugh	Figueroa	Machado	Speier
Boland	Friedman	Margett	Sweeney
Bordonaro	Frusetta	Martinez	Takasugi
Bowen	Gallegos	Mazzoni	Thompson
Bowler	Goldsmith	McPherson	Vasconcellos
Brewer	Granlund	Migden	Villaraigosa
Brown	Harvey	Miller	Weggeland
Brulte	Hauser	Morrissey	Woods
Burton	Hawkins	Morrow	Mr. Speaker

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 616 (Morrow)—An act relating to fire safety, 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—70

Ackerman	Bustamante	House	Morrow
Aguiar	Cannella	Isenberg	Murray, Kevin
Alby	Conroy	Kaloogian	Murray, Willard
Alpert	Cortese	Katz	Napolitano
Archie-Hudson	Cunneen	Knight	Olberg
Baca	Davis	Knowles	Poochigian
Baldwin	Ducheny	Knox	Rainey
Bates	Figueroa	Kuehl	Rogan
Battin	Firestone	Kuykendall	Setencich
Baugh	Friedman	Lee	Speier
Boland	Frusetta	Machado	Sweeney
Bordonaro	Gallegos	Margett	Takasugi
Bowen	Goldsmith	Martinez	Vasconcellos
Bowler	Granlund	Mazzoni	Villaraigosa
Brewer	Harvey	McPherson	Weggeland
Brown	Hauser	Migden	Woods
Brulte	Hawkins	Miller	
Burton	Hoge	Morrissey	

NOES—1

Thompson

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1947 (Battin)—An act to add Chapter 6.12 (commencing with Section 25405) to Division 20 of the Health and Safety 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—62

Ackerman	Campbell	House	Napolitano
Aguiar	Cannella	Kaloogian	Olberg
Alby	Conroy	Knight	Poochigian
Alpert	Cortese	Knowles	Rainey
Baca	Cunneen	Knox	Rogan
Baldwin	Davis	Kuehl	Setencich
Battin	Escutia	Kuykendall	Speier
Baugh	Figueroa	Lee	Sweeney
Boland	Firestone	Machado	Takasugi
Bordonaro	Friedman	Margett	Thompson
Bowler	Frusetta	McPherson	Vasconcellos
Brewer	Goldsmith	Migden	Weggeland
Brown	Granlund	Miller	Woods
Brulte	Harvey	Morrissey	Mr. Speaker
Burton	Hawkins	Morrow	
Bustamante	Hoge	Murray, Kevin	

NOES—6

Bowen	Martinez	Murray, Willard
Hauser	Mazzoni	Villaraigosa

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2367 (Morrow)—An act to amend Section 426, and to add Sections 11704.5 and 11704.7 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—73

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Knox	Rogan
Bates	Escutia	Kuehl	Setencich
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Tucker
Bowen	Gallegos	Mazzoni	Vasconcellos
Bowler	Goldsmith	McPherson	Villaraigosa
Brewer	Granlund	Migden	Weggeland
Brown	Harvey	Miller	Woods
Brulte	Hauser	Morrissey	
Burton	Hawkins	Morrow	
Bustamante	Hoge	Murray, Kevin	

NOES—2

Martinez Thompson

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1987 (Miller)—An act to amend Section 6106.7 of, and to add Chapter 2.5 (commencing with Section 18895) to Division 8 of, the Business and Professions Code, and to amend Section 1519 of, to add Section 1550 to, to repeal Sections 1510, 1511, 1512, 1513, 1514, 1515, 1515.5, 1516, 1517, 1518, 1521, 1523, 1524, 1525, 1526, 1527, 1528, 1530, 1530.5, 1531, 1531.5, 1532, 1533, 1535, 1535.5, 1535.7, 1536, 1537, 1538, 1539, 1540, 1543, 1544, and 1546 of, and to repeal Chapter 1 (commencing with Section 1500) of Part 6 of Division 2 of, the Labor Code, relating to athlete agents.

Bill presented by Assembly Member Granlund.

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 Assembly amendments by the following vote:

AYES—68

Ackerman	Bustamante	Hawkins	Morrissey
Aguiar	Cannella	Hoge	Morrow
Alby	Conroy	House	Napolitano
Alpert	Cortese	Isenberg	Olberg
Archie-Hudson	Cunneen	Kalooogian	Poochigian
Baca	Davis	Knight	Rainey
Baldwin	Ducheny	Knowles	Richter
Battin	Escutia	Kuehl	Rogan
Baugh	Figueroa	Kuykendall	Setencich
Boland	Firestone	Lee	Speier
Bordonaro	Friedman	Machado	Sweeney
Bowen	Frusetta	Margett	Takasugi
Bowler	Callegos	Martinez	Tucker
Brewer	Goldsmith	Mazzoni	Villaraigosa
Brown	Granlund	McPherson	Weggeland
Brulte	Harvey	Migden	Woods
Burton	Hauser	Miller	Mr. Speaker

NOES—3

Knox	Murray, Kevin	Murray, Willard
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Above bill ordered enrolled.

ASSEMBLY BILL NO. 2338 (Rainey)—An act to amend Section 1250.8 of 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.

Call of the Assembly

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

Motion carried. Time, 4:03 p.m.

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

ASSEMBLY BILL NO. 924 (Rainey)—An act to add Section 40930 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.

Call of the Assembly

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

Motion carried. Time, 4:05 p.m.

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

ASSEMBLY BILL NO. 2577 (Bordonaro)—An act to amend Section 16946 of the Welfare and Institutions Code, relating to public social 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—70

Ackerman	Bustamante	Kaloogian	Olberg
Aguiar	Campbell	Katz	Poochigian
Alby	Cannella	Knight	Rainey
Alpert	Conroy	Knox	Richter
Archie-Hudson	Cortese	Kuehl	Rogan
Baca	Cunneen	Kuykendall	Setencich
Baldwin	Davis	Lee	Speier
Bates	Figueroa	Machado	Sweeney
Battin	Firestone	Margett	Takasugi
Baugh	Frusetta	Mazzone	Thompson
Boland	Gallegos	McPherson	Tucker
Bordonaro	Goldsmith	Migden	Vasconcellos
Bowen	Granlund	Miller	Villaraigosa
Bowler	Harvey	Morrissey	Weggeland
Brewer	Hauser	Morrow	Woods
Brown	Hawkins	Murray, Kevin	Mr. Speaker
Brulte	Hoge	Murray, Willard	
Burton	House	Napolitano	

NOES—1

Martinez

Above bill ordered enrolled.

ASSEMBLY BILL NO. 764 (Baca)—An act to add and repeal Chapter 2.6 (commencing with Section 1000.10) of Title 6 of Part 2 of the Penal Code, relating to controlled substances, making an appropriation therefor, 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.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 4:11 p.m.

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

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Kevin Murray was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 2263

August 31, 1996

*The Honorable Curt Pringle
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

RE: Legislative intent of AB 2263

Dear Speaker Pringle: This letter seeks to clarify the intent and effect of the provisions of Assembly Bill 2263. There is currently no law that regulates the collection of an application screening fee by landlords from prospective tenants who apply to rent residential property. With no regulation, it is a common practice within the rental housing industry for landlords to collect an application screening fee from prospective tenants, otherwise known as applicants, to cover the costs of assembling and evaluation credit information on those applicants.

While most rental property owners have legally and fairly requested an application screening fee from applicants, unfortunately there have been some isolated instances of abuses by unscrupulous rental owners who have collected from applicants unreasonably large fees just for the privilege of applying to rent a unit, sometimes when *no* rental unit is available.

Under current law, Civil Code Section 1950.5 regulates the collection of fees by a landlord from a "tenant". However, current law does not apply to the application process and it does not protect applicants who have yet to enter into a rental agreement with a landlord for the use of the residential rental property.

I introduced AB 2263 to assure that applicants will not be charged unreasonable fees. It clarifies and defines the amount that a rental property owner can ask an applicant to pay, and in some cases, it requires owners to return the fee to the applicant.

Respectfully submitted,

KEVIN G. MURRAY, Assembly Member
Forty-seventh District

At 4:10 p.m., Speaker Curt Pringle, 68th District, presiding**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 2333 (Bates)—An act to add Section 15100.5 to the Education Code, relating to school bonds, 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—73

Ackerman	Cannella	Isenberg	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Katz	Poochigian
Alpert	Cunneen	Knowles	Rainey
Archie-Hudson	Davis	Knox	Rogan
Baca	Ducheny	Kuehl	Setencich
Bates	Escutia	Kuykendall	Speier
Battin	Figueroa	Lee	Sweeney
Baugh	Firestone	Machado	Takasugi
Boland	Friedman	Margett	Thompson
Bordonaro	Frusetta	Martinez	Tucker
Bowen	Gallegos	Mazzoni	Vasconcellos
Bowler	Goldsmith	McPherson	Villaraigosa
Brewer	Granlund	Migden	Weggeland
Brown	Harvey	Miller	Woods
Brulte	Hauser	Morrissey	Mr. Speaker
Burton	Hawkins	Morrow	
Bustamante	Hoge	Murray, Kevin	
Campbell	House	Murray, Willard	

NOES—None

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

AYES—73

Ackerman	Cannella	Isenberg	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Katz	Poochigian
Alpert	Cunneen	Knowles	Rainey
Archie-Hudson	Davis	Knox	Rogan
Baca	Ducheny	Kuehl	Setencich
Bates	Escutia	Kuykendall	Speier
Battin	Figueroa	Lee	Sweeney
Baugh	Firestone	Machado	Takasugi
Boland	Friedman	Margett	Thompson
Bordonaro	Frusetta	Martinez	Tucker
Bowen	Gallegos	Mazzoni	Vasconcellos
Bowler	Goldsmith	McPherson	Villaraigosa
Brewer	Granlund	Migden	Weggeland
Brown	Harvey	Miller	Woods
Brulte	Hauser	Morrissey	Mr. Speaker
Burton	Hawkins	Morrow	
Bustamante	Hoge	Murray, Kevin	
Campbell	House	Murray, Willard	

NOES—None

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 858**

At 4:13 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.

Senate Bill No. 858 refused passage by the following vote:

AYES—42

Ackerman	Brewer	Hawkins	Olberg
Aguiar	Brulte	Hoge	Poochigian
Alby	Cannella	House	Rogan
Alpert	Conroy	Kaloogian	Setencich
Baca	Cortese	Knight	Takasugi
Baldwin	Firestone	Kuykendall	Thompson
Battin	Frusetta	Lee	Weggeland
Baugh	Goldsmith	Margett	Woods
Boland	Granlund	Miller	Mr. Speaker
Bordonaro	Harvey	Morrissey	
Bowler	Hauser	Morrow	

NOES—21

Archie-Hudson	Davis	Kuehl	Speier
Bates	Ducheny	Martinez	Tucker
Brown	Figueroa	Migden	Villaraigosa
Burton	Friedman	Murray, Kevin	
Bustamante	Isenberg	Murray, Willard	
Cunneen	Knox	Richter	

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 752**

At 4:15 p.m., on motion of Assembly Member Rogan, 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 Rogan moved to continue the call of the Assembly.

Motion carried. Time, 4:15 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. 2067**

At 4:15 p.m., on motion of Assembly Member Kuehl, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 2067 passed by the following vote:

AYES—43

Ackerman	Brulte	House	Olberg
Aguiar	Conroy	Kaloogian	Poochigian
Alby	Cortese	Knight	Rainey
Alpert	Cunneen	Knowles	Richter
Baldwin	Firestone	Kuykendall	Rogan
Battin	Frusetta	Margett	Takasugi
Baugh	Goldsmith	McPherson	Thompson
Boland	Granlund	Miller	Weggeland
Bordonaro	Harvey	Morrissey	Woods
Bowler	Hawkins	Morrow	Mr. Speaker
Brewer	Hoge	Murray, Willard	

NOES—30

Archie-Hudson	Davis	Knox	Setencich
Baca	Escutia	Kuehl	Speier
Bates	Figueroa	Lee	Sweeney
Brown	Friedman	Martinez	Tucker
Burton	Gallegos	Mazzoni	Vasconcellos
Bustamante	Hauser	Migden	Villaraigosa
Campbell	Isenberg	Murray, Kevin	
Cannella	Katz	Napolitano	

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 2067: Assembly Member Alpert, from "No" to "Aye"; Assembly Member Ducheny, from "No" to "Not Voting".

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO SENATE BILL NO. 569**

At 4:16 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 roll was opened.

Call of the Assembly Continued

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

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

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 2112**

At 4:16 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 roll was opened.

Call of the Assembly Continued

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

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

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1583**

At 4:16 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.

Senate Bill No. 1583 refused passage by the following vote:

AYES—25

Ackerman	Cortese	House	Morrow
Battin	Firestone	Kaloogian	Napolitano
Baugh	Gallegos	Knight	Thompson
Bordonaro	Granlund	Margett	Mr. Speaker
Bowler	Harvey	Martinez	
Brewer	Hawkins	Miller	
Conroy	Hoge	Morrissey	

NOES—45

Aguiar	Campbell	Katz	Richter
Alby	Cannella	Knox	Setencich
Alpert	Cunneen	Kuehl	Speier
Archie-Hudson	Davis	Kuykendall	Sweeney
Baca	Ducheny	Lee	Takasugi
Baldwin	Escutia	Mazzoni	Vasconcellos
Bates	Figuroa	McPherson	Villaraigosa
Bowen	Friedman	Migden	Weggeland
Brown	Frusetta	Murray, Kevin	Woods
Brulte	Goldsmith	Murray, Willard	
Burton	Hauser	Olberg	
Bustamante	Isenberg	Poochigian	

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1720 (Hannigan)—An act to amend Section 14070.6 of, to amend and renumber Section 14074.6 of, and to add a heading to Article 5.2 (commencing with Section 14072) of Chapter 1 of Part 5 of Division 3 of Title 2 of, the Government Code, relating to transportation and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Sweeney.

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—73

Ackerman	Cannella	Isenberg	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Katz	Poochigian
Alpert	Cunneen	Knowles	Rainey
Archie-Hudson	Davis	Knox	Richter
Baca	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Vasconcellos
Brewer	Granlund	Migden	Villaraigosa
Brown	Harvey	Miller	Weggeland
Brulte	Hauser	Morrissey	Mr. Speaker
Burton	Hawkins	Morrow	
Bustamante	Hoge	Murray, Kevin	
Campbell	House	Murray, Willard	

NOES—None

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

AYES—73

Ackerman	Cannella	Isenberg	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Katz	Poochigian
Alpert	Cunneen	Knowles	Rainey
Archie-Hudson	Davis	Knox	Richter
Baca	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Vasconcellos
Brewer	Granlund	Migden	Villaraigosa
Brown	Harvey	Miller	Weggeland
Brulte	Hauser	Morrissey	Mr. Speaker
Burton	Hawkins	Morrow	
Bustamante	Hoge	Murray, Kevin	
Campbell	House	Murray, Willard	

NOES—None

Above bill ordered enrolled.

At 4:20 p.m., Speaker pro Tempore Fred Aguiar, 61st District, presiding

MOTION TO RESCIND ACTION

Assembly Member Katz moved that the action be rescinded whereby on August 30, 1996 (Assembly Journal, page 8804), Assembly Bill No. 1841 was re-referred to the Committee on Health.

Assembly Member Bustamante seconded the motion.

Motion lost by the following vote:

AYES—37

Alpert	Cortese	Katz	Napolitano
Archie-Hudson	Davis	Knox	Setencich
Baca	Ducheny	Kuehl	Speier
Bates	Escutia	Lee	Sweeney
Bowen	Figueroa	Machado	Tucker
Brown	Friedman	Martinez	Vasconcellos
Burton	Frusetta	Mazzoni	Villaraigosa
Bustamante	Gallegos	Migden	
Campbell	Hauser	Murray, Kevin	
Cannella	Isenberg	Murray, Willard	

NOES—1

Ackerman

Objection to Vote Adds

Assembly Member Katz withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the motion to rescind action as it relates to Assembly Bill No. 1841.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 2525 (Miller)—An act to amend Sections 40709.6, 40918, 40919, and 40925.5 of, and to add Section 42301.2 to, the health and Safety Code, relating to air 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—52

Ackerman	Brulte	House	Murray, Willard
Aguiar	Cannella	Kaloogian	Olberg
Alby	Conroy	Knight	Poochigian
Alpert	Cortese	Knowles	Rainey
Baca	Cunneen	Knox	Richter
Baldwin	Firestone	Kuykendall	Rogan
Battin	Frusetta	Machado	Setencich
Baugh	Goldsmith	Margett	Takasugi
Boland	Granlund	McPherson	Thompson
Bordonaro	Harvey	Miller	Tucker
Bowen	Hauser	Morrissey	Weggeland
Bowler	Hawkins	Morrow	Woods
Brewer	Hoge	Murray, Kevin	Mr. Speaker

NOES—21

Archie-Hudson	Davis	Lee	Sweeney
Bates	Ducheny	Martinez	Vasconcellos
Brown	Figueroa	Mazzoni	Villaraigosa
Burton	Friedman	Migden	
Bustamante	Gallegos	Napolitano	
Campbell	Kuehl	Speier	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 3136 (Miller)—An act to amend Section 12072 of 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, and the Assembly concurred in Senate amendments by the following vote:

AYES—72

Ackerman	Bustamante	Hoge	Murray, Willard
Aguiar	Cannella	House	Napolitano
Alby	Conroy	Isenberg	Olberg
Alpert	Cortese	Kaloogian	Poochigian
Archie-Hudson	Cunneen	Katz	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Vasconcellos
Brewer	Granlund	Miller	Villaraigosa
Brown	Harvey	Morrissey	Weggeland
Brulte	Hauser	Morrow	Woods
Burton	Hawkins	Murray, Kevin	Mr. Speaker

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 195 (Morrow)—An act to amend Sections 190.6, 190.7, 190.8, 190.9, and 1240.1 of the Penal Code, relating to criminal procedure.

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—67

Ackerman	Conroy	Kaloogian	Napolitano
Aguiar	Cortese	Katz	Olberg
Alby	Cunneen	Knight	Poochigian
Alpert	Davis	Knowles	Rainey
Baca	Ducheny	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Setencich
Baugh	Firestone	Machado	Speier
Boland	Frusetta	Margett	Sweeney
Bordonaro	Gallegos	Martinez	Takasugi
Bowen	Goldsmith	Mazzoni	Thompson
Bowler	Granlund	McPherson	Tucker
Brewer	Harvey	Miller	Vasconcellos
Brown	Hauser	Morrissey	Weggeland
Brulte	Hawkins	Morrow	Woods
Bustamante	Hoge	Murray, Kevin	Mr. Speaker
Cannella	House	Murray, Willard	

NOES—7

Bates	Campbell	Lee	Villaraigosa
Burton	Friedman	Migden	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2738 (Kevin Murray)—An act to amend Sections 44010 and 44237 of, and to add Section 44020 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—60

Aguiar	Cortese	House	Murray, Willard
Alpert	Cunneen	Isenberg	Napolitano
Archie-Hudson	Davis	Kaloogian	Poochigian
Baca	Ducheny	Knox	Rainey
Baldwin	Figueroa	Kuehl	Richter
Battin	Firestone	Kuykendall	Rogan
Boland	Friedman	Lee	Setencich
Bordonaro	Frusetta	Machado	Speier
Bowen	Gallegos	Margett	Sweeney
Brewer	Goldsmith	Martinez	Takasugi
Brown	Granlund	McPherson	Tucker
Brulte	Harvey	Miller	Vasconcellos
Bustamante	Hauser	Morrissey	Villaraigosa
Cannella	Hawkins	Morrow	Weggeland
Conroy	Hoge	Murray, Kevin	Woods

NOES—7

Ackerman	Burton	Migden	Thompson
Baugh	Mazzoni	Olberg	

Vote Changes

By unanimous consent, the following vote changes were permitted on concurrence in Senate amendments to Assembly Bill No. 2738: Assembly Member Knowles and Mr. Speaker, from "Aye" to "Not Voting".

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1767 (Margett)—An act to amend Section 19116 of the Education Code, relating to libraries.

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—63

Ackerman	Cortese	Kaloogian	Olberg
Aguiar	Cunneen	Knight	Poochigian
Alby	Davis	Knowles	Rainey
Alpert	Ducheny	Kuehl	Richter
Baldwin	Figueroa	Kuykendall	Rogan
Battin	Firestone	Lee	Setencich
Baugh	Frusetta	Margett	Speier
Boland	Gallegos	Mazzoni	Sweeney
Bordonaro	Goldsmith	McPherson	Takasugi
Bowen	Granlund	Migden	Thompson
Bowler	Harvey	Miller	Tucker
Brewer	Hauser	Morrissey	Vasconcellos
Brown	Hawkins	Morrow	Weggeland
Brulte	Hoge	Murray, Kevin	Woods
Cannella	House	Murray, Willard	Mr. Speaker
Conroy	Isenberg	Napolitano	

NOES—9

Archie-Hudson	Burton	Friedman
Baca	Bustamante	Martinez
Bates	Escutia	Villaraigosa

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2008 (Kevin Murray)—An act to amend Sections 15401, 15402, 15403, 15420, 15421, 15425, and 27707.1 of, to add Sections 15421.5 and 68804 to, and to repeal Section 15422 of, the Government Code, and to amend Sections 1026.5 and 1240 of the Penal Code, relating to the State Public Defender, 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—65

Ackerman	Conroy	Kaloogian	Poochigian
Aguiar	Cortese	Knowles	Rainey
Alby	Cunneen	Knox	Richter
Alpert	Davis	Kuehl	Rogan
Baca	Escutia	Kuykendall	Setencich
Baldwin	Figuroa	Machado	Speier
Battin	Firestone	Margett	Sweeney
Baugh	Frusetta	Martinez	Takasugi
Boland	Gallegos	Mazzoni	Thompson
Bordonaro	Goldsmith	McPherson	Tucker
Bowen	Granlund	Miller	Villaraigosa
Bowler	Harvey	Morrissey	Weggeland
Brewer	Hauser	Morrow	Woods
Brown	Hawkins	Murray, Kevin	Mr. Speaker
Brulte	Hoge	Murray, Willard	
Bustamante	House	Napolitano	
Cannella	Isenberg	Olberg	

NOES—3

Burton	Lee	Migden
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Above bill ordered enrolled.

At 4:42 p.m., Hon. James E. Rogan, 43rd District, presiding

ASSEMBLY BILL NO. 2286 (Boland)—An act to amend Sections 4456 and 4456.1 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—73

Ackerman	Campbell	House	Olberg
Aguiar	Cannella	Kaloogian	Poochigian
Alby	Conroy	Knight	Rainey
Alpert	Cortese	Knowles	Richter
Archie-Hudson	Cunneen	Knox	Rogan
Baca	Davis	Kuehl	Setencich
Baldwin	Ducheny	Kuykendall	Speier
Bates	Escutia	Lee	Sweeney
Battin	Figueroa	Machado	Takasugi
Baugh	Firestone	Margett	Thompson
Boland	Friedman	Mazzoni	Tucker
Bordonaro	Frusetta	McPherson	Vasconcellos
Bowen	Gallegos	Migden	Villaraigosa
Bowler	Goldsmith	Miller	Weggeland
Brewer	Granlund	Morrissey	Woods
Brown	Harvey	Morrow	Mr. Speaker
Brulte	Hauser	Murray, Kevin	
Burton	Hawkins	Murray, Willard	
Bustamante	Hoge	Napolitano	

NOES—1

Martinez

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2288 (Aguiar)—An act to add Sections 22651.6 and 23109.2 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 Assembly amendments by the following vote:

AYES—63

Ackerman	Cannella	House	Olberg
Aguiar	Conroy	Kaloogian	Poochigian
Alby	Cortese	Knight	Rainey
Alpert	Cunneen	Knowles	Richter
Archie-Hudson	Davis	Kuykendall	Rogan
Baca	Escutia	Machado	Setencich
Battin	Figueroa	Margett	Speier
Baugh	Firestone	Martinez	Sweeney
Boland	Frusetta	Mazzoni	Takasugi
Bordonaro	Gallegos	McPherson	Thompson
Bowen	Goldsmith	Miller	Tucker
Bowler	Granlund	Morrissey	Vasconcellos
Brewer	Harvey	Morrow	Weggeland
Brown	Hauser	Murray, Kevin	Woods
Brulte	Hawkins	Murray, Willard	Mr. Speaker
Bustamante	Hoge	Napolitano	

NOES—6

Bates	Ducheny	Migden
Burton	Lee	Villaraigosa

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2710 (House)—An act to amend Sections 11350, 11377, and 11550 of the Health and Safety Code, to amend Section 1000 of, and to add Chapter 2.55 (commencing with Section 1000.6) to Title 6 of Part 2 of the Penal Code, relating to controlled substances.

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 Assembly amendments by the following vote:

AYES—71

Ackerman	Cannella	Kaloogian	Napolitano
Aguiar	Conroy	Knight	Olberg
Alby	Cortese	Knowles	Poochigian
Alpert	Cunneen	Knox	Rainey
Archie-Hudson	Davis	Kuehl	Richter
Baca	Ducheny	Kuykendall	Rogan
Bates	Figueroa	Lee	Setencich
Battin	Firestone	Machado	Speier
Baugh	Friedman	Margett	Sweeney
Boland	Frusetta	Martinez	Takasugi
Bordonaro	Gallegos	Mazzoni	Thompson
Bowen	Goldsmith	McPherson	Tucker
Bowler	Cranlund	Migden	Vasconcellos
Brewer	Harvey	Miller	Villaraigosa
Brown	Hauser	Morrissey	Weggeland
Brulte	Hawkins	Morrow	Woods
Burton	Hoge	Murray, Kevin	Mr. Speaker
Bustamante	House	Murray, Willard	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2894 (Aguiar)—An act to add Section 10727 to the Welfare and Institutions Code, relating to health.

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	Campbell	House	Napolitano
Aguiar	Cannella	Kaloogian	Olberg
Alby	Conroy	Knight	Poochigian
Alpert	Cortese	Knowles	Rainey
Archie-Hudson	Cunneen	Knox	Richter
Baca	Davis	Kuehl	Rogan
Baldwin	Ducheny	Kuykendall	Setencich
Bates	Escutia	Lee	Speier
Battin	Figueroa	Machado	Sweeney
Baugh	Firestone	Margett	Takasugi
Boland	Friedman	Martinez	Thompson
Bordonaro	Frusetta	Mazzoni	Tucker
Bowen	Gallegos	McPherson	Vasconcellos
Bowler	Goldsmith	Migden	Villaraigosa
Brewer	Granlund	Miller	Weggeland
Brown	Harvey	Morrissey	Woods
Brulte	Hauser	Morrow	Mr. Speaker
Burton	Hawkins	Murray, Kevin	
Bustamante	Hoge	Murray, Willard	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 3354 (Brown)—An act to amend Sections 11165.8, 11166, 11166.5, 11170, and 11172 of, and to add Section 11165.17 to, the Penal Code, relating to child abuse.

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

Aguiar	Cortese	Kuehl	Rainey
Alpert	Cunneen	Kuykendall	Rogan
Archie-Hudson	Davis	Lee	Setencich
Baca	Ducheny	Machado	Speier
Bates	Escutia	Margett	Sweeney
Battin	Figueroa	Martinez	Takasugi
Boland	Friedman	Mazzoni	Tucker
Bowen	Frusetta	McPherson	Vasconcellos
Brown	Gallegos	Migden	Villaraigosa
Brulte	Goldsmith	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Murray, Kevin	
Cannella	House	Murray, Willard	
Conroy	Isenberg	Napolitano	

NOES—13

Ackerman	Firestone	Kaloogian	Thompson
Baugh	Granlund	Knowles	
Bordonaro	Harvey	Morrow	
Brewer	Hoge	Olberg	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 3434 (House)—An act to amend Section 832.5 of the Penal Code, relating to peace officers.

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

Ackerman	Cannella	House	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Knight	Poochigian
Alpert	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Battin	Escutia	Kuykendall	Setencich
Baugh	Firestone	Machado	Speier
Boland	Frusetta	Margett	Sweeney
Bordonaro	Gallegos	Martinez	Takasugi
Bowen	Goldsmith	McPherson	Thompson
Bowler	Granlund	Miller	Tucker
Brewer	Harvey	Morrissey	Vasconcellos
Brown	Hauser	Morrow	Weggeland
Brulte	Hawkins	Murray, Kevin	Woods
Bustamante	Hoge	Murray, Willard	Mr. Speaker

NOES—7

Archie-Hudson	Burton	Mazzoni	Villaraigosa
Bates	Lee	Migden	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1714 (McPherson)—An act to amend Sections 2102, 2107, 2116, 2119, 2154, 2155, 2157, 2201, 2220, and 2221 of, and to repeal Sections 3401, 3406, and 3407 of, the Elections Code, and to amend Section 6254.4 of the Government Code, relating to voter registration.

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

Aguiar	Cortese	House	Morrow
Alpert	Cunneen	Isenberg	Murray, Kevin
Archie-Hudson	Davis	Knox	Murray, Willard
Baca	Ducheny	Kuehl	Napolitano
Bates	Escutia	Kuykendall	Rainey
Bowen	Figueroa	Lee	Setencich
Brewer	Firestone	Machado	Speier
Brown	Frusetta	Margett	Sweeney
Brulte	Gallegos	Martinez	Takasugi
Burton	Goldsmith	Mazzoni	Tucker
Bustamante	Granlund	McPherson	Vasconcellos
Campbell	Hauser	Migden	Villaraigosa
Cannella	Hoge	Miller	Weggeland

NOES—10

Ackerman	Bordonaro	Hawkins	Thompson
Baugh	Conroy	Morrissey	
Boland	Harvey	Olberg	

Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1714: Assembly Member Bordonaro, from "Aye" to "No".

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1910 (Campbell)—An act to add Section 21365.56 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—58

Aguiar	Conroy	Isenberg	Murray, Willard
Alpert	Cortese	Katz	Napolitano
Archie-Hudson	Cunneen	Knox	Rainey
Baca	Davis	Kuehl	Richter
Bates	Ducheny	Kuykendall	Setencich
Battin	Escutia	Lee	Speier
Boland	Figueroa	Machado	Sweeney
Bordonaro	Firestone	Margett	Takasugi
Bowen	Friedman	Martinez	Tucker
Bowler	Frusetta	Mazzoni	Vasconcellos
Brown	Gallegos	McPherson	Villaraigosa
Burton	Goldsmith	Migden	Weggeland
Bustamante	Harvey	Miller	Woods
Campbell	Hauser	Morrissey	
Cannella	Hawkins	Murray, Kevin	

NOES—14

Ackerman	Brewer	Kaloogian	Olberg
Alby	Brulte	Knight	Thompson
Baldwin	Granlund	Knowles	
Baugh	Hoge	Morrow	

Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1910: Assembly Member Boland, from "No" to "Aye".

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2188 (Granlund)—An act to amend Section 22952 of the Business and Professions Code, and to amend Section 308 of the Penal Code, relating to tobacco.

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.)

Point of Personal Privilege

Assembly Member Knox arose to a point of personal privilege.

The question being on concurrence in Senate amendments.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 5:06 p.m.

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

ASSEMBLY BILL NO. 692 (Kuehl)—An act to amend Sections 48900, 48915, 48915.6, and 48918 of, and to add Section 48918.5 to, the Education Code, relating to pupils.

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	Conroy	Kaloogian	Napolitano
Alby	Cortese	Katz	Olberg
Alpert	Cunneen	Knight	Poochigian
Archie-Hudson	Davis	Knowles	Rainey
Baca	Ducheny	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Bates	Figueroa	Kuykendall	Setencich
Battin	Firestone	Lee	Speier
Baugh	Friedman	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Vasconcellos
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Harvey	Migden	Weggeland
Brown	Hauser	Miller	Woods
Brulte	Hawkins	Morrissey	Mr. Speaker
Burton	Hoge	Morrow	
Campbell	House	Murray, Kevin	
Cannella	Isenberg	Murray, Willard	

NOES—1

Ackerman

Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 692: Assembly Member Ackerman, from "Aye" to "No".

Above bill ordered enrolled.

ASSEMBLY BILL NO. 939 (Cortese)—An act to add Section 55601.1 to the Food and Agricultural Code, relating to agriculture.

Bill presented by Assembly Member Cannella.

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	Cannella	Isenberg	Murray, Willard
Aguiar	Conroy	Kaloogian	Napolitano
Alby	Cortese	Katz	Olberg
Alpert	Cunneen	Knight	Poochigian
Archie-Hudson	Davis	Knowles	Rainey
Baca	Ducheny	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Bates	Figueroa	Kuykendall	Setencich
Battin	Firestone	Lee	Speier
Baugh	Friedman	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Vasconcellos
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Harvey	Migden	Weggeland
Brown	Hauser	Miller	Woods
Brulte	Hawkins	Morrissey	Mr. Speaker
Burton	Hoge	Morrow	
Campbell	House	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2904 (Hawkins)—An act to amend and repeal Sections 10209.5 and 10214.5 of the Business and Professions Code, relating to real property.

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—70

Ackerman	Cannella	House	Murray, Kevin
Alby	Conroy	Kaloogian	Murray, Willard
Alpert	Cortese	Katz	Napolitano
Archie-Hudson	Cunneen	Knight	Olberg
Baca	Davis	Knowles	Poochigian
Baldwin	Ducheny	Knox	Rainey
Bates	Escutia	Kuehl	Richter
Battin	Figueroa	Kuykendall	Rogan
Baugh	Firestone	Lee	Setencich
Boland	Friedman	Machado	Speier
Bordonaro	Frusetta	Margett	Sweeney
Bowen	Gallegos	Martinez	Takasugi
Bowler	Goldsmith	Mazzoni	Thompson
Brewer	Granlund	McPherson	Vasconcellos
Brown	Harvey	Migden	Villaraigosa
Brulte	Hauser	Miller	Weggeland
Burton	Hawkins	Morrissey	
Campbell	Hoge	Morrow	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1762 (Goldsmith)—An act to add Section 54981.7 to the Government Code, relating to public safety 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—74

Ackerman	Cannella	Isenberg	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Katz	Poochigian
Alpert	Cunneen	Knight	Rainey
Archie-Hudson	Davis	Knowles	Richter
Baca	Ducheny	Kuehl	Rogan
Baldwin	Escutia	Kuykendall	Setencich
Bates	Figueroa	Lee	Speier
Battin	Firestone	Machado	Sweeney
Baugh	Friedman	Margett	Takasugi
Boland	Frusetta	Martinez	Thompson
Bordonaro	Gallegos	Mazzoni	Tucker
Bowen	Goldsmith	McPherson	Vasconcellos
Bowler	Granlund	Migden	Villaraigosa
Brewer	Harvey	Miller	Weggeland
Brown	Hauser	Morrissey	Woods
Brulte	Hawkins	Morrow	Mr. Speaker
Burton	Hoge	Murray, Kevin	
Campbell	House	Murray, Willard	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2352 (Speier)—An act to amend Sections 12517.4, 12520, 12527, 12804.6, 12814.5, 12816, 14900, 14900.1, 14901, 15250.5, 15250.6, 15255, and 15255.1 of, to add Sections 15250.7 and 15255.2 to, and to repeal Section 14901.1 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—71

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Cortese	Kaloogian	Napolitano
Alpert	Cunneen	Katz	Poochigian
Archie-Hudson	Davis	Knight	Rainey
Baca	Ducheny	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Bates	Figueroa	Kuykendall	Setencich
Battin	Firestone	Lee	Speier
Baugh	Friedman	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Tucker
Bowler	Granlund	McPherson	Vasconcellos
Brewer	Harvey	Migden	Villaraigosa
Brown	Hauser	Miller	Weggeland
Brulte	Hawkins	Morrissey	Woods
Burton	Hoge	Morrow	

NOES—1

Conroy

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2487 (Firestone)—An act to amend, repeal, and add Section 12804.9 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—60

Ackerman	Cannella	House	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Knight	Poochigian
Alpert	Cunneen	Knowles	Rainey
Baca	Ducheny	Knox	Richter
Baldwin	Figueroa	Kuykendall	Rogan
Battin	Firestone	Machado	Setencich
Baugh	Frusetta	Margett	Sweeney
Boland	Gallegos	McPherson	Takasugi
Bordonaro	Goldsmith	Migden	Thompson
Bowen	Granlund	Miller	Tucker
Bowler	Harvey	Morrissey	Villaraigosa
Brewer	Hauser	Morrow	Weggeland
Brulte	Hawkins	Murray, Kevin	Woods
Campbell	Hoge	Murray, Willard	Mr. Speaker

NOES—13

Archie-Hudson	Davis	Lee	Vasconcellos
Bates	Escutia	Martinez	
Brown	Katz	Mazzoni	
Burton	Kuehl	Speier	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1626 (Alpert)—An act to add Section 17142.5 to 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—75

Ackerman	Campbell	Isenberg	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Tucker
Bowler	Granlund	McPherson	Vasconcellos
Brewer	Harvey	Migden	Villaraigosa
Brown	Hauser	Miller	Weggeland
Brulte	Hawkins	Morrissey	Woods
Burton	Hoge	Morrow	Mr. Speaker
Bustamante	House	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 649 (Davis)—An act to add Section 37254 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—74

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Speier
Battin	Figueroa	Lee	Sweeney
Baugh	Firestone	Machado	Takasugi
Boland	Friedman	Margett	Thompson
Bordonaro	Frusetta	Martinez	Tucker
Bowen	Gallegos	Mazzoni	Vasconcellos
Bowler	Goldsmith	McPherson	Villaraigosa
Brewer	Granlund	Migden	Weggeland
Brown	Harvey	Miller	Woods
Brulte	Hauser	Morrissey	Mr. Speaker
Burton	Hawkins	Morrow	
Bustamante	Hoge	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1055 (Caldera)—An act to amend Section 95.3 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Rainey.

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	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Rogan
Bates	Escutia	Kuehl	Setencich
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Bowler	Goldsmith	Mazzoni	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Harvey	Migden	Weggeland
Brulte	Hauser	Miller	Woods
Burton	Hawkins	Morrissey	Mr. Speaker
Bustamante	Hoge	Morrow	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1068 (Mazzoni)—An act to amend Sections 44830 and 44830.3 of, and to add and repeal Section 24216.5 of, the Education Code, and to amend Item 6360-101-0001 of Section 2.00 of the Budget Act of 1996, relating to schools, making an appropriation therefor, 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—71

Ackerman	Bustamante	Isenberg	Napolitano
Aguiar	Cannella	Katz	Olberg
Alby	Conroy	Knight	Poochigian
Alpert	Cortese	Knox	Rainey
Archie-Hudson	Cunneen	Kuehl	Richter
Baca	Davis	Kuykendall	Rogan
Baldwin	Ducheny	Lee	Setencich
Bates	Escutia	Machado	Speier
Battin	Figueroa	Margett	Sweeney
Baugh	Firestone	Martinez	Takasugi
Boland	Friedman	Mazzoni	Thompson
Bordonaro	Frusetta	McPherson	Tucker
Bowen	Gallegos	Migden	Vasconcellos
Bowler	Goldsmith	Miller	Villaraigosa
Brewer	Granlund	Morrissey	Weggeland
Brown	Harvey	Morrow	Woods
Brulte	Hauser	Murray, Kevin	Mr. Speaker
Burton	House	Murray, Willard	

NOES—1

Hoge

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

AYES—71

Ackerman	Bustamante	Isenberg	Napolitano
Aguiar	Cannella	Katz	Olberg
Alby	Conroy	Knight	Poochigian
Alpert	Cortese	Knox	Rainey
Archie-Hudson	Cunneen	Kuehl	Richter
Baca	Davis	Kuykendall	Rogan
Baldwin	Ducheney	Lee	Setencich
Bates	Escutia	Machado	Speier
Battin	Figueroa	Margett	Sweeney
Baugh	Firestone	Martinez	Takasugi
Boland	Friedman	Mazzoni	Thompson
Bordonaro	Frusetta	McPherson	Tucker
Bowen	Gallegos	Migden	Vasconcellos
Bowler	Goldsmith	Miller	Villaraigosa
Brewer	Granlund	Morrissey	Weggeland
Brown	Harvey	Morrow	Woods
Brulte	Hauser	Murray, Kevin	Mr. Speaker
Burton	House	Murray, Willard	

NOES—1

Hoge

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1335 (Sweeney)—An act to amend Item 6110-001-0231 and Item 6110-102-0231 of Section 2.00 of the Budget Act of 1996, 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—51

Ackerman	Cannella	House	Morrissey
Aguiar	Cortese	Isenberg	Murray, Kevin
Alpert	Cunneen	Katz	Murray, Willard
Archie-Hudson	Davis	Knox	Napolitano
Baca	Ducheney	Kuehl	Rainey
Baldwin	Escutia	Kuykendall	Speier
Bates	Figueroa	Lee	Sweeney
Battin	Firestone	Margett	Takasugi
Bowen	Friedman	Martinez	Tucker
Brown	Frusetta	Mazzoni	Vasconcellos
Burton	Gallegos	McPherson	Villaraigosa
Bustamante	Goldsmith	Migden	Weggeland
Campbell	Hauser	Miller	

NOES—18

Alby	Brewer	Hoge	Rogan
Baugh	Brulte	Kaloogian	Thompson
Boland	Conroy	Morrow	Mr. Speaker
Bordonaro	Granlund	Olberg	
Bowler	Harvey	Poochigian	

Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1335: Assembly Member Cunneen, from "No" to "Aye".

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1357 (Knowles)—An act relating to the Tahoe Regional Planning Agency, 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—75

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Bowler	Goldsmith	Mazzoni	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Harvey	Migden	Weggeland
Brulte	Hauser	Miller	Woods
Burton	Hawkins	Morrissey	Mr. Speaker
Bustamante	Hoge	Morrow	

NOES—None

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

AYES—75

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Bowler	Goldsmith	Mazzoni	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Harvey	Migden	Weggeland
Brulte	Hauser	Miller	Woods
Burton	Hawkins	Morrissey	Mr. Speaker
Bustamante	Hoge	Morrow	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2374 (Bates)—An act to add Chapter 5 (commencing with Section 101850) to Part 4 of Division 101 of the Health and Safety Code, and to add Section 14085.53 to the Welfare and Institutions Code, relating to public health.

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

Aguiar	Cortese	Katz	Napolitano
Alpert	Cunneen	Knox	Poochigian
Archie-Hudson	Davis	Kuehl	Rainey
Baca	Ducheny	Kuykendall	Rogan
Bates	Escutia	Lee	Speier
Battin	Figueroa	Machado	Sweeney
Boland	Firestone	Margett	Tucker
Bowen	Friedman	Martinez	Vasconcellos
Brown	Gallegos	Mazzoni	Villaraigosa
Brulte	Granlund	McPherson	Weggeland
Burton	Hauser	Migden	Woods
Bustamante	Hawkins	Miller	
Campbell	House	Murray, Kevin	
Cannella	Isenberg	Murray, Willard	

NOES—17

Ackerman	Bowler	Hoge	Takasugi
Alby	Brewer	Kaloogian	Thompson
Baldwin	Conroy	Knight	
Baugh	Goldsmith	Morrow	
Bordonaro	Harvey	Olberg	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2645 (Morrissey)—An act to amend Sections 7583.32, 7588, 7596.7, and 7599.70 of the Business and Professions Code, and to amend Section 12001 of the Penal Code, relating to security 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—61

Ackerman	Conroy	Isenberg	Olberg
Aguiar	Cortese	Kaloogian	Poochigian
Alby	Cunneen	Knight	Rainey
Alpert	Davis	Knowles	Rogan
Baca	Ducheny	Knox	Speier
Baldwin	Figueroa	Kuykendall	Sweeney
Baugh	Firestone	Machado	Takasugi
Boland	Frusetta	Margett	Thompson
Bordonaro	Gallegos	Martinez	Tucker
Bowen	Goldsmith	McPherson	Villaraigosa
Bowler	Granlund	Miller	Weggeland
Brewer	Harvey	Morrissey	Woods
Brown	Hauser	Morrow	Mr. Speaker
Brulte	Hawkins	Murray, Kevin	
Campbell	Hoge	Murray, Willard	
Cannella	House	Napolitano	

NOES—7

Archie-Hudson	Burton	Mazzoni	Vasconcellos
Bates	Kuehl	Migden	

Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2645: Assembly Member Lee, from “No” to “Not Voting”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2741 (Ackerman)—An act to amend Section 25536.1 of the Government Code, relating to county real property.

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

Ackerman	Cannella	Kaloogian	Napolitano
Aguiar	Conroy	Katz	Olberg
Alby	Cortese	Knight	Poochigian
Alpert	Cunneen	Knowles	Rainey
Archie-Hudson	Davis	Knox	Richter
Baca	Ducheny	Kuehl	Rogan
Baldwin	Figueroa	Kuykendall	Speier
Bates	Firestone	Lee	Sweeney
Battin	Friedman	Machado	Takasugi
Baugh	Frusetta	Margett	Thompson
Boland	Gallegos	Martinez	Tucker
Bordonaro	Goldsmith	Mazzoni	Vasconcellos
Bowen	Granlund	McPherson	Villaraigosa
Bowler	Harvey	Migden	Weggeland
Brewer	Hauser	Miller	Woods
Brown	Hawkins	Morrissey	Mr. Speaker
Brulte	Hoge	Morrow	
Burton	House	Murray, Kevin	
Bustamante	Isenberg	Murray, Willard	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2895 (Bordonaro)—An act relating to education, making an appropriation therefor, 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—74

Ackerman	Cannella	Isenberg	Murray, Willard
Aguiar	Conroy	Kaloogian	Napolitano
Alby	Cortese	Katz	Olberg
Alpert	Cunneen	Knight	Poochigian
Archie-Hudson	Davis	Knowles	Rainey
Baca	Ducheny	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Bates	Figueroa	Kuykendall	Speier
Battin	Firestone	Lee	Sweeney
Baugh	Friedman	Machado	Takasugi
Boland	Frusetta	Margett	Thompson
Bordonaro	Gallegos	Martinez	Tucker
Bowen	Goldsmith	Mazzoni	Vasconcellos
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Harvey	Migden	Weggeland
Brown	Hauser	Miller	Woods
Brulte	Hawkins	Morrissey	Mr. Speaker
Burton	Hoge	Morrow	
Campbell	House	Murray, Kevin	

NOES—None

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

AYES—74

Ackerman	Cannella	Isenberg	Murray, Willard
Aguiar	Conroy	Kaloogian	Napolitano
Alby	Cortese	Katz	Olberg
Alpert	Cunneen	Knight	Poochigian
Archie-Hudson	Davis	Knowles	Rainey
Baca	Ducheny	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Bates	Figueroa	Kuykendall	Speier
Battin	Firestone	Lee	Sweeney
Baugh	Friedman	Machado	Takasugi
Boland	Frusetta	Margett	Thompson
Bordonaro	Gallegos	Martinez	Tucker
Bowen	Goldsmith	Mazzoni	Vasconcellos
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Harvey	Migden	Weggeland
Brown	Hauser	Miller	Woods
Brulte	Hawkins	Morrissey	Mr. Speaker
Burton	Hoge	Morrow	
Campbell	House	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2988 (Bowen)—An act to amend Sections 12100.5, 12101, and 12120 of the Public Contract Code, relating to information technology.

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	Bustamante	Hoge	Morrissey
Aguiar	Campbell	House	Morrow
Alby	Cannella	Isenberg	Murray, Kevin
Alpert	Conroy	Kaloogian	Murray, Willard
Archie-Hudson	Cortese	Katz	Napolitano
Baca	Cunneen	Knight	Olberg
Baldwin	Davis	Knowles	Poochigian
Bates	Ducheny	Knox	Rainey
Battin	Figueroa	Kuehl	Richter
Baugh	Firestone	Kuykendall	Rogan
Boland	Friedman	Lee	Speier
Bordonaro	Frusetta	Machado	Sweeney
Bowen	Gallegos	Margett	Takasugi
Bowler	Goldsmith	Martinez	Thompson
Brewer	Granlund	Mazzoni	Vasconcellos
Brown	Harvey	McPherson	Villaraigosa
Brulte	Hauser	Migden	Weggeland
Burton	Hawkins	Miller	Mr. Speaker

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 3392 (Weggeland)—An act to add Section 11379.7 to the Health and Safety Code, relating to controlled substances.

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—70

Ackerman	Cannella	House	Murray, Kevin
Aguiar	Conroy	Isenberg	Murray, Willard
Alby	Cortese	Kaloogian	Napolitano
Alpert	Cunneen	Katz	Olberg
Archie-Hudson	Davis	Knight	Poochigian
Baca	Ducheny	Knowles	Rainey
Baldwin	Escutia	Knox	Rogan
Battin	Figueroa	Kuehl	Speier
Baugh	Firestone	Kuykendall	Sweeney
Boland	Friedman	Lee	Takasugi
Bordonaro	Frusetta	Machado	Thompson
Bowen	Gallegos	Margett	Tucker
Bowler	Goldsmith	Martinez	Vasconcellos
Brewer	Granlund	Mazzoni	Weggeland
Brown	Harvey	McPherson	Woods
Brulte	Hauser	Miller	Mr. Speaker
Bustamante	Hawkins	Morrissey	
Campbell	Hoge	Morrow	

NOES—1

Villaraigosa

Above bill ordered enrolled.

ASSEMBLY BILL NO. 350 (Bustamante)—An act to add and repeal Article 7 (commencing with Section 2105) of Chapter 1.5 of Division 3 of the Fish and Game Code, relating to endangered and threatened species.

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	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Bowler	Goldsmith	Mazzoni	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Harvey	Migden	Weggeland
Brulte	Hauser	Miller	Woods
Burton	Hawkins	Morrissey	Mr. Speaker
Bustamante	Hoge	Morrow	

NOES—None**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 350: Assembly Member Figueroa, from "No" to "Aye".

Above bill ordered enrolled.

ASSEMBLY BILL NO. 521 (Aguiar)—An act to amend Section 3212.6 of the Labor Code, relating to workers' compensation.

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	Campbell	House	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Vasconcellos
Brewer	Granlund	Migden	Villaraigosa
Brown	Harvey	Miller	Weggeland
Brulte	Hauser	Morrissey	Woods
Burton	Hawkins	Morrow	Mr. Speaker
Bustamante	Hoge	Murray, Kevin	

NOES—1

Isenberg

Above bill ordered enrolled.

ASSEMBLY BILL NO. 3099 (Campbell)—An act to add Article 9 (commencing with Section 87860) to Chapter 3 of Part 51 of the Education Code, relating to community colleges, 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	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Setencich
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McPherson	Vasconcellos
Brown	Harvey	Migden	Villaraigosa
Brulte	Hauser	Miller	Weggeland
Burton	Hawkins	Morrissey	Woods
Bustamante	Hoge	Morrow	Mr. Speaker

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 3235 (Campbell)—An act to add Section 17717.2 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—75

Ackerman	Cannella	Isenberg	Murray, Willard
Aguiar	Conroy	Kaloogian	Napolitano
Alby	Cortese	Katz	Olberg
Alpert	Cunneen	Knight	Poochigian
Archie-Hudson	Davis	Knowles	Rainey
Baca	Ducheny	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Bates	Figueroa	Kuykendall	Setencich
Battin	Firestone	Lee	Speier
Baugh	Friedman	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Tucker
Bowler	Granlund	McPherson	Vasconcellos
Brewer	Harvey	Migden	Villaraigosa
Brown	Hauser	Miller	Weggeland
Brulte	Hawkins	Morrissey	Woods
Burton	Hoge	Morrow	Mr. Speaker
Bustamante	House	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

CONFERENCE COMMITTEE REPORTS

ASSEMBLY BILL NO. 574 (As proposed by the Conference Committee)—An act to amend Sections 830.1, 832.3, 832.4, 13510, and 13526.1 of the Penal Code, relating to peace officers, and making an appropriation therefor.

Conference Committee Report presented by Assembly Member Villaraigosa.

Report adopted by the following vote:

AYES—69

Ackerman	Conroy	Katz	Olberg
Aguiar	Cortese	Knowles	Poohigian
Alpert	Cunneen	Knox	Rainey
Archie-Hudson	Davis	Kuehl	Richter
Baca	Ducheny	Kuykendall	Rogan
Bates	Escutia	Lee	Setencich
Battin	Figueroa	Machado	Speier
Baugh	Firestone	Margett	Sweeney
Boland	Friedman	Martinez	Takasugi
Bordonaro	Frusetta	Mazzoni	Tucker
Bowen	Callegos	McPherson	Vasconcellos
Bowler	Harvey	Migden	Villaraigosa
Brown	Hauser	Miller	Weggeland
Brulte	Hawkins	Morrissey	Woods
Burton	Hoge	Morrow	Mr. Speaker
Bustamante	House	Murray, Kevin	
Campbell	Isenberg	Murray, Willard	
Cannella	Kaloogian	Napolitano	

NOES—5

Alby	Goldsmith	Thompson
Brewer	Granlund	

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Campbell was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 1910

August 16, 1996

*Hon. Curt Pringle
Speaker of the Assembly
State Capitol
Sacramento, California*

Dear Mr. Speaker: My Assembly Bill 1910 is pending on the Assembly Floor for concurrence in Senate amendments. The provisions of AB 1910 specify that upon the death of a local member who has 20 or more years of service and who is under retirement age the surviving spouse or eligible children may elect to receive a monthly allowance in lieu of a basic death benefit.

Under current law, the Public Employees Retirement System provides firefighters who are disabled as a result of a non-job related injury or illness a retirement benefit after five years of service. However, PERS provides no retirement benefit to spouse or children of a firefighter under age 50 if the firefighter suffers a non-job related death. The spouse or children would only be entitled to the return of the member's contributions plus interest. Consequently, a firefighter who is under 50 could give 25 or more years to the fire service with no

monthly retirement benefit to his or her family upon a non-job related death.

I wish to clarify my intent that this legislation not be construed as creating any new or further rights to healthcare benefits for survivors that may select this optional benefit. They would receive benefits similar to that which any firefighter would receive under current law had he or she been injured rather than deceased.

Sincerely,

ROBERT J. CAMPBELL, Assembly Member
Eleventh District

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1088 (Morrow)—An act to amend Sections 41906, 41912, and 51852 of, and to add Section 41907.5 to, the Education Code, relating to schools, 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—75

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Vasconcellos
Brewer	Granlund	Migden	Villaraigosa
Brown	Harvey	Miller	Weggeland
Brulte	Hauser	Morrissey	Woods
Burton	Hawkins	Morrow	Mr. Speaker
Bustamante	Hoge	Murray, Kevin	

NOES—None

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

AYES—75

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Vasconcellos
Brewer	Granlund	Migden	Villaraigosa
Brown	Harvey	Miller	Weggeland
Brulte	Hauser	Morrissey	Woods
Burton	Hawkins	Morrow	Mr. Speaker
Bustamante	Hoge	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2071 (Miller)—An act to add Sections 11758.41, 11758.42, 11758.44, 11758.46, and 11758.47 to the Health and Safety Code, relating to drug programs.

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

Ackerman	Bustamante	Hoge	Murray, Kevin
Aguiar	Cannella	House	Olberg
Alby	Conroy	Isenberg	Poochigian
Alpert	Cortese	Kaloogian	Rainey
Baca	Cunneen	Knight	Rogan
Baldwin	Davis	Knowles	Setencich
Battin	Ducheny	Knox	Sweeney
Baugh	Figueroa	Kuykendall	Takasugi
Boland	Firestone	Machado	Thompson
Bordonaro	Frusetta	Margett	Weggeland
Bowen	Gallegos	Martinez	Woods
Bowler	Goldsmith	McPherson	Mr. Speaker
Brewer	Granlund	Miller	
Brown	Harvey	Morrissey	
Brulte	Hawkins	Morrow	

NOES—15

Archie-Hudson	Friedman	Mazzoni	Tucker
Bates	Hauser	Migden	Vasconcellos
Burton	Kuehl	Murray, Willard	Villaraigosa
Escutia	Lee	Speier	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2538 (Miller)—An act to amend Sections 827.3, 1192.95, 1215, 1215.4, 1215.5, and 1215.13 of the Insurance Code, relating to insurance.

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

Ackerman	Campbell	Hoge	Murray, Willard
Aguiar	Cannella	House	Olberg
Alby	Conroy	Kaloogian	Poochigian
Alpert	Cortese	Knight	Rainey
Baca	Cunneen	Knowles	Richter
Baldwin	Davis	Knox	Rogan
Battin	Figueroa	Kuykendall	Setencich
Baugh	Firestone	Machado	Takasugi
Boland	Frusetta	Margett	Thompson
Bordonaro	Gallegos	Mazzoni	Tucker
Bowen	Goldsmith	McPherson	Weggeland
Bowler	Granlund	Miller	Woods
Brewer	Harvey	Morrissey	Mr. Speaker
Brown	Hauser	Morrow	
Brulte	Hawkins	Murray, Kevin	

NOES—12

Archie-Hudson	Isenberg	Martinez	Sweeney
Bates	Kuehl	Migden	Vasconcellos
Friedman	Lee	Speier	Villaraigosa

Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2538: Assembly Member Bowen, from "No" to "Aye".

Above bill ordered enrolled.

At 5:43 p.m., Speaker pro Tempore Fred Aguiar, 61st District, presiding

ASSEMBLY BILL NO. 3147 (Margett)—An act to amend Sections 19596.2 and 19605.71 of the Business and Professions Code, relating to horseracing, making an appropriation therefor, 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.

Call of the Assembly

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

Motion carried. Time, 5:43 p.m.

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

ASSEMBLY BILL NO. 3122 (Ducheny)—An act relating to housing, 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 Ducheny moved a call of the Assembly.

Motion carried. Time, 5:46 p.m.

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

ASSEMBLY BILL NO. 1991 (Granlund)—An act to add Section 107.8 to, and to repeal and add Section 206.1 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—58

Ackerman	Cannella	House	Murray, Kevin
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Knight	Poochigian
Alpert	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Figueroa	Kuehl	Rogan
Battin	Firestone	Kuykendall	Setencich
Baugh	Frusetta	Machado	Takasugi
Boland	Gallegos	Margett	Thompson
Bordonaro	Goldsmith	Martinez	Tucker
Bowler	Granlund	Mazzoni	Weggeland
Brewer	Harvey	McPherson	Woods
Brown	Hauser	Miller	Mr. Speaker
Brulte	Hawkins	Morrissey	
Bustamante	Hoge	Morrow	

NOES—8

Bates	Katz	Murray, Willard	Sweeney
Bowen	Migden	Speier	Villaraigosa

Above bill ordered enrolled.

ASSEMBLY BILL NO. 938 (Machado)—An act to add and repeal Section 4114.1 of the Public Resources Code, relating to fire protection, making an appropriation therefor, 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—72

Ackerman	Cannella	House	Murray, Kevin
Aguiar	Conroy	Isenberg	Murray, Willard
Alby	Cortese	Kaloogian	Napolitano
Alpert	Cunneen	Katz	Olberg
Archie-Hudson	Davis	Knight	Poochigian
Baca	Ducheny	Knowles	Rainey
Baldwin	Escutia	Kuehl	Richter
Bates	Figueroa	Kuykendall	Rogan
Battin	Firestone	Lee	Setencich
Baugh	Friedman	Machado	Speier
Boland	Frusetta	Margett	Sweeney
Bordonaro	Gallegos	Martinez	Takasugi
Bowen	Goldsmith	Mazzoni	Thompson
Bowler	Granlund	McPherson	Vasconcellos
Brewer	Harvey	Migden	Villaraigosa
Brown	Hauser	Miller	Weggeland
Brulte	Hawkins	Morrissey	Woods
Burton	Hoge	Morrow	Mr. Speaker

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1012 (Machado)—An act to amend Section 626 of, and to add Section 1170.86 to, the Penal Code, relating to crimes.

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	Campbell	Hoge	Morrissey
Aguiar	Cannella	House	Murray, Kevin
Alby	Conroy	Isenberg	Murray, Willard
Alpert	Cortese	Kaloogian	Napolitano
Archie-Hudson	Cunneen	Katz	Olberg
Baca	Davis	Knight	Poochigian
Baldwin	Ducheny	Knowles	Rainey
Bates	Escutia	Knox	Richter
Battin	Figueroa	Kuehl	Rogan
Baugh	Firestone	Kuykendall	Setencich
Boland	Friedman	Lee	Speier
Bordonaro	Frusetta	Machado	Sweeney
Bowen	Gallegos	Margett	Takasugi
Bowler	Goldsmith	Martinez	Thompson
Brewer	Granlund	Mazzoni	Vasconcellos
Brown	Harvey	McPherson	Villaraigosa
Brulte	Hauser	Migden	Weggeland
Burton	Hawkins	Miller	Woods

NOES—None

Above bill ordered enrolled.

At 5:55 p.m., Speaker Curt Pringle, 68th District, presiding

RULES TEMPORARILY SUSPENDED

Assembly Member Knight was granted unanimous consent that Assembly Rules 69(b) and 69(e) be suspended to permit consideration of amendments to Senate Bill No. 2023.

SENATE BILL NO. 2023 (Costa)—An act to repeal and add Chapter 12.8 (commencing with Section 7070) of, and to repeal Chapter 12.9 (commencing with Section 7080) of, Division 7 of Title 1 of the Government Code, and to amend Sections 17039, 17276.1, 17276.2, 23036, 24416.1, and 24416.2 of, to add Sections 17053.70, 17053.73, 17053.75, 17235, 17267, 23612.2, 23622.5, 24356.7, and 24384.5 to, and to repeal Sections 17052.13, 17053.8, 17053.9, 17053.11, 17231, 17252.5, 17265, 23612, 23622, 23623, 24356.2, 24356.3, and 24384 of, the Revenue and Taxation Code, relating to economic development.

Bill read third time.

Motion to Amend

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

Rules Temporarily Suspended

Assembly Member Knight was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 2023, as amended, without reference to file.

SENATE BILL NO. 2023 (Costa)—An act to repeal and add Chapter 12.8 (commencing with Section 7070) of, and to repeal Chapter 12.9 (commencing with Section 7080) of, Division 7 of Title 1 of the Government Code, and to amend Sections 17039, 17276.1, 17276.2, 23036, 24416.1, and 24416.2 of, to add Sections 17053.70, 17053.74, 17053.75, 17235, 17267.2, 23612.2, 24356.7, and 24384.5 to, to repeal Sections 17052.13, 17053.9, 17053.11, 17231, 17252.5, 17265, 23612, 23623, 24356.2, 24356.3, and 24384 of, and to repeal and add Sections 17053.8 and 23622 of, the Revenue and Taxation Code, relating to economic development.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 6:07 p.m.

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

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 1996

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

Assembly Bill No. 296

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.

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

Upon request of Assembly Member Rainey, pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 296 to the Committee on Local Government.

SPECIAL COMMITTEE MEETINGS

Assembly Member Rainey was granted unanimous consent that the Committee on Local Government be permitted to hold a special meeting at this time in the Tom Bane Rules Committee Room and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 296 for hearing.

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

SENATE BILL NO. 1099 (Alquist)—An act to add Section 790.1 to the Public Utilities Code, relating to public utilities.

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

Bill passed by the following vote:

AYES—63

Ackerman	Cannella	House	Murray, Willard
Aguiar	Conroy	Kaloogian	Napolitano
Alby	Cortese	Katz	Olberg
Alpert	Cunneen	Knowles	Poochigian
Baca	Davis	Kuehl	Rainey
Bates	Ducheny	Kuykendall	Rogan
Battin	Figueroa	Machado	Speier
Baugh	Firestone	Margett	Sweeney
Boland	Frusetta	Martinez	Takasugi
Bordonaro	Gallegos	Mazzoni	Thompson
Bowen	Goldsmith	McPherson	Vasconcellos
Bowler	Granlund	Migden	Villaraigosa
Brewer	Harvey	Miller	Weggeland
Brown	Hauser	Morrissey	Woods
Brulte	Hawkins	Morrow	Mr. Speaker
Bustamante	Hoge	Murray, Kevin	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1185 (Leonard)—An act to amend Sections 17850, 17882, 17883, and 17899.3 of, and to add and repeal Section 17899.4 of, the Education Code, relating to school facilities, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—56

Ackerman	Cannella	Kaloogian	Olberg
Aguiar	Conroy	Knight	Poochigian
Alby	Cortese	Kuykendall	Rainey
Alpert	Cunneen	Lee	Richter
Archie-Hudson	Davis	Machado	Rogan
Baca	Figueroa	Margett	Speier
Baldwin	Firestone	Martinez	Sweeney
Battin	Frusetta	McPherson	Takasugi
Baugh	Goldsmith	Miller	Thompson
Boland	Granlund	Morrissey	Vasconcellos
Bordonaro	Harvey	Morrow	Villaraigosa
Bowler	Hauser	Murray, Kevin	Weggeland
Brewer	Hawkins	Murray, Willard	Woods
Brulte	House	Napolitano	Mr. Speaker

NOES—8

Bates	Brown	Hoge	Mazzoni
Bowen	Escutia	Kuehl	Migden

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)
CONFERENCE COMMITTEE REPORTS**

SENATE BILL NO. 207 (As proposed by the Conference Committee)—An act to amend and repeal Section 739.3 of the Public Utilities Code, relating to telephones, and declaring the urgency thereof, to take effect immediately.

Conference Committee Report presented by Assembly Member Conroy.

Report adopted by the following vote:

AYES—74

Ackerman	Cannella	Isenberg	Murray, Willard
Aguiar	Conroy	Kaloogian	Napolitano
Alby	Cortese	Katz	Olberg
Alpert	Cunneen	Knight	Poochigian
Archie-Hudson	Davis	Knowles	Rainey
Baca	Ducheny	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Bates	Figueroa	Kuykendall	Setencich
Battin	Firestone	Lee	Speier
Baugh	Friedman	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Vasconcellos
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Harvey	Migden	Weggeland
Brown	Hauser	Miller	Woods
Brulte	Hawkins	Morrissey	Mr. Speaker
Burton	Hoge	Morrow	
Campbell	House	Murray, Kevin	

NOES—None

SENATE BILL NO. 1001 (As proposed by the Conference Committee)—An act to add Section 41204.1 to the Education Code, and to amend Sections 97.2 and 97.3 of the Revenue and Taxation Code, relating to local government finance.

Conference Committee Report presented by Assembly Member Aguiar.

Report adopted by the following vote:

AYES—74

Ackerman	Conroy	Kaloogian	Napolitano
Aguiar	Cortese	Katz	Olberg
Alby	Cunneen	Knight	Poochigian
Alpert	Davis	Knowles	Rainey
Archie-Hudson	Ducheny	Knox	Richter
Baca	Escutia	Kuehl	Rogan
Baldwin	Figueroa	Kuykendall	Setencich
Bates	Firestone	Lee	Speier
Battin	Friedman	Machado	Sweeney
Baugh	Frusetta	Margett	Takasugi
Boland	Gallegos	Martinez	Thompson
Bordonaro	Goldsmith	Mazzoni	Tucker
Bowen	Granlund	McPherson	Vasconcellos
Bowler	Harvey	Migden	Villaraigosa
Brewer	Hauser	Miller	Weggeland
Brown	Hawkins	Morrissey	Woods
Brulte	Hoge	Morrow	Mr. Speaker
Burton	House	Murray, Kevin	
Cannella	Isenberg	Murray, Willard	

NOES—None

ASSEMBLY BILL NO. 2797 (As proposed by the Conference Committee)—An act to add Section 41204.1 to the Education Code, and to amend Sections 97.2 and 97.3 of, and to add Section 97.52 to, the Revenue and Taxation Code, relating to local government finance.

Conference Committee Report presented by Assembly Member Aguiar.

Report adopted by the following vote:

AYES—73

Ackerman	Cannella	Kaloogian	Napolitano
Aguiar	Conroy	Katz	Olberg
Alby	Cortese	Knight	Poochigian
Alpert	Cunneen	Knowles	Rainey
Archie-Hudson	Davis	Knox	Richter
Baca	Ducheny	Kuehl	Rogan
Baldwin	Escutia	Kuykendall	Setencich
Bates	Figueroa	Lee	Speier
Battin	Firestone	Machado	Sweeney
Baugh	Friedman	Margett	Takasugi
Boland	Frusetta	Martinez	Thompson
Bordonaro	Gallegos	Mazzoni	Vasconcellos
Bowen	Goldsmith	McPherson	Villaraigosa
Bowler	Granlund	Migden	Weggeland
Brewer	Harvey	Miller	Woods
Brown	Hauser	Morrissey	Mr. Speaker
Brulte	Hawkins	Morrow	
Burton	Hoge	Murray, Kevin	
Campbell	House	Murray, Willard	

NOES—None

Above bill ordered enrolled.

SENATE BILL NO. 1307 (As proposed by the Conference Committee)—An act to amend Sections 116300, 116355, and 116370 of, to repeal Section 116560 of, and to repeal and add Sections 116360, 116365, and 116470 of, the Health and Safety Code, relating to drinking water.

Conference Committee Report presented by Assembly Member Richter.

Report adopted by the following vote:

AYES—69

Ackerman	Conroy	Katz	Napolitano
Aguiar	Cortese	Knight	Olberg
Alby	Cunneen	Knowles	Poochigian
Alpert	Davis	Knox	Rainey
Archie-Hudson	Escutia	Kuehl	Richter
Baca	Figueroa	Kuykendall	Rogan
Baldwin	Firestone	Lee	Setencich
Bates	Friedman	Machado	Speier
Battin	Frusetta	Margett	Sweeney
Baugh	Gallegos	Martinez	Takasugi
Boland	Goldsmith	Mazzoni	Vasconcellos
Bordonaro	Granlund	McPherson	Villaraigosa
Bowen	Harvey	Migden	Weggeland
Bowler	Hauser	Miller	Woods
Brewer	Hawkins	Morrissey	Mr. Speaker
Brown	Hoge	Morrow	
Brulte	House	Murray, Kevin	
Cannella	Kaloogian	Murray, Willard	

NOES—None

SENATE BILL NO. 1923 (As proposed by the Conference Committee)—An act to amend Sections 24045.6 and 25505 of, to amend and repeal Section 25615 of, to add Sections 25204 and 25503.30 to, and to add and repeal Section 23817.8 of, the Business and Professions Code, relating to alcoholic beverages.

Conference Committee Report presented by Assembly Member Cannella.

Report adopted by the following vote:

AYES—51

Ackerman	Campbell	Hoge	Olberg
Aguiar	Cannella	Knowles	Poochigian
Alby	Conroy	Knox	Rainey
Alpert	Cortese	Kuykendall	Richter
Baca	Cunneen	Machado	Rogan
Battin	Firestone	Margett	Setencich
Baugh	Frusetta	Martinez	Takasugi
Boland	Gallegos	Mazzoni	Vasconcellos
Bordonaro	Goldsmith	Miller	Villaraigosa
Bowler	Granlund	Morrissey	Weggeland
Brewer	Harvey	Morrow	Woods
Brown	Hauser	Murray, Kevin	Mr. Speaker
Brulte	Hawkins	Murray, Willard	

NOES—16

Archie-Hudson	Ducheny	Kaloogian	Migden
Bates	Escutia	Kuehl	Speier
Bowen	Figueroa	Lee	Sweeney
Davis	House	McPherson	Thompson

ASSEMBLY BILL NO. 2867 (As proposed by the Conference Committee)—an act relating to public utilities, and declaring the urgency thereof, to take effect immediately.

Conference Committee Report presented by Assembly Member Brulte.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—74

Ackerman	Cannella	Isenberg	Murray, Willard
Aguiar	Conroy	Kaloogian	Napolitano
Alby	Cortese	Katz	Olberg
Alpert	Cunneen	Knight	Poochigian
Archie-Hudson	Davis	Knowles	Rainey
Baca	Ducheny	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Bates	Figueroa	Kuykendall	Setencich
Battin	Firestone	Lee	Speier
Baugh	Friedman	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Vasconcellos
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Harvey	Migden	Weggeland
Brown	Hauser	Miller	Woods
Brulte	Hawkins	Morrissey	Mr. Speaker
Burton	Hoge	Morrow	
Campbell	House	Murray, Kevin	

NOES—None

Report adopted by the following vote:

AYES—74

Ackerman	Cannella	Isenberg	Murray, Willard
Aguiar	Conroy	Kaloogian	Napolitano
Alby	Cortese	Katz	Olberg
Alpert	Cunneen	Knight	Poochigian
Archie-Hudson	Davis	Knowles	Rainey
Baca	Ducheny	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Bates	Figueroa	Kuykendall	Setencich
Battin	Firestone	Lee	Speier
Baugh	Friedman	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Vasconcellos
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Harvey	Migden	Weggeland
Brown	Hauser	Miller	Woods
Brulte	Hawkins	Morrissey	Mr. Speaker
Burton	Hoge	Morrow	
Campbell	House	Murray, Kevin	

NOES—None

ASSEMBLY BILL NO. 1317 (As proposed by the Conference Committee)—An act to amend Sections 1354, 1363.05, and 1367 of, and to add Section 1366.3 to, the Civil Code, relating to common interest developments.

Conference Committee Report presented by Assembly Member Speier.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 6:42 p.m.

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

At 6:43 p.m., Hon. Jim Cunneen, 24th District, presiding

SENATE BILL NO. 836 (As proposed by the Conference Committee)—An act to add Sections 40458 and 44243.5 to the Health and Safety Code, relating to air pollution.

Conference Committee Report presented by Assembly Member Ackerman.

Report adopted by the following vote:

AYES—68

Ackerman	Cannella	House	Murray, Kevin
Aguiar	Conroy	Kaloogian	Murray, Willard
Alby	Cortese	Knight	Napolitano
Alpert	Cunneen	Knowles	Olberg
Archie-Hudson	Davis	Knox	Poochigian
Baca	Ducheny	Kuehl	Rainey
Baldwin	Figueroa	Kuykendall	Richter
Bates	Firestone	Lee	Rogan
Battin	Friedman	Machado	Setencich
Baugh	Frusetta	Margett	Speier
Boland	Callegos	Martinez	Takasugi
Bordonaro	Goldsmith	Mazzoni	Thompson
Bowen	Granlund	McPherson	Vasconcellos
Bowler	Harvey	Migden	Villaraigosa
Brewer	Hauser	Miller	Weggeland
Brown	Hawkins	Morrissey	Woods
Brulte	Hoge	Morrow	Mr. Speaker

NOES—None

SENATE BILL NO. 38 (As proposed by the Conference Committee)—An act to add Section 17008.7 to, and to add Chapter 3.7 (commencing with Section 50199.50) to Part 1 of Division 31 of, the Health and Safety Code, to amend Sections 6358, 6366, 6377, 17052.12, 17053.8, 17053.49, 17062, 17072, 17076, 17144, 17250, 17271, 17276, 17507, 19144, 19147, 19148, 19191, 19192, 23221, 23609, 23622, 23649, 24307, 24344, 24358, 24411, 24416, 24424, and 24443 of, to amend, repeal, and add Sections 17151, 18042, and 24611 of, to add Sections 6244.5, 17052.8, 17053.12, 17053.14, 17053.42, 17053.73, 17077.5, 17084, 17134.5, 17138.5, 17141.5, 17150, 17201.5, 17210, 17213, 17218, 17255, 17267, 17279.5, 17330, 17570, 17859, 17860, 18044, 23604, 23608, 23608.2, 23608.3, 23622.5, 23642, 23701z, 24343.3, 24344.7, 24472, 24710, 24903, and 24905.5 to, and to add and repeal Sections 17052.10 and 23610 of, the Revenue and Taxation Code, and to amend Section 1088.5 of the Unemployment Insurance Code, relating to taxation, to take effect immediately, tax levy.

Conference Committee Report presented by Assembly Member Pringle.

Report adopted by the following vote:

AYES—63

Ackerman	Conroy	Katz	Murray, Willard
Aguiar	Cortese	Knowles	Napolitano
Alpert	Cunneen	Knox	Olberg
Archie-Hudson	Davis	Kuehl	Poochigian
Baca	Ducheny	Kuykendall	Rainey
Baugh	Escutia	Lee	Richter
Bordonaro	Figueroa	Machado	Setencich
Bowen	Firestone	Margett	Speier
Bowler	Friedman	Martinez	Sweeney
Brewer	Gallegos	Mazzoni	Takasugi
Brown	Goldsmith	McPherson	Tucker
Brulte	Granlund	Migden	Vasconcellos
Burton	Harvey	Miller	Villaraigosa
Bustamante	Hauser	Morrissey	Woods
Campbell	Hawkins	Morrow	Mr. Speaker
Cannella	House	Murray, Kevin	

NOES—1

Bates

Vote Changes

By unanimous consent, the following vote changes were permitted on the Conference Committee Report on Senate Bill No. 38: Assembly Members Boland and Frusetta, from "Aye" to "Not Voting".

At 6:57 p.m., Speaker pro Tempore Fred Aguiar, 61st District, presiding

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

SENATE BILL NO. 579 (Leonard)—An act to add Section 1367.62 to the Health and Safety Code, and to add Sections 10123.87 and 11512.152 to the Insurance Code, relating to health coverage.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 7 p.m.

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

At 7:01 p.m., Speaker Curt Pringle, 68th District, presiding

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 752**

At 7:25 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.

Senate Bill No. 752 refused passage by the following vote:

AYES—40

Ackerman	Brulte	House	Olberg
Aguiar	Conroy	Kaloogian	Poochigian
Alby	Cunneen	Knight	Rainey
Baldwin	Firestone	Knowles	Richter
Battin	Frusetta	Kuykendall	Rogan
Baugh	Goldsmith	Margett	Takasugi
Boland	Granlund	McPherson	Thompson
Bordonaro	Harvey	Miller	Weggeland
Bowler	Hawkins	Morrissey	Woods
Brewer	Hoge	Morrow	Mr. Speaker

NOES—34

Alpert	Davis	Knox	Napolitano
Archie-Hudson	Ducheny	Kuehl	Setencich
Baca	Escutia	Lee	Speier
Bates	Figueroa	Machado	Sweeney
Brown	Friedman	Martinez	Tucker
Burton	Galgos	Mazzoni	Vasconcellos
Bustamante	Hauser	Migden	Villaraigosa
Campbell	Isenberg	Murray, Kevin	
Cannella	Katz	Murray, Willard	

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO SENATE BILL NO. 569**

At 7:25 p.m., on motion of Assembly Member Bustamante, 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. 569 refused adoption by the following vote:

AYES—36

Aguiar	Cunneen	Knight	Murray, Kevin
Baldwin	Figueroa	Knowles	Olberg
Battin	Firestone	Kuykendall	Poochigian
Boland	Goldsmith	Machado	Rainey
Bordonaro	Granlund	Martinez	Richter
Bowler	Harvey	McPherson	Rogan
Brewer	Hauser	Miller	Takasugi
Brulte	Hawkins	Morrissey	Weggeland
Conroy	House	Morrow	Mr. Speaker

NOES—17

Ackerman	Burton	Margett	Thompson
Alpert	Frusetta	Mazzoni	Tucker
Archie-Hudson	Hoge	Migden	
Bates	Katz	Murray, Willard	
Brown	Kuehl	Sweeney	

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 2112**

At 7:26 p.m., on motion of Assembly Member Rogan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 2112 passed by the following vote:

AYES—41

Ackerman	Conroy	Knight	Richter
Aguiar	Cunneen	Knowles	Rogan
Alby	Firestone	Kuykendall	Takasugi
Baldwin	Frusetta	Margett	Thompson
Battin	Goldsmith	McPherson	Tucker
Baugh	Granlund	Miller	Weggeland
Boland	Harvey	Morrissey	Woods
Bordonaro	Hawkins	Morrow	Mr. Speaker
Bowler	Hoge	Olberg	
Brewer	House	Poochigian	
Brulte	Kaloogian	Rainey	

NOES—31

Alpert	Davis	Knox	Murray, Willard
Archie-Hudson	Ducheny	Kuehl	Napolitano
Baca	Escutia	Lee	Setencich
Bates	Figueroa	Machado	Speier
Bowen	Friedman	Martinez	Sweeney
Brown	Gallegos	Mazzoni	Vasconcellos
Burton	Isenberg	Migden	Villaraigosa
Cannella	Katz	Murray, Kevin	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 2452**

At 7:26 p.m., on motion of Assembly Member Hauser, 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. 2452 by the following vote:

AYES—32

Archie-Hudson	Cannella	Isenberg	Migden
Baca	Davis	Knox	Murray, Kevin
Bates	Ducheny	Kuehl	Murray, Willard
Bowen	Escutia	Lee	Napolitano
Brown	Figueroa	Machado	Setencich
Brulte	Friedman	Margett	Speier
Burton	Gallegos	Martinez	Sweeney
Campbell	Hauser	Mazzoni	Tucker

NOES—35

Ackerman	Brewer	Kaloogian	Rainey
Aguiar	Conroy	Knight	Richter
Alby	Cunneen	Knowles	Rogan
Baldwin	Firestone	Kuykendall	Takasugi
Battin	Goldsmith	McPherson	Thompson
Baugh	Granlund	Miller	Villaraigosa
Boland	Harvey	Morrissey	Weggeland
Bordonaro	Hoge	Morrow	Woods
Bowler	House	Olberg	

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 2338**

At 7:26 p.m., on motion of Assembly Member Rainey, 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 Gallegos moved to continue the call of the Assembly.

Motion carried. Time, 7:26 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. 924**

At 7:26 p.m., on motion of Assembly Member Friedman, 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. 924 by the following vote:

AYES—44

Ackerman	Brulte	House	Olberg
Aguiar	Conroy	Kaloogian	Poochigian
Alby	Cortese	Knight	Rainey
Alpert	Cunneen	Knowles	Richter
Baldwin	Ducheny	Kuykendall	Rogan
Battin	Frusetta	Machado	Setencich
Baugh	Goldsmith	Margett	Takasugi
Boland	Granlund	McPherson	Thompson
Bordonaro	Harvey	Miller	Weggeland
Bowler	Hawkins	Morrissey	Woods
Brewer	Hoge	Morrow	Mr. Speaker

NOES—29

Archie-Hudson	Escutia	Kuehl	Speier
Baca	Firestone	Lee	Sweeney
Bates	Friedman	Martinez	Tucker
Brown	Gallegos	Mazzoni	Vasconcellos
Burton	Hauser	Migden	Villaraigosa
Bustamante	Isenberg	Murray, Kevin	
Cannella	Katz	Murray, Willard	
Davis	Knox	Napolitano	

Vote Changes

By unanimous consent, the following vote changes were permitted on concurrence in Senate amendments to Assembly Bill No. 924: Assembly Member Cannella, from "Aye" to "No"; Assembly Member Ducheny, from "No" to "Aye".

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 764**

At 7:27 p.m., on motion of Assembly Member Bordonaro, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 764 adopted by the following vote:

AYES—72

Ackerman	Campbell	House	Morrow
Aguiar	Cannella	Isenberg	Murray, Kevin
Alby	Conroy	Kaloogian	Murray, Willard
Alpert	Cortese	Katz	Napolitano
Archie-Hudson	Cunneen	Knight	Olberg
Baca	Davis	Knowles	Poochigian
Bates	Ducheny	Knox	Rainey
Battin	Escutia	Kuehl	Rogan
Baugh	Figueroa	Kuykendall	Setencich
Boland	Firestone	Lee	Speier
Bordonaro	Friedman	Machado	Sweeney
Bowen	Gallegos	Margett	Takasugi
Bowler	Goldsmith	Martinez	Thompson
Brewer	Granlund	Mazzoni	Tucker
Brown	Harvey	McPherson	Vasconcellos
Brulte	Hauser	Migden	Villaraigosa
Burton	Hawkins	Miller	Weggeland
Bustamante	Hoge	Morrissey	Woods

NOES—None

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

AYES—72

Ackerman	Campbell	House	Morrow
Aguiar	Cannella	Isenberg	Murray, Kevin
Alby	Conroy	Kaloogian	Murray, Willard
Alpert	Cortese	Katz	Napolitano
Archie-Hudson	Cunneen	Knight	Olberg
Baca	Davis	Knowles	Poochigian
Bates	Ducheny	Knox	Rainey
Battin	Escutia	Kuehl	Rogan
Baugh	Figueroa	Kuykendall	Setencich
Boland	Firestone	Lee	Speier
Bordonaro	Friedman	Machado	Sweeney
Bowen	Gallegos	Margett	Takasugi
Bowler	Goldsmith	Martinez	Thompson
Brewer	Granlund	Mazzoni	Tucker
Brown	Harvey	McPherson	Vasconcellos
Brulte	Hauser	Migden	Villaraigosa
Burton	Hawkins	Miller	Weggeland
Bustamante	Hoge	Morrissey	Woods

NOES—None

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 2188**

At 7:27 p.m., on motion of Assembly Member Granlund, 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 Rogan moved to continue the call of the Assembly.

Motion carried. Time, 7:27 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. 3147**

At 7:27 p.m., on motion of Assembly Member Margett, 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 Rogan moved to continue the call of the Assembly.

Motion carried. Time, 7:27 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. 3122**

At 7:28 p.m., on motion of Assembly Member Ducheny, 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 Katz moved to continue the call of the Assembly.

Motion carried. Time, 7:28 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. 2023**

At 7:28 p.m., on motion of Assembly Member Knight, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Request for Call of the Assembly

Assembly Member Archie-Hudson requested to continue the Call of the Assembly on Senate Bill No. 2023.

Call of Assembly Out of Order

Speaker Pringle replied that a Call of the Assembly is not in order as the vote on Senate Bill No. 2023 has been announced.

Call of the Assembly Placed by Unanimous Consent

At 7:30 p.m. Assembly Member Archie-Hudson was granted unanimous consent to continue the Call of the Assembly on Senate Bill No. 2023.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
CONFERENCE COMMITTEE REPORT ON ASSEMBLY BILL NO. 1317**

At 7:31 p.m., on motion of Assembly Member Speier, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Conference Committee Report on Assembly Bill No. 1317 adopted by the following vote:

AYES—44

Aguiar	Conroy	Katz	Morrow
Alpert	Cortese	Knox	Murray, Kevin
Archie-Hudson	Cunneen	Kuehl	Murray, Willard
Baca	Davis	Lee	Napolitano
Bates	Escutia	Machado	Olberg
Battin	Figueroa	Margett	Setencich
Brown	Friedman	Martinez	Speier
Brulte	Gallegos	Mazzoni	Vasconcellos
Burton	Granlund	McPherson	Villaraigosa
Bustamante	Hawkins	Migden	Weggeland
Cannella	Isenberg	Morrissey	Woods

NOES—28

Ackerman	Bowler	Hauser	Miller
Alby	Brewer	Hoge	Poochigian
Baldwin	Ducheny	House	Rainey
Baugh	Firestone	Kaloogian	Richter
Boland	Frusetta	Knight	Sweeney
Bordonaro	Goldsmith	Knowles	Takasugi
Bowen	Harvey	Kuykendall	Thompson

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1317	Assembly Bill No. 2867
Assembly Bill No. 1562	Assembly Bill No. 3153
Assembly Bill No. 1890	

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

Above bills ordered enrolled.

Senate Chamber, August 31, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 38	Senate Bill No. 960
Senate Bill No. 836	Senate Bill No. 1322

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

Senate Chamber, August 31, 1996

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

Senate Bill No. 8	Senate Bill No. 652
Senate Bill No. 109	Senate Bill No. 1365
Senate Bill No. 369	Senate Bill No. 1589
Senate Bill No. 398	Senate Bill No. 1808
Senate Bill No. 623	Senate Bill No. 1951

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

Senate Chamber, August 31, 1996

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

Senate Bill No. 349
Senate Bill No. 354
Senate Bill No. 366
Senate Bill No. 1077
Senate Bill No. 1478

Senate Bill No. 1634
Senate Bill No. 1664
Senate Bill No. 2035
Senate Bill No. 2137

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

SPECIAL COMMITTEE MEETINGS

Assembly Member Poochigian was granted unanimous consent that the Committee on Appropriations be permitted to hold a special meeting at 8:30 p.m., in Room 4202, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bills Nos. 161, 1682, 2053, and 2800 for hearing.

CAUCUS ANNOUNCEMENTS

Speaker Pringle announced that the Republican Caucus would meet in the Assembly Lounge and the Democratic Caucus would meet in the Tom Bane Rules Committee Room, upon recess of Floor session.

CAUCUS ANNOUNCEMENTS

Assembly Member Figueroa announced that the Women's Democratic Caucus would meet during the recess of the House, at the rear of the Chamber.

RECESS

By unanimous consent, at 7:35 p.m., Speaker Pringle declared the Assembly recessed.

REASSEMBLED

At 9:30 p.m., the Assembly reconvened.

Hon. Curt Pringle, Speaker of the Assembly, presiding.

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 1996

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

Assembly Bill No. 115
Assembly Bill No. 824
Assembly Bill No. 1533
Assembly Bill No. 1675
Assembly Bill No. 1703
Assembly Bill No. 1930

Assembly Bill No. 2104
Assembly Bill No. 2112
Assembly Bill No. 2647
Assembly Bill No. 2719
Assembly Bill No. 2985
Assembly Bill No. 3093

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 31, 1996

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

Assembly Bill No. 137
 Assembly Bill No. 2377
 Assembly Bill No. 2447

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 23, 1996

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

Assembly Bill No. 2563

And respectfully requests the Assembly to concur in said amendments.

JOHN W. ROVANE, Acting Secretary of the Senate

Above bill ordered to unfinished business file.

Senate Chamber, August 21, 1996

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

Assembly Bill No. 3048

And respectfully requests the Assembly to concur in said amendments.

JOHN W. ROVANE, Acting Secretary of the Senate

Above bill ordered to unfinished business file.

Senate Chamber, August 30, 1996

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

Assembly Bill No. 81	Assembly Bill No. 2862
Assembly Bill No. 1368	Assembly Bill No. 2964
Assembly Bill No. 2705	Assembly Bill No. 3026
Assembly Bill No. 2713	Assembly Bill No. 3157

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 30, 1996

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

Assembly Bill No. 1663

And respectfully requests the Assembly to concur in said amendments.

JOHN W. ROVANE, Acting Secretary of the Senate

Above bill ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Date of Hearing: August 31, 1996

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 296

With the recommendation: That the Senate amendments be concurred in.

RAINEY, Chairman

Above bill ordered to unfinished business.

Committee on Appropriations

Date of Hearing: August 31, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 2053

Assembly Bill No. 2800

With the recommendation: That Senate amendments be concurred in.

POOCHIGIAN, Chairman

Above bills ordered on file.

MESSAGES FROM THE SENATE

Senate Chamber, August 29, 1996

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

Assembly Bill No. 66

Assembly Bill No. 2177

Assembly Bill No. 136

Assembly Bill No. 2312

Assembly Bill No. 302

Assembly Bill No. 2649

Assembly Bill No. 645

Assembly Bill No. 2937

Assembly Bill No. 1647

And respectfully requests the Assembly to concur in said amendments.

JOHN W. ROVANE, Acting Secretary of the Senate

Above bills ordered to unfinished business file.

CONSIDERATION OF SPECIAL CONSENT CALENDAR

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

Consideration of Senate Amendments to Assembly Bills

ASSEMBLY BILL NO. 2898 (Bowler)—An act to amend Section 704.090 of the Code of Civil Procedure, to amend Sections 13960, 13962, 13963, 13965, 13966.01, 13967.2, 13967.5, 13968, 13969.3, and 13969.4 of the Government Code, to amend Section 4903 of the Labor Code, to amend Sections 166, 243, 262, 273.5, 273.6, 484.1, 1203.044, 1203.097, 1203.1, 1205, 1205.3, 1214, 1463.18, 1464, and 2900.5 of, and to repeal Section 1205.5 of, the Penal Code, to amend Section 42003 of the Vehicle Code, and to amend Sections 653.5, 654.3, 656, 729.7, 730.6, 1752.82, and 1766.1 of the Welfare and Institutions Code, relating to victims of crime.

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. 2618 (Committee on Banking and Finance)—An act to amend Sections 270, 271.5, 800, 1755, 1757, 1935, 3371, 3513, 3560, 3570, 3580, 3754, 3825, 3827, 3841, 4827, 4827.3, 4827.7, 4828, 4828.3, 4828.7, 4839, 4840, 4843, 4849, 4857, 4871.5, 4872, 4877.03, 4877.04, 4879.10, 4879.12, 4880, 4895.05, 4895.06, 4901.5, 4961.5, 18139, 18368, 18653, 18660, 18681, 18684, 18685, 18686, 18690, 18691, 18692, 18693, 18694, 18695, 18696, 18697, 18700, 18701, 18702, 18703, 18704, 18705, 18706, and 18707 of, to amend the heading of Article 1 (commencing with Section 800) of Chapter 6.5 of Division 1 of, to amend the heading of Article 3 (commencing with Section 4870) of Chapter 3 of Division 1.5 of, to add Section 4879.135, and Article 3.5 (commencing with Section 4876.01) and Article 4.5 (commencing with Section 4878.01) to Chapter 3, and Article 4 (commencing with Section 4908.01) to Chapter 4, of Division 1.5 of, and to repeal Sections 186, 1935, 4856, 4879.11, 4886, 4902.5, 4926, 4947, and 4962.5 of, the Financial Code, relating to financial institutions, 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. 3138 (Aguiar)—An act to amend Section 14301 of the Welfare and Institutions Code, relating to public social 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. 2759 (Burton)—An act to amend Sections 21627, 21638.5, 21641, 21642, and 21647 of, and to add Section 21628.1 to, the Business and Professions Code, to amend Sections 21000, 21301, and 21304 of, and to add Sections 21300.1, 21301.1, and 21307 to, the Financial Code, and to amend Section 484.1 of the Penal Code, relating to tangible personal property.

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. 2508 (House)—An act to amend Section 42310 of the Public Resources Code, relating to solid waste.

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

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

ASSEMBLY BILL NO. 3462 (Takasugi)—An act to amend Section 41138 of the Revenue and Taxation Code, relating to taxation.

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. 1197 (Takasugi)—An act to amend Sections 6584.5, 6591, 8855, 8856, 8857, 16310, 16429.3, and 16774 of, to repeal Section 8858 of, and to repeal Article 6.5 (commencing with Section 16496) of Chapter 3 of Part 2 of Division 4 of Title 2 of, the Government Code, and to amend Sections 51350, 51471, 52062, and 55100 of, and to repeal Section 51360 of, the Health and Safety Code, relating to state finance.

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. 1832 (Speier)—An act to amend Sections 3750, 3767, 5283, 7571, 7572, and 7644 of, to add Sections 3751.5, 7573, and 7577 to, and to repeal and add Section 7574, 7575, and 7576 of, the Family Code, to amend Section 22825.14 of the Government Code, to amend Sections 1357, 1357.50, 1374.3, and 102425 of, and to add Article 4 (commencing with Section 102766) to Chapter 5 of Part 1 of Division 102 of, the Health and Safety Code, to amend Sections 10119, 10121.6, 10198.6, 10702.1, 10711, 10719.1, 10731.2, and 11516.1 of the Insurance Code, to amend Section 2803.5 of the Labor Code, and to amend Sections 11350.3, 11350.4, 11476, 11478.8, 15200.1, 15200.2, 15200.3, 15200.7, 15200.8, 15200.85, 15200.9, and 15200.95 of, to add Sections 14124.94 and 15200.91 to, and to repeal Section 14124.93 of, the Welfare and Institutions Code, relating to family law, 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. 2125 (Figueroa)—An act to add Article 8 (commencing with Section 124170) to Chapter 3 of Part 2 of Division 106 of the Health and Safety Code, and to add Section 273.4 to the Penal Code, relating to female genital mutilation.

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. 2153 (Kuehl)—An act to add Section 1417.8 to the Penal Code, relating to criminal procedure.

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. 2154 (Kuehl)—An act to amend Sections 213.5, 304, 362.4, 366.25, 366.3, and 11404.1 of the Welfare and Institutions Code, relating to juveniles.

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. 2291 (Knox)—An act to add Section 846.1 to the Civil Code, relating to real property.

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. 2349 (Harvey)—An act to amend Sections 113750, 113780, 113785, 113815, 113905, and 114160 of, to amend and renumber Sections, 27531, 27601, 27623, 27625, 27677, and 27791 of, to add Sections 113844, 114021, 114022, 114057, 114366, 114367, and 114367.5 to, to repeal Section 27675 of, to repeal and add Sections 113900 and 114020 of, and to repeal and add Article 11 (commencing with Section 114250) of Chapter 4 of Part 7 of Division 104 of, the Health and Safety Code, relating to food 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. 2458 (Figueroa)—An act to add Article 6 (commencing with Section 9795) to Chapter 7 of Part 1 of Division 2 of Title 2 of, and to repeal Section 11095 of, the Government Code, relating to state records.

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. 2474 (Kuehl)—An act to amend Section 3011 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. 2568 (Woods)—An act to amend Sections 14123 and 14124.2 of the Welfare and Institutions Code, relating to Medi-Cal.

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. 2701 (Thompson)—An act to amend Sections 8001, 8018, 8020, 8024, 8024.2, 8025, and 8027 of the Business and Professions Code, relating to shorthand reporters.

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. 2720 (Sweeney)—An act to amend Section 48915 of the Education Code, relating to expulsion.

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. 2779 (Knox)—An act to amend Section 302 of the Streets and Highways Code, relating to highways.

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. 3057 (Hauser)—An act to amend Section 40518 of, and to add Section 40520 to, 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. 3197 (Vasconcellos)—An act to add Section 19507 to the Welfare and Institutions Code, relating to rehabilitation.

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. 3277 (Setencich)—An act to amend Item 5240-301-0659 of Section 2.00 of the Budget Act of 1996, relating to prisons, 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. 293 (Hoge)—An act to amend Sections 10113.6 and 10164.2 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. 1721 (Ducheny)—An act to amend Section 1985.3 of the Code of Civil Procedure and to amend Sections 49077, 49078, 76244, and 76245 of the Education Code, relating to records.

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. 1820 (McPherson)—An act relating to redevelopment.

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. 2017 (Escutia)—An act to amend Sections 290.4, 4852.01, 4852.03, 4852.05, 4852.06, and 4852.13 of the Penal Code, relating to criminal offenders.

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. 2202 (Baca)—An act to amend Section 25218.1 of, and to add Section 25218.12 to, the Health and Safety Code, and to amend Section 47550 of, the Public Resources Code, relating to household hazardous waste.

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

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

ASSEMBLY BILL NO. 2359 (Bustamante)—An act to amend Section 1279.5 of the Code of Civil Procedure, relating to names.

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. 2417 (Bustamante)—An act to amend Sections 5014 and 36010 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. 2573 (Bowler)—An act to add Section 17210 to the Business and Professions Code, relating to motor vehicle fuel.

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. 2589 (Battin)—An act relating to public utilities.

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. 2936 (Cunneen)—An act to amend Sections 3411, 6240, 6250, 6251, 6252, and 6253 of, and to add Section 3134.5 to, the Family Code, and to amend Section 868.5 of, and to repeal and add Chapter 4 (commencing with Section 277) of Title 9 of Part 1 of, the Penal Code, relating to child abduction.

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. 3095 (Villaraigosa)—An act to add Section 42008.5 to the Vehicle Code, relating to vehicles, 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. 3098 (Campbell)—An act to amend Sections 1001.9, 1001.33, 1001.55, 1001.75, 13203, and 13300 of, and to amend and renumber Section 1000.5 of, the Penal Code, relating to diversion.

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. 3220 (Archie-Hudson)—An act to amend Sections 19627 and 19636 of the Business and Professions Code, to amend Sections 3857, 4101, 4102, 4103, 4104, 4105, 4106, 4107, and 4108 of, and to amend the heading of Article 1 (commencing with Section 4101) of Chapter 6 of Part 3 of Division 3 of, the Food and Agricultural Code, to amend Sections 8300 and 12804 of the Government Code, to amend Sections 172c and 830.3 of the Penal Code, and to amend Section 6366.4 of the Revenue and Taxation Code, relating to agricultural districts.

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. 3471 (Committee on Judiciary)—An act to amend Sections 116.340, 116.360, 116.370, 116.390, 116.570, 116.610, 116.610, 116.820, 116.910, 405.22, 488.395, and 700.070 of, and to add Section 1985.7 to, the Code of Civil Procedure, and to amend Sections 68150, 68151, 68152, and 68616 of the Government Code, relating to courts.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 68 (Brown)—Relative to the Parker B. Rice Memorial Bridge and the Richard "Fresh Air" Janson Bridge.

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

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

ASSEMBLY BILL NO. 682 (Tucker)—An act to add Section 25503.33 to the Business and Professions Code, relating to alcoholic beverages.

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. 3133 (Firestone)—An act to amend Sections 69766 and 69768 of, and to add Article 2.5 (commencing with Section 69522) to Chapter 2 of Part 42 of, the Education Code, to amend Section 20057 of the Government Code, and to amend Section 10340 of the Public Contract Code, relating to postsecondary education, 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. 1058 (Speier)—An act to amend Section 259 of, to add Chapter 9 (commencing with Section 689.010) to Division 1 of Title 9 of Part 2 of, and to repeal Sections 639.5 and 640.1 of, the Code of Civil Procedure, to amend Section 4506.3 of, to add Section 5246 to, to add Article 3 (commencing with Section 3680) to Chapter 6 of Part 1 of Division 9 of, to add Article 4 (commencing with Section 4250) to Chapter 2 of Part 2 of Division 9 of, and to add Division 14 (commencing with Section 10000) to, the Family Code, to amend Section 70141 of the Government Code, to amend Sections 11350.1, 11475.1, and 11478.2 of, and to add Sections 11350.7, 11354, 11355, and 11356 to, the Welfare and Institutions 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. 1684 (Alby)—An act to amend the heading of Chapter 1 (commencing with Section 14000) of Part 5 of Division 3 of Title 1 of, and to amend Sections 14010, 14020, 14021, 14022, 14024, 14025, 14026, 14028, 14030, 14030.2, 14035, 14037, 14037.6, 14040, 14043, 14045, 14046, 14052, 14056, 14059, 14060, 14061, 14066, 14070, 14071, 14072, 14076, 14085, and 14086 of, to add Section 14060.5 to, and to repeal Section 14029 of, the Corporations Code, relating to financial development, 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. 2265 (Villaraigosa)—An act to add and repeal Article 3 (commencing with Section 54035) of Chapter 1 of Part 29 of the Education Code, relating to summer school.

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. 2612 (Baugh)—An act to amend Sections 19356.6 and 19356.7 of the Welfare and Institutions Code, relating to habilitation 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. 3296 (Brewer)—An act to amend Section 65804 of, and to add and repeal Section 27279.1 of, the Government Code, relating to local agency procedures.

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. 2032 (Frusetta)—An act to amend Sections 78406, 78407, 78427, 78475, 78476, 78486, 78489, 78490, 78491, 78500, 78525, 78552, 78554, 78558, 78559, 78563, 78577, 78578, 78582, 78583, 78585, and 78588 of, to add Section 78552.5 to, to repeal Section 78562 of, and to repeal Article 2 (commencing with Section 5931) and Article 4 (commencing with Section 5981) of Chapter 9 of Part 1 of Division 4 of, the Food and Agricultural Code, relating to food and agriculture.

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. 2726 (Woods)—An act to amend Sections 7576 and 7587 of, and to add Section 7586.6 to, the Government Code, relating to public social 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. 3042 (Takasugi)—An act to amend Section 11161 of, and to add and repeal Section 11165 of, the Health and Safety Code, relating to controlled substances, 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. 3323 (Hannigan)—An act relating to highways, making an appropriation therefor, 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. 1524 (Granlund)—An act to amend Sections 366.21, 366.26, 16100, 16122, and 16501 of, and to amend, repeal, and add Section 361.5 of, the Welfare and Institutions Code, relating to children.

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. 2051 (Alpert)—An act to amend Section 647 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. 2353 (Alpert)—An act to add Section 3053.2 to the Penal Code, relating to domestic violence.

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. 2881 (Woods)—An act to add Chapter 12 (commencing with Section 15700) to Part 3 of Division 9 of the Welfare and Institutions Code, relating to public social 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. 3223 (Brown)—An act to add Section 47613 to the Education Code, and to amend Sections 53313 and 53317 of the Government 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.)

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—76

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Setencich
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Callegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McPherson	Vasconcellos
Brown	Harvey	Migden	Villaraigosa
Brulte	Hauser	Miller	Weggeland
Burton	Hawkins	Morrissey	Woods
Bustamante	Hoge	Morrow	Mr. Speaker

NOES—None

**SENATE CONCURRENT RESOLUTION NO. 2
WITHDRAWN FROM COMMITTEE**

Assembly Member Rogan was granted unanimous consent that Senate Concurrent Resolution No. 2 be withdrawn from the Committee on Rules for the purpose of consideration at this time, without reference to file.

SENATE CONCURRENT RESOLUTION NO. 2 (Lockyer)—Relative to the selection of the Legislative Counsel of California.

Resolution read, and adopted by the following vote:

AYES—67

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Kalooogian	Napolitano
Alby	Conroy	Knight	Olberg
Alpert	Cortese	Knowles	Poochigian
Archie-Hudson	Cunneen	Knox	Rainey
Baca	Davis	Kuehl	Richter
Baldwin	Figueroa	Kuykendall	Rogan
Bates	Firestone	Lee	Setencich
Battin	Friedman	Machado	Speier
Baugh	Frusetta	Margett	Sweeney
Boland	Gallegos	Martinez	Takasugi
Bordonaro	Goldsmith	Mazzoni	Vasconcellos
Bowen	Granlund	McPherson	Villaraigosa
Bowler	Harvey	Miller	Weggeland
Brewer	Hauser	Morrissey	Woods
Brown	Hawkins	Morrow	Mr. Speaker
Brulte	Hoge	Murray, Kevin	

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Aguiar was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 2288

August 31, 1996

Honorable Curt Pringle

Speaker

California State Assembly

Dear Speaker Pringle: I am writing to help clarify the purpose for my introduction of AB 2288.

I introduced this bill to provide law enforcement with an additional tool to combat the criminal street racing that has plagued so many of Southern California's communities. Street racing has brought serious problems to the communities in which it has become a sport. These racers continually block off city streets and initiate drag races, endangering their lives as well as those of the hundreds of spectators who gather at these sites. In fact, numerous fatalities have resulted when the operator of an automobile or motorcycle has lost control of the vehicle while participating in a street race. Street racers often destroy public property, painting race markings on city streets and often vandalizing private property in the vicinity. And all too often, these races erupt into violence. In a period of 3 months, the City of Fontana experienced four murders resulting from street race

disputes. Clearly, law enforcement's efforts to ensure the safety of their communities must include an active effort against street racing.

Unfortunately, though the efforts of law enforcement to end street racing have been significant, they have, for the most part, been unsuccessful. Under current law, an officer may arrest an individual determined to be participating in a street race and impound the vehicle used in the race overnight. Upon conviction, the vehicle may be impounded for an additional 30 days. Individuals who participate in these races have taken advantage of the overnight impoundment, continually escaping law enforcement's best efforts by retrieving the vehicle the following morning and participating in further races that night. Thus, even with a concerted effort by law enforcement, these criminals may only be deterred from their races for one night.

AB 2288 would allow an officer to arrest an individual determined to be participating in a street race and immediately impound the vehicle used in the offense for up to 30 days. This change will give the law more weight, actually removing the perpetrator from the streets for as long as a month. In doing so, it will prevent these individuals from continuing the actions that endanger the communities in which they choose to race.

In the interest of justice, this law would allow the registered owner of the vehicle to appear in a hearing to challenge the validity of the impoundment. Additionally, the vehicle may not be impounded if it has been used without the knowledge or consent of the registered owner, or is a stolen vehicle. In these cases, the vehicle may be retrieved by the registered owner immediately. I have taken these steps to ensure that innocent victims are not unwittingly held responsible for the actions of the driver. Finally, neither the registered owner nor the defendant would be required to pay the fees associated with the impoundment if the charges are dismissed or the defendant is acquitted. I included this provision so that, should a peace officer misinterpret the law and impound a vehicle in error, the driver of the vehicle would not be held financially responsible.

I have taken every step to ensure that this bill would punish only those who are legitimately responsible for the commission of this crime. In its current form, I do not believe that this measure would unfairly impact motorcyclists. Though your concerns regarding the implementation of this bill are understandable, the situations that you have suggested would not merit the impoundment of the motorcycle. I have been assured by the Ontario Police Department and the California Highway Patrol that impounding a motorcycle in either case would constitute an abuse of the law. Such an abuse would result in a dismissal of the charges and the immediate release of the vehicle to the registered owner without charge. If you have further concerns in this regard, I hope that you will bring them to my attention so that I may look at the problems more closely. Should it be found that this law does unfairly impact motorcyclists who are not

violating any laws, I would be pleased to address those problems through the legislative process in the future.

Again, thank you for contacting me with your concerns. If I can be of further assistance in this or any other state matter, please do not hesitate to contact me.

Sincerely,

FRED AGUIAR, Assembly Member
Sixty-first District

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

August 31, 1996

*The Honorable Curt Pringle
Speaker, California State Assembly
Room 219, State Capitol
Sacramento, California*

Dear Mr. Speaker: Yesterday, the Assembly took advantage of the historic opportunity to change the electrical industry in California. Before us were the conference committee reports contained in AB 1890 (Brulte), which is the blueprint that will guide this state through the restructuring and deregulation of the electrical industry. I truly believe that free market competition is clearly in the best interests of California. Unfortunately, this measure does not address the impact of deregulation on San Luis Obispo County.

My purpose in writing this letter is not only to serve notice of my concern but also to relate my belief that it will be necessary to follow this landmark deregulation bill with further legislation designed to protect the taxpayers of San Luis Obispo County from the potential ill effects of the electric industry changes.

San Luis Obispo is the home of the Diablo Canyon Nuclear Power facility owned by the Pacific Gas and Electric Company. It is, by far, the largest single source of property tax revenue and private industry jobs in the county. Anything that threatens the operation of Diablo Canyon also threatens our tax and job base. Because of the enormous economic role played by the Diablo Canyon facility in our county and the potential negative impact deregulation will have on that facility's future, the economic vitality of San Luis Obispo County could also be negatively impacted. Without provisions in AB 1890 that provide the taxpayers of San Luis Obispo County protection from major tax revenue loss, San Luis Obispo County and many School Districts will suffer immensely.

However, I have secured commitments from the Conference Committee members who have expressed their willingness to address this legislatively in the 1997-1998 legislative session and will diligently work with them to deal with the concerns of the San Luis Obispo County taxpayers.

Sincerely,

TOM J. BORDONARO, JR., Assembly Member
Thirty-third District

Assembly Member Alpert was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 2088

August 31, 1996

*The Honorable Dotson Wilson
Chief Clerk
California State Assembly
Sacramento, California*

Dear Mr. Wilson: I would request that this letter, which speaks to my intent with respect to the specified provisions of my AB 2088, be printed in the Assembly Daily Journal.

AB 2088 is intended to be declaratory of, and does not constitute a change in, existing law. Specifically, AB 2088 is intended to clarify that intermediate manufacturing process streams, as defined in the bill, that are used as ingredients in manufacturing processes to produce commercial products are not wastes. As defined in the bill, "intermediate manufacturing process stream" does not include materials or combinations of materials that are to be burned or incinerated for the purpose of abandonment or relinquishment.

Thank you for your assistance.

Sincerely,

DEDE ALPERT, Assembly Member
Seventy-eighth District

**SENATE CONCURRENT RESOLUTION NO. 69 TAKEN UP
BY UNANIMOUS CONSENT**

Assembly Member Cunneen was granted unanimous consent to take up Senate Concurrent Resolution No. 69, without reference to committee or file.

SENATE CONCURRENT RESOLUTION NO. 69—Relative to California Lung Health Day.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Speier was granted unanimous consent that the following Legislative Counsel Opinion be printed in the Journal:

Sacramento, California
August 30, 1996

*Honorable K. Jacqueline Speier
3151 State Capitol*

Common Interest Developments (A.B. 1317) #28694

Dear Ms. Speier:

QUESTION

Does the omission of the words "other than association assessments" from subdivision (c) of Section 1354 of the Civil Code, by Assembly Bill No. 1317, as it would be amended by the Proposed Conference Report No. 1, August 28, 1996, create a substantive change in the law?

OPINION

The omission of the words "other than association assessments" from subdivision (c) of Section 1354 of the Civil Code, by Assembly Bill No. 1317, as it would be amended by the Proposed Conference Report No. 1, August 28, 1996, does not create a substantive change in the law.

ANALYSIS

Section 1354 of the Civil Code generally provides that the covenants and restrictions in the declaration of a common interest development are enforceable as equitable servitudes, unless unreasonable. Subdivision (b) of that section currently provides, in relevant part, as follows:

"(b) Unless the applicable time limitation for commencing the action would run within 120 days, prior to the filing of a civil action by either an association or an owner or a member of a common interest development solely for declaratory relief or injunctive relief, or for declaratory relief or injunctive relief in conjunction with a claim for monetary damages, *other than association assessments*, not in excess of five thousand dollars (\$5,000), related to the enforcement of the governing documents, the parties shall endeavor, as provided in this subdivision, to submit their dispute to a form of alternative dispute resolution such as mediation or arbitration.

* * *" (Emphasis added.)

Thus, Section 1354 requires the parties to a civil action that has been brought solely for declaratory relief or injunctive relief in conjunction with a claim for monetary damages, other than association assessments, not in excess of \$5,000, and that is related to the enforcement of the governing documents, to endeavor to submit their dispute to a form of alternative dispute resolution prior to the filing of that civil action. Existing subdivision (c) provides, in relevant part, as follows:

"(c) At the time of filing a civil action by either an association or an owner or a member of a common interest development solely for declaratory relief or injunctive relief, or for declaratory relief or injunctive relief in conjunction with a claim for monetary damages, *other than association assessments*, not in excess of five thousand dollars (\$5,000), related to the enforcement of the governing documents, the party filing the action shall file with the complaint a certificate stating that alternative dispute resolution has been completed *in compliance with subdivision (b)*.

* * *" (Emphasis added.)

Thus, subdivision (c) of Section 1354 imposes a duty upon the party filing an action for declaratory or injunctive relief in conjunction with a claim for monetary damages, to file a specified certificate of compliance with the alternative dispute resolution requirements of subdivision (b). The failure to file that certificate is grounds for a

demurrer or a motion to strike, as specified. The subdivision currently expressly notes the exception to the alternative dispute resolution requirement for claims relating to association assessments.

Assembly Bill No. 1317 of the 1995–96 Regular Session, as amended in the Senate September 6, 1995, (its last amended form) deletes the words “other than association assessments” from subdivisions (b) and (c) of Section 1354. However, Proposed Conference Report No. 1 would restore that language to subdivision (b) of Section 1354. The report would not restore that language to subdivision (c). Thus, the language of proposed subdivision (c), as amended by Assembly Bill No. 1317, would require a party to file a certificate stating that alternative dispute resolution has been completed “in compliance with subdivision (b)” at the time of filing a civil action “for declaratory relief or relief in conjunction with a claim for monetary damages not in excess of \$5,000, related to the enforcement of the governing documents,” except under specified circumstances that are not relevant to this discussion.

Where the language of a statute is clear, a court interpreting it shall follow its plain meaning (*Great Lakes Properties, Inc. v. City of El Segundo*, 19 Cal. 3d 152, 155). Moreover, it is a fundamental rule of statutory construction that significance should be given to every word or clause of an act in pursuance of the legislative purpose of an act, and that those words are to be construed in context (*Moyer v. Workmen’s Comp. Appeals Bd.*, 10 Cal. 3d 222, 230). Subdivision (b), as proposed to be amended by the conference report, would continue the exception of existing law for claims for association assessments from the requirement that the parties to a civil action brought pursuant to Section 1354 submit their dispute to alternative dispute resolution. Pursuant to the proposed conference report, subdivision (c), while recasting the language of that subdivision would nonetheless continue the duty to complete the certificate “in compliance with subdivision (b).” The duty imposed by subdivision (c) is entirely dependent upon the requirements imposed in subdivision (b). Subdivision (b) excepts actions concerning association assessments from its requirements.

The alternative interpretation, that the Legislature seeks to impose a duty upon persons who are exempt from the provisions of subdivision (b) of that section to file a certificate indicating compliance with that section, would be an incongruous result (see *Woods v. Young*, 53 Cal. 3d 315, 321).

For this reason, we think that the omission of the words “other than association assessments” from subdivision (c) of Section 1354 of the Civil Code, by Assembly Bill No. 1317, as proposed to be amended by the Proposed Conference Report No. 1, August 28, 1996, does not create a substantive change in existing law.

Very truly yours,

BION M. GREGORY
Legislative Counsel

by

FELICIA A. LEE
Deputy Legislative Counsel

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP
SENATE BILL NO. 575**

Assembly Member Goldsmith requested unanimous consent to take up Senate Bill No. 575, without reference to file.

Assembly Member Burton withheld unanimous consent.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 2338**

At 9:48 p.m., on motion of Assembly Member Gallegos, 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. 2338 by the following vote:

AYES—42

Ackerman	Cannella	House	Poochigian
Aguiar	Conroy	Kaloogian	Rainey
Alby	Cortese	Knight	Richter
Baldwin	Cunneen	Knowles	Rogan
Battin	Firestone	Kuykendall	Takasugi
Baugh	Frusetta	Margett	Thompson
Boland	Goldsmith	McPherson	Weggeland
Bordonaro	Granlund	Miller	Woods
Bowler	Harvey	Morrissey	Mr. Speaker
Brewer	Hawkins	Morrow	
Brulte	Hoge	Olberg	

NOES—22

Archie-Hudson	Ducheny	Knox	Napolitano
Baca	Escutia	Kuehl	Setencich
Bates	Figuroa	Martinez	Vasconcellos
Bowen	Gallegos	Migden	Villaraigosa
Brown	Isenberg	Murray, Kevin	
Bustamante	Katz	Murray, Willard	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 2188**

At 9:48 p.m., on motion of Assembly Rogan, 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 Baca moved to continue the call of the Assembly.

Motion carried. Time, 9:48 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. 3147**

At 9:49 p.m., on motion of Assembly Member Rogan, 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. 3147 by the following vote:

AYES—3

Ackerman	Brewer	Margett
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NOES—65

Aguiar	Cannella	Katz	Olberg
Alby	Cortese	Knight	Poochigian
Alpert	Cunneen	Knowles	Rainey
Archie-Hudson	Davis	Knox	Richter
Baca	Ducheny	Kuehl	Rogan
Baldwin	Figueroa	Kuykendall	Speier
Bates	Firestone	Lee	Sweeney
Battin	Friedman	Machado	Takasugi
Baugh	Frusetta	Martinez	Thompson
Boland	Gallegos	Mazzoni	Tucker
Bordonaro	Goldsmith	McPherson	Vasconcellos
Bowen	Granlund	Migden	Villaraigosa
Bowler	Harvey	Miller	Weggeland
Brown	Hauser	Morrow	Woods
Brulte	Hawkins	Murray, Kevin	
Bustamante	House	Murray, Willard	
Campbell	Kaloogian	Napolitano	

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 3122**

At 9:50 p.m., on motion of Assembly Member Katz, 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. 3122 by the following vote:

AYES—51

Alby	Cortese	House	Murray, Willard
Alpert	Cunneen	Isenberg	Napolitano
Archie-Hudson	Davis	Katz	Poochigian
Baca	Ducheny	Knox	Setencich
Bates	Escutia	Kuehl	Speier
Battin	Figueroa	Lee	Sweeney
Bordonaro	Firestone	Machado	Takasugi
Bowen	Friedman	Margett	Tucker
Brown	Frusetta	Martinez	Vasconcellos
Burton	Gallegos	Mazzoni	Villaraigosa
Bustamante	Goldsmith	McPherson	Weggeland
Campbell	Harvey	Migden	Woods
Cannella	Hauser	Murray, Kevin	

NOES—23

Ackerman	Brewer	Kaloogian	Rainey
Aguiar	Brulte	Knight	Richter
Baldwin	Conroy	Knowles	Rogan
Baugh	Granlund	Miller	Thompson
Boland	Hawkins	Morrow	Mr. Speaker
Bowler	Hoge	Olberg	

Communications

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

Explanation of Vote—Assembly Bill No. 3122

September 1, 1996

*Mr. Dotson Wilson, Chief Clerk
California State Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: I would like the record to properly reflect that it was my full intent to vote Yes on AB 3122 (Ducheny) on August 31, 1996.

At the close of Saturday's Session, I publicly announced my vote change from the dais. However, when I made the notation on the Assembly's vote change form, I inadvertently omitted my signature. I am fully cognizant that a vote change is not entirely concluded unless both acts have been properly and wholly executed.

Therefore, please let the record indicate that I do, indeed, support AB 3122.

Sincerely,

BRETT J. GRANLUND, Assembly Member
Sixty-fifth District

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 579**

At 9:50 p.m., on motion of Assembly Member Granlund, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 579 refused passage by the following vote:

AYES—40

Ackerman	Brulte	House	Olberg
Aguiar	Conroy	Kaloogian	Poochigian
Alby	Cunneen	Knight	Rainey
Baldwin	Firestone	Knowles	Richter
Battin	Frusetta	Kuykendall	Rogan
Baugh	Goldsmith	Margett	Takasugi
Boland	Granlund	McPherson	Thompson
Bordonaro	Harvey	Miller	Weggeland
Bowler	Hawkins	Morrissey	Woods
Brewer	Hoge	Morrow	Mr. Speaker

NOES—23

Alpert	Davis	Knox	Murray, Willard
Archie-Hudson	Ducheny	Kuehl	Napolitano
Baca	Escutia	Lee	Speier
Bowen	Figueroa	Martinez	Sweeney
Brown	Hauser	Migden	Vasconcellos
Bustamante	Katz	Murray, Kevin	

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 2023**

At 9:51 p.m. on motion of Assembly Member Archie-Hudson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 2023 passed by the following vote:

AYES—46

Ackerman	Brulte	Kaloogian	Poochigian
Aguiar	Conroy	Knight	Rainey
Alby	Cortese	Knowles	Richter
Baldwin	Cunneen	Kuykendall	Rogan
Bates	Firestone	Lee	Setencich
Battin	Frusetta	Margett	Takasugi
Baugh	Goldsmith	Martinez	Thompson
Boland	Granlund	McPherson	Weggeland
Bordonaro	Harvey	Miller	Woods
Bowen	Hawkins	Morrissey	Mr. Speaker
Bowler	Hoge	Morrow	
Brewer	House	Olberg	

NOES—23

Alpert	Cannella	Isenberg	Speier
Archie-Hudson	Ducheny	Knox	Sweeney
Baca	Escutia	Kuehl	Tucker
Brown	Figueroa	Migden	Vasconcellos
Burton	Gallegos	Murray, Kevin	Villaraigosa
Campbell	Hauser	Murray, Willard	

Bill ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 115 (Kevin Murray)—An act to amend Section 10089.7 of the Insurance Code, relating to earthquake insurance.

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

Ackerman	Bustamante	House	Morrissey
Aguiar	Campbell	Isenberg	Murray, Kevin
Alpert	Cannella	Kaloogian	Murray, Willard
Archie-Hudson	Conroy	Katz	Napolitano
Baca	Cortese	Knight	Olberg
Bates	Cunneen	Knox	Rainey
Battin	Davis	Kuehl	Rogan
Baugh	Ducheny	Kuykendall	Setencich
Boland	Figueroa	Lee	Speier
Bordonaro	Firestone	Machado	Sweeney
Bowen	Friedman	Margett	Takasugi
Bowler	Frusetta	Martinez	Thompson
Brewer	Gallegos	Mazzoni	Vasconcellos
Brown	Goldsmith	McPherson	Villaraigosa
Brulte	Granlund	Migden	Woods
Burton	Hauser	Miller	Mr. Speaker

NOES—3

Baldwin	Poochigian	Weggeland
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Above bill ordered enrolled.

ASSEMBLY BILL NO. 824 (Ducheny)—An act to amend Sections 41976, 44865, 52523, and 84711 of, to add Section 76380.5 to, and to add Article 4 (commencing with Section 8540) to Chapter 3 of Part 6 of, the Education Code, relating to education financing.

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 Ducheny moved a call of the Assembly.

Motion carried. Time, 9:58 p.m.

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

At 10:02 p.m., Hon. David Knowles, 78th District, presiding

ASSEMBLY BILL NO. 1533 (Cortese)—An act to add Chapter 1.692 (commencing with Section 5096.300) to Division 5 of the Public Resources Code, and to repeal Section 2 of Chapter 333 of the Statutes of 1996, relating to governmental functions, including financing a program for the acquisition, development, improvement, rehabilitation, restoration, enhancement, and protection of park, recreational, cultural, historical, fish and wildlife, lake, riparian, reservoir, delta, and coastal resources, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of those funds, 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.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 10:11 p.m.

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

ASSEMBLY BILL NO. 1675 (Goldsmith)—An act to amend Section 43701 of, and to add Sections 43701.1, 43703, and 43704 to, the Health and Safety Code, and to amend Section 34501.12 of the Vehicle 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.)

Demand for Previous Question

Assembly Members Bustamante, Alpert, Villaraigosa, Baldwin, and Kalogian demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 10:22 p.m.

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

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

SENATE BILL NO. 2046 (Johnson)—An act to amend Section 1861.02 of the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

Demand for Previous Question

Assembly Members Morrissey, Kuykendall, Thompson, Richter, and Knight demanded the previous question. Demand sustained.

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 Knowles moved a call of the Assembly.

Motion carried. Time, 10:28 p.m.

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

At 10:30 p.m., Speaker pro Tempore Fred Aguiar, 61st District, presiding

SPECIAL COMMITTEE MEETINGS

Assembly Member Knowles was granted unanimous consent that the Committee on Insurance be permitted to hold a special meeting at this time, in the Tom Bane Rules Committee Room, and that Joint Rule 62(a) be waived for the purpose of setting Assembly No. 201 for hearing, and without objection, the House was permitted to continue in Floor session.

COMMUNICATIONS

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

August 31, 1996

E. Dotson Wilson

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

Dear Mr. Wilson: Please be advised that Assembly Members Cannella and K. Murray are temporarily appointed to the Insurance Committee, replacing Assembly Members Hannigan and Tucker, for the purpose of today's hearing.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

At 10:31 p.m., Speaker Curt Pringle, 68th District, presiding

RULES TEMPORARILY SUSPENDED

Assembly Member Kevin Murray was granted unanimous consent that Assembly Rule 69(b) and 69(e) be suspended to permit consideration of amendments to Senate Bill No. 874.

SENATE BILL NO. 874 (Calderon)—An act to amend Sections 69102 and 69104 of the Government Code, relating to courts.

Bill read third time.

Motion to Amend

Assembly Member Kevin Murray moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

Rules Temporarily Suspended

Assembly Member Kevin Murray was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 874, as amended, without reference to file.

SENATE BILL NO. 874 (Calderon)—An act to add Part 7.1 (commencing with Section 15427) to the Government Code, relating to the death penalty, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Kevin Murray.

Bill passed by the following vote:

AYES—62

Ackerman	Conroy	Kaloogian	Napolitano
Aguiar	Cortese	Katz	Olberg
Alpert	Cunneen	Knight	Poochigian
Archie-Hudson	Davis	Knowles	Rainey
Baca	Ducheny	Knox	Richter
Battin	Escutia	Kuykendall	Rogan
Baugh	Figueroa	Machado	Setencich
Boland	Firestone	Margett	Speier
Bordonaro	Gallegos	Martinez	Takasugi
Bowen	Goldsmith	Mazzoni	Thompson
Bowler	Granlund	McPherson	Vasconcellos
Brewer	Harvey	Miller	Weggeland
Brown	Hawkins	Morrissey	Woods
Brulte	Hoge	Morrow	Mr. Speaker
Bustamante	House	Murray, Kevin	
Cannella	Isenberg	Murray, Willard	

NOES—6

Bates	Kuehl	Migden
Burton	Lee	Villaraigosa

Bill ordered transmitted to the Senate immediately.

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 1996

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

Assembly Bill No. 2696

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.

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

ASSEMBLY BILL NO. 1930 (Sweeney)—An act to amend Section 65950 of the Government Code, and to amend Sections 21100.2 and 21151.5 of the Public Resources Code, relating to environmental quality.

Bill presented by Assembly Member Sweeney.

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—71

Ackerman	Campbell	Kaloogian	Murray, Willard
Aguiar	Conroy	Katz	Napolitano
Alby	Cortese	Knight	Olberg
Alpert	Cunneen	Knowles	Poochigian
Archie-Hudson	Davis	Knox	Rainey
Baca	Ducheny	Kuehl	Richter
Baldwin	Escutia	Kuykendall	Rogan
Bates	Figueroa	Lee	Setencich
Battin	Firestone	Machado	Speier
Baugh	Frusetta	Margett	Sweeney
Boland	Gallegos	Martinez	Takasugi
Bordonaro	Goldsmith	Mazzoni	Thompson
Bowen	Granlund	McPherson	Vasconcellos
Bowler	Harvey	Migden	Villaraigosa
Brewer	Hawkins	Miller	Weggeland
Brown	Hoge	Morrissey	Woods
Burton	House	Morrow	Mr. Speaker
Bustamante	Isenberg	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2104 (Machado)—An act to amend Sections 1370, 1370.1, and 11105 of the Penal Code, and to amend Sections 6509 and 7325 of the Welfare and Institutions Code, relating to mentally disordered persons.

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—67

Ackerman	Conroy	Kaloogian	Napolitano
Aguiar	Cortese	Katz	Olberg
Alby	Cunneen	Knight	Poochigian
Alpert	Davis	Knowles	Rainey
Archie-Hudson	Ducheny	Knox	Richter
Baca	Escutia	Kuehl	Rogan
Baldwin	Figueroa	Kuykendall	Setencich
Battin	Firestone	Machado	Speier
Baugh	Frusetta	Margett	Sweeney
Boland	Gallegos	Martinez	Takasugi
Bordonaro	Goldsmith	Mazzoni	Thompson
Bowen	Granlund	McPherson	Vasconcellos
Bowler	Harvey	Miller	Villaraigosa
Brewer	Hawkins	Morrissey	Weggeland
Brown	Hoge	Morrow	Woods
Brulte	House	Murray, Kevin	Mr. Speaker
Bustamante	Isenberg	Murray, Willard	

NOES—None**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2104: Assembly Member Sweeney, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2112 (Goldsmith)—An act to amend Section 6025 of the Penal Code, relating to corrections.

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

Ackerman	Conroy	Knight	Olberg
Aguiar	Cortese	Knowles	Poochigian
Alby	Cunneen	Kuehl	Rainey
Alpert	Davis	Kuykendall	Richter
Baca	Ducheny	Lee	Rogan
Baldwin	Figueroa	Machado	Setencich
Bates	Firestone	Margett	Speier
Battin	Frusetta	Martinez	Sweeney
Baugh	Gallegos	Mazzoni	Takasugi
Boland	Goldsmith	McPherson	Thompson
Bordonaro	Granlund	Migden	Vasconcellos
Bowen	Harvey	Miller	Villaraigosa
Bowler	Hawkins	Morrissey	Weggeland
Brewer	Hoge	Morrow	Woods
Brown	House	Murray, Kevin	Mr. Speaker
Brulte	Kaloogian	Murray, Willard	
Bustamante	Katz	Napolitano	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2647 (Kuehl)—An act to amend Section 6380 of the Family Code, to add Section 273.65 to the Penal Code, and to amend Sections 213.5, 302, 304, 332, 361, 362, 362.1, 362.4, 16206, and 16208 of, and to add Section 218.5 to, the Welfare and Institutions Code, relating to domestic violence.

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	Campbell	Isenberg	Murray, Willard
Aguiar	Conroy	Kaloogian	Napolitano
Alby	Cortese	Katz	Olberg
Alpert	Cunneen	Knight	Poochigian
Archie-Hudson	Davis	Knowles	Rainey
Baca	Ducheny	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Bates	Figueroa	Kuykendall	Setencich
Battin	Firestone	Lee	Speier
Baugh	Friedman	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Vasconcellos
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Harvey	Migden	Weggeland
Brown	Hauser	Miller	Woods
Brulte	Hawkins	Morrissey	Mr. Speaker
Burton	Hoge	Morrow	
Bustamante	House	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2719 (Sweeney)—An act to amend Sections 15100 and 17721.3 of, and to add Section 17718.3 to, the Education Code, relating to school facilities.

Bill presented by Assembly Member Baldwin.

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	Campbell	Isenberg	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Vasconcellos
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Harvey	Migden	Weggeland
Brown	Hauser	Miller	Woods
Brulte	Hawkins	Morrissey	Mr. Speaker
Burton	Hoge	Morrow	
Bustamante	House	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2985 (Woods)—An act to add Section 11462.06 to the Welfare and Institutions Code, relating to public social 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—74

Ackerman	Campbell	Isenberg	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Vasconcellos
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Harvey	Migden	Weggeland
Brown	Hauser	Miller	Woods
Brulte	Hawkins	Morrissey	Mr. Speaker
Burton	Hoge	Morrow	
Bustamante	House	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 3093 (Villaraigosa)—An act to amend Sections 1170 and 3058.6 of the Penal Code, relating to prisoners.

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 Villaraigosa moved a call of the Assembly.

Motion carried. Time, 10:37 p.m.

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

ASSEMBLY BILL NO. 137 (Olberg)—An act to add Sections 2099 and 2100 to the Fish and Game Code, relating to endangered and threatened species, 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 Olberg moved a call of the Assembly.

Motion carried. Time, 10:40 p.m.

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

ASSEMBLY BILL NO. 2377 (Margett)—An act to add and repeal Chapter 8 (commencing with Section 2100) to Part 2 of the Education Code, and to add and repeal Article 24.6 (commencing with Section 899) to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to juveniles, 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—71

Ackerman	Bustamante	Isenberg	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Vasconcellos
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Harvey	Migden	Weggeland
Brown	Hauser	Miller	Woods
Brulte	Hawkins	Morrissey	Mr. Speaker
Burton	House	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2447 (Kevin Murray)—An act to amend Sections 743, 745, 746, 747, and 748 of the Welfare and Institutions Code, relating to minors, 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—66

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alpert	Cortese	Kaloogian	Napolitano
Archie-Hudson	Cunneen	Katz	Olberg
Baca	Davis	Knowles	Poochigian
Bates	Ducheny	Knox	Rainey
Battin	Escutia	Kuehl	Rogan
Baugh	Figueroa	Kuykendall	Setencich
Boland	Firestone	Lee	Speier
Bordonaro	Frusetta	Machado	Sweeney
Bowen	Gallegos	Margett	Takasugi
Bowler	Goldsmith	Martinez	Thompson
Brewer	Granlund	Mazzoni	Vasconcellos
Brown	Harvey	McPherson	Villaraigosa
Brulte	Hauser	Migden	Woods
Burton	Hawkins	Miller	
Bustamante	Hoge	Morrow	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2563 (Goldsmith)—An act to amend Section 68511.3 of the Government Code, and to amend Section 2601 of the Penal Code, relating to inmate litigants.

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—65

Ackerman	Cannella	House	Olberg
Aguiar	Conroy	Isenberg	Poochigian
Alby	Cortese	Kaloogian	Rainey
Alpert	Cunneen	Knight	Richter
Baca	Davis	Knowles	Rogan
Baldwin	Ducheny	Kuykendall	Setencich
Bates	Escutia	Machado	Speier
Battin	Figueroa	Margett	Sweeney
Baugh	Firestone	Martinez	Takasugi
Boland	Frusetta	Mazzoni	Thompson
Bordonaro	Gallegos	McPherson	Vasconcellos
Bowen	Goldsmith	Miller	Weggeland
Bowler	Granlund	Morrissey	Woods
Brewer	Harvey	Morrow	Mr. Speaker
Brown	Hauser	Murray, Kevin	
Brulte	Hawkins	Murray, Willard	
Bustamante	Hoge	Napolitano	

NOES—6

Burton	Kuehl	Migden
Campbell	Lee	Villaraigosa

Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2563: Assembly Member Kuehl, from "Aye" to "No".

Above bill ordered enrolled.

ASSEMBLY BILL NO. 3048 (Olberg)—An act to amend Sections 40716, 40717.5, 40914, 40916, 40918, 40919, 40920, 40920.5, 40924, 40925, 40925.5, and 44241 of, and to repeal Sections 40457, 40717.1, 40925, and 44246 of, 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—62

Ackerman	Cortese	Knight	Olberg
Aguiar	Cunneen	Knowles	Poochigian
Alby	Davis	Kuehl	Rainey
Alpert	Ducheny	Kuykendall	Richter
Baca	Figueroa	Lee	Rogan
Battin	Frusetta	Machado	Setencich
Baugh	Gallegos	Margett	Speier
Boland	Goldsmith	Martinez	Sweeney
Bordonaro	Granlund	Mazzoni	Takasugi
Bowen	Harvey	McPherson	Thompson
Bowler	Hauser	Miller	Vasconcellos
Brewer	Hawkins	Morrissey	Weggeland
Brulte	Hoge	Morrow	Woods
Bustamante	House	Murray, Kevin	Mr. Speaker
Cannella	Kaloogian	Murray, Willard	
Conroy	Katz	Napolitano	

NOES—1

Villaraigosa

Above bill ordered enrolled.

ASSEMBLY BILL NO. 66 (Goldsmith)—An act to add Sections 47606.1 and 47610.5 to, the Education Code, relating to schools.

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

Ackerman	Cannella	Isenberg	Olberg
Aguiar	Conroy	Kaloogian	Poochigian
Alby	Cortese	Knight	Rainey
Alpert	Cunneen	Knowles	Richter
Baca	Davis	Kuehl	Rogan
Baldwin	Ducheny	Kuykendall	Setencich
Battin	Figueroa	Machado	Sweeney
Baugh	Firestone	Margett	Takasugi
Boland	Frusetta	Martinez	Thompson
Bordonaro	Goldsmith	McPherson	Vasconcellos
Bowen	Granlund	Miller	Villaraigosa
Bowler	Harvey	Morrissey	Weggeland
Brewer	Hauser	Morrow	Woods
Brown	Hawkins	Murray, Kevin	Mr. Speaker
Brulte	Hoge	Murray, Willard	
Bustamante	House	Napolitano	

NOES—5

Bates	Campbell	Migden
Burton	Lee	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 136 (Brewer)—An act to amend Section 46201 of the Education Code, relating to school finance.

Bill presented by Assembly Member Battin.

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	Bustamante	House	Murray, Kevin
Aguiar	Cannella	Kaloogian	Murray, Willard
Alby	Conroy	Katz	Napolitano
Alpert	Cortese	Knight	Olberg
Archie-Hudson	Cunneen	Knowles	Poochigian
Baca	Davis	Knox	Rainey
Baldwin	Ducheny	Kuehl	Richter
Bates	Escutia	Kuykendall	Rogan
Battin	Figueroa	Lee	Setencich
Baugh	Firestone	Machado	Speier
Boland	Frusetta	Margett	Sweeney
Bordonaro	Gallegos	Martinez	Takasugi
Bowen	Goldsmith	Mazzoni	Thompson
Bowler	Granlund	McPherson	Vasconcellos
Brewer	Harvey	Migden	Villaraigosa
Brown	Hauser	Miller	Weggeland
Brulte	Hawkins	Morrissey	Woods
Burton	Hoge	Morrow	Mr. Speaker

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 302 (Tucker)—An act to amend Sections 19411, 19533.5, 19546, and 19605.7 of the Business and Professions Code, relating to horseracing.

Bill presented by Assembly Member Hauser.

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

Ackerman	Campbell	Knowles	Olberg
Aguiar	Cannella	Knox	Poochigian
Alpert	Conroy	Kuehl	Rainey
Baca	Cortese	Kuykendall	Rogan
Bates	Ducheny	Lee	Setencich
Battin	Escutia	Machado	Speier
Baugh	Figueroa	Margett	Sweeney
Boland	Gallegos	Mazzoni	Takasugi
Bordonaro	Goldsmith	McPherson	Tucker
Bowen	Granlund	Migden	Vasconcellos
Brewer	Harvey	Miller	Villaraigosa
Brown	Hauser	Morrissey	Mr. Speaker
Brulte	Kaloogian	Murray, Kevin	
Burton	Katz	Murray, Willard	
Bustamante	Knight	Napolitano	

NOES—8

Alby	Bowler	Frusetta	Thompson
Baldwin	Cunneen	House	Woods

Vote Changes

By unanimous consent, the following vote changes were permitted on concurrence in Senate amendments to Assembly Bill No. 302: Assembly Member Frusetta, from “Aye” to “No”; Assembly Member Baugh, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 645 (Frusetta)—An act to amend Section 25202 of, and to add Section 25205.5.1 to, the Health and Safety Code, relating to hazardous waste.

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

Ackerman	Campbell	Isenberg	Murray, Willard
Aguiar	Cannella	Kaloogian	Olberg
Alby	Conroy	Katz	Poochigian
Alpert	Cortese	Knight	Rainey
Archie-Hudson	Cunneen	Knowles	Richter
Baca	Davis	Knox	Rogan
Baldwin	Ducheny	Kuehl	Setencich
Bates	Escutia	Kuykendall	Speier
Battin	Figueroa	Lee	Sweeney
Baugh	Firestone	Machado	Takasugi
Boland	Frusetta	Margett	Thompson
Bordonaro	Gallegos	Martinez	Vasconcellos
Bowen	Goldsmith	Mazzoni	Villaraigosa
Bowler	Granlund	McPherson	Weggeland
Brewer	Harvey	Migden	Woods
Brown	Hauser	Miller	Mr. Speaker
Brulte	Hawkins	Morrissey	
Burton	Hoge	Morrow	
Bustamante	House	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1647 (Bustamante)—An act to amend Sections 41780 and 41780.1 of, and to add Sections 40124 and 41781.3 to, the Public Resources Code, relating to solid waste.

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

Ackerman	Bustamante	Hoge	Murray, Willard
Aguiar	Cannella	House	Olberg
Alby	Conroy	Kaloogian	Poochigian
Alpert	Cortese	Knight	Rainey
Baca	Cunneen	Knowles	Richter
Baldwin	Ducheny	Kuykendall	Rogan
Battin	Firestone	Machado	Setencich
Baugh	Frusetta	Margett	Takasugi
Boland	Goldsmith	McPherson	Thompson
Bordonaro	Granlund	Miller	Weggeland
Bowler	Harvey	Morrissey	Woods
Brewer	Hauser	Morrow	Mr. Speaker
Brulte	Hawkins	Murray, Kevin	

NOES—14

Bates	Katz	Mazzoni	Vasconcellos
Bowen	Kuehl	Napolitano	Villaraigosa
Campbell	Lee	Speier	
Figueroa	Martinez	Sweeney	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2312 (Woods)—An act to amend Sections 912.5 and 1736 of the Welfare and Institutions Code, relating to juveniles.

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—70

Ackerman	Bustamante	Isenberg	Murray, Willard
Aguiar	Campbell	Kaloogian	Olberg
Alby	Cannella	Katz	Poochigian
Alpert	Conroy	Knight	Rainey
Archie-Hudson	Cortese	Knowles	Richter
Baca	Cunneen	Kuehl	Rogan
Baldwin	Davis	Kuykendall	Setencich
Bates	Ducheny	Lee	Speier
Battin	Escutia	Machado	Sweeney
Baugh	Figueroa	Margett	Takasugi
Boland	Firestone	Martinez	Thompson
Bordonaro	Frusetta	Mazzoni	Vasconcellos
Bowen	Goldsmith	McPherson	Villaraigosa
Bowler	Granlund	Migden	Weggeland
Brewer	Harvey	Miller	Woods
Brown	Hauser	Morrissey	Mr. Speaker
Brulte	Hawkins	Morrow	
Burton	House	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2177 (Miller)—An act to amend Sections 17002 and 17052 of the Corporations Code, and to amend Sections 1628, 1647, and 1765.2 of, and to add Sections 1647.5 and 1656.2 to, the Insurance Code, relating to insurance.

Bill presented by Assembly Member Brulte.

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	Burton	Hoge	Morrow
Aguiar	Bustamante	House	Murray, Kevin
Alby	Campbell	Kaloogian	Murray, Willard
Alpert	Cannella	Katz	Napolitano
Archie-Hudson	Conroy	Knight	Olberg
Baca	Cortese	Knowles	Poochigian
Baldwin	Cunneen	Kuehl	Rainey
Bates	Davis	Kuykendall	Richter
Battin	Ducheny	Lee	Rogan
Baugh	Figueroa	Machado	Speier
Boland	Firestone	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Vasconcellos
Bowler	Granlund	McPherson	Villaraigosa
Brewer	Harvey	Migden	Weggeland
Brown	Hauser	Miller	Woods
Brulte	Hawkins	Morrissey	Mr. Speaker

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2649 (Thompson)—An act to add Section 511 to the Business and Professions Code, to amend Section 1367.10 of, and to add Section 1348.6 to, the Health and Safety Code, and to add Section 10175.5 to the Insurance Code, relating to health 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—73

Ackerman	Campbell	Isenberg	Murray, Willard
Aguiar	Cannella	Kalooogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Conrtese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Speier
Battin	Figueroa	Lee	Sweeney
Baugh	Firestone	Machado	Takasugi
Boland	Frusetta	Margett	Thompson
Bordonaro	Gallegos	Martinez	Vasconcellos
Bowen	Goldsmith	Mazzoni	Villaraigosa
Bowler	Granlund	McPherson	Weggeland
Brewer	Harvey	Migden	Woods
Brown	Hauser	Miller	Mr. Speaker
Brulte	Hawkins	Morrissey	
Burton	Hoge	Morrow	
Bustamante	House	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2937 (Brulte)—An act to amend Section 42400.2 of, and to add and repeal Chapter 3 (commencing with Section 39150) of Part 1 of Division 26 of, the Health and Safety Code, and to amend Sections 13268 and 13387 of, and to add and repeal Chapter 5.8 (commencing with Section 13399) of Division 7 of, the Water Code, relating to pollution enforcement.

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—70

Ackerman	Conroy	Kaloogian	Murray, Willard
Aguiar	Cortese	Katz	Napolitano
Alby	Cunneen	Knight	Olberg
Alpert	Davis	Knowles	Poochigian
Archie-Hudson	Ducheny	Knox	Rainey
Baca	Escutia	Kuehl	Richter
Baldwin	Figueroa	Kuykendall	Rogan
Battin	Firestone	Lee	Setencich
Baugh	Frusetta	Machado	Speier
Boland	Callegos	Margett	Sweeney
Bordonaro	Goldsmith	Martinez	Takasugi
Bowen	Granlund	Mazzoni	Thompson
Bowler	Harvey	McPherson	Vasconcellos
Brewer	Hauser	Migden	Villaraigosa
Brown	Hawkins	Miller	Woods
Brulte	Hoge	Morrissey	Mr. Speaker
Bustamante	House	Morrow	
Cannella	Isenberg	Murray, Kevin	

NOES—1

Burton

Above bill ordered enrolled.

ASSEMBLY BILL NO. 81 (Napolitano)—An act to amend Section 52 of, and to add Section 51.15 to, the Civil Code, and to add Section 181.5 to the Penal Code, relating to crimes.

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 Napolitano moved a call of the Assembly.

Motion carried. Time, 10:50 p.m.

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

ASSEMBLY BILL NO. 1368 (Knowles)—An act to add Section 926.19 to the Government Code, relating to claims against the state.

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

Ackerman	Bustamante	House	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Baca	Cunneen	Knowles	Rainey
Baldwin	Davis	Kuehl	Richter
Bates	Ducheny	Kuykendall	Rogan
Battin	Figuroa	Lee	Speier
Baugh	Firestone	Margett	Takasugi
Boland	Frusetta	Martinez	Thompson
Bordonaro	Gallegos	Mazzoni	Vasconcellos
Bowen	Goldsmith	McPherson	Villaraigosa
Bowler	Granlund	Migden	Weggeland
Brewer	Harvey	Miller	Woods
Brown	Hauser	Morrissey	Mr. Speaker
Brulte	Hawkins	Morrow	
Burton	Hoge	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2705 (Morrissey)—An act to add Sections 20067.5 and 20398.5 to the Government Code, relating to the Public Employees' 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—65

Ackerman	Burton	Hauser	Murray, Kevin
Aguiar	Bustamante	Hawkins	Murray, Willard
Alby	Campbell	Hoge	Napolitano
Alpert	Cannella	House	Olberg
Archie-Hudson	Conroy	Isenberg	Poochigian
Baca	Cortese	Katz	Rainey
Baldwin	Cunneen	Kuehl	Rogan
Bates	Davis	Kuykendall	Speier
Battin	Ducheny	Lee	Sweeney
Baugh	Escutia	Machado	Takasugi
Boland	Figuroa	Margett	Thompson
Bordonaro	Firestone	Martinez	Vasconcellos
Bowen	Frusetta	Mazzoni	Villaraigosa
Bowler	Gallegos	McPherson	Mr. Speaker
Brewer	Goldsmith	Migden	
Brown	Granlund	Miller	
Brulte	Harvey	Morrow	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2713 (Conroy)—An act to amend Sections 830.7 and 830.11 of the Penal Code, and to add Sections 308.5 and 5322 to the Public Utilities Code, relating to public utilities.

Bill presented by Assembly Member Morrissey.

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

Ackerman	Campbell	Isenberg	Napolitano
Aguiar	Cannella	Kaloogian	Olberg
Alby	Conroy	Katz	Poochigian
Alpert	Cortese	Knight	Rainey
Archie-Hudson	Cunneen	Knowles	Richter
Baca	Davis	Kuehl	Rogan
Baldwin	Ducheny	Kuykendall	Setencich
Bates	Escutia	Lee	Speier
Battin	Figueroa	Machado	Sweeney
Baugh	Firestone	Margett	Takasugi
Boland	Frusetta	Martinez	Thompson
Bordonaro	Gallegos	Mazzoni	Vasconcellos
Bowen	Goldsmith	McPherson	Villaraigosa
Bowler	Granlund	Migden	Weggeland
Brewer	Harvey	Miller	Woods
Brown	Hauser	Morrissey	Mr. Speaker
Brulte	Hawkins	Morrow	
Burton	Hoge	Murray, Kevin	
Bustamante	House	Murray, Willard	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2862 (Sweeney)—An act to add Section 14132.70 to the Welfare and Institutions Code, relating to public social services.

Bill presented by Assembly Member Bowen.

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	Campbell	Isenberg	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Tucker
Bowler	Granlund	McPherson	Vasconcellos
Brewer	Harvey	Migden	Villaraigosa
Brown	Hauser	Miller	Weggeland
Brulte	Hawkins	Morrissey	Woods
Burton	Hoge	Morrow	Mr. Speaker
Bustamante	House	Murray, Kevin	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2964 (Firestone)—An act to amend Sections 1903, 2550.5, 33310, 33313, 39005, 39619, 41851.11, 41851.12, 42127.8, 42140, 42141, 44757, 48664, 52616.4, and 60352 of, to add Sections 53073, 53083, and 60650.5 to, and to repeal Sections 53073 and 53083 of, the Education Code, to amend Section 13 of Chapter 200 of the Statutes of 1996 and Section 25 of Chapter 204 of the Statutes of 1996, and to amend Item 6110-001-0001, Item 6110-231-0001, and Item 6110-233-0001 of Section 2.00 of the Budget Act of 1996, relating to schools, making an appropriation therefor, 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—74

Ackerman	Campbell	Kaloogian	Napolitano
Aguiar	Cannella	Katz	Olberg
Alby	Conroy	Knight	Poochigian
Alpert	Cortese	Knowles	Rainey
Archie-Hudson	Cunneen	Knox	Richter
Baca	Davis	Kuehl	Rogan
Baldwin	Ducheny	Kuykendall	Setencich
Bates	Figueroa	Lee	Speier
Battin	Firestone	Machado	Sweeney
Baugh	Frusetta	Margett	Takasugi
Boland	Gallegos	Martinez	Thompson
Bordonaro	Goldsmith	Mazzoni	Tucker
Bowen	Granlund	McPherson	Vasconcellos
Bowler	Harvey	Migden	Villaraigosa
Brewer	Hauser	Miller	Weggeland
Brown	Hawkins	Morrissey	Woods
Brulte	Hoge	Morrow	Mr. Speaker
Burton	House	Murray, Kevin	
Bustamante	Isenberg	Murray, Willard	

NOES—None

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

AYES—74

Ackerman	Campbell	Kaloogian	Napolitano
Aguiar	Cannella	Katz	Olberg
Alby	Conroy	Knight	Poochigian
Alpert	Cortese	Knowles	Rainey
Archie-Hudson	Cunneen	Knox	Richter
Baca	Davis	Kuehl	Rogan
Baldwin	Ducheny	Kuykendall	Setencich
Bates	Figueroa	Lee	Speier
Battin	Firestone	Machado	Sweeney
Baugh	Frusetta	Margett	Takasugi
Boland	Gallegos	Martinez	Thompson
Bordonaro	Goldsmith	Mazzoni	Tucker
Bowen	Granlund	McPherson	Vasconcellos
Bowler	Harvey	Migden	Villaraigosa
Brewer	Hauser	Miller	Weggeland
Brown	Hawkins	Morrissey	Woods
Brulte	Hoge	Morrow	Mr. Speaker
Burton	House	Murray, Kevin	
Bustamante	Isenberg	Murray, Willard	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 3026 (Bates)—An act to amend Section 1102.6 of, and to add Section 1102.16 to, the Civil Code, and to add Section 17958.4 to, the Health and Safety Code, relating to housing.

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—60

Ackerman	Campbell	Isenberg	Morrissey
Aguiar	Cannella	Kaloogian	Murray, Kevin
Alpert	Cortese	Katz	Murray, Willard
Archie-Hudson	Cunneen	Knight	Napolitano
Baca	Davis	Knowles	Rainey
Bates	Ducheny	Knox	Richter
Battin	Escutia	Kuehl	Setencich
Baugh	Figueroa	Lee	Speier
Boland	Frusetta	Machado	Sweeney
Bowen	Gallegos	Margett	Takasugi
Bowler	Goldsmith	Martinez	Tucker
Brown	Granlund	Mazzoni	Vasconcellos
Brulte	Harvey	McPherson	Villaraigosa
Burton	Hauser	Migden	Weggeland
Bustamante	Hawkins	Miller	Woods

NOES—12

Alby	Brewer	Kuykendall	Rogan
Baldwin	Firestone	Olberg	Thompson
Bordonaro	House	Poochigian	Mr. Speaker

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1663 (Friedman)—An act to add Section 1370.4 to the Health and Safety Code, and to add Section 10145.3 to the Insurance Code, relating to health insurance.

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	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Rogan
Bates	Escutia	Kuehl	Setencich
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Bowler	Goldsmith	Mazzoni	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Harvey	Migden	Woods
Brulte	Hauser	Miller	Mr. Speaker
Burton	Hawkins	Morrissey	
Bustamante	Hoge	Morrow	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2852 (Knox)—An act to amend, repeal, and add Sections 4462 and 40000.7 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—69

Ackerman	Cannella	Isenberg	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Katz	Poochigian
Alpert	Cunneen	Knight	Rainey
Archie-Hudson	Davis	Knowles	Rogan
Baca	Ducheny	Knox	Setencich
Baldwin	Escutia	Kuehl	Speier
Bates	Figueroa	Kuykendall	Sweeney
Battin	Firestone	Machado	Takasugi
Baugh	Frusetta	Margett	Thompson
Boland	Gallegos	Martinez	Tucker
Bordonaro	Goldsmith	Mazzoni	Vasconcellos
Bowen	Granlund	McPherson	Villaraigosa
Bowler	Harvey	Miller	Woods
Brewer	Hauser	Morrissey	Mr. Speaker
Brown	Hawkins	Morrow	
Brulte	Hoge	Murray, Kevin	
Bustamante	House	Murray, Willard	

NOES—3

Campbell	Lee	Migden
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Above bill ordered enrolled.

ASSEMBLY BILL NO. 1184 (Friedman)—An act to amend Sections 14105.98 and 14163 of the Welfare and Institutions Code, relating to public social services, making an appropriation therefor, 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—73

Ackerman	Campbell	Isenberg	Napolitano
Aguiar	Cannella	Kaloogian	Olberg
Alby	Conroy	Katz	Poochigian
Alpert	Cortese	Knight	Rainey
Archie-Hudson	Cunneen	Knowles	Rogan
Baca	Davis	Kuehl	Setencich
Baldwin	Ducheny	Kuykendall	Speier
Bates	Escutia	Lee	Sweeney
Battin	Figueroa	Machado	Takasugi
Baugh	Firestone	Margett	Thompson
Boland	Friedman	Martinez	Tucker
Bordonaro	Frusetta	Mazzoni	Vasconcellos
Bowen	Goldsmith	McPherson	Villaraigosa
Bowler	Granlund	Migden	Weggeland
Brewer	Harvey	Miller	Woods
Brown	Hauser	Morrissey	Mr. Speaker
Brulte	Hawkins	Morrow	
Burton	Hoge	Murray, Kevin	
Bustamante	House	Murray, Willard	

NOES—None

Above bill ordered enrolled.

SPECIAL COMMITTEE MEETINGS

Assembly Member Miller was granted unanimous consent that the Committee on Budget be permitted to hold a special meeting at this time, in the Tom Bane Rules Committee Room, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 445 for hearing.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 3109 (Margett)—An act to amend Sections 1206, 1206.5, and 1209 of the Business and Professions Code, relating to clinical laboratories.

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	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Knox	Rogan
Bates	Escutia	Kuehl	Setencich
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Bowler	Goldsmith	Mazzoni	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Harvey	Migden	Weggeland
Brulte	Hauser	Miller	Woods
Burton	Hawkins	Morrissey	Mr. Speaker
Bustamante	Hoge	Morrow	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1703 (McPherson)—An act to amend Sections 12200, 12241, 12260, 12261, 12262, 12280, 12281, 12282, 12284, 12285, 12286, 12303, 12310, 12311, 12314, 12319, 12321, and 12327 of, to add Section 2118.5 to, to repeal Sections 12240, 12305, 12308, 12317, 12322, 12323, 12324, 12325, 12326, 12328, 12329, and 12330 of, to repeal Article 2 (commencing with Section 12350) of Chapter 4 of Division 12 of, to repeal and add Article 2 (commencing with Section 12220) of Chapter 3 of, and to repeal and add Chapter 2 (commencing with Section 12100) of, Division 12 of, the Elections Code, relating to elections.

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

Ackerman	Cannella	Katz	Olberg
Aguiar	Conroy	Knight	Poochigian
Alby	Cortese	Knowles	Rainey
Alpert	Cunneen	Kuykendall	Richter
Baca	Ducheny	Lee	Rogan
Baldwin	Escutia	Machado	Setencich
Bates	Figueroa	Margett	Speier
Battin	Firestone	Martinez	Sweeney
Baugh	Frusetta	Mazzoni	Takasugi
Boland	Goldsmith	McPherson	Thompson
Bordonaro	Granlund	Migden	Vasconcellos
Bowen	Hauser	Miller	Villaraigosa
Bowler	Hawkins	Morrissey	Weggeland
Brewer	Hoge	Morrow	Woods
Brown	House	Murray, Kevin	Mr. Speaker
Brulte	Isenberg	Murray, Willard	
Bustamante	Kaloogian	Napolitano	

NOES—1

Kuehl

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1490 (Caldera)—An act to amend Section 261.5 of the Penal Code, relating to crimes.

Bill presented by Assembly Member Machado.

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 Machado moved a call of the Assembly.

Motion carried. Time, 11:03 p.m.

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

ASSEMBLY BILL NO. 2962 (Firestone)—An act to amend Section 11011.5 of, and to add Section 14669.35 to, the Government Code, relating to state property.

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

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Speier
Baugh	Figueroa	Lee	Sweeney
Boland	Firestone	Machado	Takasugi
Bordonaro	Frusetta	Martinez	Tucker
Bowen	Gallegos	Mazzoni	Vasconcellos
Bowler	Goldsmith	McPherson	Villaraigosa
Brewer	Granlund	Migden	Weggeland
Brown	Harvey	Miller	Woods
Brulte	Hauser	Morrissey	
Bustamante	Hawkins	Murray, Kevin	

NOES—3

Battin	Setencich	Thompson
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Above bill ordered enrolled.

ASSEMBLY BILL NO. 2234 (Willard Murray)—An act to amend Sections 9765 and 9786 of, and to add and repeal Section 9701.5 of, the Business and Professions Code, relating to human remains.

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 Willard Murray moved a call of the Assembly.

Motion carried. Time, 11:13 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. 1675**

At 11:15 p.m., on motion of Assembly Member Goldsmith, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Record Expunged and Action Rescinded on Assembly Bill No. 1675

Assembly Member Goldsmith was granted unanimous consent that the record be expunged and the action rescinded whereby a roll call vote was taken on this day on Assembly Bill No. 1675, and that the bill be placed upon the inactive file.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

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

August 31, 1996

*E. Dotson Wilson, Chief Clerk
California State Assembly
State Capitol
Sacramento, California*

Dear Mr. Wilson: We write this letter to the Journal to state our intention to convene an interim hearing regarding the 1994 California State Implementation Plan (SIP) for ozone and the heavy-duty truck measures required to comply with Federal law. The interim hearing shall be held in San Diego because of the particular problem to the air quality in San Diego posed by Mexican heavy-duty trucks expected to be operating under the North American Free Trade Agreement.

As submitted to the Federal Environmental Protection Agency, the SIP requires a daily reduction of 82 tons of Nitrous Oxide emissions from the on-road heavy-duty diesel engine in the year 2010. The measures contained within the SIP to achieve these reductions will pose a tremendous burden on the 350,000–400,000 trucks

registered in California. More cost effective measures, such as those contained in AB 1675, exist and must be utilized first.

The problem is both national and international in scope. To adopt measures which place the burden solely on California vehicles is wrong. Such a policy will raise consumer prices as freight costs increase exponentially. It will add to the cost of California produced goods sold outside the state placing California industries at a competitive disadvantage. And it will not clean the air because it focuses the entire cure on only a small portion of the problem.

The California Retail Air Quality Coalition and the California Trucking Association have worked together to help solve this problem. AB 1675 is a product of two years of study with input from every industry impacted by the proposed changes including the environmental and regulatory communities.

The committee shall produce recommendations for legislation to be introduced next year to revamp the SIP with cost effective alternatives that will not place California industries at a disadvantage. The alternatives will be designed to reduce emissions from all trucks, whether registered in California, the remaining 49 states or abroad.

Thank you for your public notice of this commitment.

Sincerely,

JAN GOLDSMITH, Member
California State Assembly,
75th District

LARRY BOWLER, Chairman
Assembly Committee
on Transportation

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 3157 (Martinez)—An act to amend Sections 22507.5, 22651, 22651.7, 22850.5, 40202, 40207, and 40209 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—69

Ackerman	Cannella	Isenberg	Poohigian
Aguiar	Conroy	Kaloogian	Rainey
Alpert	Cortese	Katz	Richter
Archie-Hudson	Cunneen	Knox	Rogan
Baca	Davis	Kuehl	Setencich
Bates	Ducheny	Kuykendall	Speier
Battin	Escutia	Lee	Sweeney
Baugh	Figueroa	Machado	Takasugi
Boland	Firestone	Martinez	Thompson
Bordonaro	Friedman	Mazzoni	Tucker
Bowen	Frusetta	McPherson	Vasconcellos
Bowler	Gallegos	Migden	Villaraigosa
Brewer	Goldsmith	Miller	Weggeland
Brown	Granlund	Morrissey	Woods
Brulte	Harvey	Murray, Kevin	Mr. Speaker
Burton	Hauser	Murray, Willard	
Bustamante	Hawkins	Napolitano	
Campbell	House	Olberg	

NOES—2

Baldwin Knowles

Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 3157: Assembly Member Kaloogian, from "No" to "Aye".

Above bill ordered enrolled.

ASSEMBLY BILL NO. 378 (Willard Murray)—An act to add Section 14080 to the Welfare and Institutions Code, relating to Medi-Cal.

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 Willard Murray moved a call of the Assembly.

Motion carried. Time, 11:20 p.m.

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

ASSEMBLY BILL NO. 328 (Knowles)—An act to amend, repeal, and add Section 1620 of the Insurance Code, relating to insurance.

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

Ackerman	Bustamante	Kaloogian	Olberg
Aguiar	Conroy	Knight	Poochigian
Alby	Cortese	Knowles	Rainey
Baca	Cunneen	Knox	Richter
Baldwin	Davis	Kuykendall	Rogan
Battin	Firestone	Machado	Takasugi
Baugh	Frusetta	Margett	Thompson
Boland	Goldsmith	Mazzoni	Tucker
Bordonaro	Granlund	McPherson	Weggeland
Bowen	Harvey	Migden	Woods
Bowler	Hauser	Miller	Mr. Speaker
Brewer	Hawkins	Morrissey	
Brown	Hoge	Morrow	
Brulte	House	Murray, Kevin	

NOES—9

Bates	Katz	Murray, Willard
Cannella	Kuehl	Sweeney
Figueroa	Martinez	Villaraigosa

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Goldsmith was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 66

August 31, 1996

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

Dear Mr. Wilson: I am writing to clarify the intent of AB 66 (Goldsmith), a bill relating to Home Rule school districts.

AB 66, as it was passed by the Assembly (January 12, 1996 version), allowed 50 percent of parents or guardians of pupils currently enrolled in a school district to sign a petition as a condition of converting such district to a Home Rule school district. The Senate amendments were inadvertently drafted to allow an interpretation that one parent may represent 50 percent of all parents or guardians in a district in the petition process. That interpretation would be inaccurate. My intent was that 50 percent of all parents participate in the Home Rule school district petition process, as specified in AB 66, and I am committed to sponsor clean up legislation in the 1997–98 Legislative Session to convey the original intent.

I appreciate your public notice of my intent in the Assembly Daily Journal.

Sincerely,

JAN GOLDSMITH, Assembly Member
 Seventy-fifth District

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 1996

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

Assembly Bill No. 2553

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.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Miller was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 3136

TO: ASSEMBLY JOURNAL
FROM: ASSEMBLYMAN MILLER
DATE: AUGUST 30, 1996
RE: AB 3136

This bill focuses on the responsibilities of licensed firearm dealers in California. Existing law sets clearly defined requirements for the sale and delivery of firearms. Licensed dealers are expected to understand and stay current with laws effecting their business. We understand that California's existing body of firearm laws is very confusing for those not directly involved in such issues. AB 3136 is directed at "out of control" licensed dealers who knowingly violate the law.

The enhanced penalty created by AB 3136, in the event that a weapon sold to a member of a prohibited class is used in the commission of a felony (paragraph 4 of subdivision (g)), is intended to apply to a licensed dealer and not to private parties who may inadvertently transfer a firearm in violation of the law.

GARY G. MILLER, Assembly Member
Sixtieth District

Assembly Member Morrissey was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 2705

August 30, 1996

*The Honorable Curt Pringle
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Re: Letter for Assembly Journal

Dear Mr. Speaker: My intent in authoring AB 2705 is to provide equitable treatment to former members of the California Division of Forestry who were transferred to the Orange County Fire Department in 1981 and have not yet retired.

After these former state employees were transferred to Orange County Fire Department, state employees in the same position were changed from the State Safety retirement category to the Peace Officer/Firefighter category resulting in a change in their service retirement benefits. This bill would change the membership category to Peace Officer/Firefighter for those former state firefighters who are employed with the Orange County Fire Department and those who have left Orange County Fire Department Employment and who have not yet retired.

I would like to thank you in advance for your attention to this matter.

Sincerely,

JIM MORRISSEY, Assembly Member
Sixty-ninth District

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 1996

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

Assembly Bill No. 641
Assembly Bill No. 3155
Assembly Bill No. 3222

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, August 31, 1996

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

Assembly Bill No. 2460

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.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

On behalf of Speaker Pringle, Assembly Member Katz was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 1475

August 31, 1996

E. Dotson Wilson
Chief Clerk, State Assembly
State Capitol, Room 3196

Dear Mr. Wilson: This letter is to clarify the intent of the Legislature in approving AB 1475 (1995–1996 Legislative Session), which establishes a mechanism to ascertain the amount of revenue being collected by state regulatory bodies through regulatory and statutory authorizations.

The bill was introduced to provide an accessible and centralized information source, providing a means to calculate the amount of revenue generated by each authorization and to find out the number of regulatory bodies which collect revenue under any particular regulatory or statutory provision.

Paragraphs (1) and (2) of subsection (a) of Government Code Section 15399.58, created in AB 1475, which describes the information required to be placed in the inventory, reads as follows:

“(1) The total dollar amount of fees or charges assessed or collected by state boards, agencies, or departments, under each provision of law, which shall be listed separately. For each separate listing, the inventory shall identify the state board, agency or department that collected or assessed the fee or charge. If more than one state board, agency or department collected or assessed a fee or charge pursuant to the same statutory or regulatory provision, the inventory shall separately list the total dollar amount collected or assessed by each state board, agency, or department pursuant to that provision.

(2) The number of facilities from which the fee revenue in each separate category listed pursuant to paragraph (1) was collected.”

“Fees or charges assessed or collected” is intended to identify money which has actually been paid to a state entity. This reading of the provision is consistent with the general purpose of the bill which is to ascertain the dollar amount of fee revenue received by the state through these regulatory entities. Reporting fees that are merely assessed, but not collected, does nothing to further this purpose.

“The number of facilities” is intended to identify the number of individual assessments levied under an authorization by identifying the number of separate persons, businesses, or business sites which are subject to the identified fees or charges. This way, the total dollar amount provided can be divided by the number of individual assessments to ascertain the size of the average charge under an authorization.

It is my understanding that agencies may have existing information systems which identify fee information by the number of “persons” or “businesses” charged, rather than “facilities.” For example, the State Water Resources Control Board identifies entities

subject to their fee authority by “person,” because under their statutory authorization, the SWRCB issues permits to persons. In such circumstances, if an agency identifies the number of permits which it issued to “persons,” it would comply with the intent of the Section 15399.58 (a) (2) “facilities” requirement.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

Assembly Member Knowles was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Senate Bill No. 1327

August 31, 1996

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

Dear Mr. Wilson: I am writing to clarify my intent, as Chairman of the Assembly Insurance Committee, in requesting an amendment to Senate Bill 1327 (Chapter 54 of the Statutes of 1996) when that measure was heard before my committee. The amendment added Section 2 to the bill, which states the intent of the Legislature that SB 1327 not be construed to “restrict the ability of any person to inspect or evaluate a condominium project in connection with an application for a waiver of earthquake insurance requirements pursuant to guidelines of the Federal Home Loan Mortgage Corporation.”

The purpose of this amendment was to ensure that condominium buyers would have the ability to obtain waivers from Freddie Mac’s earthquake insurance or fee requirements, even if the technology used to process waiver requests had yet to be approved by the Insurance Commissioner. Absent this amendment, SB 1327 would have prevented condominium owners in low and moderate earthquake risk regions of the state, such as my district, from obtaining waivers, thereby needlessly increasing housing costs in those areas. Any interpretation of SB 1327 that would prevent the use of an earthquake assessment system to grant waivers from Freddie Mac’s requirements is inconsistent with my intent in adding Section 2 to the bill.

I request that this letter be published in the Assembly Journal.

Sincerely,

DAVID KNOWLES, Assembly Member
Fourth District

RULES TEMPORARILY SUSPENDED

Assembly Member Goldsmith was granted unanimous consent that Assembly Rule 69(e) be suspended to permit consideration of amendments to Senate Bill No. 575, without reference to file.

SENATE BILL NO. 575 (Polanco)—an act to amend Section 1502 of, and to add Article 2.6 (commencing with Section 1528) to Chapter 3 of Division 2 of, the Health and Safety Code, and to amend Sections 361.2 and 11402.5 of, to amend, repeal, and add Section 207 of, to add Sections 725.6, 11402.7, and 11462.06 to, and to add and repeal Section 601.1 of, the Welfare and Institutions Code, relating to juveniles.

Bill read third time.

Motion to Amend

Assembly Member Goldsmith moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

Rules Temporarily Suspended

Assembly Member Goldsmith was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 575, as amended, without reference to file.

SENATE BILL NO. 575 (Polanco)—An act to amend Section 1502 of, and to add Article 2.6 (commencing with Section 1528) to Chapter 3 of Division 2 of, the Health and Safety Code, and to amend Sections 361.2 and 11402.5 of, to add Sections 725.6, 11402.7, and 11462.06 to, and to add and repeal Section 601.5 of, the Welfare and Institutions Code, relating to juveniles.

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

Bill passed by the following vote:

AYES—71

Ackerman	Campbell	Isenberg	Napolitano
Aguiar	Cannella	Kaloogian	Olberg
Alby	Conroy	Katz	Poochigian
Alpert	Cortese	Knight	Rainey
Archie-Hudson	Cunneen	Knowles	Richter
Baca	Davis	Knox	Rogan
Baldwin	Ducheny	Kuehl	Setencich
Battin	Escutia	Kuykendall	Speier
Baugh	Figueroa	Lee	Sweeney
Boland	Firestone	Machado	Takasugi
Bordonaro	Friedman	Margett	Thompson
Bowen	Frusetta	Martinez	Tucker
Bowler	Gallegos	Mazzoni	Vasconcellos
Brewer	Goldsmith	McPherson	Villaraigosa
Brown	Granlund	Migden	Weggeland
Brulte	Hauser	Miller	Woods
Burton	Hawkins	Morrissey	Mr. Speaker
Bustamante	House	Murray, Willard	

NOES—1

Bates

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 575: Assembly Member Migden, from "No" to "Aye".

Bill ordered transmitted to the Senate.

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP
SENATE BILL NO. 484**

Assembly Member Knowles requested unanimous consent to take up Senate Bill No. 484, without reference to file.

Assembly Member Katz withheld unanimous consent.

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 1996

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

Assembly Bill No. 3319

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, August 31, 1996

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

Assembly Bill No. 1755

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.

MESSAGES FROM THE SENATE

August 31, 1996

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

Dear Dotson: By direction of the Senate I am returning Senate Bill No. 1812 to the Assembly for further action.

Sincerely,

GREG P. SCHMIDT
Secretary of the Senate

August 31, 1996

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

Dear Dotson: The Senate on this day rescinded the action whereby on August 21, 1996, Assembly amendments to Senate Bill No. 2000 were refused concurrence.

Sincerely,

GREG P. SCHMIDT
Secretary of the Senate

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

ASSEMBLY BILL NO. 296 (Knight)—An act to repeal Chapter 12.9 (commencing with Section 7080) of, and to repeal and add Chapter 12.8 (commencing with Section 7070) of, Division 7 of Title 1 of the Government Code, and to amend Sections 17039, 17276.1, 17276.2, 23036, 24416.1, and 24416.2 of, to add Sections 17053.70, 17053.73, 17053.75, 17235, 17267, 23612.2, 23622.5, 24356.7, and 24384.5 to, and to repeal Sections 17052.13, 17053.8, 17053.9, 17053.11, 17231, 17252.5, 17265, 23612, 23622, 23623, 24356.2, 24356.3, and 24384 of, the Revenue and Taxation Code, relating to economic development.

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

Ackerman	Cannella	Kaloogian	Napolitano
Aguiar	Conroy	Katz	Olberg
Alby	Cortese	Knight	Poochigian
Alpert	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuykendall	Rogan
Battin	Figueroa	Machado	Setencich
Baugh	Firestone	Margett	Speier
Boland	Frusetta	Martinez	Takasugi
Bordonaro	Goldsmith	McPherson	Thompson
Bowen	Granlund	Migden	Villaraigosa
Bowler	Harvey	Miller	Weggeland
Brewer	Hauser	Morrissey	Woods
Brown	Hawkins	Morrow	Mr. Speaker
Brulte	Hoge	Murray, Kevin	
Bustamante	House	Murray, Willard	

NOES—7

Archie-Hudson	Campbell	Kuehl	Mazzoni
Bates	Friedman	Lee	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2053 (Kevin Murray)—An act to add Section 25533.5 to the Corporations Code, to amend Section 7471 of the Government Code, and to amend Sections 186.10 and 14167 of the Penal Code, relating to crimes.

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	Conroy	Kaloogian	Napolitano
Aguiar	Cortese	Katz	Olberg
Alby	Cunneen	Knight	Poochigian
Alpert	Davis	Knowles	Rainey
Archie-Hudson	Ducheny	Knox	Richter
Baca	Escutia	Kuehl	Rogan
Baldwin	Figueroa	Kuykendall	Setencich
Bates	Firestone	Lee	Speier
Battin	Friedman	Machado	Sweeney
Baugh	Frusetta	Margett	Takasugi
Boland	Gallegos	Martinez	Thompson
Bordonaro	Goldsmith	Mazzoni	Tucker
Bowen	Granlund	McPherson	Vasconcellos
Bowler	Harvey	Migden	Villaraigosa
Brewer	Hauser	Miller	Weggeland
Brown	Hawkins	Morrissey	Woods
Brulte	Hoge	Morrow	Mr. Speaker
Bustamante	House	Murray, Kevin	
Cannella	Isenberg	Murray, Willard	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2800 (Granlund)—An act to repeal Sections 1568.10, 1568.11, 1568.12, 1568.13, 1568.14, 1568.18, 1568.20, 1568.21, 1568.23, 1568.24, and 1568.25 of, to repeal Article 6.5 (commencing with Section 1310) of Chapter 2 of Division 2 of, the Health and Safety Code, to repeal Section 9535.5 of, and to repeal and add Division 8.5 (commencing with Section 9000) of, the Welfare and Institutions Code, relating to aging.

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—70

Ackerman	Cannella	Isenberg	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Katz	Poochigian
Alpert	Cunneen	Knight	Rainey
Archie-Hudson	Davis	Knowles	Richter
Baca	Escutia	Knox	Rogan
Baldwin	Figueroa	Kuehl	Setencich
Bates	Firestone	Kuykendall	Speier
Battin	Friedman	Machado	Sweeney
Baugh	Frusetta	Margett	Takasugi
Boland	Gallegos	Martinez	Thompson
Bordonaro	Goldsmith	McPherson	Vasconcellos
Bowler	Granlund	Migden	Villaraigosa
Brewer	Harvey	Miller	Weggeland
Brown	Hauser	Morrissey	Woods
Brulte	Hawkins	Morrow	Mr. Speaker
Burton	Hoge	Murray, Kevin	
Bustamante	House	Murray, Willard	

NOES—1

Bowen

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2696 (Kuykendall)—An act to amend Sections 9650.4, 9765, and 9786 of, and to add and repeal Section 9701.5 of, the Business and Professions Code, relating to human remains.

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.)

Point of Order

Assembly Member Speier arose to the following point of order:

That the bill, as amended in the Senate, contains subject matter that has not been previously heard by the appropriate Assembly policy committee.

Ruling by Speaker

The Speaker ruled the point of order not well-taken; that the identical subject matter of a different bill was heard in the policy committee.

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, 11:52 p.m.

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

(NOTE: Assembly Bill No. 2696 died under Call of the Assembly. See Assembly Journal, page 9154.)

CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Martinez was granted unanimous consent to take up Assembly Bill No. 3155, without reference to file, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 3155 (Martinez)—An act to add Section 799 to the Public Utilities Code, relating to public utilities.

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—71

Ackerman	Bustamante	Hoge	Morrissey
Aguiar	Campbell	House	Morrow
Alby	Cannella	Isenberg	Murray, Kevin
Alpert	Conroy	Kaloogian	Murray, Willard
Archie-Hudson	Cortese	Katz	Napolitano
Baca	Cunneen	Knight	Olberg
Baldwin	Davis	Knowles	Poochigian
Bates	Ducheny	Knox	Rainey
Battin	Escutia	Kuehl	Rogan
Baugh	Figueroa	Kuykendall	Setencich
Boland	Friedman	Lee	Speier
Bordonaro	Frusetta	Machado	Sweeney
Bowen	Gallegos	Margett	Takasugi
Bowler	Goldsmith	Martinez	Vasconcellos
Brewer	Granlund	Mazzoni	Villaraigosa
Brown	Harvey	McPherson	Woods
Brulte	Hauser	Migden	Mr. Speaker
Burton	Hawkins	Miller	

NOES—None

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 2188**

At 11:56 p.m., on motion of Assembly Member Baca, 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. 2188 by the following vote:

AYES—41

Ackerman	Ducheny	Kuykendall	Rogan
Aguiar	Firestone	Margett	Setencich
Baldwin	Frusetta	Miller	Takasugi
Battin	Goldsmith	Morrissey	Thompson
Baugh	Granlund	Morrow	Tucker
Boland	Harvey	Murray, Kevin	Weggeland
Bordonaro	Hawkins	Murray, Willard	Woods
Bowler	House	Olberg	Mr. Speaker
Brewer	Kaloogian	Poochigian	
Brulte	Knight	Rainey	
Conroy	Knowles	Richter	

NOES—29

Archie-Hudson	Cunneen	Katz	Napolitano
Baca	Davis	Knox	Speier
Bates	Escutia	Kuehl	Sweeney
Bowen	Figueroa	Lee	Vasconcellos
Brown	Friedman	Martinez	Villaraigosa
Campbell	Gallegos	Mazzoni	
Cannella	Hauser	McPherson	
Cortese	Hoge	Migden	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 824**

At 11:56 p.m., on motion of Assembly Member Ducheny, 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. 824 by the following vote:

AYES—44

Alpert	Cunneen	Katz	Murray, Willard
Archie-Hudson	Davis	Knox	Napolitano
Baca	Ducheny	Kuehl	Rainey
Bates	Escutia	Lee	Setencich
Bowen	Figueroa	Machado	Speier
Brown	Friedman	Margett	Sweeney
Burton	Frusetta	Martinez	Takasugi
Bustamante	Gallegos	Mazzoni	Tucker
Campbell	Granlund	McPherson	Vasconcellos
Cannella	Hauser	Migden	Villaraigosa
Cortese	Isenberg	Morrissey	Woods

NOES—25

Ackerman	Brewer	Kaloogian	Rogan
Aguiar	Brulte	Knowles	Thompson
Baldwin	Conroy	Miller	Weggeland
Baugh	Firestone	Morrow	Mr. Speaker
Boland	Harvey	Olberg	
Bordonaro	Hoge	Poochigian	
Bowler	House	Richter	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1533**

At 11:56 p.m., on motion of Assembly Member Cortese, 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 which add an urgency clause to Assembly Bill No. 1533 by the following vote:

AYES—49

Alpert	Conroy	Hauser	Murray, Willard
Archie-Hudson	Cortese	Isenberg	Napolitano
Baca	Cunneen	Katz	Rainey
Baldwin	Davis	Knox	Setencich
Bates	Ducheny	Kuehl	Speier
Battin	Escutia	Lee	Sweeney
Bordonaro	Figueroa	Machado	Tucker
Bowen	Firestone	Martinez	Vasconcellos
Brown	Friedman	Mazzoni	Villaraigosa
Burton	Frusetta	McPherson	Weggeland
Bustamante	Gallegos	Migden	
Campbell	Goldsmith	Morrissey	
Cannella	Harvey	Murray, Kevin	

NOES—22

Ackerman	Brulte	Knowles	Rogan
Alby	Granlund	Margett	Thompson
Baugh	Hawkins	Morrow	Woods
Boland	Hoge	Olberg	Mr. Speaker
Bowler	House	Poochigian	
Brewer	Kaloogian	Richter	

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO SENATE BILL NO. 2046**

At 11:57 p.m., on motion of Assembly Member Knowles, 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. 2046 refused adoption by the following vote:

AYES—50

Ackerman	Campbell	House	Murray, Willard
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Knight	Poochigian
Baldwin	Cunneen	Knowles	Rainey
Battin	Ducheny	Kuykendall	Richter
Baugh	Firestone	Machado	Rogan
Boland	Frusetta	Margett	Takasugi
Bordonaro	Goldsmith	Mazzoni	Thompson
Bowler	Granlund	McPherson	Weggeland
Brewer	Harvey	Miller	Woods
Brown	Hauser	Morrissey	Mr. Speaker
Brulte	Hawkins	Morrow	
Bustamante	Hoge	Murray, Kevin	

NOES—21

Alpert	Figueroa	Lee	Sweeney
Archie-Hudson	Friedman	Martinez	Vasconcellos
Bates	Gallegos	Migden	Villaraigosa
Burton	Katz	Napolitano	
Cannella	Knox	Setencich	
Davis	Kuehl	Speier	

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 3093**

At 11:57 p.m., on motion of Assembly Member Villaraigosa, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 3093 by the following vote:

AYES—48

Alpert	Campbell	House	McPherson
Archie-Hudson	Cannella	Isenberg	Migden
Baca	Conroy	Kaloogian	Morrow
Baldwin	Cortese	Katz	Murray, Kevin
Bates	Davis	Knox	Murray, Willard
Baugh	Ducheny	Kuehl	Napolitano
Boland	Escutia	Kuykendall	Rainey
Bordonaro	Figueroa	Lee	Setencich
Bowler	Firestone	Machado	Speier
Brown	Friedman	Margett	Sweeney
Burton	Gallegos	Martinez	Vasconcellos
Bustamante	Hauser	Mazzoni	Villaraigosa

NOES—19

Ackerman	Brulte	Knight	Thompson
Aguiar	Frusetta	Olberg	Weggeland
Alby	Granlund	Poochigian	Woods
Battin	Harvey	Rogan	Mr. Speaker
Brewer	Hoge	Takasugi	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 137**

At 11:57 p.m., on motion of Assembly Member Olberg, 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. 137 by the following vote:

AYES—43

Ackerman	Brewer	Hoge	Poochigian
Aguiar	Brulte	House	Rainey
Alby	Bustamante	Kaloogian	Richter
Alpert	Cannella	Knight	Rogan
Baca	Conroy	Kuykendall	Setencich
Baldwin	Cortese	Machado	Takasugi
Battin	Frusetta	Margett	Thompson
Baugh	Goldsmith	Miller	Weggeland
Boland	Granlund	Morrissey	Woods
Bordonaro	Harvey	Morrow	Mr. Speaker
Bowler	Hawkins	Olberg	

NOES—20

Bates	Gallegos	Martinez	Napolitano
Bowen	Isenberg	Mazzoni	Speier
Campbell	Knox	Migden	Sweeney
Ducheny	Kuehl	Murray, Kevin	Vasconcellos
Escutia	Lee	Murray, Willard	Villaraigosa

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 81**

At 11:57 p.m., on motion of Assembly Member Napolitano, 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. 81 by the following vote:

AYES—48

Aguiar	Campbell	Gallegos	McPherson
Alpert	Cannella	Goldsmith	Migden
Archie-Hudson	Conroy	Hauser	Morrissey
Baca	Cortese	Isenberg	Murray, Kevin
Bates	Cunneen	Katz	Murray, Willard
Boland	Davis	Kuehl	Napolitano
Bordonaro	Ducheny	Kuykendall	Setencich
Bowen	Escutia	Lee	Speier
Bowler	Figueroa	Machado	Sweeney
Brown	Firestone	Margett	Takasugi
Burton	Friedman	Martinez	Vasconcellos
Bustamante	Frusetta	Mazzoni	Villaraigosa

NOES—16

Ackerman	Granlund	Miller	Richter
Baugh	Hoge	Morrow	Thompson
Brewer	House	Olberg	Woods
Brulte	Kaloogian	Poohigian	Mr. Speaker

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1490**

At 11:57 p.m., on motion of Assembly Member Machado, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1490 by the following vote:

AYES—45

Aguiar	Cortese	Hauser	Murray, Kevin
Alpert	Cunneen	House	Murray, Willard
Archie-Hudson	Davis	Isenberg	Napolitano
Baca	Ducheny	Katz	Rainey
Baldwin	Escutia	Knox	Setencich
Bordonaro	Figueroa	Kuykendall	Speier
Bowen	Firestone	Lee	Sweeney
Bowler	Friedman	Machado	Tucker
Brewer	Frusetta	Martinez	Villaraigosa
Brown	Gallegos	Mazzoni	
Burton	Goldsmith	McPherson	
Cannella	Harvey	Migden	

NOES—8

Ackerman	Boland	Morrow	Thompson
Baugh	Conroy	Olberg	Woods

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 2234**

At 11:58 p.m., on motion of Assembly Member Willard Murray, 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. 2234 by the following vote:

AYES—41

Ackerman	Conroy	Hawkins	Murray, Willard
Alby	Cortese	House	Poochigian
Alpert	Ducheny	Kaloogian	Takasugi
Archie-Hudson	Escutia	Knox	Thompson
Baca	Firestone	Kuehl	Tucker
Bordonaro	Friedman	Kuykendall	Villaraigosa
Bowler	Gallegos	Lee	Woods
Brewer	Goldsmith	Margett	Mr. Speaker
Bustamante	Granlund	Mazzoni	
Campbell	Harvey	Morrissey	
Cannella	Hauser	Murray, Kevin	

NOES—27

Aguiar	Cunneen	McPherson	Rogan
Baldwin	Davis	Migden	Setencich
Battin	Figueroa	Miller	Speier
Baugh	Frusetta	Morrow	Sweeney
Boland	Hoge	Olberg	Vasconcellos
Bowen	Knowles	Rainey	Weggeland
Brulte	Martinez	Richter	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 378**

At 11:58 p.m., on motion of Assembly Member Willard Murray, 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. 378 by the following vote:

AYES—25

Alpert	Cunneen	Kuehl	Rainey
Archie-Hudson	Figueroa	Lee	Setencich
Baca	Friedman	Mazzoni	Tucker
Bates	Gallegos	McPherson	Villaraigosa
Brewer	Granlund	Murray, Kevin	
Bustamante	Hauser	Murray, Willard	
Campbell	Knox	Napolitano	

NOES—37

Ackerman	Brown	Knight	Rogan
Aguiar	Brulte	Knowles	Speier
Alby	Cannella	Margett	Sweeney
Baldwin	Conroy	Martinez	Takasugi
Battin	Frusetta	Miller	Thompson
Baugh	Goldsmith	Morrissey	Weggeland
Boland	Harvey	Morrow	Mr. Speaker
Bordonaro	Hoge	Olberg	
Bowen	House	Poochigian	
Bowler	Kaloogian	Richter	

CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Ducheny was granted unanimous consent to take up Assembly Bill No. 3319, without reference to file, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 3319 (Ducheny)—An act to add Sections 40918.5, 40918.6, and 40918.7 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—53

Ackerman	Cannella	Hoge	Murray, Willard
Aguiar	Conroy	House	Napolitano
Alby	Cortese	Isenberg	Olberg
Alpert	Cunneen	Kaloogian	Poochigian
Archie-Hudson	Davis	Knight	Rainey
Baca	Ducheny	Knowles	Setencich
Baldwin	Figueroa	Lee	Speier
Baugh	Frusetta	Machado	Takasugi
Boland	Gallegos	Margett	Tucker
Bordonaro	Goldsmith	Martinez	Woods
Brewer	Granlund	McPherson	Mr. Speaker
Brown	Harvey	Miller	
Brulte	Hauser	Morrissey	
Bustamante	Hawkins	Murray, Kevin	

NOES—9

Bates	Kuehl	Sweeney
Bowen	Mazzoni	Vasconcellos
Bowler	Migden	Villaraigosa

Above bill ordered enrolled.

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 1996

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

Senate Bill No. 76	Senate Bill No. 1414
Senate Bill No. 217	Senate Bill No. 1502
Senate Bill No. 229	Senate Bill No. 1516
Senate Bill No. 282	Senate Bill No. 1529
Senate Bill No. 649	Senate Bill No. 1748
Senate Bill No. 661	Senate Bill No. 1823
Senate Bill No. 795	Senate Bill No. 1864
Senate Bill No. 828	Senate Bill No. 1865
Senate Bill No. 879	Senate Bill No. 1906
Senate Bill No. 980	Senate Bill No. 1943
Senate Bill No. 1099	Senate Bill No. 1989
Senate Bill No. 1155	Senate Bill No. 2000
Senate Bill No. 1185	Senate Bill No. 2023
Senate Bill No. 1205	Senate Bill No. 2091
Senate Bill No. 1378	Senate Bill No. 2139
Senate Bill No. 1391	Senate Bill No. 2161
Senate Bill No. 1401	Senate Bill No. 2164

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

**SIX HUNDRED THIRTY-SEVENTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber
Sunday, September 1, 1996

At 12 midnight.
Speaker Curt Pringle, presiding.

BILL DIED UNDER CALL OF THE ASSEMBLY

Assembly Bill No. 2696 (concurrence pending) died under Call of the Assembly.

MOTION TO WITHDRAW RESOLUTIONS FROM COMMITTEE LAPSED

The motions to withdraw House Resolution No. 38 and Assembly Concurrent Resolution No. 75 from the Committee on Rules lapsed.

PARLIAMENTARY INQUIRY

Assembly Member Burton arose to the following parliamentary inquiry:

What is the time?

Reply by Speaker

The Speaker replied that it was the hour of midnight and the Clerk advises that pursuant to the Constitution only urgency measures and tax levies are eligible for consideration.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1533

Assembly Member Bates moved to immediately reconsider the vote whereby the Senate amendments to Assembly Bill No. 1533 which contain an urgency clause, were this day refused concurrence.

Motion to reconsider lost by the following vote:

AYES—38

Alpert	Cortese	Isenberg	Murray, Kevin
Archie-Hudson	Cunneen	Katz	Murray, Willard
Baca	Davis	Knox	Napolitano
Bates	Ducheny	Kuehl	Setencich
Battin	Escutia	Lee	Speier
Bowen	Figueroa	Machado	Vasconcellos
Brown	Friedman	Martinez	Villaraigosa
Burton	Frusetta	Mazzoni	Weggeland
Campbell	Gallegos	McPherson	
Cannella	Harvey	Migden	

NOES—None

OBJECTION TO VOTE ADDS

Assembly Member Hoge 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. 2046.

Assembly Member Machado withheld unanimous consent on any further requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Bill No. 1490.

Assembly Member Granlund withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Bill No. 2800.

SPECIAL CEREMONY HONORING RETIRING MEMBERS

At 12:15 a.m. a special ceremony was convened to honor Members retiring from the California State Assembly.

The following resolution was read:

House Resolution No. 55

By Assembly Member Pringle

Relative to commending the Honorable Sal Cannella.

WHEREAS, Assembly Member Sal Cannella is drawing to a close his tenure with the California State Assembly following six years of exemplary service, and it is appropriate at this time to highlight the many achievements of his illustrious tenure and to extend to him the highest commendation; and

WHEREAS, Sal Cannella has always been active in the community and is renowned as a civic-minded community leader; as a high school senior, he carried the Olympic torch through his hometown of Ceres on its route to the 1960 Winter Olympics in Squaw Valley, and he served with honor and distinction in the California National Guard during the mid-1960's; and

WHEREAS, He has been a resident of Stanislaus County since 1953 and, as a tool-and-die maker by trade, he spent 30 years working in a Modesto factory; and

WHEREAS, He became active in politics at a grassroots level in the 1970's and soon began his steady rise through the ranks as an elected official, and his first involvement in public service began with his appointment as Planning Commissioner for the City of Ceres; and

WHEREAS, In 1976 he was elected to the Ceres City Council and in 1980 he was elected as Mayor of Ceres; two years later he was unopposed for his second term as mayor; and in 1984 he was appointed to the Stanislaus County Board of Supervisors, where he remained until being elected to the California State Assembly in a special election; and

WHEREAS, Assembly Member Sal Cannella was elected to the California State Assembly on January 30, 1990, to represent the 26th Assembly District, which includes all of Merced County, the western portion of Stanislaus County, and a small section of San Joaquin County near Tracy; and

WHEREAS, During his distinguished tenure with the California State Assembly, he has admirably served as Vice Chairperson of the Public Employees, Retirement and Social Security Committee, Chairperson of the Subcommittee on Fairs and Expositions, and as head of the Assembly Rural Caucus, a bipartisan group of Assembly Members who represent rural districts throughout the state; and

WHEREAS, He currently serves as a member of the Agriculture, Appropriations, Governmental Organization, and Natural Resources Committees; the Select Committees on California-Africa Affairs and California Wine Production and Economy; and he provides exemplary leadership as Vice Chair of the Joint Committee on Fairs Allocation and Classification; and

WHEREAS, Since assuming office, he has devoted his energies to such important Central Valley issues as growth and water

management, transportation, air pollution, preservation of agriculture, education, and child protection; and

WHEREAS, Assembly Member Cannella's responsiveness to his constituents is reflected in the type of legislation he has carried; in the past two years, 22 of 39 bills he introduced grew from ideas and concerns of the people living in his district; and

WHEREAS, Assembly Member Cannella has been the recipient of numerous awards, honors, and special recognitions, including being named 1990 Legislator of the Year by the California Association of the Physically Handicapped, 1993 Legislator of the Year by the Police Officers Research Association of California, and 1994 Legislator of the Year by the California Narcotics Officers Association; he received the Outstanding Volunteer Service Award from United Cerebral Palsy and Friends Outside, and was honored by the City of Ceres and the Boy Scouts of America for his active community involvement; and

WHEREAS, Through his professional, public, and community activities, he has made a significant impact on the people of the 26th Assembly District and the State of California, and he will be sorely missed by those individuals with whom he has been associated; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members express their appreciation to their fellow public official and friend, Assembly Member Sal Cannella, for his many invaluable contributions to the people of the State of California throughout his distinguished tenure with the California State Assembly, and convey to him best wishes for continued success in the future; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the Honorable Sal Cannella.

House Resolution No. 55 Taken up by Unanimous Consent

Assembly Member Cortese was granted unanimous consent to take up House Resolution No. 55, without reference to committee or file.

HOUSE RESOLUTION NO. 55—Relative to commending the Honorable Sal Cannella.

Resolution read, and adopted unanimously.

Best Wishes Expressed

Speaker Pringle appointed Assembly Member Cortese to escort Assembly Member Cannella to the Rostrum, whereupon a resolution was presented expressing the best wishes of all Members of the Assembly as he departs the California State Assembly.

Assembly Member Sal Cannella then addressed the assemblage.

CAUCUS ANNOUNCEMENTS

At 12:20 a.m., Assembly Member Katz was granted unanimous consent that the Democratic Caucus be permitted to meet in the Tom Bane Rules Committee Room.

At 12:20 a.m., Speaker Pringle was granted unanimous consent that the Republican Caucus be permitted to meet in the Assembly Lounge.

RECESS

By unanimous consent, at 12:21 a.m., Speaker Pringle declared the Assembly recessed.

REASSEMBLED

At 12:50 a.m., the Assembly reconvened.

Hon. Curt Pringle, Speaker of the Assembly, presiding.

REQUEST TO RETURN BILL TO SENATE

Assembly Member Takasugi requested unanimous consent that Assembly Bill No. 2460 be returned to the Senate for further action.

Assembly Member Bowen withheld unanimous consent.

Objection Withdrawn

Assembly Member Bowen withdrew her objection to the request by Assembly Member Takasugi.

Bill Returned to Senate

Without objection, Assembly Member Takasugi returned Assembly Bill No. 2460 to the Senate for further action.

MESSAGES FROM THE SENATE

September 1, 1996

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

Dear Dotson: By direction of the Senate I am returning Senate Bill No. 575 to the Assembly for further action.

Sincerely,

GREG P. SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

RULES TEMPORARILY SUSPENDED

Assembly Member Goldsmith was granted unanimous consent that Assembly Rule 69(e) be suspended to permit consideration of amendments to add an urgency clause to Senate Bill No. 575, without reference to file.

SENATE BILL NO. 575 (Polanco)—An act to amend Section 1502 of, and to add Article 2.6 (commencing with Section 1528) to Chapter 3 of Division 2 of, the Health and Safety Code, and to amend Sections 361.2 and 11402.5 of, to amend, repeal, and add Section 207 of, to add Sections 725.6, 11402.7, and 11462.06 to, and to add and repeal Section 601.5 of, the Welfare and Institutions Code, relating to juveniles.

Bill read third time.

Motion to Amend

Assembly Member Goldsmith moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Further Consideration of Senate Bill No. 575, as Amended,
by Unanimous Consent**

Assembly Member Goldsmith was granted unanimous consent to take up Senate Bill No. 575, as amended, without reference to file.

SENATE BILL NO. 575 (Polanco)—An act to amend Section 1502 of, and to add Article 2.6 (commencing with Section 1528) to Chapter 3 of Division 2 of, the Health and Safety Code, and to amend Sections 361.2 and 11402.5 of, to amend, repeal, and add Section 207 of, to add Sections 725.6, 11402.7, and 11462.06 to, and to add and repeal Section 601.5 of, the Welfare and Institutions Code, relating to juveniles.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—71

Ackerman	Bustamante	Hoge	Murray, Willard
Aguiar	Campbell	House	Napolitano
Alby	Cannella	Kaloogian	Olberg
Alpert	Conroy	Katz	Poochigian
Archie-Hudson	Cortese	Knowles	Rainey
Baca	Cunneen	Knox	Richter
Baldwin	Davis	Kuehl	Rogan
Bates	Ducheny	Kuykendall	Setencich
Battin	Figueroa	Lee	Sweeney
Baugh	Firestone	Machado	Takasugi
Boland	Friedman	Margett	Thompson
Bordonaro	Frusetta	Martinez	Tucker
Bowen	Gallegos	McPherson	Vasconcellos
Bowler	Goldsmith	Migden	Villaraigosa
Brewer	Granlund	Miller	Weggeland
Brown	Harvey	Morrissey	Woods
Brulte	Hauser	Morrow	Mr. Speaker
Burton	Hawkins	Murray, Kevin	

NOES—None

Bill passed by the following vote:

AYES—71

Ackerman	Bustamante	Hoge	Murray, Willard
Aguiar	Campbell	House	Napolitano
Alby	Cannella	Kaloogian	Olberg
Alpert	Conroy	Katz	Poochigian
Archie-Hudson	Cortese	Knowles	Rainey
Baca	Cunneen	Knox	Richter
Baldwin	Davis	Kuehl	Rogan
Bates	Ducheny	Kuykendall	Setencich
Battin	Figueroa	Lee	Sweeney
Baugh	Firestone	Machado	Takasugi
Boland	Friedman	Margett	Thompson
Bordonaro	Frusetta	Martinez	Tucker
Bowen	Gallegos	McPherson	Vasconcellos
Bowler	Goldsmith	Migden	Villaraigosa
Brewer	Granlund	Miller	Weggeland
Brown	Harvey	Morrissey	Woods
Brulte	Hauser	Morrow	Mr. Speaker
Burton	Hawkins	Murray, Kevin	

NOES—None

(NOTE: The above bill held at the Desk pursuant to the provisions of Article IV, Sec. 8(b) and 10(c) of the Constitution.)

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP
SENATE BILL NO. 1887**

Assembly Member Isenberg requested unanimous consent to take up Senate Bill No. 1887, out of order.

Assembly Member Burton withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Assembly Member Isenberg moved that the Rules be temporarily suspended for the purpose of permitting consideration of Senate Bill No. 1887, out of order.

Assembly Member Rogan seconded the motion.

Rules temporarily suspended by the following vote:

AYES—63

Ackerman	Brulte	Hauser	Murray, Kevin
Aguiar	Bustamante	Hawkins	Murray, Willard
Alby	Campbell	Hoge	Napolitano
Alpert	Cannella	House	Olberg
Archie-Hudson	Conroy	Isenberg	Poochigian
Baca	Cortese	Katz	Rainey
Baldwin	Cunneen	Knight	Richter
Bates	Davis	Kuehl	Rogan
Battin	Escutia	Kuykendall	Setencich
Baugh	Firestone	Lee	Takasugi
Boland	Friedman	Machado	Thompson
Bordonaro	Frusetta	Margett	Vasconcellos
Bowen	Gallegos	McPherson	Weggeland
Bowler	Goldsmith	Miller	Woods
Brewer	Granlund	Morrissey	Mr. Speaker
Brown	Harvey	Morrow	

NOES—4

Ducheny	Martinez	Migden	Tucker
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Request for Unanimous Consent to Temporarily Suspend the Rules

Assembly Member Isenberg requested unanimous consent that Assembly Rule 69(e) be temporarily suspended for the purpose of taking up Senate Bill No. 1887 for purpose of amendment.

Assembly Member Burton withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Assembly Member Isenberg moved that Assembly Rule 69(e) be temporarily suspended for the purpose of permitting consideration of proposed amendments to Senate Bill No. 1887.

Assembly Member Aguiar seconded the motion.

Rules temporarily suspended by the following vote:

AYES—66

Ackerman	Bustamante	Hoge	Murray, Willard
Aguiar	Campbell	House	Napolitano
Alby	Cannella	Isenberg	Olberg
Alpert	Conroy	Kaloogian	Poochigian
Archie-Hudson	Cortese	Katz	Rainey
Baca	Cunneen	Knight	Richter
Baldwin	Davis	Knowles	Rogan
Bates	Escutia	Kuehl	Setencich
Battin	Firestone	Kuykendall	Sweeney
Baugh	Friedman	Lee	Takasugi
Boland	Frusetta	Machado	Thompson
Bordonaro	Gallegos	Margett	Vasconcellos
Bowen	Goldsmith	McPherson	Weggeland
Bowler	Granlund	Miller	Woods
Brewer	Harvey	Morrissey	Mr. Speaker
Brown	Hauser	Morrow	
Brulte	Hawkins	Murray, Kevin	

NOES—6

Burton	Martinez	Tucker
Ducheny	Migden	Villaraigosa

Consideration of Senate Bill No. 1887

SENATE BILL NO. 1887 (Lockyer)—An act to add Section 19824 to, to repeal Sections 19445, 19809, 19816, 19822.1, 19823.1, and 19941 of, to repeal and add Sections 19810, 19811, 19812, 19813, 19814, 19815.5, 19815.8, 19817, 19820, 19821, 19822, 19823, 19841, 19842, 19846, 19847, 19848, 19850, 19851, 19852, 19853, 19854, 19856, 19857, 19858, 19858.7, 19860, 19862, 19863, 19864, 19871, 19872, 19882, 19883, 19910.5, 19911, 19912, 19913, 19915, 19918, 19920, 19921, 19933.5, 19942, 19959.5, 19960, and 19960.2 of, to repeal and add Article 3 (commencing with Section 19830) and Article 8 (commencing with Section 19900) of Chapter 5 of, and to repeal and add Chapter 5 (commencing with Section 19800) of, Division 8 of, the Business and Professions Code, to add Section 1822.60 to the Code of Civil Procedure, to amend Sections 12012 and 15001 of, and to add Sections 15001.1 and 15001.2 to, the Government Code, and to amend Sections 186.9 and 14161 of, to add Section 322.5 to, and to add and repeal Section 337j of, the Penal Code, relating to gambling, and making an appropriation therefor.

Bill read third time.

Motion to Amend

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

Roll Call Demanded

Assembly Members Burton, Napolitano, and Machado, demanded a roll call.

The roll was called, and the Isenberg motion to amend carried and amendments adopted by the following vote:

AYES—66

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Escutia	Knox	Rogan
Battin	Firestone	Kuehl	Setenich
Baugh	Friedman	Kuykendall	Sweeney
Boland	Frusetta	Lee	Takasugi
Bordonaro	Gallegos	Machado	Thompson
Bowen	Goldsmith	Margett	Vasconcellos
Bowler	Granlund	McPherson	Weggeland
Brewer	Harvey	Miller	Woods
Brown	Hauser	Morrissey	Mr. Speaker
Brulte	Hawkins	Morrow	
Bustamante	Hoge	Murray, Kevin	

NOES—3

Burton	Ducheny	Migden
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Bill ordered reprinted.

**Further Consideration of Senate Bill No. 1887, as Amended,
by Unanimous Consent**

Assembly Member Isenberg was granted unanimous consent to take up Senate Bill No. 1887, as amended, without reference to file.

SENATE BILL NO. 1887 (Lockyer)—An act to add Section 19824 to, to repeal Sections 19445, 19809, 19816, 19822.1, 19823.1, and 19941 of, to repeal and add Sections 19810, 19811, 19812, 19813, 19814, 19815.5, 19815.8, 19817, 19820, 19821, 19822, 19823, 19841, 19842, 19846, 19847, 19848, 19850, 19851, 19852, 19853, 19854, 19856, 19857, 19858, 19858.7, 19860, 19862, 19863, 19864, 19871, 19872, 19882, 19883, 19910.5, 19911, 19912, 19913, 19915, 19918, 19920, 19921, 19933.5, 19942, 19959.5, 19960, and 19960.2 of, to repeal and add Article 3 (commencing with Section 19830) and Article 8 (commencing with Section 19900) of Chapter 5 of, and to repeal and add Chapter 5 (commencing with Section 19800) of, Division 8 of, the Business and Professions Code, to add Section 1822.60 to the Code of Civil Procedure, to amend Sections 12012 and 15001 of, and to add Sections 15001.1 and 15001.2 to, the Government Code, and to amend Sections 186.9 and 14161 of, and to add and repeal Section 337j of, the Penal Code, relating to gambling, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—69

Ackerman	Campbell	Isenberg	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Bates	Firestone	Kuykendall	Setencich
Battin	Friedman	Lee	Sweeney
Baugh	Frusetta	Machado	Takasugi
Boland	Gallegos	Margett	Thompson
Bordonaro	Goldsmith	Martinez	Vasconcellos
Bowen	Granlund	Mazzoni	Weggeland
Bowler	Harvey	McPherson	Woods
Brewer	Hauser	Miller	Mr. Speaker
Brown	Hawkins	Morrissey	
Brulte	Hoge	Morrow	
Bustamante	House	Murray, Kevin	

NOES—4

Burton	Ducheny	Migden	Villaraigosa
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The question being on the passage of the bill.

Bill passed by the following vote:

AYES—69

Ackerman	Campbell	Isenberg	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Bates	Firestone	Kuykendall	Setencich
Battin	Friedman	Lee	Sweeney
Baugh	Frusetta	Machado	Takasugi
Boland	Gallegos	Margett	Thompson
Bordonaro	Goldsmith	Martinez	Vasconcellos
Bowen	Granlund	Mazzoni	Weggeland
Bowler	Harvey	McPherson	Woods
Brewer	Hauser	Miller	Mr. Speaker
Brown	Hawkins	Morrissey	
Brulte	Hoge	Morrow	
Bustamante	House	Murray, Kevin	

NOES—4

Burton	Ducheny	Migden	Villaraigosa
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Bill ordered transmitted to the Senate immediately.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Martinez was granted unanimous consent that the following statement of legislative intent be printed in the Journal.

Legislative Intent—Assembly Bill No. 1222

August 30, 1996

*E. DOTSON WILSON**Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Mr. Wilson: This letter is meant to express my intent in authoring AB 1222 in 1995, as well as the intent of the sponsors of my legislation, the California District Attorneys Association.

Among other provisions, the statute prohibits any person from carrying, concealed upon his or her person, any dirk or dagger. Subdivision (c) (24) defines the term dirk or dagger. For several decades, the term "dirk or dagger" was not defined in statute.

Prior to 1993, the Penal Code did not specifically define dirk or dagger (case law did define a "stabbing" instrument). In 1993, the Legislature enacted AB 1266 (Martinez), which was effective on January 1, 1994, that defined dirk or dagger as "a knife or other instrument with or without a hand guard that is primarily designed, constructed, or altered to be a stabbing instrument designed to inflict great bodily injury or death." This "primarily designed" definition proved problematic for prosecutions and, as a result, the Legislature amended the statute again.

In 1995, the Legislature enacted AB 1222 (Martinez), which became effective on January 1, 1996. The law now defines dirk or dagger as "a knife or other instrument with or without a hand guard that is capable of ready use as a stabbing weapon that may inflict great bodily injury or death."

In sponsoring AB 1222, the California District Attorneys Association sought to eliminate the "primarily designed" language which had given rise to prosecutorial problems and to substitute language aimed at preventing surprise knife attacks by prohibiting the carrying of concealed knives that are particularly suited for stabbing and that are readily accessible to the user.

According to a police training video prepared by the Orange County District Attorney who drafted the "capable of ready use" language contained in the current statute, folding knives are not "dirk or daggers," unless they are carried in an open and locked position. This is due to the fact that, when folded, they are not "capable of ready use" without a number of intervening machinations that give the intended victim time to anticipate and/or prevent an attack.

Thus, the definition of "dirk or dagger" amended by my AB 1222 last year was not intended to prohibit folding knives. I believe this is consistent with the intent of the Legislature.

Warmest regards,

DIANE MARTINEZ, Assembly Member
Forty-ninth District

MESSAGES FROM THE SENATE

Senate Chamber, September 1, 1996

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

Assembly Bill No. 95

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 1, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day refused to adopt the report of the Committee on Conference concerning:

Assembly Constitutional Amendment No. 49

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

**CONSIDERATION OF SENATE AMENDMENTS
BY UNANIMOUS CONSENT**

Assembly Member Bowler was granted unanimous consent to take up Assembly Bill No. 95, without reference to file, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 95 (Bowler)—An act to add and repeal Sections 13202.3 and 14907 of the Vehicle Code, relating to vehicles, 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—55

Ackerman	Brulte	Hawkins	Napolitano
Aguiar	Bustamante	Hoge	Olberg
Alby	Cannella	House	Poochigian
Alpert	Conroy	Kaloogian	Rainey
Baca	Cortese	Katz	Richter
Baldwin	Cunneen	Knight	Rogan
Battin	Davis	Knox	Setench
Baugh	Escutia	Kuykendall	Sweeney
Boland	Figueroa	Machado	Takasugi
Bordonaro	Firestone	Margett	Thompson
Bowen	Friedman	Miller	Weggeland
Bowler	Frusetta	Morrissey	Woods
Brewer	Granlund	Morrow	Mr. Speaker
Brown	Harvey	Murray, Kevin	

NOES—8

Archie-Hudson	Kuehl	Migden	Vasconcellos
Bates	Lee	Murray, Willard	Villaraigosa

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

AYES—55

Ackerman	Brulte	Hawkins	Napolitano
Aguiar	Bustamante	Hoge	Olberg
Alby	Cannella	House	Poochigian
Alpert	Conroy	Kaloogian	Rainey
Baca	Cortese	Katz	Richter
Baldwin	Cunneen	Knight	Rogan
Battin	Davis	Knox	Setencich
Baugh	Escutia	Kuykendall	Sweeney
Boland	Figueroa	Machado	Takasugi
Bordonaro	Firestone	Margett	Thompson
Bowen	Friedman	Miller	Weggeland
Bowler	Frusetta	Morrissey	Woods
Brewer	Granlund	Morrow	Mr. Speaker
Brown	Harvey	Murray, Kevin	

NOES—8

Archie-Hudson	Kuehl	Migden	Vasconcellos
Bates	Lee	Murray, Willard	Villaraigosa

Above bill ordered enrolled.

RECESS

By unanimous consent, at 1:12 a.m., Speaker Pringle declared the Assembly recessed.

REASSEMBLED

At 1:15 a.m., the Assembly reconvened.

Hon. Curt Pringle, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Bustamante was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 1647

August 31, 1996

*The Honorable Curt Pringle
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Mr. Speaker and Members of the Assembly: I offer this letter to clarify the legislative intent of Assembly Bill (AB) 1647.

AB 1647 will legislatively authorize policy and regulations established by the California Integrated Waste Management Board (CIWMB) regarding the use of materials such as green waste biosolids as alternative daily cover (ADC) for solid waste landfills. CIWMB regulations require that landfills cover refuse at the end of each operating day. The CIWMB developed a policy and regulations authorizing use of materials such as green waste and biosolids to be beneficially re-used as cover material at landfills. The CIWMB policy and regulations, which authorize a “diversion” credit for use of ADC at landfills in lieu of virgin soil as cover, were challenged by the Natural Resource Defense Council (NRDC) in Sacramento Superior Court. The court ruled that the CIWMB regulations were not in

conformance with the Integrated Waste Management Act, since the trial court did not find that beneficial re-use of ADC materials such as contaminated soils was “recycling” within the meaning of the Act.

The trial court incorrectly interpreted the Act. The court decision found that statutory ambiguities failed to support CIWMB policies on the use of green material as an alternative to soil as landfill cover. This measure would reverse that Superior Court decision, and legislatively authorize the existing CIWMB policy and regulations concerning ADC.

The bill would also mandate the CIWMB’s consideration of performance criteria, if necessary, for the use of ADC materials in subsequent regulations to be adopted on or before December 31, 1997. We have made sure, however, that the existing CIWMB policies and regulations are enacted regarding use of ADC. The language of the bill was specifically drafted to ensure the continued viability of these valuable recycling programs pending any subsequent review or modification of the existing regulations.

There are important policies underlying the need for AB 1647’s legislative recognition that the CIWMB’s policy and regulations challenged in the NRDC case were in fact in conformance with the Act. This bill legislatively clarifies the CIWMB’s important policy and regulation authorizing the use of waste materials such as ash, non-hazardous contaminated soils and composted materials to be beneficially reused as daily cover material for landfills. In the absence of cover materials such as ash and contaminated soils, solid waste landfills must use excavated soils, often from more distant quarrying operations, to cover garbage placed in a landfill. The CIWMB’s ADC policy and regulations are environmentally protective because they promote the recycling and re-use of material which would otherwise be landfilled as waste, thus preventing native soils from having to be excavated and used for daily cover. As an example, there is no good policy reason to simply dispose of biosolids materials from public treatment works, or non-hazardous soils contaminated with low levels of hydrocarbons, when their use as ADC would prevent having to excavate virgin soils to accomplish the covering refuse disposed of in landfills on a daily basis. These materials are not solid waste—they are recyclable materials that have a viable, environmentally superior re-use, which the Legislature should continue to encourage.

Moreover, the Legislature has worked hard to develop and refine policies that encourage re-use and recycling, and I support those efforts. AB 1647 will prove to be a valuable policy in the State’s arsenal to prevent unnecessary excavation and transportation of soils for use in landfills. There is simply no compelling policy reason in favor of dumping these re-usable materials such as ash biosolids into landfills, when they can and should be re-used.

Respectfully submitted,

CRUZ M. BUSTAMANTE, Assembly Member
Thirty-first District

Clarification—Assembly Bill No. 350

August 31, 1996

*The Honorable Curt Pringle
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I submit this letter to clarify a ministerial error which was not corrected by Legislative Counsel's office during clean up amendments to Assembly Bill (AB) 350. AB 350 requires the Department of Fish and Game to develop and implement a pilot recovery strategy program. Because certain provisions of AB 350 refer to provisions included in Senate Bill (SB) 1177, and because SB 1177 has failed to pass the Legislature, some clarification of AB 350 is in order. Specifically, my August 5 amendments removed the joining language to SB 1177, including alternative sections 2110 and 2112, but inadvertently failed to delete specific references in sections 2110 and 2112 of my bill to section 2081.4 as proposed by SB 1177, which failed.

Among other provisions, in its current form AB 350 would add to the Fish and Game Code sections 2110 and 2112 to authorize the Department to adopt specifications regarding allowable taking of candidate threatened and endangered species pursuant to sections 2081, and 2090 of the existing code and nonexistent section 2081.4. It is my intent that such specifications may include both permits and memoranda understanding under section 2081, and specifications for the permitting of take of listed species incidental to otherwise lawful activities under section 2081 and section 2090 consultations. Sections 2110 and 2112 would be of no practical value in recovery strategy planning and implementation if they did not include the Department's current authority and practice in allowing incidental take. I believe my bill reflects a continuing legislative acceptance of the Department's historic practice with respect to incidental take and makes provision for the Department to allow incidental take consistent with such practices.

I will author cleanup legislation next year to delete the incorrect references.

Respectfully Submitted,

CRUZ M. BUSTAMANTE, Assembly Member
Thirty-first District

ENGIROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 1, 1996

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

Assembly Bill No. 1068

And reports the same correctly enrolled, and presented to the Governor at 1:45 a.m., September 1, 1996.

E. DOTSON WILSON, Chief Clerk

VOTE ADDS

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

Senate Bill No. 1414, and Urgency: Bates, Bowen, Brulte, Bustamante, Cunneen, Davis, Goldsmith, Martinez, McPherson, Miller, Morrow, Kevin Murray, Willard Murray, Tucker, Vasconcellos, Villaraigosa, and Weggeland—Aye.

Senate Bill No. 1698: Bustamante, Cunneen, Goldsmith, Hoge, Martinez, Miller, Morrow, Willard Murray, Olberg, Sweeney, Tucker, Vasconcellos, Villaraigosa, and Weggeland—Aye; Bowen—No.

Senate Bill No. 1823: Bates, Bowen, Bowler, Brulte, Bustamante, Cunneen, Davis, Goldsmith, Hoge, Katz, Martinez, Miller, Morrow, Willard Murray, Olberg, Tucker, Vasconcellos, Villaraigosa, and Weggeland—Aye.

Senate Bill No. 76: Bowen, Burton, Bustamante, Cunneen, Davis, Goldsmith, Martinez, Migden, Miller, Morrow, Kevin Murray, Willard Murray, Olberg, Tucker, Vasconcellos, Villaraigosa, and Weggeland—Aye.

Senate Bill No. 1906: Baugh, Boland, Bustamante, Katz, Knox, Martinez, Miller, Morrow, Willard Murray, Tucker, Vasconcellos, Villaraigosa, and Weggeland—Aye.

Senate Bill No. 217 and Urgency: Bustamante, Katz, Knox, Martinez, Miller, Morrow, Willard Murray, Tucker, Vasconcellos, Villaraigosa, and Weggeland—Aye.

Senate Bill No. 1516: Alby, Boland, Bordonaro, Bowen, Brewer, Burton, Cunneen, Hoge, Martinez, Miller, Morrow, Kevin Murray, Willard Murray, and Vasconcellos—Aye; Baugh and Harvey—No.

Senate Bill No. 1378: Bates, Ducheny, Hoge, Martinez, Miller, Morrow, Willard Murray, and Vasconcellos—Aye.

Senate Bill No. 1864 and Urgency: Goldsmith, Martinez, Miller, Morrow, Willard Murray, Rainey, Vasconcellos, and Weggeland—Aye.

Senate Bill No. 1502: Bustamante, Goldsmith, Katz, Kuehl, Lee, Martinez, Miller, Morrow, Kevin Murray, Willard Murray, Rainey, and Vasconcellos—Aye.

Senate Bill No. 1529: Baugh, Goldsmith, Kuehl, Martinez, Miller, Morrow, Willard Murray, and Rainey—Aye.

Senate Bill No. 2164: Granlund, Martinez, Miller, Morrow, Willard Murray, Weggeland, and Woods—Aye.

Senate Bill No. 1865: Baugh, Davis, Gallegos, Goldsmith, Machado, Martinez, Miller, Morrow, Willard Murray, and Weggeland—Aye.

Senate Bill No. 1609: Boland, Davis, Miller, Olberg, and Woods—Aye; Baugh, Goldsmith, Martinez, Morrow, Willard Murray, and Speier—No.

Senate Bill No. 2139: Alby, Battin, Brown, Bustamante, Goldsmith, Katz, Machado, Martinez, Miller, Morrow, and Willard Murray—Aye.

Senate Bill No. 1205: Battin, Boland, Brown, Goldsmith, Katz, Machado, Martinez, Miller, Morrow, Willard Murray, Olberg, and Woods—Aye.

Senate Bill No. 1748: Battin, Brown, Goldsmith, Martinez, Miller, Morrow, and Willard Murray—Aye.

Senate Bill No. 1943: Granlund, Martinez, Miller, Morrissey, Willard Murray, and Woods—Aye; Goldsmith, Olberg, and Weggeland—No.

Senate Bill No. 1391: Bates, Brown, Ducheny, Goldsmith, Martinez, Miller, and Willard Murray—Aye.

Senate Bill No. 661: Alpert, Battin, Bustamante, Ducheny, Goldsmith, Kuehl, Machado, Martinez, Miller, Willard Murray, Villaraigosa, and Weggeland—Aye.

Senate Bill No. 282: Alpert, Baldwin, Bowen, Brown, Bustamante, Goldsmith, Kuehl, Martinez, Mazzoni, Miller, Willard Murray, Poochigian, and Speier—Aye; Burton—No.

Senate Bill No. 980 and Urgency: Alpert, Bowen, Brown, Burton, Bustamante, Ducheny, Goldsmith, Knox, Margett, Martinez, Mazzoni, Miller, Kevin Murray, Willard Murray, and Villaraigosa—Aye.

Senate Bill No. 1162 and Urgency: Brown, Bustamante, Goldsmith, Kuehl, Martinez, Miller, and Willard Murray—Aye.

Senate Bill No. 398: Bowen, Burton, Bustamante, Figueroa, Goldsmith, Martinez, Miller, Willard Murray, and Speier—Aye.

Senate Bill No. 2091: Bowen, Brown, Burton, Cunneen, Ducheny, Goldsmith, Granlund, Machado, Martinez, McPherson, Miller, Willard Murray, and Woods—Aye.

Senate Bill No. 2161: Alpert, Burton, Cunneen, Knox, Martinez, McPherson, Miller, and Kevin Murray—Aye.

Senate Bill No. 1841: Hoge, Miller, and Poochigian—Aye.

Senate Bill No. 1646: Battin, Hauser, and Miller—Aye; Alpert, Brown, Burton, Bustamante, and Davis—No.

Senate Bill No. 1504: Alpert, Baca, Bustamante, Davis, Miller, and Olberg—Aye.

Assembly Bill No. 2294, Concurrence: Alby, Alpert, Baldwin, Bates, Brulte, Burton, Cannella, Cortese, Cunneen, Ducheny, Granlund, Hauser, Hoge, House, Kaloogian, Lee, McPherson, Migden, Miller, Morrow, Olberg, and Weggeland—Aye.

Assembly Bill No. 2848, Concurrence: Alpert, Baldwin, Bates, Boland, Bordonaro, Brulte, Cannella, Cortese, Cunneen, Ducheny, Goldsmith, Granlund, Hauser, Hawkins, Hoge, McPherson, Miller, Morrow, Olberg, Villaraigosa, and Woods—Aye.

Assembly Bill No. 2344, Concurrence: Alpert, Bates, Brown, Brulte, Figueroa, Gallegos, Granlund, Knox, Margett, Martinez, Miller, Kevin Murray, Willard Murray, Napolitano, Olberg, Villaraigosa, and Weggeland—Aye; Speier—No.

Assembly Bill No. 857, Concurrence: Alpert, Brown, Brulte, Burton, Figueroa, Firestone, Gallegos, Hauser, Hawkins, Hoge, Knox, Kuehl, Kuykendall, Margett, Martinez, Mazzoni, Migden, Miller, Morrow, Kevin Murray, Willard Murray, Napolitano, Olberg, Speier, and Weggeland—Aye; Bustamante—No.

Assembly Bill No. 2902, Concurrence: Bates, Brown, Bustamante, Hauser, Hawkins, Hoge, Kaloogian, Margett, Martinez, Miller, Morrow, Kevin Murray, Willard Murray, Olberg, and Weggeland—Aye.

Assembly Bill No. 616, Concurrence: Bates, Bustamante, Gallegos, Goldsmith, Knox, Martinez, Miller, Kevin Murray, Willard Murray, Napolitano, Olberg, and Weggeland—Aye.

Assembly Bill No. 1947, Concurrence: Burton, Bustamante, Knox, Miller, Kevin Murray, Olberg, and Weggeland—Aye; Hauser, Martinez, Mazzoni, Willard Murray, and Villaraigosa—No.

Assembly Bill No. 2367, Concurrence: Aguiar, Bates, Bustamante, Knox, Miller, Kevin Murray, Willard Murray, and Olberg—Aye; Martinez—No.

Assembly Bill No. 1987, Concurrence: Bustamante, Martinez, Miller, and Olberg—Aye; Willard Murray—No.

Assembly Bill No. 2577, Concurrence: Bates, Bowen, Bustamante, Davis, Figueroa, Gallegos, Kaloogian, Knox, Kuehl, Miller, Kevin Murray, Willard Murray, Olberg, Speier, and Sweeney—Aye; Martinez—No.

Assembly Bill No. 2333, Concurrence: Bordonaro, Brown, Bustamante, Figueroa, Machado, Martinez, Olberg, and Weggeland—Aye.

Senate Bill No. 858: Bustamante, Cunneen, Davis, Ducheny, Martinez, and Villaraigosa—No.

Senate Bill No. 2067: Weggeland—Aye; Villaraigosa—No.

Senate Bill No. 1583: Miller—Aye.

Assembly Bill No. 1720, Urgency and Concurrence: Bustamante, Figueroa, Granlund, Kuehl, Olberg, and Speier—Aye.

Assembly Bill No. 2525, Concurrence: Bowen, Cunneen, Firestone, Hawkins, Margett, and McPherson—Aye; Bates, Brown, Burton, Bustamante, Davis, Ducheny, Figueroa, Martinez, Mazzoni, and Speier—No.

Assembly Bill No. 3136, Concurrence: Bates, Burton, Cunneen, Kuykendall, Lee, Martinez, McPherson, Miller, Kevin Murray, and Willard Murray—Aye.

Assembly Bill No. 195, Concurrence: Boland, Cunneen, Ducheny, Hauser, McPherson, and Kevin Murray—Aye; Bates and Burton—No.

Assembly Bill No. 2738, Concurrence: Baldwin, Bordonaro, Brown, Bustamante, Cunneen, Firestone, Harvey, Kuykendall, Martinez, McPherson, Miller, Poochigian, and Rogan—Aye; Baugh, Burton, Olberg, and Thompson—No.

Assembly Bill No. 1767, Concurrence: Battin, Baugh, Cunneen, Davis, Ducheny, Mazzoni, Migden, Kevin Murray, Willard Murray, Olberg, and Rogan—Aye; Bates, Burton, Martinez, and Villaraigosa—No.

Assembly Bill No. 2008, Concurrence: Baugh and Bustamante—Aye; Burton—No.

Assembly Bill No. 2286, Concurrence: Bates, Bustamante, and Ducheny—Aye; Martinez—No.

Assembly Bill No. 2288, Concurrence: Archie-Hudson, Bustamante, Martinez, and Kevin Murray—Aye; Bates, Burton, and Ducheny—No.

Assembly Bill No. 2710, Concurrence: Bates, Burton, Bustamante, Cunneen, Ducheny, Martinez, and Mazzoni—Aye.

Assembly Bill No. 2894, Concurrence: Bates and Burton—Aye.

Assembly Bill No. 3354, Concurrence: Burton, Bustamante, Kevin Murray, and Weggeland—Aye; Bordonaro and Brewer—No.

Assembly Bill No. 3434, Concurrence: Bustamante, Ducheny, Martinez, and Speier—Aye; Archie-Hudson, Bates, Burton, and Mazzoni—No.

Assembly Bill No. 1714, Concurrence: Granlund, Martinez, Migden, and Willard Murray—Aye; Olberg—No.

Assembly Bill No. 1910, Concurrence: Battin, Bordonaro, Martinez, Miller, and Willard Murray—Aye; Alby, Brulte, and Granlund—No.

Assembly Bill No. 692, Concurrence: Brown, Hauser, Katz, Machado, and Willard Murray—Aye.

Assembly Bill No. 939, Concurrence: Battin, Brown, Hauser, Katz, Kuykendall, Machado, and Poochigian—Aye.

Assembly Bill No. 2904, Concurrence: Granlund, Katz, Machado, Migden, Poochigian, and Rogan—Aye.

Assembly Bill No. 1762, Concurrence: Ducheny, Katz, Machado, Kevin Murray, and Willard Murray—Aye.

Assembly Bill No. 2352, Concurrence: Alby, Katz, Machado, Kevin Murray, Willard Murray, Poochigian, and Rogan—Aye.

Assembly Bill No. 2487, Concurrence: Baca, Battin, Bowen, Cunneen, Ducheny, Goldsmith, Machado, McPherson, Kevin Murray, Willard Murray, Sweeney, Villaragosa, and Weggeland—Aye; Burton, Katz, and Speier—No.

Assembly Bill No. 1626, Concurrence: Battin, Brown, Goldsmith, Granlund, Machado, Kevin Murray, Willard Murray and Napolitano—Aye.

Assembly Bill No. 649, Concurrence: Baldwin, Battin, Brown, Goldsmith, Katz, Machado, Kevin Murray, and Willard Murray—Aye.

Assembly Bill No. 1055, Concurrence: Brown, Machado, Kevin Murray and Willard Murray—Aye.

Assembly Bill No. 1068, Urgency and Concurrence: Battin, Brown, Gallegos, Katz, Machado, Margett, Morrow, Speier, and Takasugi—Aye.

Assembly Bill No. 1335, Concurrence: Battin, Brown, Goldsmith, Margett, and Weggeland—Aye; Bordonaro, Granlund, and Olberg—No.

Assembly Bill No. 1357, Urgency and Concurrence: Battin, Goldsmith, and Olberg—Aye.

Assembly Bill No. 2374, Concurrence: Firestone, Kuykendall, Miller, Poochigian, and Weggeland—Aye; Goldsmith, Hoge, Morrow, and Olberg—No.

Assembly Bill No. 2645, Concurrence: Kuykendall and Olberg—Aye; Burton and Mazzoni—No.

Assembly Bill No. 2741, Concurrence: Baca, Burton, Figueroa, Mazzoni, Migden, and Speier—Aye.

Assembly Bill No. 2895, Urgency and Concurrence: Katz—Aye.

Assembly Bill No. 2988, Concurrence: Granlund and Hauser—Aye.

Assembly Bill No. 3392, Concurrence: Takasugi—Aye.

Assembly Bill No. 350, Concurrence: Bates and Speier—Aye.

Assembly Bill No. 521, Concurrence: Battin, Brulte, Ducheny, Granlund, Margett, and Olberg—Aye.

Assembly Bill No. 3235, Concurrence: Hawkins and Margett—Aye.

Assembly Bill No. 574, Conference Report: Gallegos, Napolitano, and Olberg—Aye; Goldsmith—No.

Assembly Bill No. 1088, Urgency and Concurrence: Baldwin, Bates, Cunneen, McPherson, and Olberg—Aye.

Assembly Bill No. 2071, Concurrence: Bowen, Goldsmith, Olberg, and Sweeney—Aye; Willard Murray—No.

Assembly Bill No. 2538, Concurrence: Brulte, Gallegos, Hoge, Morrow, Willard Murray, and Weggeland—Aye; Sweeney—No.

Assembly Bill No. 1991, Concurrence: Alpert, Brulte, Gallegos, Goldsmith, Kuehl, Kevin Murray, Olberg, and Weggeland—Aye; Bates and Katz—No.

Assembly Bill No. 938, Concurrence: Hauser, Katz, Lee, and Kevin Murray—Aye.

Assembly Bill No. 1012, Concurrence: Bates, Hauser, Hawkins, Hoge, Katz, and Margett—Aye.

Senate Bill No. 1099: Baca, Bates, Bowen, Goldsmith, Hauser, Martinez, Mazzoni, Migden, Kevin Murray, Sweeney, and Vasconcellos—Aye.

Senate Bill No. 1185: Davis, Granlund, Hauser, Kuykendall, Martinez, Olberg, Sweeney, and Woods—Aye; Bowen—No.

Senate Bill No. 207, Conference Report: Bowen, Granlund, Hauser, Katz, Martinez, Sweeney, and Woods—Aye.

Senate Bill No. 1001, Conference Report: Hoge, Katz, Martinez, and Sweeney—Aye.

Assembly Bill No. 2797, Conference Report: Brulte, Hauser, and Sweeney—Aye.

Senate Bill No. 1307, Conference Report: Battin, Brewer, Davis, Hauser, Lee, Migden, Olberg, and Rogan—Aye.

Senate Bill No. 1923, Conference Report: Cunneen, Firestone, Hauser, Margett, Martinez, and Olberg—Aye; Bates, Ducheny, and Sweeney—No.

Assembly Bill No. 2867, Urgency and Conference Report: Bates, Hauser, Kaloogian, Willard Murray, and Sweeney—Aye.

Senate Bill No. 836, Conference Report: Bates, Bowen, Brulte, Figueroa, Frusetta, Martinez, Mazzoni, and Speier—Aye.

Senate Bill No. 38, Conference Report: Goldsmith, Kuehl, and Olberg—Aye.

Senate Bill No. 569 and Urgency: Figueroa, Machado, and Kevin Murray—Aye; Archie-Hudson and Brown—No.

Senate Bill No. 2112: Migden—No.

Assembly Bill No. 2452, Concurrence: Bates and Margett—Aye; Granlund and Olberg—No.

Assembly Bill No. 924, Concurrence: Olberg—Aye.

Assembly Bill No. 764, Urgency and Concurrence: Kaloogian and Martinez—Aye.

Assembly Bill No. 1317, Conference Report: Bates—Aye; Bowen—No.

Special Consent Calendar: Alby—Aye.

Senate Concurrent Resolution No. 2: Alby—Aye.

Assembly Bill No. 2338, Concurrence: Archie-Hudson, Kuehl, and Vasconcellos—No.

Assembly Bill No. 3147, Concurrence: Brewer—Aye; Vasconcellos—No.

Assembly Bill No. 3122, Concurrence: Margett and Speier—Aye.

Senate Bill No. 579: Bowen—No.

Senate Bill No. 2023: Bates and Bowen—Aye.

Assembly Bill No. 115, Concurrence: Archie-Hudson, Bowen, Brown, Firestone, Kuykendall, Martinez, Migden, Rogan, and Vasconcellos—Aye; Weggeland—No.

Senate Bill No. 874: Archie-Hudson, Battin, Ducheny, Granlund, Machado, Martinez, and Rogan—Aye.

Assembly Bill No. 1930, Concurrence: Alby, Archie-Hudson, Bates, Baugh, Boland, Cortese, Granlund, and Hawkins—Aye.

Assembly Bill No. 2104, Concurrence: Alby, Archie-Hudson, Baugh, Boland, Cortese, and Vasconcellos—Aye.

Assembly Bill No. 2112, Concurrence: Alby, Bates, Baugh, Cortese, Davis, Martinez, Mazzoni, and Migden—Aye.

Assembly Bill No. 2647, Concurrence: Alby, Archie-Hudson, and Cortese—Aye.

Assembly Bill No. 2719, Concurrence: Alby, Archie-Hudson, Baugh, and Kuehl—Aye.

Assembly Bill No. 2985, Concurrence: Alby, Archie-Hudson, Bates, and Kuehl—Aye.

Assembly Bill No. 2377, Concurrence: Alby, Archie-Hudson, Bates, Bustamante, Cunneen, Katz, and McPherson—Aye.

Assembly Bill No. 2447, Concurrence: Aguiar, Archie-Hudson, Bates, Baugh, Boland, Brulte, Cunneen, Hawkins, McPherson, Miller, and Rainey—Aye.

Assembly Bill No. 2563, Concurrence: Alby, Cunneen, Martinez, and McPherson—Aye; Villaraigosa—No.

Assembly Bill No. 3048, Concurrence: Alby, Cunneen, Ducheny, Kuehl, Lee, Mazzoni, McPherson, and Kevin Murray—Aye; Villaraigosa—No.

Assembly Bill No. 66, Concurrence: Alby, Cunneen, Granlund, Martinez, McPherson, and Sweeney—Aye; Bates—No.

Assembly Bill No. 136, Concurrence: Alby, Archie-Hudson, Bates, Cunneen, Granlund, Martinez, McPherson, and Sweeney—Aye.

Assembly Bill No. 302, Concurrence: Bates, Boland, Granlund, McPherson, Miller, Kevin Murray, Rainey, and Sweeney—Aye; Alby and Cunneen—No.

Assembly Bill No. 645, Concurrence: Alby, Archie-Hudson, Bates, Cunneen, Granlund, McPherson, and Poochigian—Aye.

Assembly Bill No. 1647, Concurrence: Alby, Baca, Cunneen, Granlund, McPherson, and Kevin Murray—Aye; Bates, Katz, Kuehl, Martinez, and Villaraigosa—No.

Assembly Bill No. 2312, Concurrence: Alby, Archie-Hudson, Bates, Cunneen, Kuehl, McPherson, and Sweeney—Aye.

Assembly Bill No. 2177, Concurrence: Alby, Archie-Hudson, Bates, Battin, Cunneen, Katz, Martinez, Mazzoni, McPherson, and Villaraigosa—Aye.

Assembly Bill No. 2649, Concurrence: Alby, Archie-Hudson, Bates, Brulte, Cunneen, and McPherson—Aye.

Assembly Bill No. 2937, Concurrence: Alby, Archie-Hudson, Cunneen, Goldsmith, McPherson, and Rainey—Aye.

Assembly Bill No. 1368, Concurrence: Alby, Bates, Baugh, Bowen, Cunneen, Davis, Ducheny, Figueroa, Granlund, Katz, Martinez, McPherson, and Kevin Murray—Aye.

Assembly Bill No. 2705, Concurrence: Alby, Archie-Hudson, Bates, Cunneen, Frusetta, Goldsmith, Granlund, Kuykendall, Martinez, McPherson, Kevin Murray, and Olberg—Aye.

Assembly Bill No. 2713, Concurrence: Alby, Archie-Hudson, Bates, Cunneen, Katz, McPherson, and Kevin Murray—Aye.

Assembly Bill No. 2862, Concurrence: Alby, Archie-Hudson, Bates, and Cunneen—Aye.

Assembly Bill No. 2964, Urgency and Concurrence: Alby, Archie-Hudson, and Bates—Aye.

Assembly Bill No. 3026, Concurrence: Archie-Hudson—Aye; Alby and Poochigian—No.

Assembly Bill No. 1663, Concurrence: Alby, Bates, Baugh, Bowen, and Brewer—Aye.

Assembly Bill No. 2852, Concurrence: Alby, Bowen, Goldsmith, Martinez, and Willard Murray—Aye.

Assembly Bill No. 1184, Concurrence: Alby, Bustamante, Goldsmith, Harvey, and Martinez—Aye.

Assembly Bill No. 3109, Concurrence: Alby, Bustamante, Figueroa, and Goldsmith—Aye.

Assembly Bill No. 1703, Concurrence: Alby, Bowen, Bustamante, Goldsmith, Granlund, Lee, Martinez, Migden, Kevin Murray, and Vasconcellos—Aye; Kuehl—No.

Assembly Bill No. 2962, Concurrence: Aguiar, Boland, Bordonaro, Hawkins, Kuehl, Migden, Olberg, Rogan, and Vasconcellos—Aye.

Assembly Bill No. 3157, Concurrence: Bustamante, Hawkins, and Willard Murray—Aye.

Assembly Bill No. 328, Concurrence: Aguiar, Brown, Bustamante, Cortese, Machado, Mazzoni, Kevin Murray, and Olberg—Aye; Bates, Willard Murray, and Villaraigosa—No.

Senate Bill No. 575: Boland—Aye.

Assembly Bill No. 296, Concurrence: Baca, Bowen, Bustamante, Cortese, Davis, Machado, Willard Murray, and Villaraigosa—Aye; Kuehl—No.

Assembly Bill No. 2053, Concurrence: Bustamante and Kuehl—Aye.

Assembly Bill No. 3155, Concurrence: Brewer, Kuehl, Kuykendall, and Willard Murray—Aye.

Assembly Bill No. 1533, Urgency and Concurrence: Granlund—No.

Assembly Bill No. 3093, Concurrence: Bates and Kuehl—Aye; Frusetta and Granlund—No.

Assembly Bill No. 137, Concurrence: Cortese—Aye; Bates—No.

Assembly Bill No. 81, Concurrence: Archie-Hudson, Bates, Boland, and Kevin Murray—Aye; Granlund—No.

Assembly Bill No. 2234, Concurrence: Davis and McPherson—No.

Assembly Bill No. 3319, Concurrence: Aguiar, Granlund, and Martinez—Aye; Villaraigosa—No.

Senate Bill No. 575 and Urgency: Bates—Aye.

Senate Bill No. 1887, Isenberg Amendments: Bustamante and Katz—Aye; Ducheny—No.

Senate Bill No. 1887 and Urgency: Mazzoni—Aye.

Assembly Bill No. 1490, Concurrence: Aguiar, Baldwin, and Katz—Aye.

MOTION TO ADJOURN

At 1:30 a.m., Assembly Member Rogan moved that pursuant to the provisions of Joint Rule 51, the Assembly do now adjourn for the Final Recess of the 1995–96 Regular Session until adjournment *sine die* on November 30.

REMARKS ON CONDITION OF THE FILE

Assembly Members Willard Murray, Kevin Murray, Boland, Napolitano, Weggeland, Bustamante, Rogan, Katz, and Speaker Pringle arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

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

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:01 a.m., Speaker Pringle declared the quorum call of the Assembly dispensed with.

INTRODUCTION OF GUESTS

Assembly Member Bates, of the 14th Assembly District, introduced his grandson Tynan Hancock-Davis, of Oakland.

Assembly Member Bordonaro, of the 33rd Assembly District, introduced the following family members of Hugh Slayden, intern in the office of the Chief Clerk, at the Assembly Desk: his mother Jacque Slayden, and his sisters Jacque Slayden and Tary Rogers-Smith, of Atascadero.

Assembly Member Takasugi, of the 37th Assembly District, introduced his son Scott Takasugi, M.D., Susan Po and son Josh, daughter Lea Takasugi Dominguez, son-in-law Henry Dominguez, and granddaughter Raquel Dominguez, of Sacramento.

Assembly Member Firestone, of the 35th Assembly District, introduced Assembly Fellow, Michael R. Rockenstein.

Assembly Member Alpert, of the 78th Assembly District, introduced Assembly Fellow, Minerva Avila.

Assembly Member Alby, of the 5th Assembly District, introduced her daughter and son-in-law Ken and Renea Blodgett, and granddaughters Morgan and Courtney, of Folsom.

ADJOURNMENT

At 2:01 a.m., pursuant to the motion by Assembly Member Rogan and the provisions of Joint Rule 51, the Assembly adjourned for the Final Recess of the 1995-96 Regular Session, out of respect to the memory of Marie Whipp, on motion of Assembly Member Kuehl; out of respect to the memory of Charles E. Cordell, on motion of Assembly Member Baldwin; out of respect to the memory of Dale Alderette, on motion of Assembly Member Bustamante; and out of respect to the memory of Frank A. Lopes, Jr., on motion of Assembly Member House.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 31, 1996**

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

SB	RN
575	9628908
874	9628988
2023	9628865

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON SEPTEMBER 1, 1996**

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

SB	RN
575	9629030
1887	9629017

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 19

FINAL RECESS

Assembly Chamber, Sacramento
Tuesday, October 1, 1996

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1995-96 Regular Session was printed while the Assembly was in Final Recess:

COMMUNICATIONS

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

August 14, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Business and Professions Code Section 3710 et seq., I have reappointed Kim Kruser to serve on the Respiratory Care Examining Committee for a term ending June 1, 2000.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

September 16, 1996

*E. Dotson Wilson
California State Assembly
State Capitol Building, Room 3196
Sacramento, California*

Dear Mr. Wilson: Please be advised pursuant to AB 265—Section 4, Chapter 975 of 1995, I have appointed Frank Ury for a pleasure term to the Commission for the Establishment of Academic Content and Performance Standards.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

September 23, 1996

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

Dear Mr. Wilson: Please be advised pursuant to AB 2086, 1996, I have appointed Mark Watts as my designee on the California Earthquake Authority Governing Board.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

September 24, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Welfare and Institutions Code Section 18993.3, I have appointed Ruth Maloof and Priscilla Hurley to the Community Challenge Grant Program Advisory Committee.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

August 23, 1996

*The Honorable Curt Pringle
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: On Wednesday, August 21, 1996, the Senate Health and Human Services Committee and the Assembly Human Services Committee held a joint hearing on the Department of Community Services and Development's (CSD) proposed state plan and application for federal Community Services Block Grant funding for fiscal year 1997. This hearing was held pursuant to both federal and state statutory requirements.

The committees received testimony from Michael J. Micciche, the Department Director, who provided an overview of the state plan. Sharon Creswell, the Executive Director of the California/Nevada Community Action Association also testified on the innovative block grant funded projects she has observed over the past year and commented on the 1997 state plan. The CSD's response to comments on the plan will be included in the final plan to be submitted to the Secretary of the U.S. Department of Health and Human Services.

The Senate Health and Human Services Committee and the Assembly Human Services Committee hereby certify that the state plan conforms to the requirements of the state law.

Sincerely,

Senator Diane E. Watson
Chairperson
Senate Health and Human Services
Committee

Assemblyman Tom J. Bordonaro
Chairperson
Assembly Human Services
Committee

The following letters of transmittal were presented by the Speaker, and ordered printed in the Journal:

California State Auditor

96114

August 28, 1996

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the effects of the Los Angeles County Metropolitan Transportation Authority's (MTA) long-range planning, annual budgeting, debt service, and bus service levels on its financial viability and solvency. This report concludes that the MTA's long-range plan appears flawed and, as a result, may contain a \$1.3 billion shortfall. In addition, the MTA's plan to reduce its projected \$14 million operating deficit for fiscal year 1995-96 appeared unrealistic and included strategies to defer or reallocate costs. Further, the MTA's fiscal year 1996-97 budget anticipated significant cost reductions that may not materialize. Finally, the MTA has yet to fully develop its Bus System Improvement Plan.

Respectfully submitted,

MARIANNE P. EVASHENK
for
KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Transportation.

California State Auditor

Investigative Report I940262

September 9, 1996

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: The Bureau of State Audits presents its investigative report concerning misappropriation of public funds, false claims, and gross mismanagement by employees of the California Department of Education.

Sincerely,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Education.

California State Auditor

93023

September 12, 1996

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by the California Welfare and Institutions Code, Section 15200.98, the Bureau of State Audits presents its audit report concerning the effectiveness of the child support pilot projects (pilot projects) established in Merced and San Luis Obispo counties. Legislation allowed the two counties to fund pilot projects for child-related issues outside the Child Support Enforcement Program. This report concludes that we could not evaluate the effectiveness of the pilot projects because child support enforcement data does not directly relate to the programs funded by the pilot projects. In addition, neither the Department of Social Services nor the counties developed any other type of relevant data or performance measures that we could use to evaluate the success of the pilot projects.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Human Services.

California State Auditor

Investigative Report I96-2

September 16, 1996

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly of the
Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: The Bureau of State Audits presents its report concerning investigations of improper governmental activity completed from January 1 through July 31, 1996.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Consumer Protection, Governmental Efficiency, and Economic Development.

The following communication was presented by the Chief Clerk from:

Jesse R. Huff, Director, Department of Toxic Substances Control, Sacramento, dated August 21, 1996, relative to the status update on the implementation of Senate Bill 966. Referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

REPORTS

The following reports were presented by the Chief Clerk:

**Report of Consultant Contracts, Reporting Period From
July 1, 1995–June 30, 1996
(Pursuant to Public Contract Code Section 10359)**

Above transmitted report, together with letter of transmittal from Kimberly Belshe, Director, Department of Health Services, Sacramento, referred by the Speaker to the Committee on Health.

**Report to the Legislature on
Out-of-County/Out-of-State Community Care Facility Placements, April 1996
(Pursuant to Welfare and Institutions Code Section 1520.65)**

Above transmitted report, together with letter of transmittal from Eloise Anderson, Director, Department of Social Services, dated August 13, 1996, referred by the Speaker to the Committee on Human Services.

**Environmental Document, White Seabass Fisheries Management Plan
(Pursuant to Fish and Game Code Section 7020)**

Above transmitted report, together with letter of transmittal from Jacqueline E. Schafer, Director, Marine Resources Division, Department of Fish and Game, Sacramento, dated August 21, 1996, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**California Child Molester Identification Line, July 1996
(Pursuant to Penal Code Section 290.4)**

Above transmitted report, together with letter of transmittal from M. David Stirling, Chief Deputy Attorney General, Office of the Attorney General, Sacramento, dated August 26, 1996, referred by the Speaker to the Committee on Public Safety.

**Report to the Legislature on the Implementation of
Women, Minority and Disabled Veterans Business Enterprises Program for
Public Utilities
(Pursuant to Public Utilities Code Section 8283)**

Above transmitted report, together with letter of transmittal from Wesley M. Franklin, Executive Director, Public Utilities Commission, San Francisco, dated August 29, 1996, referred by the Speaker to the Committee on Utilities and Commerce.

**Report to the Legislature Regarding Services to the Blind
(Pursuant to AB 550, Chapter 1037, Statutes of 1992)**

Above transmitted report, together with letter of transmittal from Brenda Premo, Director, Department of Rehabilitation, Sacramento, dated August 30, 1996, referred by the Speaker to the Committee on Human Services.

**Quarterly Status Report of Major Capital Outlay Projects,
Period Ending June 30, 1996**

Above transmitted report, together with letter of transmittal from Peter G. Stamison, Director, Department of General Services, Sacramento, dated August 31, 1996, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**Annual Report to the Legislature:
Underground Storage Tank Cleanup Fund, September 1995
(Pursuant to Health and Safety Code Section 25299.81(d))**

Above transmitted report, together with letter of transmittal from Walt Pettit, Executive Director, State Water Resources Control Board, Sacramento, dated September 6, 1996, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Statistical Report of Beverage Container Sales, Returns,
Redemption & Recycling Rates**

Above transmitted report, together with letter of transmittal from Elin D. Miller, Director, Department of Conservation, Sacramento, dated September 9, 1996, referred by the Speaker to the Committee on Natural Resources.

**California's Caregiver Resource Center System, Fiscal Year 93-94
(Pursuant to Chapter 1658, Statutes of 1984, as amended by
Chapter 775, Statutes of 1988)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, Sacramento, dated September 11, 1996, referred by the Speaker to the Committee on Health.

**Pregnant and Parenting Women's Alternative Sentencing Program Act
(Pursuant to Chapter 63, Statutes of 1994, amended by
Chapter 372, Statutes of 1995)**

Above transmitted report, together with letter of transmittal from James H. Gomes, Director of Corrections, Department of Corrections, Sacramento, dated September 9, 1996, referred by the Speaker to the Committee on Public Safety.

"Profiles in Prosperity", July 1996

Above transmitted report, together with letter of transmittal from Gerald G. Geismar, Executive Director, Employment Training Panel, Sacramento, dated September 12, 1996, referred by the Speaker to the Committee on Labor and Employment.

**State and Local Transportation Partnership Program
(Pursuant to Streets and Highways Code Section 2602(c) (5))**

Above transmitted report, together with letter of transmittal from Jan Hall, Assistant Deputy Director, Legislative and Local Governmental Affairs, Department of Transportation, Sacramento, dated September 18, 1996, referred by the Speaker to the Committee on Transportation.

**Annual Report to the Legislature, Motor Vehicle Theft Prevention Act, 1995
(Pursuant to SB 1743, 1994)**

Above transmitted report, together with letter of transmittal from D.O. Helmick, Commissioner, Department of California Highway Patrol, Sacramento, dated August 17, 1996, referred by the Speaker to the Committee on Transportation.

**Department of Water Resources, Consultant Report,
Contracts Entered Into During the Dates July 1, 1995 to June 30, 1996
(Pursuant to State Administrative Manual, Section 1289)**

Above transmitted report, together with letter of transmittal from David N. Kennedy, Director, Department of Water Resources, Sacramento, dated September 12, 1996, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**State Teachers' Retirement System,
Quarterly Report of System Assets, as of June 30, 1996
(Pursuant to Education Code Section 22358)**

Above transmitted report, together with letter of transmittal from James D. Mosman, Chief Executive Officer, State Teachers' Retirement System, Sacramento, dated September 16, 1996, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Hazardous Waste Control Account
(Health and Safety Code Section 25174)**

Above transmitted report, together with letter of transmittal from Daniel E. Lungren, Attorney General, Department of Justice, Sacramento, dated September 16, 1996, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**The Construction Carve-Out Program,
A Report of Activities in Calendar Year 1995
(Pursuant to Labor Code Section 3201.5(I))**

Above transmitted report, together with letter of transmittal from Casey L. Young, Administrative Director, Department of Industrial Relations, Division of Workers' Compensation, San Francisco, dated September 18, 1996, referred by the Speaker to the Committee on Insurance.

**Franchise Tax Board, Daily Compound Interest Rate Table,
From 1/1/97-6/30/97
(Pursuant to Revenue and Taxation Code Section 19521)**

Above transmitted report, together with letter of transmittal from George Ramsey, Manager, Statistical Research Section, Economic and Statistical Research Bureau, Franchise Tax Board, Sacramento, dated August 29, 1996, referred by the Speaker to the Committee on Revenue and Taxation.

**"Three Strikes, You're Out",
Impact on California's Criminal Justice System and Options
for Ongoing Monitoring, September 1996
(Pursuant to 1995-96 Budget Act)**

Above transmitted report, together with letter of transmittal from Thomas E. McConnell, Executive Officer, Board of Corrections, Sacramento, dated September 19, 1996, referred by the Speaker to the Committee on Budget.

**The California Land Conservation (Williamson) Act,
1993 to 1995 Status Report
(Pursuant to Government Code Sections 51207 and 65570)**

Above transmitted report, together with letter of transmittal from B.B. Blevins, Acting Director, Department of Conservation, Sacramento, dated September 23, 1996, referred by the Speaker to the Committee on Natural Resources.

**Report to the California State Legislature
on Funding Sources of California's Air
Pollution Control Districts with Budgets Exceeding One Million Dollars
(Pursuant to Health and Safety Code Section 42311.1)**

Above transmitted report, together with letter of transmittal from Michael P. Kenny, Executive Officer, Air Resources Board, Sacramento, dated September 23, 1996, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Employment Development Department, Report of Consultant Contracts
(Pursuant to Public Contract Code Section 10359(a))**

Above transmitted report, together with letter of transmittal from Victoria L. Bradshaw, Director, Employment Development Department, Sacramento, dated September 26, 1996, referred by the Speaker to the Committee on Labor and Employment.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 3, 1996

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2420 | Assembly Bill No. 3101 |
| Assembly Bill No. 2877 | Assembly Bill No. 3232 |
| Assembly Bill No. 3022 | Assembly Bill No. 3473 |

And reports the same correctly enrolled, and presented to the Governor at 3 p.m., September 3, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 4, 1996

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1317 | Assembly Bill No. 2371 |
| Assembly Bill No. 1467 | Assembly Bill No. 2411 |
| Assembly Bill No. 1530 | Assembly Bill No. 2414 |
| Assembly Bill No. 2000 | Assembly Bill No. 2436 |
| Assembly Bill No. 2088 | Assembly Bill No. 2464 |
| Assembly Bill No. 2161 | Assembly Bill No. 2466 |
| Assembly Bill No. 2165 | Assembly Bill No. 2488 |
| Assembly Bill No. 2219 | Assembly Bill No. 2512 |
| Assembly Bill No. 2295 | Assembly Bill No. 2513 |
| Assembly Bill No. 2324 | Assembly Bill No. 2559 |

And reports the same correctly enrolled, and presented to the Governor at 3:30 p.m., September 4, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 5, 1996

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 574 | Assembly Bill No. 2567 |
| Assembly Bill No. 753 | Assembly Bill No. 2581 |
| Assembly Bill No. 907 | Assembly Bill No. 2615 |
| Assembly Bill No. 1089 | Assembly Bill No. 2797 |
| Assembly Bill No. 1195 | Assembly Bill No. 2867 |
| Assembly Bill No. 1475 | Assembly Bill No. 2920 |
| Assembly Bill No. 1562 | Assembly Bill No. 3085 |
| Assembly Bill No. 1890 | Assembly Bill No. 3153 |
| Assembly Bill No. 1949 | Assembly Bill No. 3320 |
| Assembly Bill No. 2551 | Assembly Bill No. 3339 |

And reports the same correctly enrolled, and presented to the Governor at 10:30 a.m., September 5, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 5, 1996

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2243 | Assembly Bill No. 2971 |
| Assembly Bill No. 2676 | Assembly Bill No. 3176 |
| Assembly Bill No. 2678 | Assembly Bill No. 3183 |
| Assembly Bill No. 2680 | Assembly Bill No. 3204 |
| Assembly Bill No. 2722 | Assembly Bill No. 3228 |
| Assembly Bill No. 2788 | Assembly Bill No. 3255 |
| Assembly Bill No. 2801 | Assembly Bill No. 3342 |
| Assembly Bill No. 2830 | Assembly Bill No. 3446 |
| Assembly Bill No. 2835 | Assembly Bill No. 3474 |
| Assembly Bill No. 2915 | Assembly Bill No. 3481 |

And reports the same correctly enrolled, and presented to the Governor at 3 p.m., September 5, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 6, 1996

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

Assembly Bill No. 33	Assembly Bill No. 2238
Assembly Bill No. 298	Assembly Bill No. 2282
Assembly Bill No. 344	Assembly Bill No. 2413
Assembly Bill No. 466	Assembly Bill No. 2463
Assembly Bill No. 474	Assembly Bill No. 2530
Assembly Bill No. 1178	Assembly Bill No. 2613
Assembly Bill No. 1291	Assembly Bill No. 2666
Assembly Bill No. 1455	Assembly Bill No. 2767
Assembly Bill No. 1561	Assembly Bill No. 3043
Assembly Bill No. 2231	Assembly Bill No. 3260

And reports the same correctly enrolled, and presented to the Governor at 3 p.m., September 6, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 9, 1996

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

Assembly Bill No. 582	Assembly Bill No. 2184
Assembly Bill No. 635	Assembly Bill No. 2235
Assembly Bill No. 684	Assembly Bill No. 2246
Assembly Bill No. 1145	Assembly Bill No. 2263
Assembly Bill No. 1383	Assembly Bill No. 2322
Assembly Bill No. 1650	Assembly Bill No. 2340
Assembly Bill No. 1651	Assembly Bill No. 2369
Assembly Bill No. 1974	Assembly Bill No. 2400
Assembly Bill No. 2035	Assembly Bill No. 2430
Assembly Bill No. 2149	Assembly Bill No. 2727

And reports the same correctly enrolled, and presented to the Governor at 2:30 p.m., September 9, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 10, 1996

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

Assembly Bill No. 360	Assembly Bill No. 2523
Assembly Bill No. 650	Assembly Bill No. 2565
Assembly Bill No. 1700	Assembly Bill No. 2585
Assembly Bill No. 1734	Assembly Bill No. 2605
Assembly Bill No. 1754	Assembly Bill No. 2628
Assembly Bill No. 1849	Assembly Bill No. 2659
Assembly Bill No. 2260	Assembly Bill No. 2667
Assembly Bill No. 2433	Assembly Bill No. 2711
Assembly Bill No. 2475	Assembly Bill No. 2919
Assembly Bill No. 2507	Assembly Bill No. 3115

And reports the same correctly enrolled, and presented to the Governor at 10 a.m., September 10, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 10, 1996

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

Assembly Bill No. 349	Assembly Bill No. 2284
Assembly Bill No. 626	Assembly Bill No. 2443
Assembly Bill No. 893	Assembly Bill No. 2787
Assembly Bill No. 1191	Assembly Bill No. 2823
Assembly Bill No. 1325	Assembly Bill No. 2869
Assembly Bill No. 1360	Assembly Bill No. 2955
Assembly Bill No. 1376	Assembly Bill No. 2960
Assembly Bill No. 1646	Assembly Bill No. 3003
Assembly Bill No. 1723	Assembly Bill No. 3036
Assembly Bill No. 2086	Assembly Bill No. 3037

And reports the same correctly enrolled, and presented to the Governor at 4 p.m., September 10, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 10, 1996

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

Assembly Bill No. 113	Assembly Bill No. 3142
Assembly Bill No. 3050	Assembly Bill No. 3188
Assembly Bill No. 3056	Assembly Bill No. 3241
Assembly Bill No. 3062	Assembly Bill No. 3244
Assembly Bill No. 3077	Assembly Bill No. 3314
Assembly Bill No. 3081	Assembly Bill No. 3365
Assembly Bill No. 3086	Assembly Bill No. 3375
Assembly Bill No. 3111	Assembly Bill No. 3378
Assembly Bill No. 3132	Assembly Bill No. 3392
Assembly Bill No. 3141	Assembly Bill No. 3407

And reports the same correctly enrolled, and presented to the Governor at 4 p.m., September 10, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 11, 1996

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

Assembly Concurrent Resolution No. 30
 Assembly Concurrent Resolution No. 48
 Assembly Concurrent Resolution No. 50
 Assembly Concurrent Resolution No. 57
 Assembly Concurrent Resolution No. 68
 Assembly Concurrent Resolution No. 76
 Assembly Concurrent Resolution No. 94
 Assembly Concurrent Resolution No. 96
 Assembly Concurrent Resolution No. 97
 Assembly Concurrent Resolution No. 98
 Assembly Joint Resolution No. 51
 Assembly Joint Resolution No. 73

And reports the same correctly enrolled, and presented to the Secretary of State on the 11th day of September, 1996, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 11, 1996

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

Assembly Bill No. 521	Assembly Bill No. 1088
Assembly Bill No. 583	Assembly Bill No. 1357
Assembly Bill No. 616	Assembly Bill No. 1767
Assembly Bill No. 649	Assembly Bill No. 1910
Assembly Bill No. 764	Assembly Bill No. 1947
Assembly Bill No. 857	Assembly Bill No. 2057
Assembly Bill No. 924	Assembly Bill No. 2769
Assembly Bill No. 939	Assembly Bill No. 3238
Assembly Bill No. 1012	Assembly Bill No. 3464
Assembly Bill No. 1055	Assembly Bill No. 3503

And reports the same correctly enrolled, and presented to the Governor at 11:30 a.m., September 11, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 11, 1996

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

Assembly Bill No. 1762	Assembly Bill No. 2577
Assembly Bill No. 1991	Assembly Bill No. 2701
Assembly Bill No. 2008	Assembly Bill No. 2738
Assembly Bill No. 2202	Assembly Bill No. 2741
Assembly Bill No. 2286	Assembly Bill No. 2894
Assembly Bill No. 2294	Assembly Bill No. 2902
Assembly Bill No. 2344	Assembly Bill No. 2904
Assembly Bill No. 2367	Assembly Bill No. 2988
Assembly Bill No. 2417	Assembly Bill No. 3130
Assembly Bill No. 2508	Assembly Bill No. 3434

And reports the same correctly enrolled, and presented to the Governor at 4 p.m., September 11, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 12, 1996

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

Assembly Bill No. 195	Assembly Bill No. 2841
Assembly Bill No. 350	Assembly Bill No. 2848
Assembly Bill No. 938	Assembly Bill No. 2854
Assembly Bill No. 1714	Assembly Bill No. 2881
Assembly Bill No. 2288	Assembly Bill No. 2895
Assembly Bill No. 2645	Assembly Bill No. 2973
Assembly Bill No. 2720	Assembly Bill No. 3057
Assembly Bill No. 2755	Assembly Bill No. 3099
Assembly Bill No. 2772	Assembly Bill No. 3136
Assembly Bill No. 2809	Assembly Bill No. 3235

And reports the same correctly enrolled, and presented to the Governor at 10:30 a.m., September 12, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 12, 1996

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

Assembly Bill No. 122	Assembly Bill No. 1721
Assembly Bill No. 293	Assembly Bill No. 1987
Assembly Bill No. 564	Assembly Bill No. 2071
Assembly Bill No. 682	Assembly Bill No. 2374
Assembly Bill No. 1197	Assembly Bill No. 2487
Assembly Bill No. 1240	Assembly Bill No. 2525
Assembly Bill No. 1335	Assembly Bill No. 2538
Assembly Bill No. 1431	Assembly Bill No. 2710
Assembly Bill No. 1487	Assembly Bill No. 3323
Assembly Bill No. 1720	Assembly Bill No. 3354

And reports the same correctly enrolled, and presented to the Governor at 2:30 p.m., September 12, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 13, 1996

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

Assembly Bill No. 1663	Assembly Bill No. 2331
Assembly Bill No. 1820	Assembly Bill No. 2333
Assembly Bill No. 2017	Assembly Bill No. 2352
Assembly Bill No. 2051	Assembly Bill No. 2353
Assembly Bill No. 2125	Assembly Bill No. 2359
Assembly Bill No. 2153	Assembly Bill No. 2458
Assembly Bill No. 2154	Assembly Bill No. 2474
Assembly Bill No. 2193	Assembly Bill No. 2558
Assembly Bill No. 2265	Assembly Bill No. 2779
Assembly Bill No. 2291	Assembly Bill No. 2981

And reports the same correctly enrolled, and presented to the Governor at 11:30 a.m., September 13, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 13, 1996

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 137 | Assembly Bill No. 2126 |
| Assembly Bill No. 277 | Assembly Bill No. 2343 |
| Assembly Bill No. 645 | Assembly Bill No. 2434 |
| Assembly Bill No. 881 | Assembly Bill No. 2457 |
| Assembly Bill No. 926 | Assembly Bill No. 2482 |
| Assembly Bill No. 1205 | Assembly Bill No. 2589 |
| Assembly Bill No. 1490 | Assembly Bill No. 2838 |
| Assembly Bill No. 1626 | Assembly Bill No. 3095 |
| Assembly Bill No. 1812 | Assembly Bill No. 3170 |
| Assembly Bill No. 2112 | Assembly Bill No. 3197 |

And reports the same correctly enrolled, and presented to the Governor at 4 p.m., September 13, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 1996

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 66 | Assembly Bill No. 2862 |
| Assembly Bill No. 81 | Assembly Bill No. 2962 |
| Assembly Bill No. 95 | Assembly Bill No. 2985 |
| Assembly Bill No. 116 | Assembly Bill No. 3042 |
| Assembly Bill No. 1368 | Assembly Bill No. 3073 |
| Assembly Bill No. 1709 | Assembly Bill No. 3187 |
| Assembly Bill No. 2105 | Assembly Bill No. 3223 |
| Assembly Bill No. 2442 | Assembly Bill No. 3345 |
| Assembly Bill No. 2705 | Assembly Bill No. 3384 |
| Assembly Bill No. 2839 | Assembly Bill No. 3462 |

And reports the same correctly enrolled, and presented to the Governor at 2:30 p.m., September 16, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 1996

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 115 | Assembly Bill No. 2312 |
| Assembly Bill No. 545 | Assembly Bill No. 2328 |
| Assembly Bill No. 1647 | Assembly Bill No. 2338 |
| Assembly Bill No. 1684 | Assembly Bill No. 2447 |
| Assembly Bill No. 1930 | Assembly Bill No. 2568 |
| Assembly Bill No. 1980 | Assembly Bill No. 2573 |
| Assembly Bill No. 1985 | Assembly Bill No. 2649 |
| Assembly Bill No. 2053 | Assembly Bill No. 2713 |
| Assembly Bill No. 2188 | Assembly Bill No. 2726 |
| Assembly Bill No. 2267 | Assembly Bill No. 3012 |

And reports the same correctly enrolled, and presented to the Governor at 10:30 a.m., September 17, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 1996

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 136 | Assembly Bill No. 2563 |
| Assembly Bill No. 188 | Assembly Bill No. 2612 |
| Assembly Bill No. 255 | Assembly Bill No. 2759 |
| Assembly Bill No. 302 | Assembly Bill No. 2936 |
| Assembly Bill No. 328 | Assembly Bill No. 2949 |
| Assembly Bill No. 632 | Assembly Bill No. 3138 |
| Assembly Bill No. 1953 | Assembly Bill No. 3199 |
| Assembly Bill No. 2127 | Assembly Bill No. 3277 |
| Assembly Bill No. 2349 | Assembly Bill No. 3280 |
| Assembly Bill No. 2515 | Assembly Bill No. 3294 |

And reports the same correctly enrolled, and presented to the Governor at 2 p.m., September 17, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 1996

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

Assembly Bill No. 295	Assembly Bill No. 3048
Assembly Bill No. 2177	Assembly Bill No. 3075
Assembly Bill No. 2234	Assembly Bill No. 3093
Assembly Bill No. 2643	Assembly Bill No. 3098
Assembly Bill No. 2719	Assembly Bill No. 3109
Assembly Bill No. 2819	Assembly Bill No. 3152
Assembly Bill No. 2852	Assembly Bill No. 3155
Assembly Bill No. 2953	Assembly Bill No. 3194
Assembly Bill No. 2966	Assembly Bill No. 3319
Assembly Bill No. 3044	Assembly Bill No. 3452

And reports the same correctly enrolled, and presented to the Governor at 4:30 p.m., September 17, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 1996

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

Assembly Bill No. 824	Assembly Bill No. 3032
Assembly Bill No. 1703	Assembly Bill No. 3088
Assembly Bill No. 1832	Assembly Bill No. 3215
Assembly Bill No. 2377	Assembly Bill No. 3133
Assembly Bill No. 2647	Assembly Bill No. 3220
Assembly Bill No. 2751	Assembly Bill No. 3296
Assembly Bill No. 2834	Assembly Bill No. 3305
Assembly Bill No. 2963	Assembly Bill No. 3358
Assembly Bill No. 3000	Assembly Bill No. 3475
Assembly Bill No. 3026	Assembly Bill No. 3478

And reports the same correctly enrolled, and presented to the Governor at 11:30 a.m., September 18, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 1996

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

Assembly Bill No. 2660
 Assembly Bill No. 3234
 Assembly Bill No. 3472

And reports the same correctly enrolled, and presented to the Governor at 2 p.m., September 18, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 1996

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

Assembly Bill No. 296
Assembly Bill No. 692

Assembly Bill No. 1058
Assembly Bill No. 2937

And reports the same correctly enrolled, and presented to the Governor at 4 p.m., September 18, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 1996

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

Assembly Bill No. 2224
Assembly Bill No. 3157
Assembly Bill No. 3471

And reports the same correctly enrolled, and presented to the Governor at 5 p.m., September 18, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 19, 1996

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

Assembly Bill No. 1524
Assembly Bill No. 2032

Assembly Bill No. 2104
Assembly Bill No. 2802

And reports the same correctly enrolled, and presented to the Governor at 10 a.m., September 19, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 19, 1996

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

Assembly Bill No. 1683
Assembly Bill No. 2964
Assembly Bill No. 3245

And reports the same correctly enrolled, and presented to the Governor at 11:15 a.m., September 19, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 19, 1996

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

Assembly Bill No. 2800
Assembly Bill No. 2898

And reports the same correctly enrolled, and presented to the Governor at 4 p.m., September 19, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 19, 1996

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

Assembly Bill No. 1184
Assembly Bill No. 2618
Assembly Bill No. 2679

And reports the same correctly enrolled, and presented to the Governor at 5 p.m., September 19, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 20, 1996

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

Assembly Bill No. 3020
Assembly Bill No. 3351

And reports the same correctly enrolled, and presented to the Governor at 10:45 a.m., September 20, 1996.

E. DOTSON WILSON, Chief Clerk

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

September 1, 1996

Mr. Speaker: Your Committee on Appropriations reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2791
 Assembly Bill No. 2939

POOCHIGIAN, Chairman

Above bills ordered filed with the Chief Clerk.

Committee on Banking and Finance

September 1, 1996

Mr. Speaker: Your Committee on Banking and Finance reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2439
 Assembly Bill No. 2440

GOLDSMITH, Chairman

Above bills ordered filed with the Chief Clerk.

Committee on Budget

September 1, 1996

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

Assembly Bill No. 2947

MILLER, Chairman

Above bill ordered filed with the Chief Clerk.

Committee on Education

September 1, 1996

Mr. Speaker: Your Committee on Education reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2137	Assembly Bill No. 2890
Assembly Bill No. 2293	Assembly Bill No. 2923
Assembly Bill No. 2427	Assembly Bill No. 2980
Assembly Bill No. 2429	Assembly Bill No. 3102
Assembly Bill No. 2737	Assembly Bill No. 3443

BALDWIN, Chairman

Above bills ordered filed with the Chief Clerk.

Committee on Revenue and Taxation

September 1, 1996

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

Senate Bill No. 875

TAKASUGI, Chairman

Above bill ordered filed with the Chief Clerk.

Committee on Utilities and Commerce

September 1, 1996

Mr. Speaker: Your Committee on Utilities and Commerce reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2075
 Assembly Bill No. 2115
 Assembly Bill No. 2249

CONROY, Chairman

Above bills ordered filed with the Chief Clerk.

MESSAGES FROM THE GOVERNOR

The following veto messages from the Governor were received and ordered printed in the Journal and the bills ordered to the unfinished business file:

Veto Message—Assembly Bill No. 2432

Governor's Office, Sacramento
September 14, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2432 without my signature.

This bill would establish the Alternative Teacher Intern Program, which would be in addition to existing alternative routes to the normal credentialing program.

A new program is unnecessary. The Legislature has passed, and I have signed, legislation which builds on the successful existing District Intern Program. That bill (AB 1432, Richter) kept intact all aspects of that program, while removing the necessity for declaration of a shortage of teachers in order to conduct a program. This bill, in contrast, re-creates that same requirement for a teacher shortage declaration in this new alternative program whenever the interns as a percentage of teaching staff at a schoolsite would exceed 5 percent. As a practical matter, that would result in only one intern on most campuses.

In addition, the bill contains a requirement that the ratio of mentors to interns be determined locally, which would put the issue into the collective bargaining arena. Other requirements vis-à-vis the employee unions are that (a) the district collaboratively develop the noninstructional aspects of the program with the employee organizations, and (b) any program offerings that involve higher education institutes must be done in consultation with the employee organizations representing the teachers employed.

We need to find ways to ease the path for individuals into the teaching ranks. This bill laudably attempts to do that, but the costs of compliance and the expansion of collective bargaining issues are too great a burden to warrant its enactment.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2464

Governor's Office, Sacramento
September 14, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2464 without my signature.

This bill would require the Secretary of the Trade and Commerce Agency, in consultation with the California Organized Investment Network Program, to submit by January 10, 1997 a report to the Legislature on the federal Community Development Financial Institutions Program. The bill would also require the Legislative Analyst to analyze the report and publish the findings and recommendations in the analysis of the 1997 Budget Bill.

The federal program was created to provide equity investment, technical, or financial assistance to non-profit community

development financial institutions. These institutions are committed to providing capital to business in low-income areas.

The federal program made \$50 million available nationwide in January 1996. It is unreasonable to expect that adequate information would be available to assess the effectiveness of the program. Additionally, the bill would set an unreasonable timeframe for completing the report, only ten days from the bill's effective date.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 16th day of September 1996, at 10:26 a.m., of Assembly Bills Nos. 2432 and 2464, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1914

Governor's Office, Sacramento

September 15, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 1914 without my signature.

This bill would require gas companies which own facilities that deliver gas to either public or private school premises to inspect those facilities at least one a year. Additionally, the bill would give gas companies the option to inspect gas appliances owned and operated by a school.

There is little dispute as to the importance of school safety and the value of an inspection at least once each calendar year; the California Public Utilities Commission recognized the need of such inspections when they adopted General Order 112. As such, gas corporations already perform these inspections in accordance with federal Department of Transportation standards found in Part 192 in Title 49 of the Code of Federal Regulations. It hardly seems necessary to codify a practice which is now being conducted.

Further, it is pointless and costly to codify an activity which is already being conducted administratively. What is more, it reduces the flexibility of the executive in making subsequent needed or desirable change without having to resort to further otherwise needless and costly legislation.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2184

Governor's Office, Sacramento

September 15, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2184 without my signature.

This bill would prohibit the Department of Health Services from approving and/or renewing contracts with prepaid health plans on or after January 1, 1998, unless the plan is required to accept, at the discretion of emergency care services providers, electronically

prepared claims for Medi-Cal covered out-of-plan emergency care services. The bill would also allow the department to exempt those plans from this requirement if it finds good cause to do so.

Exemptions may be necessary for relatively small plans that will be participating in Medi-Cal's Two-Plan Model managed care program and for "local initiative" plans with limited startup funds which cannot justify the cost of purchasing electronic billing technology. Also, exemptions may be necessary simply because exclusion from contracting at all may be too severe a penalty for non-compliance.

In such hardship cases, the bill would empower the department to exempt providers. As a result, its requirements are likely to result in an excessive number of exemptions. It does not make sense to enact a statute which is so unworkable that the imposition of its requirements could become the exception rather than the rule.

Finally, the choice to install or not install an electronic billing system is a business decision that should be controlled by the marketplace, and not dictated by government. AB 2184 would result in no compelling public benefit which would justify government's interference with the conduct of the health care market.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 16th day of September 1996, at 4:45 p.m., of Assembly Bills Nos. 1914 and 2184, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2126

Governor's Office, Sacramento
September 20, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2126 without my signature.

This bill would allow licensees to obtain an events permit authorizing the sale, service and consumption of alcoholic beverages on property adjacent to the licensed premises. The bill would also permit disapproval of any event permit by local law enforcement agency by stating "good cause" in writing.

The bill does not require the approval of local law enforcement agencies. Such permission is required for daily licenses used by nonprofit organizations for fund raising events and is a necessary safeguard to insure that the local community and neighborhood will not be disturbed by the licensed activities.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 344

Governor's Office, Sacramento
September 21, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 344 without my signature.

This bill would require the Department of Corrections to develop a plan, as specified, to enable every eligible inmate to participate in a work, educational, or rehabilitation program by the year 2000. The plan would be required to be completed by March 1, 1997 and the Department would be limited to expenditures of no more than \$100,000 to develop the plan.

Under prevailing conditions approximately 80% of California inmates are program participants. Most inmates in fact, have a tremendous incentive to participate as their early release hangs in the balance. Some non-participants are too dangerous for most programs, but there remains a significant number of inmates who should be actively engaged, resources permitting.

The plan which would be required by this bill is not necessary and would result either in a General Fund cost or the redirection of funding needed for other purposes. Current law provides that the Director of CDC shall adopt rules and regulations which require of every able bodied prisoner in any State prison specified hours of faithful labor in each day of his or her term. The expansion of inmate employment is important to my Administration and has been prioritized and funded through the annual budget process. My support for expansion of work opportunities for inmates is reflected in the 1996-97 Budget Act, which includes \$7.1 million and 156.9 positions to employ idle but eligible inmates, and expand existing academic and vocational education programs at six institutions.

For the fourth year in a row the legislature has failed to adequately provide for prison space to house the state's criminals. A plan, as specified in AB 344, would be doomed to failure without the requisite physical capacity needed to implement its desired goals.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 23rd day of September 1996, at 2:15 p.m., of Assembly Bills Nos. 2126 and 344, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to be personally by Karen Morgan.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 66

Governor's Office, Sacramento
September 21, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 66 without my signature.

This bill would allow for the establishment of "home rule districts". These districts would consist of all the schools in the district operating under a home rule petition, similar to charter schools

operating under a charter approved by the local school district. Unlike charter schools, however, this bill would require that the home rule districts adhere to existing law regarding collective bargaining.

While this bill moved in the direction of charter school districts, it does so with the requirement that home rule districts hire only credentialed teachers and retain existing collective bargaining provisions. In doing so, much of the flexibility and opportunity for innovation that are critical characteristics of charter schools is eliminated.

I would encourage the author to revisit this issue next legislative session without the constraints of the collective bargaining provisions in current law.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 466

Governor's Office, Sacramento
September 21, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 466 without my signature.

Current law establishes Partnership Academies as a means of providing vocational training and work experience to high school students who have a high likelihood of dropping out of school. By all accounts, Partnership Academies have been effective in encouraging these at-risk students to stay in school and pursue skilled occupational fields. In recognition of their effectiveness, I proposed, and the Legislature passed, a 77 percent increase in the 1996 Budget Act.

In contrast, this bill would create a new Partnership Academy program which would be available to *all* students rather than to just those at high risk of dropping out of school. By generalizing the availability of the academy model to all students, the initial objective of the Partnership Academy Program to prevent at-risk students from dropping out of school would be compromised. Pupils that would attend the proposed new program are already served through existing vocational education programs. It would be imprudent to blur the focus of the current Partnership Academy Program by enactment of this bill.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 649

Governor's Office, Sacramento
September 21, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 649 without my signature.

This bill would require the State Department of Education, the Regents of the University of California, the Trustees of the California State University, and the Board of Governors of the California Community Colleges to prepare a report on or before January 1, 1998. This report would identify mutual goals for reducing the need for remedial instruction at the college level. AB 649 would also authorize school districts to offer remedial courses in their summer

school programs in an effort to eliminate the need for remedial coursework at the college level. These courses would be financed using existing summer school funds.

I am concerned that this bill names the State Department of Education as the representative of the K-12 segment. The State Board of Education is the appropriate policy-setting body for that segment. Nonetheless, the collaboration envisioned in this bill is critical to address the issue of unacceptably large numbers of our high school graduates unable to pass basic proficiency exams. I would encourage the State Board of Education, the Regents of the UC, the Trustees of the CSU, and the Board of Governors of the Community Colleges, to undertake this effort on their own initiative, rather than as a statutory mandate.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 1561

Governor's Office, Sacramento
September 21, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 1561 without my signature.

This bill would require the department of pesticide regulation to conduct pesticide registrations in a timely manner. In addition, the bill would rename the term "economic poison" to "pesticide." While I support the intent of AB 1561, I must return it because it would chapter out important provisions in AB 124 which was signed into law earlier this month.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 1910

Governor's Office, Sacramento
September 21, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 1910 without my signature.

This bill would state that upon the death of a local PERS member with 20 or more years of service, the surviving spouse or eligible children may receive a monthly allowance in lieu of the basic death benefit lump sum. In doing so, the survivor would also automatically be provided health care benefits indefinitely *at no expense to the survivor for the monthly premium payment.*

AB 1910 is patterned after a state employee benefit which provides the same conversion of the lump sum death benefit to a monthly allowance. However, the health care available to the survivor is continued *entirely at survivor expense for the monthly premium.*

I do not object to allowing local government employees the ability to negotiate a benefit comparable to that of state employees.

However, this bill provides a benefit that is considerably more generous than that available to state employees. If legislation were re-introduced that were comparable, I would be open to revisiting this issue.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2371

Governor's Office, Sacramento

September 21, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2371 without my signature.

This bill would require any school district applying for funding pursuant to the Leroy F. Greene State School Building Lease-Purchase Law of 1976 (Greene Act) to include in its plans for any new or modernized permanent or portable classroom a hard-wired connection to a public switched network.

While it is appropriate for the state to mandate that school facilities meet certain safety and access specifications, the state is overreaching its duty if it specifies the technology for each classroom. Some communities may believe that the children and teacher in each classroom would be safer if a phone were installed; others may be more interested in wireless telecommunications, which is improving rapidly and is an alternative that provides greater flexibility. Either of these options is already permissible under current law.

It is the role of the local school district governing board to determine the best method of telecommunications to ensure the safety of its staff and pupils.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2413

Governor's Office, Sacramento

September 21, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2413 without my signature.

This bill would have reduced the public number of gubernatorial appointments to the Commission of the Californias and the California State World Trade Commission. This bill would also add the Secretary of Food and Agriculture and the Secretary of the Trade and Commerce Agency as official voting members to the Commission of the Californias and the California State World Trade Commission.

The Secretary of Food and Agriculture has previously been selected as an ex officio member of the World Trade Commission and the Secretary of the Trade and Commerce currently sits as a voting member at my request. The Executive branch has full authority and

flexibility to make appointments to these commissions. This measure needlessly reduces administration flexibility in the appointment process.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 23rd day of September 1996, at 2:16 p.m., of Assembly Bills Nos. 66, 466, 649, 1561, 1910, 2371, and 2413, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 3197

Governor's Office, Sacramento

September 23, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 3197 without my signature.

This bill would grant a waiver to the Department of Rehabilitation from statutory requirements which mandate that funds held in outside accounts, absent specific departmental statutory authority, must be held in the Centralized Treasury System. This waiver would be granted to the Department of Rehabilitation only for the Orientation Center for the Blind Trust Fund. This bill would also authorize the creation of an Orientation Center for the Blind Trust Fund Advisory Committee, and would require that all monies in the fund be appropriated by the Legislature prior to their expenditure.

Funds contained in the Orientation Center for the Blind Trust Fund would be comprised solely of gifts and bequests, and the resulting investment income. As such, these funds should be used solely for the benefit of the Orientation Center for the blind. However, the bill also contains provisions which would require the Department of Rehabilitation to establish guidelines to guarantee the safety of the Trust fund and for the investment of the Fund. These are responsibilities for which the Department is unprepared and has insufficient expertise to fulfill. Consequently, the bill creates an unnecessary risk to the security of the Trust Fund monies.

Additionally, the bill would require that Trust Fund monies be appropriated by the Legislature. Currently, these funds are continuously appropriated to the Department and are available to meet special needs as they are identified. Given the relatively small amount of money in the Fund, and the fact that no public funds are involved, the requirement for a legislative appropriation contains an unnecessary obstacle to the efficient administration of these resources.

I will be happy to sign legislation which I believe would meet the intent of the sponsors of this measure. Specifically, I would support the establishment of the Orientation Center for the Blind Trust Fund in the Centralized Treasury System as well as intent language which restricts the use of Trust Fund Monies to the Fund's designated purposes. To this end, I am asking the Department of Rehabilitation

to work with the author to draft appropriate language for introduction in the 1997-98 session of the California Legislature.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 24th day of September 1996, at 3 p.m., of Assembly Bill No. 3197, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

E. DOTSON WILSON

Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 302

Governor's Office, Sacramento

September 24, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 302 without my signature.

This bill would change the definition of parimutuel wagering, excluding any reference to the purchase of "tickets" as a way to place wagers. This bill would also permit the California Horse Racing Board to allow paint horses and Appaloosa horses to race in the same race.

Upon its introduction AB 302 did but one thing, it deleted the reference to the purchase of tickets as a requisite for parimutuel wagering. Proponents explained that modern tracks and satellite facilities dispense vouchers rather than tickets.

The modernization process alarmed some members who observed that the bill revised the wagering process to require only that the bettor place wagers on a horse or horses in one or more races. Their concern was that this change would help facilitate telephone and electronic wagering. This reasonable concern was met with a reasonable response when the author on, May 11, 1995, amended the bill to require that wagering occur at a racetrack or other facility permitted by law to conduct satellite wagering.

Unfortunately, more than a year later during the last week of session when the bill was amended to incorporate unrelated provisions the previous amendment, requiring on site wagering, was deleted. No theory of statutory construction would lead to any conclusion other than that it is the intent of AB 302 to authorize parimutuel wagering initiated off-site. This is a significant change in policy that has not received adequate review during the legislative process.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2282

Governor's Office, Sacramento

September 24, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2282 without my signature.

This bill would allow individuals to drive inherently low-emissions vehicle (ILEV) on high occupancy vehicle (HOV) lanes in specified

areas, regardless of the number of passengers in the vehicle, until January 1, 2001.

The obvious purpose of the bill is to encourage ownership of low emission vehicles. But, the beneficial impact on air quality must be measured against the loss in providing incentives to reduce congestion.

HOV lanes are intended to encourage ridesharing, thereby reducing the number of vehicles on the highway. Allowing ILEV's, or any other special category of vehicle, to operate in an HOV lane without minimum occupancy requirements does not reduce the number of vehicles on the highway and, therefore, is inconsistent with the purpose of HOV lanes.

The bill would set an unfortunate precedent by allowing an exception to the use of HOV lanes that has no direct connection to the intended purpose of these lanes. As a result, it might seriously erode public acceptance of the HOV lane concept.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 25th day of September 1996, at 4:20 p.m., of Assembly Bills Nos. 302 and 2282, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 907

Governor's Office, Sacramento
September 25, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 907 without my signature.

This bill would require each state agency to annually prepare and submit to the Department of Finance, a list of the capital outlay needs of state agencies for the next five years. Further, the bill requires the Department of Finance to then annually prepare and submit to the Legislature a multi-year capital outlay master plan compiling and prioritizing the lists submitted by state agencies.

This bill is unnecessary. Every year, the Department of Finance issues a report describing the state's potential capital outlay needs over a ten-year period. The report contains potential funding sources and is sufficient for strategic planning purposes. It is unnecessary to require the Department of Finance to compile an inventory as well.

Moreover, individual department capital outlay needs and forecasts often change quickly in response to Legislative and Administrative policy changes which affect program needs as well as budgetary constraints. Supplying this information annually—and having the Department of Finance continually attempt to prioritize a vast array of often incompatible capital-outlay projects—may result in more confusion than clarity.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 1949

Governor's Office, Sacramento
September 25, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 1949 without my signature.

In an attempt to expedite the payments to subcontractors working on public construction projects, this bill unnecessarily places at risk the taxpayers of California. Currently the marketplace has established the private sector retention rate on construction contracts at 10 percent because of the financial risks associated with ensuring that subcontractors perform and complete their part of the construction project. The careful "stacking of the trades" that occurs in a construction project is both a logistical and financial balancing act. Any delays by one subcontractor can delay the other trades working on the project. Unfortunately, the business practices of a few contractors/subcontractors has led to the establishment of a 10 percent retention rate in the marketplace.

The state has a fiduciary responsibility to the California taxpayers to use their money wisely and that includes not incurring unnecessary risks. The state's construction projects for schools, universities, community colleges, prison, and state office facilities involves billions of dollars. The private sector is able to choose its contractors/subcontractors based on experience, reliability, quality of work and reasonableness of price. However, the state is required to use low bidder and therefore incurs more potential risks than the private sector in its construction contracts.

Although I appreciate the concerns of subcontractors regarding the timelines involved in recovering their retention funds upon completion of projects, I have a higher duty to protect the interest of the taxpayer in ensuring that publicly-funded projects are completed on budget and without delay. Furthermore, at a time when government is being asked to operate more like the private sector, attempting to place a mandatory cap in statute—and thereby hampering the ability of public agencies to adequately protect themselves from risk—is not the correct path to reform in this area. Government agencies must be able to protect public construction projects from unnecessary risks in a manner similar to the private sector.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 26th day of September 1996, at 4:45 p.m., of Assembly Bills Nos. 907 and 1949, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

MELISSA ANN SWART-WEIKEL
Acting Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 115

Governor's Office, Sacramento
September 26, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 115 without my signature.

This bill would provide the Speaker of the Assembly and the Chairperson from the Senate Rules Committee each with a paid appointment with an annual salary of \$79,122 to the governing board of the California Earthquake Authority (CEA).

This bill inappropriately expands the role of the legislature into the functions of the Executive branch of government.

Further, according to the State Insurance Commissioner, this bill could jeopardize the tax exempt status granted to the CEA by the Internal Revenue Service. Appointments of individuals who are not employees of any state or local agency is a violation of the tax exemption ruling.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 27th day of September 1996, at 1:45 p.m., of Assembly Bill No. 115, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

MELISSA ANN SWART-WEIKEL
Acting Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2377

Governor's Office, Sacramento
September 27, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2377 without my signature.

This bill would establish a three year pilot program to appropriate to county offices of education an extra \$1,500 for each pupil enrolled in a juvenile camp, ranch, or home, to provide additional education, counseling, and vocational training.

Under current law, juvenile court school pupils receive education through the county offices of education. The education cost of these pupils, whether they reside in a juvenile hall, ranch, or camp, is about \$2,400 more per pupil than pupils attending regular school programs. The additional funds are for many of the same purposes that this pilot program would provide.

The concept is worthy, and I support efforts to straighten out troubled youth. However, the additional funding included in AB 2377 has not been justified. I would encourage the sponsors and author of this legislation to work with my Administration to see if this concept is workable, and if so, to be considered in the next budget cycle.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 136

Governor's Office, Sacramento
September 27, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 136 without my signature.

This bill would forgive the Los Angeles County Office of Education and a nonprofit organization with which it contracted, for any violations that may be found in any future audits of the Community Schools for Divergent Youth Pilot Program prior to January 1, 1997. This bill would also forgive and/or reduce the financial penalties for several school districts that did not provide the level of instructional minutes required by law when they accepted longer day and year incentive funding from the state.

I cannot in good conscience sign a bill that would forgive audit exceptions prospectively. Little is known about this program at this time, so it would be premature to consider forgiveness of financial penalties before the nature and extent of potential violations become known. However, I have been advised that the program in question was exemplary in its services and outcomes for the children it has served. In particular, this program has been pointed to as a model for its ability to turn young men and women away from a life of crime.

I am directing the Department of Finance and the Office of Child Development to work with the County Office and the nonprofit organization in question to determine what steps would need to be taken, if any, to bring this program into compliance. Once that assessment has been made, the state and local agencies can decide how to best proceed.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 27th day of September 1996, at 4:30 p.m., of Assembly Bills Nos. 2377 and 136, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2988

Governor's Office, Sacramento
September 27, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2988 without my signature.

This bill would require that certain policies and procedures developed by the Department of Information Technology (DOIT) and the Department of General Services (DGS) be updated as deemed necessary. The bill would also exclude from the State bid process those vendors who failed to meet contractual requirements.

This bill is fundamentally flawed in that it would reduce the state's flexibility in dealing with this rapidly developing technology. Specifically, this bill would unduly restrict state discretion by automatically barring vendors for any prior contractual failures. This bill would bar vendors whose projects have experienced only minor

violations, such as a minor schedule delay. Ultimately, this would reduce the pool of available vendors. The reduced competition could result in increased project costs.

This bill would also place into statute specific requirements for feasibility study reports (FSR), decreasing the DOIT's flexibility to modify FSR requirements as new technologies, such as improved risk assessment models, are developed.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2854

Governor's Office, Sacramento
September 27, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2854 without my signature.

This bill would authorize the Legislative Analyst to review the operation of the bridges between the cities of Oakland and Alameda to determine if any state interests are served by the bridges.

Legislation is not required to authorize the Legislative Analyst to undertake this review or for the County of Alameda to pay for it.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 3138

Governor's Office, Sacramento
September 27, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 3138 without my signature.

This bill would require the Director to appoint an unpaid advisory committee from a pool of nongovernmental actuaries nominated by physicians, hospitals, health care plans, and consumer representatives to review the rate methodology used by the Department of Health Services (DHS) to develop all Medi-Cal prospective capitation rates. The bill would also require, to the extent data is available, the committee to review the distribution of high cost beneficiaries within counties to determine if certain managed care plans have a maldistribution of costly cases.

State actuaries, in developing rates, have the same obligation to provide independent opinions based on actuarial principles as would any nongovernmental actuary. As part of the rate development, State actuaries currently take input from outside actuaries.

The bill does not require that the committee take into account the legal limits imposed by federal regulations on rates that may be paid to prepaid health plans. Furthermore, federal regulations already require that rates paid for services for Medi-Cal recipients be actuarially sound.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 3056

Governor's Office, Sacramento

September 27, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 3056 without my signature.

This bill would prohibit a common interest development from establishing or adopting rules which would ban the use of motorcycles within the project.

Common interest developments use covenants, condition, and restriction (CC&Rs) to govern the development and maintenance of common areas. These CC&Rs represent a set of terms of a private contract between knowing adults.

The Supreme Court has validated the concept that CC&Rs are private contracts between homeowners and their associations. This bill serves no public purpose that warrants interference in those private contracts.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 3057

Governor's Office, Sacramento

September 28, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 3057 without my signature.

This bill would require notices to appear for traffic violations to include the date and time of the alleged violation. AB 3057 also requires notices recorded by an automated enforcement system to contain or be accompanied by an affidavit of nonliability. In addition, the bill requires issuance of a notice to appear to the registered owner or identified driver or to the renter or lessee who is identified in a timely returned affidavit or nonliability.

AB 3057 is designed to provide relief to vehicle rental companies which receive citations which are attributable to individuals who have rented or leased vehicles. The rental company would be relieved of liability and the citation reissued upon identification of the driver.

Under current law effective until Jan. 1, 1999 local jurisdictions may mail citations to the registered owners of vehicles which have been photographically identified when operated in violation of traffic control signals, railroad crossings, or toll, or parking laws. The photograph typically identifies the vehicle but not the driver.

Generally parking violations are the responsibility of the registered vehicle owner while moving violations which impact the driver's record are attributable to the driver. One automated enforcement systems project involves photographing vehicles which run red lights.

The provisions of this bill which pertain to rental companies are perfectly reasonable especially since the rental company is required to provide written proof of a rental agreement. Unfortunately, the bill suffers from overbreadth in two respects. First, in dealing with registered owners other than rental companies it fails to distinguish between parking and moving violations. More significantly it requires the issuing agency to cancel the citation upon receipt of a

statement from the owner that he or she “was not driving the vehicle at the time of the occurrence of the violation” and, “if known . . . the statement shall also include the name and address of the identified driver”. This criteria so unburdens the registered owner of the vehicle of any tangible responsibility as to make automated citations unenforceable.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2573

Governor’s Office, Sacramento

September 28, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2573 without my signature.

This bill would prohibit, with specified exceptions, the addition of blending components to “finished” motor vehicles fuel when the resultant mixture does not meet “downstream fuel standards.” AB 2573 also requires individuals who blend fuels outside refineries or petroleum terminals to keep records and establishes penalties for blending violations.

This bill is being returned at the author’s request. Final Senate amendments were never processed raising concern that provisions of the bill may be subject to unnecessary litigation regarding intent and enforcement.

I encourage the author to reintroduce this bill so that he may implement important policy objectives without technical deficiencies.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 277

Governor’s Office, Sacramento

September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 277 without my signature.

This bill would give full collective bargaining rights to managers and supervisors employed in the California Highway Patrol, California Department of Corrections, California Youth Authority, and the Department of Forestry and Fire Protection.

Managers and supervisors act on behalf of state management. In that capacity, managers are required to direct employees represented by labor unions, to apply labor agreements in the work place, and to represent management to the state work force on a daily basis. To provide managers with collective bargaining rights would represent a conflict of interest.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2705

Governor's Office, Sacramento
September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2705 without my signature.

This bill would provide former state employees, currently employed by the Orange County Fire Authority, retirement coverage under the state peace officer/firefighter (PO/FF) benefit formula. This would upgrade those employees from a retirement benefit of 2 percent to 2.5 percent at age 55.

Granting this state employee retirement benefit to firefighters in a local government jurisdiction which has its own pay and benefit structure would be a circumvention of local collective bargaining. It is not the role of state government to confer a benefit at the expense of a local government which has not agreed to provide such benefit as the result of local collective bargaining.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2719

Governor's Office, Sacramento
September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2719 without my signature.

This bill would specifically allow local school districts to use local school bond funds for the purchase of education technology and science laboratories and would authorize the State Allocation Board to increase the allowance for modernization projects to accommodate the cost of wiring and cabling for technology.

Increasing the modernization allowance with respect to state level G.O. bonds would just increase demand for funds that are severely limited. School districts already may exceed the modernization allowance if the increase is funded entirely by the district. School districts should be encouraged to fund more of their school facilities needs locally. Increased local contribution and flexibility are more effective ways to meet the statewide school facilities need than increasing the state cost in the current state program. Until we get program reforms on developer fees and reduction of the state's share to 50 percent, it is inappropriate to increase demand on scarce state bonds.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 30th day of September 1996, at 11:05 a.m., of Assembly Bills Nos. 2988, 2854, 3138, 3056, 3057, 2573, 277, 2705, and 2719, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

MELISSA ANN SWART-WEIKEL
Acting Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 3235

Governor's Office, Sacramento
September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 3235 without my signature.

The author has requested that his bill be returned to the Assembly. I am honoring his request.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 1953

Governor's Office, Sacramento
September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 1953 without my signature.

This bill would prohibit state or local governments from "effectively denying" various youth groups access to public beaches or recreation areas. "Effectively denying" would be defined as charging a fee or imposing a cost in excess of what would be charged for the same number of persons individually. It also would create a cause for civil action against any agencies which violated the prohibitions.

The intent is laudable, however, the bill is overly broad in its reach. The prohibitions in AB 1953 would transfer the financial liability from the named groups to the taxpayers of California by eliminating methods to recover actual costs and by preventing the public entities from requiring appropriate insurance coverage.

I will be happy to explore a solution that requires proof of insurance or that which will otherwise allow the state and local governments to protect themselves and the taxpayers from unreasonable financial risk.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2839

Governor's Office, Sacramento
September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2839 without my signature.

This bill would require that specified DMV information be made available to an Indian tribe for background checks on specified employees relative to the Indian Gaming Regulatory Act.

Assembly Bill 2839 provides access to DMV records without cost to Indian tribes on a basis generally enjoyed only by local government agencies. Proponents argue they are simply restoring access that such tribes had prior to an adverse ruling in 1995. In addition, while they are not required to pay, Indian tribes would be subject to penalties and regulations which apply to commercial requesters.

The information that would be provided under this bill would benefit gambling interests on Indian lands. There is no reason why the taxpayers of California should subsidize gaming activities conducted anywhere in California. Other commercial gaming

interests not on Indian lands would clearly be required to pay for requested documents. The argument applies with even greater force in those situations where the very legality of particular gaming activities on some tribal lands remains in serious dispute. In addition, the penalty and regulation provisions are somewhat illusory in that DMV has no power to enter Indian lands for the purpose of audit or enforcement.

The bill by its terms is not limited to particular tribes or even to Indian tribes within California. The dissemination of this information and the regulation of its use is a more appropriate subject for a gaming compact between individual Indian tribes and the State of California.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 81

Governor's Office, Sacramento

September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 81 without my signature.

This bill would add a new crime to the penal code protecting illegal aliens or those presumed illegal from threats designed to induce them to work for below minimum wage, to work in unsafe or unlawful working conditions or to purchase certain goods or services by threatening to report them as undocumented aliens or to have them deported. The penalty for violation of the proposed misdemeanor is not more than one year in county jail a \$10,000 fine or both the fine and imprisonment. In addition, the bill creates a special cause of action for illegal aliens or those presumed illegal based on the same facts.

Each of these prohibited acts is already prohibited, criminal, and subject to penalties often greater than those required under the bill.

"Obtaining money by threatening to accuse victim of a crime constitutes extortion regardless of whether victim has actually committed any crime" *People v. Goldstein* (1948) 48 CA 2d 581. Extortion carries a penalty of 2, 3, or 4 years in prison (Penal Code Section 518).

Proponents assert that this bill addresses the problem of worker enslavement.

Penal Code Section 181 criminalizes involuntary servitude and sale of slaves and provides in part that every person who holds or attempts to hold any person in involuntary servitude is guilty of a felony punishable by 2, 3, or 4 years in prison.

By creating a new misdemeanor with the elements of two existing felonies, this bill appears to provide that if a person commits acts constituting extortion or involuntary servitude, but the victim is an illegal alien a penalty of one year in jail is sufficient.

Creating special, class specific, criminal statutes to respond to crimes generic to all persons is a questionable practice especially when the new statute imposes lower penalties.

In this instance, it also creates the illusion that reporting illegal aliens is wrong and possibly criminal. This would be unfortunate as it

could have a chilling effect on appropriate enforcement of immigration laws, and could undermine the intent of Proposition 187.

Violation of the proposed statute would, under AB 81, also form the basis for a new cause of action in tort with specifically enumerated punitive damages and penalties. Again there is no lack of tort theories upon which to sue including conversion, false imprisonment, and intentional infliction of emotional harm as well as actions for discrimination and civil rights violations. This civil provision limits the recovery of illegal aliens to three times actual damages while those just presumed illegal may sue for unlimited punitive damages plus a \$25,000.00 civil penalty.

All persons should be free from civil and criminal victimization while in California. The penalty should be no different if the victim is a California resident, a visitor from another state or nation, a convict, a citizen, or an illegal alien.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 764

Governor's Office, Sacramento
September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 764 without my signature.

This bill would appropriate \$120,000 to the County of San Bernardino in order to establish a three year pilot project known as the Drug Court Treatment Program.

AB 764 is one of three bills which authorize county drug court programs designed as alternatives to incarceration or diversion. Each of these drug court proposals establishes discrete eligibility requirements.

I have this day signed SB 1369 which eliminates the practice of assigning drug offenders to rehabilitation programs without a guilty plea, authorizes any county to establish a drug court and provides eligibility criteria consistent with public safety. Counties may tailor local drug court requirements so long as they conform with the basic statutory criteria of SB 1369.

While I am not unalterably opposed to funding a drug court in San Bernardino County it is best that the court's program be authorized under a single uniform statewide statute.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 1934

Governor's Office, Sacramento
September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 1934 without my signature.

This bill would make technical, nonsubstantive changes to current law regarding the powers and duties of Local Agency Formation Commissions (LAFCOs). This bill would also declare legislative

intent to return the entire amount of property tax revenues from the Educational Revenue Augmentation Fund (ERAF) to cities, counties and special districts.

I have no problem with the provisions of this bill that relate to LAFCOs.

However, the intent language of this bill is similar to the provisions of Assembly Bill No. 2797 which I have vetoed. The property tax shifts of 1992-93 and 1993-94 were necessary to meet the constitutional funding obligations of Proposition 98. Implementing this intent language would require, over an unspecified period of time, that \$3.6 billion be reduced from non-Proposition 98 General Fund programs, including Corrections, Higher Education, and programs that support local governments, in order to meet our Proposition 98 requirements.

When the legislature returns next year there will be numerous issues affecting local government finance, including trial court funding and welfare reform which will require immediate action. Further, two propositions on the November ballot could affect local government finances. The complex nature of these issues requires a more comprehensive approach to local government financing reform which should be considered as part of next year's budget process.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2008

Governor's Office, Sacramento

September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2008 without my signature.

This bill would provide as of January 1, 1997 the authority of the State Public Defender's Office be limited to direct appeal in death penalty cases. The bill appropriates \$320,000 to implement the provisions of the bill, which includes preparation for the hiring and training of additional attorneys.

This bill was introduced at my request as part of the comprehensive three-bill package. The proposal was the product of six months of labor involving my office, the State Public Defender, the Judicial Council, the Department of Justice, individual academics, and Judges as well as the defense bar.

This non-partisan effort was commenced because of the almost universal agreement that delays of up to 17 years in the resolution of death penalty cases are intolerable and that the specter of 128 death row inmates without legal counsel does not comport with any view of justice.

Unfortunately, it was the view of the most extreme elements of the defense bar that delay is almost as good as a legitimate defense, which was embraced by some Senate Democrats the last day of session when the companion bill, SB 1533, was killed.

SB 1533 would have created the Office of the Post Conviction Counsel, which would have handled state and federal habeas writs, formerly the responsibility of the State Public Defender. These two bills offered efficiencies recognized by all but the most extreme

participants which would have ensured the timely appointment of competent counsel and reduced the entire process by years.

Unfortunately, enactment of this bill would divest the State Public Defender of authority to file habeas writs without the establishment of an Office of Post Conviction Counsel, which would leave a dangerous void in the process with no assurance that it would be filled.

The Senate's killing of SB 1533 virtually assures that killers like Richard Allen Davis will be able to continue to abuse the legal system, so that they can continue to reside on Death Row longer, in many cases, than their victims lived. But then that was the point of the Senate's failure to act.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 3093

Governor's Office, Sacramento
September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 3093 without my signature.

This bill would establish a procedure whereby, if the Director of Corrections or the Board of Prison Terms or both recommend to the court that a prisoner's sentence be recalled, the court may recall the sentence if the court finds that the prisoner is terminally ill or permanently and severely physically incapacitated and the conditions under which the prisoner would be released or receive treatment do not pose a threat to public safety.

AB 3093 seeks to codify a policy largely consistent with administrative procedures currently followed by both the Department of Corrections and the Board of Prison Terms. In addition, the bill unfortunately directs that "an assessment of public safety risk shall be balanced with an assessment of the cost of continued incarceration."

The cost of incarceration may be a mitigating factor to be balanced against the retributive goals of sentencing after public safety concerns have been fully satisfied; not as a factor in deciding whether the offender is still at risk.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2312

Governor's Office, Sacramento
September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2312 without my signature.

This bill would phase-in, over a period of several years, the sliding scale fees counties would otherwise be required to pay the Department of Youth Authority beginning January 1, 1997 and would allow county juvenile correctional administrators to determine confinement terms and conditions of specified juveniles committed to the Department of Youth Authority.

By relieving counties of some of their responsibility to pay a portion of the cost for committing wards to the Youth Authority, this

bill would increase General Fund expenditures by millions of dollars over the next six fiscal years. The State is already providing a considerable amount of funding to counties in support of local juvenile justice programs, including \$33 million per year for county probation camps. In further support of county efforts, I recently signed SB 1760, which provides \$50 million in grant funds to be awarded to county agencies for the prevention of juvenile crime and treatment of youthful offenders. These funds, not anticipated at the time this bill was introduced, would appear to provide more first year relief than AB 2312.

I am also concerned with the provision that would allow a juvenile ordered into the custody of the county juvenile correctional administrator pursuant to a community-based punishment plan, to be placed in the Department of Youth Authority under terms and conditions determined by the county administrator rather than state authorities.

Under current law, juveniles committed to the Youth Authority fall within that department's jurisdiction as well as within the jurisdiction of the Youthful Offender Parole Board. The Youth Authority provides treatment and training for those juveniles committed to their custody, while the Parole Board determines length of stay and parole suitability. The role of the Youthful Offender Parole Board is essential in that it ensures juveniles committed to the Youth Authority are handled in a consistent and appropriate manner. This bill would appear to obscure the authority of both state departments by allowing the county correctional administrator to determine the length of stay and the terms and conditions of the placement. While the author and the sponsor have confirmed that it is not their intent to encroach upon the authority of these departments, this bill retains the potential to cause confusion and litigation.

I am not unalterably opposed to providing additional relief, of the magnitude sought here, to county juvenile authorities. I have directed my staff to work with the author to explore alternatives to disruption of the formula under which counties contribute to the costs of the Youth Authority.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 30th day of September 1996, at 2 p.m., of Assembly Bills Nos. 3235, 1953, 2839, 81, 764, 1934, 2008, 3093, and 2312, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

MELISSA ANN SWART-WEIKEL
Acting Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2442

Governor's Office, Sacramento
September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2442 without my signature.

This bill would preclude an officer or employee of the Department of Real Estate from testifying as an expert witness in a civil action to determine whether a real estate licensee has fulfilled his or her professional obligations with due care except as specified.

This bill is unnecessary. The purpose of this legislation can be achieved by amending the Department of Real Estate's Incompatible Activities Statement. I have directed the Department to review their Incompatible Activities Statement and determine whether additions/changes are needed to achieve the intent of AB 2442.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2797

Governor's Office, Sacramento
September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2797 without my signature.

This bill would freeze the property tax revenue transfer to the Educational Revenue Augmentation Funds (ERAF) in the 1996-97 level. In addition, this bill would repeal the use of ERAF for Special Education programs beginning in fiscal year 1997-98.

This property tax shifts of 1992-93 and 1993-94 were necessary to meet the constitutional obligations of Proposition 98. Because the ERAF is used to offset General Fund support for K-14, the redirection of the growth to local agencies would result in significant General Fund costs. While the provisions of this bill would hold Proposition 98 harmless, it would require, over approximately a 5-year period, that almost \$1 billion from non-Proposition 98 General Fund programs, such as Corrections, Higher Education and programs which support local governments, be reduced in order to continue to fund Proposition 98.

Numerous issues affecting local government finance, including trial court funding and welfare reform will require legislative resolution next year. In addition, two propositions on the November ballot would affect local government finances. Finally, any attempt to stimulate home construction by giving local governments a fiscal incentive to approve development plans should be coupled with a serious review of developer fees and other impediments to such construction.

I recognize that local governments, like the state, have had to make significant budget adjustments over the last few years as a result of the recession that plagued California in the early 1990's. Nevertheless, given the complexity of the issues confronting the State and local governments, it is inappropriate to approve a

piecemeal approach to local government financing reform. A comprehensive approach should be considered next year as a part of the budget process.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2862

Governor's Office, Sacramento
September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2862 without my signature.

This bill would establish the Kyle Meniketti Children's In-Home Care Act of 1996 which would require the Medi-Cal program to provide in-home medical care services, without a share of cost, to any technology-dependent child, regardless of the parent's income and resources. To the extent permitted by federal law, the bill would also allow the Department of Health Services to establish a schedule of parental contribution fee schedule based on premium costs and the parent's ability to pay.

The Department has already submitted a federal waiver request to the federal government to address the issue raised in this bill and anticipates approval of this waiver request before the end of this year. Therefore, this bill is unnecessary.

More importantly, however, the legal construction of this bill does not make clear that these services will be provided only through such a federally approved Home and Community Based Services Model waiver which assures federal financial participation. Absent such a provision, this bill could be interpreted as creating a state-only program, threatening a reduction by half in the number of children who could otherwise be served.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 30th day of September 1996, at 2:05 p.m., of Assembly Bills Nos. 2442, 2797, and 2862, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

MELISSA ANN SWART-WEIKEL
Acting Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1455

Governor's Office, Sacramento
September 29, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 1455 without my signature.

This bill would authorize the Contractors State Licensing Board (CSLB) to adopt by regulations specialty license classifications which

had been used up until the CSLB was legally challenged by Home Depot regarding the inconsistency of the "general contractor" definition.

Not all the current 42 specialty classifications which require special licensure are in the best interest of the building industry or the public. Requiring additional years of experience, testing and delay for individuals in trades where there is no consumer risk limits work options for general contractors, drives prices up to consumers, and is simply anti-business and anti-competitive.

Conversely, for those specialty trades which do pose health or safety risks to consumers, I am requesting that the Contractors State Licensing Board submit a legislative proposal in January which includes only specialty classes which have consumer protection needs.

In the interim, I would call on the building industry to take advantage of the additional opportunities for business in a responsible manner without delving into areas which do require specific skill or training and which may result in potential public risk.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 30th day of September 1996, at 3:15 p.m., of Assembly Bill No. 1455, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 938

Governor's Office, Sacramento
September 30, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 938 without my signature.

This bill would appropriate \$4 million to the Controller for allocation to the Department of Forestry and Fire Protection for initial attack purposes. Further, this bill would require the Board of Forestry (Board), with input from the Department of Forestry and Fire Protection, employee collective bargaining representatives and other interested parties, to review staffing levels on department fire engines and related policies. The Board would then be required to report its findings and recommendations to the chairs of the Joint Legislative Budget Committee, the Senate Committee on Budget and Fiscal Review and the Assembly Budget Committee.

Since this staffing review is already required in the 1996 Supplemental Budget Report, it is pointless to codify it in this measure. The determination of fire fighting staffing levels is far too critical for the Legislature to interject itself in that determination. The safety of fire fighters is paramount. Thus, the Department must maintain flexibility in the determination of staffing level and needs. It is our responsibility to the taxpayers of this state to ensure that

every dollar spent, whether for firefighting or education, is spent as responsibly and efficiently as possible.

Further, the California Department of Forestry has recently received approval from the Department of Finance for a \$3.3 million deficiency. These funds will be used towards fighting initial attacks and extending the fire fighting capacity in critical areas of the state.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2112

Governor's Office, Sacramento

September 30, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2112 without my signature.

This bill would increase the membership of the Board of Corrections from 11 to 14. The bill adds a deputy sheriff, a chief probation officer, and a manager of county juvenile facility to the Board and additionally requires that two of the existing positions, administrator of a community based correctional program and a public member, be filled with individuals working in or having substantial expertise in juvenile justice. In addition the bill would terminate all appointed Board terms on January 1, 1997 and require that new appointees serve terms of 2, 3 or 4 years, as specified.

AB 2112 was introduced to address a concern regarding the role of deputy sheriffs in promulgating policies employed in county jails which impact officer safety. This is a legitimate issue which I am more than willing to explore with the author. However, the bill inappropriately evolved into the entire dismemberment and reorganization of the Board of Corrections requiring termination of the positions of its currently appointed members.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2559

Governor's Office, Sacramento

September 30, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2559 without my signature.

This bill would exclude dielectric fluid that is removed from oil-filled equipment, filtered, and replaced into that equipment from the requirement that all used oil be managed as hazardous waste, provided it is managed according to federal regulations pertaining to used oil.

Dielectric fluids being handled during maintenance activities are already granted an exclusion from the hazardous waste management requirements, provided a limited number of conditions are met. It is both pointless to codify a practice that is already permitted and unwise to require statutory change if a better technical solution develops in the future.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2710

Governor's Office, Sacramento
September 30, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2710 without my signature.

This bill is one of three bills which authorizes county drug programs designed as alternatives to incarceration or diversion.

AB 2710 is materially similar to Senate Bill 1369, which I have signed this day. In addition to authorizing drug courts, SB 1369 eliminates the practice of assigning drug offenders to rehabilitation programs without a guilty plea in favor of conviction with a deferred entry of judgment.

This second issue is a matter of some significance. Drug rehabilitation programs without a criminal conviction have been largely discredited. Deferred entry of judgment requires the offender to plead guilty prior to commencement of a rehabilitation program. If the program is successfully completed, the judgment is never entered. If the offender fails to complete the program, the conviction stands and the offender is scheduled for sentencing. Under the current diversion procedure, when the offender fails to comply, the entire trial process must commence.

Unfortunately, the remaining provisions of SB 1369 conflict with AB 2710 to the degree that they would create two separate statewide authorizations for drug courts with conflicting eligibility criteria. The confusion caused would be ill advised.

Several of the provisions of AB 2710 are particularly desirable. AB 2710 would have limited eligibility for diversion providing that the offender could have no felony convictions and no prior diversion. In addition, the bill authorized warrantless search for individuals participating in diversion programs. Current law allows felony convictions and prior diversion if more than five years prior.

I strongly urge the author to reintroduce these requirements so that they may become part of the standard for deferred entry of judgment.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 3441

Governor's Office, Sacramento
September 30, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 3441 without my signature.

This bill would authorize the State Controller (SCO) to impose specified penalties upon, instead of withholding funds from, state agencies that fail to provide timely required financial reports to the SCO. It would also authorize the SCO to file small claims actions for payment of forfeiture penalties against local agencies that fail to file required reports on a timely basis, or to offset those penalties from any amounts owed to the local agency by the state.

While I am supportive of making every effort to comply with legislatively mandated reporting deadlines, it's inappropriate to further financially burden local jurisdictions with the punitive

provisions of this measure. This bill would unduly punish many small counties for lacking the available resources needed to comply with state reporting mandates.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 30th day of September 1996, at 5:20 p.m., of Assembly Bills Nos. 938, 2112, 2559, 2710, and 3441, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2769

Governor's Office, Sacramento

September 30, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2769 without my signature.

This bill would consolidate the funding for 26 of the 42 categorical programs currently funded in a single item of appropriation in the Budget Act of 1996 into four major block grants to be used for general rather than specific purposes beginning July 1, 1997.

The existing item of appropriation is intended to provide districts with a limited amount of flexibility while recognizing a continuing demand for each individual categorical program. In spite of this, consideration of new ways to reorganize and consolidate the large number of categorical programs is a worthwhile goal and has been suggested by many as a means of establishing more local flexibility and accountability and achieving efficiencies and cost savings at both the state and local level. AB 2769 is a remarkable effort in this regard.

Nevertheless, AB 2769 is seriously flawed because it would establish per-pupil funding targets for the new block grants at considerably higher levels than current funding would support. In fact, the amount of new equalization funding required on an annual basis to meet these targets could exceed \$300 million.

While the bill contains neither an appropriation nor an immediate cost to fund the equalization provisions, enormous pressure would be placed on the General Fund to meet the funding targets specified in the bill. Creating such pressure inherently diminishes the flexibility that the Legislature and the Executive need to craft a budget.

It is ironic that such a bill would follow on the heels of the highest funding level ever for our K-12 schools. In the budget just enacted in July, California's schools received a year-over-year general fund increase of \$1.4 Billion, for a total of \$18.9 Billion for 1996-97, or 8 percent. The two-year increase was 17 percent, or \$2.6 Billion.

However, the hard work invested in this bill need not be lost. Were it to arrive on my desk next year, in an amended form to remove the fundings targets and statutory cost-of-living and growth allowances, I would be very interested in revisiting the issue.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2960

Governor's Office, Sacramento
September 30, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2960 without my signature.

This bill would extend the sunset date for the Private Postsecondary and Vocational Education Reform Act by five years, from June 30, 1997 to June 30, 2002.

This program is at a critical stage of its overall development. The Council has done much to rid California of its prior "diploma mill" status. However, the Council is now at a point of determining some fundamental issues with respect to its overall purpose. Many of the bad operators have left the state or gone out of business. Who are the agencies still operating that are concerned about their livelihood? Quite a few, to judge by the mail to me regarding this legislation. However, and I think importantly, there has been little or no suggestion made in the correspondence to date that the Council should be eliminated. Most of the concern has dealt with two issues: (a) the level of the fees required for compliance and being able to stay in business, and (b) the manner in which the staff of the Council carry out their responsibilities.

With respect to the first, the larger, more capitalized schools do not have the same problem as the smaller schools that operate on a much smaller margin. We should do all we can to have many schools for the competition they provide. I would request that this issue be addressed either in the hearings on the Council that the author has committed to hold, or in subsequent legislation sent to me next spring to extend the life of the Council.

Secondly, I am concerned about the number of schools, all of whom are still operating, that have described a pattern of reprisals and vindictiveness in dealing with the Council staff. They are told that their only recourse is to take their questions and objections to court. Surely, the Council itself should provide some administrative appeal process short of litigation.

There has been concern expressed about the message that vetoing this bill would send. The statutes do not expire until June 30, 1997. The author has committed to hold extensive hearings this fall regarding the need for program reforms. Until that has occurred, it would be premature to extend the life of the program for such an extensive period of time. A bill can be introduced in January that would reach me before June 30, 1997.

A final note. The Council appears to have greatly impacted the operations of many fly-by-night schools, and should be commended for doing so. However, the goal is not to shut down as many schools as possible. Rather, it is the responsibility of the Council to protect students from potential scams, but to make sure there are as many options as possible available to students. There comes a point when we must be careful that we are not reducing supply for the point of reducing supply. I would like to have more assurances that we are not making it impossible or unreasonably difficult for many small businesses to operate before I extend the life of the Council.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 2188

Governor's Office, Sacramento
September 30, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 2188 without my signature.

This bill would expand the penalty to retailers who sell tobacco products to minors to include an infraction punishable by a fine of \$250. Employers with more than 30 employees are exempt from the infraction. The bill would also increase the penalties to minors for purchase or receipt of tobacco products and expand the penalty to apply to possession. This bill would redirect 50% of the fine revenues for these penalties from the State and Local General Funds to local tobacco education programs. The bill also would prohibit tobacco sales to prison inmates who are minors.

The exemption from the infraction for an employer with 30 or more employees was taken at the request of the union who don't want their workers subject to an infraction for selling tobacco products to minors. This provision inappropriately sets a double standard for penalizing sellers.

Cordially,

PETE WILSON

Veto Message—Assembly Bill No. 824

Governor's Office, Sacramento
September 30, 1996

To the Members of the California Assembly:

I am returning Assembly Bill No. 824 without my signature.

This bill would establish the Commission on Adult Education and Noncredit Programs (Commission); expand the list of adult education courses that could be offered for state apportionment; and require that the Superintendent of Public Instruction and the Chancellor of the California Community Colleges jointly develop a plan addressing various adult education and non-credit program issues.

It is not necessary to establish a new commission for the purposes envisioned by the bill. It would be far better for the Board of Governors of the Community Colleges and the State Board of Education to create a working group to address the issues and problems attendant to the two segments, and I would encourage them to do so.

Secondly, under current law, school district adult education and community college non-credit programs receive state apportionment funding only for specified courses. They may also offer other classes, including those in foreign language instruction, for which they may charge a fee to the pupils enrolled to cover the expenses of providing the classes.

Offering foreign language classes as one of the state-subsidized offerings could result in the displacement of other high priority education courses that are currently within the limited statutory funds provided for these programs. This will increase pressure on the state to increase the allocation to adult education. User fees, as

provided under current law, are the appropriate resource for adult courses in foreign language.

Also, it is noted that community colleges offer college credit courses in foreign languages at a modest fee which may be waived for those who demonstrate financial need. Therefore, the state already supports adults seeking multilingual skills to enhance their employment opportunities or for personal development.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 30th day of September 1996, at 10:10 p.m., of Assembly Bills Nos. 2769, 2960, 2188, and 824, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

MELISSA ANN SWART-WEIKEL
Acting Chief Clerk of the Assembly

The following item veto messages from the Governor were received, and ordered printed in the Journal: and the item vetoes placed on the unfinished business file:

Item Veto—Assembly Bill No. 2179

Governor's Office, Sacramento
September 14, 1996

To the Members of the California Assembly:

I have signed on this date Assembly Bill No. 2179. However, I am reducing item 3790-001-001 (a) by \$88,562.85.

This claim is to pay for attorney fees to an individual who received a \$283,447 payment for his merit award suggestion. Regulations covering the merit award program do not allow for the payment of either interest or attorney fees. This individual received a substantial award and chose, on his own, to hire legal counsel in order to receive interest on the award amount.

The Merit Award Board Program is a voluntary program which monetarily rewards state employees for suggestions that save the state, and taxpayers, money. Retention of counsel was a decision made by an individual in an effort to compensate for what he considered to be an unreasonably long reimbursement process. Paying this claim will set a troublesome precedent with respect to attorney fees and/or interest payments, neither of which belong in a voluntary program of rewarding cost-efficient suggestions.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 16th day of September 1996, at 10:25 a.m., of the Governor's statement of the items of appropriation reduced or eliminated from Assembly Bill No. 2179 delivered to me personally by Karen Morgan.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Item Veto—Assembly Bill No. 574

Governor's Office, Sacramento
September 25, 1996

To the Members of the California Assembly:

This bill would make various changes to existing law regarding peace officer authority, training, and certification for deputy sheriffs involved in the supervision, security, and movement of inmates. Additionally, this bill would entitle Los Angeles safety police officers and public rangers to funding from the Peace Officers' Training Fund (POTF).

I am signing Assembly Bill No. 574, however, I am deleting the appropriation in Section 5 of the bill which would allow safety police officers and park rangers in Los Angeles County to be entitled to funding from the POTF. This provision would provide up to \$45,000 directly to the County of Los Angeles under specified conditions.

Currently, the Commission on Peace Officer Standards and Training (POST) provides financial assistance to law enforcement agencies throughout the State to increase the effectiveness of law enforcement personnel through training and career development programs. Reimbursement funding is provided to eligible law enforcement entities on a priority basis to address the needs of law enforcement agencies involved in police work. Although the bill contains a number of provisions which I support, Assembly Bill 574 would set a precedent by making an appropriation directly to a local law enforcement group, thereby eliminating the ability of POST to prioritize the allocation of these limited resources. Additionally, I am concerned that this bill may encourage other law enforcement agencies to seek funding through legislation, rather than utilizing the discretion of POST to prioritize these funds. While this group of officers merit training, reserving funds for this group of officers would limit the resources available to reimburse the existing list of eligible law enforcement agencies. For these reasons, I am vetoing provisions of Section 5, paragraph (b).

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 26th day of September 1996, at 4:47 p.m., of the Governor's statement of the items of appropriation reduced or eliminated from Assembly Bill No. 574 delivered to me personally by Karen Morgan.

MELISSA ANN SWART-WEIKEL
Acting Chief Clerk of the Assembly

The following messages from the Governor were received and ordered printed in the Journal:

Governor's Office, Sacramento
September 25, 1996

To the Members of the California Assembly:

I have on this date signed Assembly Bill No. 1068.

Unfortunately, this bill will not become operative because it contains a provision that renders the bill inoperative if AB 2460 of the 1995-96 Regular Session is not enacted. That bill will not be enacted because it was never sent to me by the Legislature.

However, the contents of this bill would help school districts in their efforts to reduce class size. The bill would:

- add an urgency clause to AB 1432 (Richter) which I have already signed;
- allow retired teachers to return for this fiscal year and the two subsequent fiscal years without a penalty on their retirement benefits;
- appropriate \$4.5 million for the district interim program, allowing for more interns in the classroom; and
- delay the requirement, until the next exam is offered, for passage of the California Basic Educational Skills Test (CBEST) for teachers who (a) did not previously have to take the test, and (b) have not taught for more than 39 months.

I support all of these provisions and would ask the Legislature to send urgency legislation to me in December that deletes the contingency in this bill on enactment of AB 2460. We need to do all we can to keep class size reduction efforts on track.

Cordially,

PETE WILSON

Governor's Office, Sacramento
September 25, 1996

To the Members of the California Assembly:

I have on this date signed Assembly Bill No. 2895; however, it will not become law because of its contingency on enactment of a bill that did not reach my desk.

This bill would have appropriated \$2.25 million of Proposition 98 funds to the Los Angeles Unified School District to provide an early intervention program for at-risk students in grades 6 through 9, inclusive, who are otherwise eligible to be served by community day schools.

I would encourage the sponsors and the author to work with my Administration to look at this concept in combination with programs envisioned in two other bills—bills which I have vetoed for reasons unrelated to the potential merits of those programs. I would like to have these programs considered for possible inclusion in the next

budget. The common thread in all three bills is one that I strongly support—trying to straighten out youth who are headed down the wrong path.

Cordially,

PETE WILSON

Governor's Office, Sacramento
September 27, 1996

To the Members of the California Assembly:

I have on this date signed Assembly Bill No. 2588.

This bill will modify the initial penalty which would be imposed on physicians and surgeons who have added, or marked-up, charges for unspecified laboratory services.

This bill is intended to provide physicians and surgeons who accidentally fail to comply with the prohibition against billing mark-ups with a reduced penalty and the opportunity to modify their billing procedures.

While I am concerned about physicians and surgeons who accidentally fail to comply with the prohibition against marked-up billings, I am troubled by the bill's potential to provide this same reduced penalty to physicians and surgeons who knowingly and willfully break the law against marked-up billings to increase their income. Further, I am concerned about the capacity of the California Medical Board to assume enforcement responsibilities on this area in the absence of a more defined plan.

To address my concerns, I am directing the Department of Consumer Affairs to work with the Medical Board of California and the medical and legal communities to carry out two objectives. First, I am directing the Department of Consumer Affairs to develop legislation for introduction in January, 1997, which will assure that those physicians and surgeons who knowingly commit fraud through mark-up billings are criminally prosecuted for first-time offenses. Second, I am directing the Department of Consumer Affairs to work with the Medical Board to assure that the Board has a defined plan of action for timely and effective enforcement of the provisions of AB 2588 and the provisions of current law regarding mark-up billings.

Cordially,

PETE WILSON

Governor's Office, Sacramento
September 29, 1996

To the Members of the California Assembly:

On this date I have signed Assembly Bill No. 3478.

I am pleased to sign AB 3478 because it embodies the best traditions of mutual support and respect maintained by the public and its most essential and heavily entrusted public servants, the peace officers and firefighters who risk their lives daily so that others may be safe.

My compliments and gratitude are extended to the author, Assemblyman Fred Aguiar. I would be remiss, however, if I did not

take this opportunity to comment on the long and torturous path this legislation took on its way to my desk.

On October 12th of last year I committed in writing to providing health benefits to the families of peace officers killed in the line of duty. My commitment was not equivocal, it stated that "I think this is a desirable policy. It gives reassurances to peace officers whose chosen profession has grown decidedly more dangerous. I would happily sign this provision." I made it equally clear that peace officers were a special class and that I would not interfere with employment contracts between local governments and non peace officer employees. This position was communicated in the veto message for AB 399 a bill sponsored by P.O.R.A.C., an association of peace officer unions.

This year P.O.R.A.C., entrusted with representing the interests of fallen officers, rejected the option of quickly passing a bill limited to the families of officers killed in the line of duty and instead spent \$500,000 on TV ads to proclaim that benefits for these families was all they actually wanted. The advertisements proclaimed that I had denied these benefits, had no compassion, and urged that I remedy the need, neglecting to disclose that I was already committed to do so in writing. The expenditure for this charade was sufficient to provide 100 of these very families with health benefits for a year.

On January 29th AB 1537 (Aguiar) a bill I sponsored to address this issue was amended to a form virtually identical to the bill signed today. As with this bill it was more beneficial in at least two material respects than the bill (AB 399, Cannella) vetoed last year. First, it included firefighters who are rightly contemplated as partners in public safety. In addition it provides health benefits for families of peace officers and firefighters who die as a result of an accident or injury in addition to those killed in the line of duty. This bill passed from the California Assembly on January 31, 1996 on a vote of 76-0. The bill was poised for expedited review in the Senate and could become law within days. The tortured path of AB 3478 did not stop here.

Despite its obvious advantages and the support of nearly every reputable peace officer and firefighter association in California, every possible hostile tactic and legislative maneuver was employed to stall, commandeer, and ultimately amend the bill back to P.O.R.A.C.'s original version. The inclusion of employees from cemetery, sanitation, mosquito abatement, and hundreds of other non-peace officer agencies resulted in the defeat of that bill.

All the while the families waited as representative fought a battle which was not theirs. Today that wait ends.

Cordially,

PETE WILSON

Governor's Office, Sacramento
September 30, 1996

To the Members of the California Assembly:

On this date I am signing Assembly Bill No. 33

This bill would require the Department of Motor Vehicles to refuse to issue or renew a driver's license or identification card to a person determined and found by federal authorities to be a deported alien.

This proposal, when it applied to persons determined to be deportable, those who have not been formally "deported", was authored by Assembly Goldsmith and sponsored by the Department of Motor Vehicles. It is my understanding that the Assemblyman Goldsmith bill failed by one vote on the Assembly floor, with one of the abstaining votes being cast by this author.

This measure is clearly inferior to the original Assemblyman Goldsmith legislation. My signing AB 33 should not be interpreted as agreement with the author's refusal to vote for the other measure. I will be urging Assemblyman Goldsmith to pursue the stronger legislation again next year.

Cordially,

PETE WILSON

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 20

FINAL RECESS

Assembly Chamber, Sacramento
Friday, October 11, 1996

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1995-96 Regular Session was printed while the Assembly was in Final Recess:

COMMUNICATIONS

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

October 11, 1996

E. Dotson Wilson
Chief Clerk, State Assembly
State Capitol, Room 3196

Dear Mr. Wilson: Please be advised that Assembly Members Firestone, Margett, and McPherson are temporarily appointed to the Rules Committee for the purposes of today's hearing, replacing Assembly Members Alby, Brewer and Knight.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

October 11, 1996

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

Dear Mr. Wilson: Please be advised that the Assembly Rules Committee met today and appointed Assembly Member Steven T. Kuykendall as the Chair of the Assembly Utilities and Commerce Committee.

Sincerely,

CURT PRINGLE
Chair, Committee on Rules

The following letters of transmittal were presented by the Speaker, and ordered printed in the Journal:

California State Auditor

96023

October 1, 1996

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by Chapter 865, Statutes of 1995, the Bureau of State Audits presents its audit report concerning the Employment Training Panel's (panel) contracting and administrative practices. This report concludes that the panel has achieved many of its training program responsibilities despite some administrative and planning problems. Specifically, we found that the panel accomplishes many of its program and administrative responsibilities. However, the panel could improve its strategic planning by stating its objectives in measurable terms and establishing performance benchmarks for its employees. Additionally, the panel needs to better estimate the amount of money its training contractors will earn each year, as the amounts that remain unspent are excessive. Finally, the panel has engaged in certain administrative practices that, although legal, appear to be improper, including extending the life of its appropriated funds, expending more than 15 percent of appropriated funds on administration, and encumbering funds to a contract from which the panel received no training services.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Labor and Employment.

California State Auditor

95124

October 3, 1996

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the preliminary performance-based budgeting plan of the California Conservation Corps. This report concludes that the California Conservation Corps has made progress on establishing a performance-based budgeting plan, but it can continue to improve the plan. In particular, it should fully develop procedures to measure whether ex-corpsmembers have better employment records than

nonparticipants. It should also improve controls to ensure the accuracy of data reported for performance-based budgeting purposes.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Natural Resources.

California State Auditor

95115

October 2, 1996

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report entitled "Office of Historic Preservation: Did Not Always Comply With Requirements for Sole-Source Contracts." This report concludes that the Office of Historic Preservation (OHP) sometimes failed to comply with the requirements for sole-source contracts. For example, the OHP did not always justify contract amounts as part of the contract planning process or include market surveys in its requests for sole-source approval. In addition, the OHP did not always adhere to contract payment terms or require contractors to provide adequate documentation to support invoiced amounts. Finally, the OHP did not always ensure that the contracts included essential elements such as progress schedules and detailed budgets.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Water, Parks and Wildlife.

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

October 7, 1996

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

Dear Dotson: Please be advised that the following payment has been received by the Assembly Rules Committee in connection with the California Commission on the Status of African-American Males:

Source	College of Alameda
Amount	\$1,500.00
Purpose	California Commission on the Status of African-American Males

Person/Class for

Whom Payment Used Assembly Member Barbara Lee and Staff

Please cause this information to be printed in the Assembly Journal in accordance with HR 37 and Regulation 18944.2 of the Fair Political Practices Commission, Title 2, Division 6 of the California Code of Regulations.

Very truly yours,

JIM RICHARDSON
Chief Administrative Officer
Assembly Rules Committee

The following communication was presented by the Chief Clerk from:

Kathleen F. DaRosa, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copy of the title, summary, and text of the following proposed initiative, pursuant to Section 9007, Elections Code:

**Sentencing. Repeat and Multiple Offenders.
Initiative Statute.**

Referred by the Speaker to the Committee on Judiciary.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Public Safety Subcommittee on Juvenile Justice, on October 25, 1996.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 21

FINAL RECESS

Assembly Chamber, Sacramento
November 30, 1996

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1995-96 Regular Session was printed while the Assembly was in Final Recess:

COMMUNICATIONS

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

October 21, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Chapter 908, Statutes of 1993-1994, I have appointed Assemblyman Tom Woods to the Joint Legislative Sunset Review Committee, replacing Assemblywoman Jackie Speier, who is removed.

This is also to notify you of the resignation of Assemblyman Bruce Thompson from this Committee. I intend to appoint a member of the Democratic Caucus to fill the vacancy this resignation creates, in an effort to retain the partisan balance as required by law.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

October 22, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Government Code, Section 15490, I have appointed Assemblywoman Kerry Mazzoni to the State Allocation Board, replacing Assemblyman Robert Campbell, who is removed.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 14, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Senate Resolution in 1974, I have appointed Assemblyman Tom Woods to the Western States Forestry Legislative Task Force, to fill an existing vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 15, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Government Code, Section 15490, I have appointed Assemblyman Keith Olberg to the State Allocation Board replacing Assemblyman Jim Brulte, who is removed.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 21, 1996

*E. Dotson Wilson
California State Assembly
State Capitol Building, Room 3196
Sacramento, California*

Dear Mr. Wilson: Please be advised pursuant to Health and Safety Code Section 1777, I have appointed John Breaux to the Committee on Continuing Care Contracts of the State Department of Social Services to fill an existing vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 21, 1996

*E. Dotson Wilson
California State Assembly
State Capitol Building, Room 3196
Sacramento, California*

Dear Mr. Wilson: Please be advised pursuant to Public Resources Code Sections 5090.15–5090.24, I have appointed James Bramham to the Off-Highway Motor Vehicle Recreation Commission for a term ending January 15, 2000 replacing John Motley, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 26, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Government Code, Section 15490, I have appointed Assemblyman David Knowles to the State Allocation Board replacing Assemblywoman Kerry Mazzoni, who is removed.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

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

November 5, 1996

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

Dear Dotson: Please be advised that the following payment has been received by the Assembly Rules Committee in connection with the California Commission on the Status of African-American Males:

Source	Jeffery D. Whitmore
Amount	\$500.00
Purpose	California Commission on the Status of African-American Males

Person/Class for

Whom Payment Used Assembly Member Barbara Lee and Staff

Please cause this information to be printed in the Assembly Journal in accordance with HR 37 and Regulation 18944.2 of the Fair Political Practices Commission, Title 2, Division 6 of the California Code of Regulations.

Very truly yours,

JIM RICHARDSON
Chief Administrative Officer

The following letters of transmittal were presented by the Speaker, and ordered printed in the Journal:

California State Auditor
Investigative Report I960030
October 16, 1996

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: The Bureau of State Audits presents its investigative report concerning theft of funds from the

Deferred Compensation Plan at the Department of Personnel Administration.

Sincerely,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Public Employees, Retirement and Social Security.

California State Auditor

96106

October 23, 1996

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California 95814*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the Los Angeles County Department of Children and Family Services (DCFS) and its administration of child protective services within Los Angeles County. This report concludes that the DCFS does not always comply with its own risk assessment policies. In some cases, the DCFS did not prepare risk assessment documents, or the documents were inadequately prepared. In addition, the risk assessment method used by the DCFS does not appear to be the best method available. It is not based on a study of actual cases and, therefore, may be less able to predict future child abuse or neglect than the risk assessment methods used in other states. Finally, we found that the DCFS does not always comply with other child safety procedures, such as monthly visits, criminal background checks, and timely medical assessments of children.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Human Services.

California State Auditor

95111

November 13, 1996

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the Department of Transportation's (department) management of properties along the State Route 710 right-of-way. This report concludes that the department's District 7 (district) office could further improve the management of its properties along the corridor of the proposed State Route 710

extension project. Specifically, the district allowed many of its properties to fall into disrepair and is now spending significant amounts of money to repair and rehabilitate its historic properties along the corridor. We agree that the district must repair these properties to eliminate health and safety hazards and to preserve their historic qualities. However, the district plans to "fully rehabilitate" approximately 100 of these properties. Based on the more than \$2 million that the department will incur to fully rehabilitate the first 4, the total costs will run into the tens of millions of dollars. We therefore question the prudence of this approach, especially since the State's investment will not be recovered because it is unlikely that these properties will be sold at fair market value.

In addition, although the department has made changes to improve the district's property management unit, the district could make further improvements by controlling those instances in which tenants pay for repairs to department properties and then offset the cost of these repairs against their rent payments. The district's property management unit also needs to improve its handling of delinquent accounts, and charge market rents for its properties or document the reasons for the lower rates.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Transportation.

California State Auditor

95125
November 19, 1996

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning redevelopment agencies' effectiveness in eliminating blight. This report concludes that because blight has a broad definition and state law does not require redevelopment agencies to report on the results of their efforts, inadequate information exists to evaluate the effectiveness of agencies' redevelopment efforts. In addition, although most redevelopment agencies appear financially sound, some may face fiscal challenges. Finally, redevelopment plans generally comply with the law, but they need to contain more detailed information.

Respectfully submitted,

MARY P. NOBLE
for
KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Housing and Community Development.

California State Auditor

96019

November 21, 1996

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by Chapter 518, Statutes of 1995, the Bureau of State Audits presents its audit report concerning Los Angeles County's (county) fiscal condition. This report concludes that the county was successful in achieving a balanced budget for fiscal year 1995-96; however, the county is dependent on departments making additional cuts of \$51 million to achieve a balanced budget for fiscal year 1996-97. Also the county still needs to find a funding source for the estimated cost of \$48.5 million to operate its probation camps during fiscal year 1996-97. Future fiscal challenges continue to face the county, including the effects of federal welfare reform, litigation surrounding the general relief program, and finding long-term solutions to the county's ongoing budget problems.

As part of this audit, we also review the Los Angeles County Sheriff's Department (LASD). We believe that the LASD could achieve savings of \$4.3 million annually by converting the positions of some sworn officers that perform administrative work to civilians. In addition, the LASD could save \$25.4 million to \$33.6 million annually by employing civilian corrections officers, instead of sheriff's deputies, as custody staff in the jails. However, we recommend that the LASD further study the feasibility of this conversion before making a change. The LASD could save an additional \$1.2 million annually by closing the jail bakery and purchasing baked goods from commercial sources.

Additionally, the LASD now has a plan to open the new Twin Towers jail; we found that this plan demonstrates imagination, willingness to take acceptable risks, and a greater concern for cost-effectiveness than the original plan to operate Twin Towers. However, we found that the LASD could further reduce budgeted costs to operate Twin Towers by \$3.4 million to \$4.9 million annually.

Respectfully submitted,

MARY P. NOBLE

for

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Budget.

The following communications were presented by the Chief Clerk from:

Kathleen F. DaRosa, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title, summary, and text of the following proposed

initiatives, pursuant to Section 9007, Elections Code:

**Education. Prohibition Against Compulsory Education.
Initiative Constitutional Amendment.**

Referred by the Speaker to the Committee on Education.

The following communication was presented by the Chief Clerk from:

S. Kimberly Belshe, Director, Department of Health Services, Sacramento, dated October 9, 1996, relative to the implementation of the automated eligibility verification system for Medi-Cal recipients.

Referred by the Speaker to the Committee on Health.

REPORTS

The following reports were presented by the Chief Clerk:

**Report on Permit Assistance Centers—Measures for Evaluation
(Pursuant to Supplemental Report of the 1996 Budget Act)**

Above transmitted report, together with letter of transmittal from Peter M. Rooney, Undersecretary, California Environmental Protection Agency, Sacramento dated August 30, 1996, referred by the Speaker to the Committee on Budget.

**Natural Community Conservation Planning Program, Quarterly Report
(April–June 1996)
(Pursuant to Supplemental Report of the 1992 Budget Act)**

Above transmitted report, together with letter of transmittal from Jacqueline E. Schafer, Director, Department of Fish and Game, Sacramento, dated September 26, 1996, referred by the Speaker to the Committee on Budget.

**Report on the Implementation of the Madera County
Assessment Practices Survey
(Pursuant to Government Code Section 15645)**

Above transmitted report, together with letter of transmittal from Thomas P. Kidwell, Madera County Assessor, Madera, dated September 27, 1996, referred by the Speaker to the Committee on Revenue and Taxation.

Undocumented Immigration to California: 1980–93

Above transmitted report, together with letter of transmittal from David W. Lyon, President, Public Policy Institute of California, San Francisco, dated September 30, 1996, referred by the Speaker to the Committee on Public Safety.

**The California Commission on Health and Safety and Workers' Compensation,
1995–96 Annual Report**

Above transmitted report, together with letter of transmittal from Tom Rankin, Chairman, Commission on Health and Safety and Workers' Compensation, Department of Industrial Relations, San Francisco, dated September 16, 1996, referred by the Speaker to the Committee on Insurance.

Gang Violence Suppression Program, Annual Report

Above transmitted report, together with letter of transmittal from Ray Johnson, Executive Director, Office of Criminal Justice Planning, Sacramento, dated September 1996, referred by the Speaker to the Committee on Public Safety.

**Accounts Receivable Management Act Report, December 1, 1995
(Pursuant to Senate Bill 1938, Chapter 1224, Statutes of 1994)**

Above transmitted report, together with letter of transmittal from Victoria L. Bradshaw, Director, Employment Development Department, Sacramento, dated October 1, 1996, referred by the Speaker to the Committee on Labor and Employment.

**Taxpayers' Bill of Rights, Annual Report to the Legislature
(Pursuant to Revenue and Taxation Code Sections 21006 and 21009(a))**

Above transmitted report, together with letter of transmittal from Gerald H. Goldberg, Executive Officer, Franchise Tax Board, Sacramento, dated October 1, 1996, referred by the Speaker to the Committee on Revenue and Taxation.

**California State Lottery Fiscal Year 1995-96, Contracts Over \$100,000
(Pursuant to Government Code Section 8880.56(b).(5))**

Above transmitted report, together with letter of transmittal from Melissa Meith, Chief Counsel, Legal Office, California Lottery, Sacramento, dated October 2, 1996, referred by the Speaker to the Committee on Governmental Organization.

**Annual Report, Fraud Deterrence and Detection Activities, June 30, 1996
(Pursuant to Senate Bill 1584, Chapter 967, Statutes of 1994)**

Above transmitted report, together with letter of transmittal from Victoria L. Bradshaw, Director, Employment Development Department, Sacramento, dated October 4, 1996, referred by the Speaker to the Committee on Labor and Employment.

**Report to the Legislature, Management of Fish and Wildlife on
Private Lands, July 1994
(Pursuant to Fish and Game Code Section 3409)**

Above transmitted report, together with letter of transmittal from Jacqueline E. Schafer, Director, Department of Fish and Game, Sacramento, dated October 4, 1996, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**1995 Status Report Pesticide Contamination Prevention Act
(Pursuant to Food and Agricultural Code Section 13144(b))**

Above transmitted report, together with letter of transmittal from James W. Wells, Director, Department of Pesticide Regulation, Sacramento, dated October 8, 1996, referred by the Speaker to the Committee on Agriculture.

**1996 Third Quarter, Report to the Legislature
Concerning the Implementation of AB 3490 and AB 1476 (Moore)—
Upgrade of Professional Standard Regarding
Highway Safety Standards/Workers' Compensation Requirements**

Above transmitted report, together with letter of transmittal from William R. Schulte, Director, Consumer Services Division, Public Utilities Commission, San Francisco, dated October 7, 1996, referred by the Speaker to the Committee on Utilities and Commerce.

**Victims of Crime Quarterly Status Report, January 1996-March 1996
(Pursuant to Government Code Section 13969.2)**

Above transmitted report, together with letter of transmittal from Peter G. Stamison, Chair, State Board of Control, Sacramento, referred by the Speaker to the Committee on Public Safety.

**Partial Service Retirement Program
(Pursuant to Government Code Section 19996.40)**

Above transmitted report, together with letter of transmittal from David J. Tirapelle, Director, Department of Personnel Administration, Sacramento, dated October 16, 1996, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**California State Council on Developmental Disabilities,
1995-97 State Plan Update, August 15, 1996
(Pursuant to Welfare and Institutions Code Section 4565)**

Above transmitted report, together with letter of transmittal from James McDowall, Council Chairperson, State Council on Developmental Disabilities, Sacramento, dated October 30, 1996, referred by the Speaker to the Committee on Health.

**Building on a Solid Foundation, 1995-96 Annual Report
(Pursuant to California Health and Safety Code Section 51005)**

Above transmitted report, together with letter of transmittal from Maureen Higgins, Executive Director, California Housing Finance Agency, Sacramento, dated November 1, 1996, referred by the Speaker to the Committee on Housing and Community Development.

**Seventh Annual Report, Job Classifications of Employees Paid Benefit
from the Uninsured Employers Fund (UEF), Fiscal Year 1995-96
(Pursuant to Labor Code Section 3716.5)**

Above transmitted report, together with letter of transmittal from Lloyd W. Aubry, Jr., Director, Department of Industrial Relations, San Francisco, dated November 1, 1996, referred by the Speaker to the Committee on Insurance.

**California Environmental Protection Agency Loaned Employee Report,
1996-97 Supplemental Report Language
(Pursuant to Supplemental Report of the 1996 Budget Act,
Items 0555-001-044.2 and .3)**

Above transmitted report, together with letter of transmittal from Peter M. Rooney, Undersecretary, California Environmental Protection Agency, Sacramento, dated November 1, 1996, referred by the Speaker to the Committee on Budget.

**1996 OAL Determination No. 1, [Docket No. 90-032], November 1, 1996
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from John D. Smith, Director, Office of Administrative Law, Sacramento, dated November 4, 1996, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency, and Economic Development.

**The Use of Safety-Enhanced Product Design for Medical Devices in California
(Pursuant to Health and Safety Code Section 429.13)**

Above transmitted report, together with letter of transmittal from S. Kimberly Belshe, Director, Department of Health Services, Sacramento, referred by the Speaker to the Committee on Health.

**California State Lottery Fund, Financial Statements, June 30, 1996
(Pursuant to Government Code Section 8880.43)**

Above transmitted report, together with letter of transmittal from Patricia Eberhart, Chief, Finance Department, California Lottery, Sacramento, dated October 31, 1996, referred by the Speaker to the Committee on Governmental Organization.

**Criminal Background Check Update
(Pursuant to Budget Item 4260-001-900, Provision 5)**

Above transmitted report, together with letter of transmittal from S. Kimberly Belshe, Director, Department of Health Services, Sacramento, dated November 8, 1996, referred by the Speaker to the Committee on Budget.

**Department of Forestry and Fire Protection,
1995-96 Emergency Fire Suppression Expenditure Report
(Pursuant to Budget Act of 1995, Provision 2, Item 3540-006-001)**

Above transmitted report, together with letter of transmittal from Richard A. Wilson, Director, Department of Forestry and Fire Protection, Sacramento, dated November 8, 1996, referred by the Speaker to the Committee on Budget.

**Report to the Legislature on the Winter Floods of 1995 Disaster Loans
(Pursuant to Corporations Code Section 14037.7)**

Above transmitted report, together with letter of transmittal from Julie Meier Wright, Secretary, California Trade and Commerce Agency, Sacramento, dated November 8, 1996, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency, and Economic Development.

**Executive Report on Parole Review Decisions,
January 1, 1995-December 31, 1995
(Pursuant to Article V, Section 8(b) of California Constitution)**

Above transmitted report, together with letter of transmittal from Pete Wilson, Governor, State of California, Sacramento, referred by the Speaker to the Committee on Public Safety.

**Quarterly Status Report of Major Capital Outlay Projects,
Period Ending September 30, 1996**

Above transmitted report, together with letter of transmittal from Peter G. Stamison, Director, Department of General Services, Sacramento, dated November 20, 1996, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency, and Economic Development.

**Classification Band Proposal for
the Health and Welfare Agency Data Center Demonstration Project
(Pursuant to Government Code Sections 19600 et seq.)**

Above transmitted report, together with letter of transmittal from C. Lance Barnett, Ph.D., Executive Officer, California State Personnel Board, Sacramento, dated November 20, 1996, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

STATEMENT OF ASSEMBLY EXPENDITURES PRINTED IN JOURNAL

The following Statement of Assembly Expenditures was ordered printed in the Journal:

*Honorable Members of the Assembly
State Capitol, Sacramento, California*

Dear Members: Transmitted herewith is the annual report of Assembly expenses. It includes the total expenditures by Member, committee, leadership office, service operation, and overhead according to various categories for the 12-month period ending November 30, 1995. Every expenditure made from the Assembly Operating Fund during this period is accounted for. Additionally, the report includes an itemization, by Member, of per diem expenditures from the General Fund during the same period of time.

It is important to note that this report is compiled on a cash basis. Therefore, the cost of goods and services incurred by a Member during the preceding reporting period but paid for during the current period are included. Furthermore, some goods and services which were received toward the end of this reporting period were not paid for until the beginning of the December 1995–November 1996 reporting period and are, therefore, not included in this expenditure report.

The following indicates the types of expenditures which are included within each classification:

Staff Salary: This includes the salaries paid to all employees in the Member's district office as well as those employees who work in the Member's Capitol office, provided they are not committee or leadership office personnel. The salaries of the latter group of employees are included in the specific detail report for each of the respective committee and leadership offices.

All Assembly personnel are classified according to job descriptions approved by the Assembly Rules Committee. The committee has established specific salary ranges for each of the classifications. The salary within a range for a specific employee reflects a combination of years of service in his or her position and his or her own job performance since the amount of annual merit salary increases is based on evaluations of each employee's work. Thus, a Member whose office staff includes employees with substantial Assembly seniority, and/or outstanding records of service, will have a higher total expenditure for salaries than will a Member who employs more junior personnel.

Member Travel and Per Diem: Separate totals are shown for in-state travel and out-of-state travel. Most in-state travel expenditures are for attendance at interim committee hearings. Out-of-state travel expenditures are generally for participation in conferences dealing with an issue area pertinent to the legislative specialty of the Member or are for investigative trips.

Staff Travel: Almost all expenditures reported, by Member, in this category, are for mileage reimbursements to district office personnel. The staff travel expenditures reported, by committee, are generally costs incurred in connection with interim committee

hearings which are generally held away from Sacramento for the convenience of citizens who wish to provide testimony to the committees.

Car Lease: The amount reported in this category is the share of the automotive lease payment made by the Assembly Rules Committee. Assembly policy stipulates that a car will be leased for the legislative use of each Member but that the Assembly will pay only 90% of the monthly lease rate or \$400, whichever is less. The Member must pay the difference from personal funds.

Car Maintenance: The costs reported in this category will vary significantly because of the variance in the number of miles driven by the Members. Members in large-sized districts and Members who represent districts wherein air travel between the Capitol and the district is not practical tend to utilize their cars more than other Members. Accordingly, the maintenance costs of such cars is likely to be higher than for others.

Gas and Oil: Expenditures in this category are for gasoline and oil supplied to cars and private aircraft for legislative business. These costs, too, vary for the same reasons as those affecting car maintenance.

Car Rental, Staff and Member: This expenditure category includes the use of state-owned pool cars and commercial rental cars by both the Member and his/her staff in the course of legislative business.

This category, as listed in the Support Services section of the report, includes, in addition to car rental, the costs of gas, oil, and maintenance for cars utilized by the office of the Sergeant at Arms.

District Office Rent, Maintenance and Utilities: Each Member is entitled to rent an office within the district he/she represents so that constituents may have direct access to their legislators. In some of the larger districts, two or three offices are sometimes authorized. Accordingly, Members representing districts in high-rent metropolitan areas or Members representing large districts requiring more than one office will be reported with higher expenditures in this category than will other Members. Costs included in this expenditure item are rent, utilities (except telephone), janitorial service, and incidental maintenance costs.

Telephone and Telegraph: All telephone charges (except equipment installation charges for the Capitol phones) are reported in this expenditure category. Included are district office phones, Capitol phones, credit card charges, and state lease-line charges. Members who will likely have higher charges than many of their colleagues are those representing districts which are either far from the Capitol, in areas not serviced by the state lease-line network, or in regions which cover large geographic areas.

Postage: The category includes the total amount expended for postage except for the postage utilized in the mailing of legislative mailings.

Communications—Printing and Postage: The costs included in this expenditure category are printing, handling and mailing of legislative mailings authorized under provisions of Proposition 73 of June, 1988.

Furniture and Equipment: This category includes the purchase, rental, and maintenance of certain furniture and equipment items utilized in the Capitol and district offices of the Members. It does not

include the purchase of items which will, during the course of their usefulness, be utilized by a number of Members during succeeding years. Expenditures for items of that description are reported in the Furniture and Equipment category as General Overhead expenditures.

Office Supplies: Stationery items, other printing costs charged to the Assembly Operating Fund, general office supplies, and related miscellaneous supplies utilized in the Members' Capitol and district offices are reported in this expenditure category.

Subscriptions and Publications: Each Member is authorized to subscribe to the newspapers generally circulated within his/her district and to certain metropolitan daily newspapers. Members representing districts which include many cities and towns will frequently have higher expenditures in this category than will Members representing relatively compact areas. Expenditures for subscriptions and publications incurred by the committees and leadership offices are reported separately. Each committee is authorized to purchase relevant books and to subscribe to periodicals specializing in the subject matter of the committee for which the expenditure is made.

Miscellaneous Services: Most of the expenditures shown in the Miscellaneous Services category for the Members are for services such as telephone answering services in district offices and newspaper clipping services. Included in this category for the committee reports are such items as witness expenses, meeting expenses, data-processing costs, and other miscellaneous services.

A number of operational costs incurred by the Assembly are not directly attributable to any of the Members, committees, leadership offices, or support services. Such expenditures are classified as General Overhead and are reported according to the following categories:

Miscellaneous Salaries: Accrued vacation payments made to terminating employees, and salaries paid to employees on extended sick leave are reported in this category.

Employee Benefits: This expenditure category includes the Assembly's contribution to the OASDI (Social Security) fund, the Public Employees' Retirement System, various health and dental insurance premiums, the Compensation Insurance Fund, and unemployment and disability insurance.

Building Rent, Maintenance and Utilities: Reported in this expenditure category are construction and remodeling costs and the rent, maintenance, and utilities for offices (other than Members' individual district offices) utilized and paid for by the Assembly outside the Capitol.

Telephone: This listing is for the cost of telephone equipment installation in all Assembly offices except for the Member's district office.

Furniture and Equipment: The expenditure indicated in this category is for the purchase, rental, and maintenance of furniture and equipment not reported elsewhere in the report. Most furniture and equipment is considered a capital investment which will be used,

through the years, by a number of different Members or other offices and can therefore not be appropriately reported as an expense on behalf of any particular Member or office.

Office Supplies: The amount shown in this expenditure category represents office supplies which were purchased by the Assembly for the use of Members and other offices but which were not distributed to any such offices before the end of this reporting period.

Annotated Codes and Law Books: Each Member's office and certain other Assembly offices are furnished with Annotated California Codes and certain other law books. The cost of these books is considered a capital expenditure in the same manner as many furniture and equipment items, and is therefore reported in this General Overhead category.

Meeting Expenses: This expenditure category includes certain costs incurred by the Assembly relative to the conduct of Assembly Sessions and Joint Sessions of the Legislature which cannot be readily charged to any other expenditure category, rental costs for some meeting rooms, and some conference registration fees.

Freight, Moving and Delivery: This expenditure category includes costs incurred for the transport of furniture, supplies, and other items which are not chargeable to any particular office.

Printing Reimbursements: This category reflects the charges made for printing performed by the Assembly.

Other Miscellaneous Services: The major expenditures reported in this category are for the costs of photography services related to official Assembly publications, vehicle liability insurance, and organization memberships.

Study Contracts: From time-to-time the Assembly finds it practical to contract with individuals, firms, universities, and other governmental agencies in order to expand its research capability with respect to specific projects. The costs reported in this category are for payments made under such contracts during this period.

The next report of Assembly expenditures will be for the period between December 1, 1995 and November 30, 1996.

Sincerely,

CURT PRINGLE
Speaker of the Assembly and
Chairman of the Assembly Committee on Rules

TABLE I
CALIFORNIA STATE ASSEMBLY
SUMMARY OF EXPENDITURES
12/1/94-11/30/95

	<i>Member Expenditures</i>	<i>Committee Expenditures</i>	<i>Leadership Expenditures</i>	<i>Support Services Expenditures</i>	<i>General Overhead Expenditures</i>	<i>TOTAL EXPENDITURES</i>
Staff Salary	\$12,587,050.37	\$9,295,698.12	\$3,294,220.66	\$16,325,401.60	\$984,599.68	\$42,486,970.43
Employee Benefits	—	—	—	—	11,631,544.21	11,631,544.21
Travel & Per Diem (In-State)	296,169.28	—	—	—	—	296,169.28
Travel & Per Diem (Out-of-State)	43,095.02	—	—	—	—	43,095.02
Staff Travel	134,112.54	—	35,488.11	—	—	268,745.73
Car Lease	286,380.73	25,058.20	—	74,086.88	—	286,380.73
Car Maintenance	64,256.05	—	—	—	—	64,256.05
Gas & Oil	121,392.09	—	—	—	—	121,392.09
Car Rental—Staff & Member	13,090.39	3,652.64	1,563.16	—	—	128,950.30
Building, Rent, Maint. & Util.	1,612,546.15	—	—	110,644.11	—	2,199,318.54
Office Alterations	—	85,343.24	74,040.07	335,243.48	586,772.49	1,348,088.91
Telephone	883,607.52	—	—	—	32,928.24	1,411,162.55
Telegraph	—	—	—	—	—	0.00
Postage	422,392.75	7,384.24	6,140.81	46,415.26	—	482,333.06
Communications	1,020,656.25	—	—	—	—	1,020,656.25
Furniture & Equipment	86,553.91	—	—	364,795.44	2,257,255.38	2,708,604.73
Office Supplies	302,130.71	25,635.03	6,530.15	120,604.87	151,548.86	606,649.62
Subscriptions, Publ., & Codes	124,371.27	24,206.63	26,960.50	31,274.46	93,389.90	300,152.76
Meeting Expenses	—	—	—	—	(3,020.53)	(3,020.53)
Meeting Expenses (Meals)	—	—	—	—	21,771.10	21,771.10
Freight, Moving & Delivery	60,126.93	975.71	17,031.09	9,653.31	48,143.56	135,930.60
Miscellaneous Services	187,704.56	67,951.65	117,042.67	728,071.46	665,399.86	1,766,170.20
Study Contracts	—	—	—	—	44,737.00	44,737.00
TOTALS, OPERATING FUND	\$18,245,636.52	\$9,535,905.46	\$3,579,017.22	\$18,146,390.87	\$17,863,108.66	\$67,370,058.73
Member Per Diem (General Fund)	1,854,574.00	—	—	—	—	1,854,574.00
TOTALS, ALL FUNDS	\$20,100,210.52	\$9,535,905.46	\$3,579,017.22	\$18,146,390.87	\$17,863,108.66	\$69,224,632.73

TABLE II A
Member Expenditures
12/1/94-11/30/95

Member (Effective 9/13/95)	Staff Salary	Travel \$ Per Diem (In-State)	Travel \$ Per Diem (Out-of-State)	Staff Travel	Car Lease	Car Maintenance	Gas & Oil
Ackerman	\$19,756.23	\$344.00	-	\$71.93	\$400.00	-	\$22.59
Aguiar	114,723.18	5,527.00 *	-	4,579.26	4,693.68	\$951.24	956.97
Alby	187,012.69	84.00 *	-	-	4,000.00	204.72	1,959.68
Allen (Recalled 11/28/95)	190,513.09	6,047.80 *	-	8,069.56	4,800.00	503.62	576.47
Alpert	171,963.35	4,157.20 *	\$1,587.50 *	1,721.49	1,906.56	153.65	1,161.40
Archie-Hudson	185,490.47	4,050.00 *	3,171.00 *	1,439.82	4,800.00	452.63	856.27
Baca	186,730.96	6,489.80 *	-	639.95	4,756.37	974.08	1,993.03
Baldwin	148,600.33	3,541.00 *	-	1,567.44	3,814.47	115.72	974.08
Bates	188,271.17	638.00 *	312.50 *	29.45	5,150.93	814.48	1,688.96
Battin	138,592.61	5,573.95 *	274.90 *	2,023.56	4,110.48	339.44	1,440.55
Baugh (Effective 11/29/95)	-	-	-	-	-	-	-
Boland	187,906.55	4,004.00 *	-	3,319.01	4,868.69	349.98	696.58
Bordonaro	147,585.60	345.00 *	-	2,334.52	3,541.00	139.99	1,454.68
Bowen	171,463.24	6,006.00 *	-	723.60	4,486.08	328.69	452.43
Bowler	188,280.18	-	-	2,687.25	3,438.72	556.26	1,595.36
Brewer	83,294.64	6,426.20 *	-	1,246.84	1,971.96	780.12	332.01
Brown, V.	175,925.91	739.00 *	-	1,360.87	3,801.36	728.29	1,287.66
Brown, W.	158,637.60	723.00 *	2,839.95 *	1,147.50	-	106.20	817.64
Brulte	164,346.84	6,703.99 *	-	2,692.56	4,348.50	296.91	1,608.21
Burton	145,830.68	5,345.00 *	1,262.00 *	-	3,830.98	774.61	1,608.21
Bustamante	159,049.39	12,940.90 *	594.95 *	969.00	4,800.00	1,138.20	1,179.97
Caldera	170,500.36	3,978.00 *	1,358.00 *	969.75	3,509.40	1,212.91	1,067.29
Campbell	150,050.59	375.00 *	601.00 *	48.78	4,765.84	956.83	661.29
Cannella	155,619.41	703.98 *	3,580.47 *	3,298.84	2,587.32	1,821.16	2,292.02
Conroy	177,024.66	6,745.20 *	-	1,839.24	3,959.20	1,182.29	690.02
Cortese	177,923.91	231.00 *	-	34.40	4,245.24	1,778.43	2,304.03
Cunneen	150,036.29	153.80 *	-	1,314.80	-	29.00	440.41
Davis	153,864.39	3,392.00 *	-	645.00	-	10.50	-
Ducheny	188,651.37	4,667.00 *	-	1,752.00	4,619.16	195.73	875.05
Escutia	163,715.36	3,210.00 *	-	1,104.80	2,313.76	613.58	1,124.30
Figueroa	144,348.15	561.63 *	-	731.01	3,930.85	249.19	1,377.04
Firestone	155,273.28	6,013.00 *	-	1,741.86	-	-	1,307.61
Friedman	190,319.05	4,063.00 *	-	402.96	2,895.48	134.85	1,008.09
Frusetta	130,656.91	819.50 *	900.00 *	2,892.66	4,800.00	314.53	1,676.72

TABLE II A—Continued
Member Expenditures
12/1/94–11/30/95

Member	Staff Salary	Travel Per Diem (In-State)	Travel Per Diem (Out-of-State)	Staff Travel	Car Lease	Car Maintenance	Gas & Oil
Rainey	167,065.00	193.00 *	— *	52.90	4,406.16	2,785.36	1,855.44
Richter	170,867.67	3,399.87 *	— *	99.16	4,484.40	1,205.76	3,717.65
Rogan	108,616.70	3,234.00 *	— *	957.84	4,800.00	1,831.67	1,164.45
Seleneich	80,500.33	8,325.20 *	— *	861.87	3,320.28	485.56	1,363.62
Sher	197,681.18	(371.00) *	682.00 *	287.04	4,103.74	493.07	1,771.13
Speter	168,453.35	1,713.00 *	— *	201.00	4,800.00	950.46	1,933.16
Sweeney	170,650.99	596.47 *	— *	745.21	2,707.60	272.17	752.20
Takasugi	165,379.38	7,863.11 *	— *	2,722.85	3,641.40	3,649.82	1,089.28
Thompson	174,226.48	4,314.00 *	— *	1,556.58	4,836.00	290.01	1,010.34
Tucker	162,090.64	2,697.00 *	— *	—	4,800.00	1,442.21	2,648.46
Vasconcellos	187,505.13	58.00 *	2,983.91 *	—	3,071.52	1,256.03	1,368.34
Villaraigosa	187,102.13	4,932.00 *	533.95 *	1,854.30	2,000.00	1,340.23	631.40
Weggeland	150,255.22	3,782.00 *	— *	1,080.93	2,719.92	1,897.89	982.22
Woods	164,554.65	471.00 *	— *	1,750.32	4,820.00	373.63	1,741.09
Retired	114,438.43	7,848.44	1,977.94	3,532.69	(62.19)	5,282.29	14,628.49
TOTALS	\$12,587,050.37	\$296,169.28	\$43,095.02	\$134,112.54	\$286,390.73	\$64,256.05	\$121,392.09

NOTE: Asterisk (*) indicates that expenditure includes committee- or leadership-incurred expenses as well as Member-related expenditures.

TABLE II B
Member Expenditures
12/1/94-11/30/95

Member (Effective 9/13/95)	Car Rental Staff & Member	Dist. Office Rent, Mnt., Ut.	Telephone	Telegraph	Freight	Postage	Communications
Ackerman (Effective 9/13/95)	-	\$3,799.92	\$10,871.81	-	\$888.32	\$1,571.16	\$19,323.71
Aguilar	-	14,832.50	-	-	403.99	6,057.82	8,760.01
Alby	-	29,270.52	7,877.64	-	(127.10)	6,684.59	5,067.40
Allen (Recalled 11/28/95)	\$1,295.39	30,041.76	14,342.50	-	2,008.77	10,465.08	18,194.74
Alpert	48.57	24.25	6,995.82	-	398.12	3,703.93	6,795.21
Archie-Hudson	151.01	803.06	10,468.40	-	2,109.78	3,665.12	-
Baca	-	18,412.95	10,019.09	-	241.25	6,015.84	-
Baldwin	266.27	24,802.97	7,887.32	-	1,088.18	10,920.64	23,516.38
Bates	-	29,179.56	14,269.20	-	1,897.76	3,219.38	-
Battin	300.10	29,779.10	13,647.90	-	615.83	7,167.56	25,471.73
Baugh (Effective 11/29/95)	-	-	-	-	-	-	-
Boland	-	30,511.25	10,753.51	-	706.97	4,932.14	-
Bordonaro	-	23,875.00	5,710.42	-	983.06	3,388.85	36,239.45
Bowen	67.89	14,730.48	10,168.88	-	634.24	5,752.68	21,755.18
Bowler	-	19,385.54	5,796.27	-	13.68	2,634.62	10,273.01
Brewer	-	23,204.44	4,765.12	-	257.02	6,187.95	46,145.62
Brown, V.	221.47	12,258.99	13,525.06	-	236.70	6,456.51	465.52
Brown, W.	-	4,057.01	6,603.05	-	3,587.51	7,685.01	15,459.92
Brulte	-	28,582.31	18,524.94	-	1,679.43	5,969.57	2,079.84
Burton	104.82	314.90	19,306.60	-	522.67	7,298.54	-
Bustamante	64.12	57.00	14,408.60	-	923.75	7,452.35	4,334.30
Caldera	167.27	21,935.57	7,931.19	-	406.71	3,390.60	-
Campbell	62.50	29,925.16	13,213.42	-	163.04	6,353.82	-
Cannella	-	18,686.69	15,485.53	-	149.03	6,339.85	-
Conroy	66.69	24,907.67	8,915.45	-	786.28	2,976.81	719.13
Cortez	313.23	1,395.05	12,799.08	-	596.35	567.40	7,123.60
Cunneen	117.96	29,563.64	6,592.16	-	176.40	7,175.08	35,786.08
Davis	-	23,348.52	4,754.01	-	642.55	6,613.89	8,393.57
Ducheny	249.60	19,661.74	10,687.68	-	792.43	3,968.66	-
Escutha	181.39	18,054.83	7,352.38	-	1,627.23	7,427.23	8,998.32
Figuerola	34.79	31,629.21	9,588.68	-	4,686.86	2,314.11	27,610.08
Fierstone	-	27,272.99	7,011.79	-	582.95	3,839.72	34,037.15
Friedman	-	24,056.38	17,254.71	-	524.68	(1,897.44)	-
Frusetta	-	25,053.51	8,305.53	-	365.66	5,548.00	52,383.92

TABLE II B—Continued
Member Expenditures
12/1/94—11/30/95

Member	Car Rental Staff & Member	Dist. Office Rent, Mt., Ut.	Telephone	Telegraph	Freight	Postage	Communications
Callegos.....	185.55	16,584.52	9,174.24	—	643.21	8,480.14	20,327.20
Coldsmith.....	—	20,416.07	10,945.19	—	637.42	2,031.86	—
Grantlund.....	321.96	26,060.10	10,039.14	—	882.53	4,041.89	56,738.62
Hannigan.....	—	16,594.50	13,750.33	—	82.43	1,713.03	—
Harvey.....	—	24,601.73	13,325.36	—	505.08	6,357.12	—
Hauser.....	1,771.53	8,224.50	7,092.23	—	469.67	4,404.13	—
Hawkins.....	—	32,100.57	8,409.96	—	746.06	6,368.32	39,795.06
Hoge.....	98.35	34,056.99	13,580.32	—	1,194.58	6,621.30	17,229.14
Horchler (Recalled 5/16/95).....	—	12,539.28	8,431.93	—	568.13	2,253.29	24,774.64
House.....	102.93	15,791.75	6,811.12	—	310.44	4,754.31	—
Isenberg.....	84.93	1,414.04	6,981.71	—	114.48	3,417.23	—
Johnson (Resigned 5/11/95).....	710.23	9,019.25	6,674.03	—	544.72	1,484.12	—
Katz.....	—	18,512.75	9,563.17	—	772.74	6,925.54	—
Knight.....	—	20,993.28	19,840.77	—	2,256.88	6,557.63	31,002.46
Knowles.....	—	16,150.16	7,003.09	—	61.69	3,351.33	634.30
Knoxx.....	—	19,575.50	13,738.24	—	270.49	1,266.12	31,940.20
Kuehl.....	—	25,994.91	7,552.95	—	318.43	5,378.07	—
Kuykendall.....	83.72	27,567.52	5,520.30	—	597.85	6,727.97	12,757.02
Lee.....	—	28,650.00	6,746.69	—	910.18	6,899.45	34,594.73
Lee.....	44.46	28,274.58	16,683.66	—	612.38	4,379.81	266.05
Machado.....	277.83	366.30	5,383.18	—	909.02	8,959.41	11,526.52
Margett (Effective 6/7/95).....	124.11	12,301.90	1,955.22	—	125.96	3,084.68	27,481.38
Marinez.....	—	36,028.85	11,454.72	—	670.75	5,239.21	498.96
Mazzoni.....	—	6,314.60	8,923.23	—	382.02	4,735.86	966.00
McDonald.....	324.04	24,905.87	12,524.99	—	1,596.12	5,835.97	1,602.97
McPherson.....	66.59	15,480.04	10,583.30	—	207.91	3,676.43	13,484.88
Miller (Effective 5/18/95).....	—	12,401.40	4,617.73	—	214.22	3,165.10	23,719.35
Morrissey.....	—	24,566.10	5,925.28	—	2,554.49	6,361.19	35,908.44
Morrow.....	143.07	18,494.33	11,736.01	—	652.08	6,464.01	—
Moutjoy (Disqualified 1/23/95).....	—	3,818.16	2,026.32	—	151.57	1,066.44	—
Murray, K.....	139.81	24,204.16	13,975.96	—	1,207.26	5,377.65	—
Murray, W.....	114.37	20,038.25	13,296.26	—	546.02	7,809.87	—
Napolitano.....	204.96	21,754.53	13,607.60	—	1,835.97	5,153.87	1,791.84
Olberg.....	—	22,437.19	14,766.31	—	382.58	6,533.97	14,235.10
Pocchigian.....	—	11,381.75	7,415.68	—	187.35	4,647.69	—
Pringle.....	—	25,384.09	9,424.21	—	738.47	6,350.51	3,896.85

TABLE II C
Member Expenditures
12/1/94-11/30/95

Member (Effective 9/13/95) ...	Furniture & Equipment	Office Supplies	Subscr. & Publications	Misc. Services	TOTAL	Member Per Diem (Cen. Fund)	TOTAL EXP. (ALL FUNDS)
Ackerman	—	\$1,750.87	\$139.00	\$50.00	\$48,117.73	\$327.00	\$48,444.73
Aguiar	\$1,457.43 *	5,001.66	616.63	2,349.24	181,782.42	24,833.00	206,615.42
Alby	4,557.27 *	3,559.07	1,499.20	1,472.07	248,941.06	—	248,941.06
Allen (Recalled 11/28/95)	417.41 *	9,768.17	1,853.03	1,512.09	264,248.44	—	268,983.44
Alpert	64.37 *	3,219.14	2,178.15	2,080.91	208,862.63	24,735.00	233,706.63
Archie-Hudson	60.00 *	1,540.09	229.00	3,018.58	225,010.62	24,408.00	246,418.62
Baca	2,759.99	375.00	4,089.56	24,735.00	267,771.42	—	267,771.42
Baldwin	1,807.42 *	6,669.48	1,205.60	3,580.61	240,357.91	—	255,092.91
Bates	156.76 *	2,839.73	1,701.70	779.06	249,239.94	24,408.00	273,647.94
Battin	658.67 *	4,836.80	2,605.38	1,035.00	238,475.56	24,844.00	263,319.56
Baugh (Effective 11/29/95)	—	—	—	—	—	—	—
Boland	573.35 *	2,445.04	1,444.61	2,162.39	254,674.07	24,835.00	279,509.07
Bordonaro	301.06 *	2,330.59	906.98	1,524.45	230,653.65	24,844.00	255,497.65
Bowen	1,397.43 *	2,468.01	2,466.62	659.86	243,588.31	24,517.00	268,105.31
Bowler	202.00 *	691.13	1,053.52	496.26	237,403.80	—	237,403.80
Brewer	267.54 *	3,644.05	1,109.87	2,896.56	182,519.94	24,844.00	207,363.94
Brown, V.	929.77 *	3,079.26	1,038.75	2,264.94	227,180.01	24,735.00	251,915.01
Brown, W.	315.01 *	7,346.60	371.49	4,435.58	211,293.12	24,408.00	235,701.12
Bruite	1,374.83 *	3,921.16	2,528.50	2,072.99	247,330.58	24,517.00	271,847.58
Burton	1,830.60 *	1,932.17	1,177.75	982.25	191,793.54	24,844.00	216,637.54
Bustamante	432.69 *	3,720.61	2,477.18	8,157.82	222,608.15	24,626.00	247,234.15
Caldera	159.74 *	2,365.70	771.77	1,055.19	220,373.45	24,844.00	245,217.45
Campbell	2,445.30 *	2,408.24	681.61	3,172.72	217,147.01	24,844.00	241,991.01
Cannella	180.00 *	2,784.72	1,120.92	1,095.13	216,746.01	23,645.00	240,391.01
Conroy	270.00 *	2,378.05	1,845.53	1,653.73	242,000.42	24,408.00	266,408.42
Cortese	4,491.42 *	1,242.19	2,610.80	1,328.43	211,792.96	24,844.00	236,636.96
Cunneen	852.04 *	5,426.62	3,676.41	1,181.34	242,522.03	22,773.00	265,295.03
Davis	380.08 *	3,303.64	1,969.99	2,778.80	210,096.94	24,408.00	234,504.94
Ducheny	470.15 *	3,672.76	1,116.96	2,733.43	244,113.72	24,626.00	268,739.72
Escutia	774.68 *	6,174.14	3,806.68	2,054.10	228,532.59	16,124.00	244,656.59
Figueroa	799.79 *	2,213.00	2,256.18	2,256.18	229,202.86	24,735.00	253,937.86
Firestone	2,069.60 *	2,409.36	1,828.77	862.62	244,250.70	24,408.00	268,658.70
Friedman	262.14 *	5,024.21	3,057.71	2,168.42	249,274.24	24,517.00	273,791.24
Frusetta	369.08 *	3,225.91	1,393.81	1,870.44	240,576.18	24,844.00	265,420.18

Gallagos.....	2,185.02 *	9,515.13	2,385.33	3,145.23	232,264.71	24,735.00	256,999.71
Goldsmith.....	775.18 *	4,622.98	2,697.01	1,002.64	233,996.38	24,626.00	258,622.38
Granlund.....	2,117.36 *	4,445.68	1,296.65	2,261.08	248,082.47	24,517.00	272,599.47
Hanning.....	686.98 *	1,844.22	1,453.70	977.76	237,719.66	24,844.00	262,563.66
Harvey.....	923.56 *	4,328.60	3,093.69	445.68	226,180.96	23,746.00	249,926.96
Hausner.....	2,234.03 *	7,360.47	1,127.67	1,838.95	237,803.16	23,645.00	261,448.16
Hawkins.....	682.71 *	2,080.00	1,264.46	2,088.25	247,697.89	24,844.00	272,541.89
Hoge.....	1,731.23 *	4,144.73	3,855.97	3,452.39	248,536.82	24,408.00	272,944.82
Horcher (Recalled 5/16/95).....	552.35 *	1,593.31	1,728.28	90.06	129,965.18	13,617.00	143,582.18
House.....	—	1,438.64	974.48	1,876.33	230,195.54	24,517.00	244,712.54
Iserberg.....	2,723.43 *	2,591.31	417.98	1,432.89	217,977.59	—	217,977.59
Johnson (Resigned 5/11/95).....	—	778.04	666.55	874.50	109,531.96	11,873.00	121,404.96
Kalooagan.....	2,710.82 *	4,914.92	1,501.04	2,098.19	234,965.40	24,517.00	259,482.40
Katz.....	593.54 *	3,016.28	3,010.86	1,223.23	188,341.49	24,517.00	212,858.49
Knight.....	—	1,754.48	1,025.02	1,340.47	200,067.80	24,844.00	224,911.80
Knowles.....	2,318.56 *	2,951.91	1,593.74	1,590.72	207,739.59	24,844.00	232,583.59
Knox.....	445.50 *	782.99	1,362.94	3,633.17	221,621.24	24,408.00	246,029.24
Kuehl.....	978.89 *	7,674.22	864.20	4,042.34	222,576.67	24,735.00	247,311.67
Kuykendall.....	1,957.05 *	2,756.28	1,473.51	6,146.48	211,302.27	24,844.00	236,146.27
Lee.....	2,061.17 *	3,331.94	1,831.62	4,039.00	244,730.10	22,882.00	267,612.10
Lee.....	1,066.62 *	4,956.06	2,046.14	3,127.31	206,812.94	24,735.00	231,547.94
Machado.....	244.54 *	801.74	66.91	439.49	127,126.01	9,047.00	136,173.01
Martinez.....	2,049.21 *	16,444.66	1,141.16	3,656.55	194,583.24	24,626.00	219,209.24
Mazzoni.....	1,194.03 *	1,434.79	1,142.89	2,768.95	194,762.67	24,735.00	219,497.67
McDonald.....	1,513.33 *	3,355.06	988.68	5,121.58	245,832.83	24,517.00	270,349.83
McPherson.....	578.02 *	2,302.93	1,004.69	1,907.80	204,517.51	23,830.00	228,347.51
Miller (Effective 5/18/95).....	1,297.60	1,937.72	799.14	869.21	131,156.76	11,227.00	142,383.76
Morrissey.....	—	3,627.68	1,142.09	1,564.92	245,330.84	24,844.00	270,174.84
Morrow.....	1,200.49 *	3,018.36	750.91	581.73	238,637.70	24,626.00	263,263.70
Murray, J. (Disqualified 1/23/95).....	—	(161.07)	276.33	717.14	58,532.77	1,932.00	60,464.77
Murray, K.....	4,083.90 *	4,788.80	3,810.36	6,055.69	190,887.33	24,844.00	215,701.33
Murray, W.....	1,764.31 *	1,672.43	2,251.08	3,307.99	251,491.81	24,735.00	276,226.81
Napolitano.....	2,892.53 *	3,634.23	1,091.38	2,986.70	229,749.38	24,735.00	254,484.38
Olberg.....	1,066.49 *	5,185.45	3,015.85	1,338.64	234,713.31	24,626.00	259,339.31
Poochigan.....	684.92 *	3,976.62	624.00	792.10	187,894.79	24,735.00	182,629.79
Pringle.....	592.79 *	4,254.86	781.99	946.40	224,202.15	24,735.00	248,937.15

TABLE II C—Continued
Member Expenditures
12/1/94-11/30/95

Member	Furniture & Equipment	Office Supplies	Subscr. & Publications	Misc. Services	TOTAL	Member Per Diem (Gen. Fund)	TOTAL EXP. (ALL FUNDS)
Rainey.....	374.10 *	1,503.30	453.68	755.92	238,247.87	24,735.00	262,982.87
Richter.....	954.28 *	1,939.92	1,862.37	1,591.23	244,575.45	24,081.00	268,656.45
Rogan.....	374.47 *	5,306.72	586.11	1,954.65	226,875.77	24,626.00	251,501.77
Setencich.....	1,288.38 *	5,264.18	1,689.78	4,516.46	144,242.79	24,844.00	169,086.79
Sher.....	664.27 *	1,247.15	1,513.99	443.85	241,138.38	24,081.00	265,219.38
Speter.....	530.79 *	3,442.35	1,333.59	5,142.97	231,462.98	23,427.00	254,889.98
Sweeney.....	260.00 *	7,965.35	3,505.83	3,551.00	238,419.16	24,408.00	262,827.16
Takasugi.....	490.34 *	3,444.41	2,132.21	1,558.37	232,977.65	24,844.00	257,821.65
Thompson.....	443.17 *	2,287.92	600.69	808.66	227,023.02	24,408.00	251,431.02
Tucker.....	1,134.10 *	3,148.77	767.14	1,499.54	225,086.59	24,735.00	249,821.59
Vasconcellos.....	1,551.49 *	1,776.51	133.00	590.85	218,997.44	24,073.00	243,070.44
Villaraigosa.....	2,030.70 *	4,273.10	1,384.05	2,540.73	954,855.51	24,735.00	279,590.51
Weggeland.....	880.05 *	3,759.90	361.13	756.87	216,305.61	24,291.00	240,596.61
Woods.....	767.01 *	2,644.53	2,003.36	1,640.34	220,850.48	24,735.00	245,585.48
Retired.....	(2,170.02)	4,484.29	(435.00)	10,741.49	236,311.89	—	236,311.89
TOTALS.....	\$86,553.91	\$302,130.71	\$124,371.27	\$187,704.56	\$18,245,636.52	\$1,854,574.00	\$20,100,210.52

NOTE: Asterisk (*) indicates that expenditure includes committee- or leadership-incurred expenses as well as Member-related expenditures.

TABLE III
Committee Expenditures
12/1/94-11/30/95

<i>Committee</i>	<i>Staff Salary</i>	<i>Staff Travel</i>	<i>Car Rental</i>	<i>Postage</i>	<i>Freight</i>	<i>Telephone</i>	<i>Telegraph</i>
Agriculture.....	\$226,992.88	\$2,946.94	-	\$29.31	\$76.50	\$2,412.13	-
Agriculture—Vice-Chair.....	79,500.65	-	-	-	-	52.56	-
* Fairs & Expositions.....	15,235.00	-	-	-	-	95.27	-
Appropriations.....	427,489.68	84.00	-	13.33	-	4,770.33	-
Appropriations—Vice-Chair.....	203,624.00	-	-	-	-	1,182.12	-
Banking & Finance.....	140,890.67	384.39	\$62.50	16.35	76.50	2,807.72	-
Banking & Finance—Vice-Chair.....	17,211.50	-	-	-	-	-	-
Budget—Vice-Chair.....	431,204.67	167.60	-	600.48	-	6,720.44	-
Budget—Vice-Chair.....	57,534.36	-	-	-	-	-	-
Consumer Protection, Governmental Efficiency & Economic Development.....	348,678.69	460.00	35.47	94.00	9.50	1,226.76	-
Consumer Protection, Governmental Efficiency & Economic Development—Vice-Chair.....	7,956.00	-	-	-	-	156.65	-
Education.....	297,092.68	1,478.87	36.25	276.00	11.79	3,491.56	-
Education—Vice-Chair.....	13,417.00	-	-	-	-	1,434.32	-
* Urban Education Quality.....	-	636.40	110.36	-	-	-	-
Elections, Reapportionment & Constitutional Amendments.....	164,506.96	116.00	-	-	-	4,295.96	-
Elections, Reapportionment & Constitutional Amendments—Vice-Chair.....	97,342.13	-	-	-	-	-	-
Environmental Safety & Toxic Materials.....	231,261.32	290.64	-	21.16	52.00	598.37	-
Environmental Safety & Toxic Materials—Vice-Chair.....	49,168.00	-	-	-	-	4.02	-
Finance & Insurance.....	-	-	-	-	-	1,411.89	-
Government Effectiveness and Accountability.....	44,971.54	-	-	-	-	-	-
Governmental Organization.....	265,514.96	(417.00)	-	201.89	-	354.66	-
Governmental Organization—Vice-Chair.....	52,900.00	-	-	160.27	-	1,264.97	-
* Veterans Affairs.....	6,169.18	-	-	3.56	-	-	-
Health.....	301,745.80	1,016.86	425.96	4.18	-	1,014.08	-
Health—Vice-Chair.....	237,022.04	-	-	78.16	19.00	1,714.36	-
Higher Education.....	131,671.57	644.50	112.67	324.11	70.50	1,666.69	-
Higher Education.....	-	-	-	-	-	1,411.74	-

TABLE III—Continued
Committee Expenditures
12/1/94-11/30/95

Committee	Staff Salary	Staff Travel	Car Rental	Postage	Freight	Telephone	Telegraph
Higher Education—Vice-Chair	—	—	—	—	—	112.45	—
* Workforce Training, Development, & Educational Support.....	24,733.00	—	—	—	—	—	—
Housing & Community Development.....	188,205.17	—	—	200.69	32.50	3,221.07	—
Human Services.....	200,259.86	347.00	131.76	198.95	—	2,618.54	—
Human Services—Vice-Chair.....	99,435.64	—	—	—	—	—	—
Insurance.....	282,399.29	732.78	33.91	80.51	18.00	1,846.78	—
Insurance—Vice-Chair.....	66,261.37	1,234.25	—	—	—	—	—
Judiciary.....	371,719.33	—	—	363.36	17.11	2,385.29	—
Judiciary—Vice-Chair.....	—	—	—	—	—	—	—
Labor & Employment.....	175,407.76	235.00	33.70	234.98	124.25	3,808.14	—
Labor & Employment—Vice-Chair.....	8,004.64	—	—	—	—	—	—
Local Government.....	206,512.80	332.40	35.93	511.03	39.50	1,715.22	—
Local Government—Vice-Chair.....	57,203.23	—	—	—	—	690.66	—
Natural Resources.....	277,988.00	205.20	—	95.92	35.00	3,441.89	—
Natural Resources—Vice-Chair.....	6,409.82	—	—	—	—	0.08	—
Public Employees, Retirement & Social Security.....	182,924.38	238.00	—	93.43	—	624.05	—
Public Employees, Retirement & Social Security—Vice-Chair.....	114,199.30	496.90	75.78	—	—	—	—
Public Safety.....	370,099.79	987.54	130.34	132.66	8.00	5,280.71	—
Public Safety—Vice-Chair.....	107,515.91	116.00	—	—	—	1,117.69	—
Revenue & Taxation.....	212,673.09	548.50	138.11	89.19	7.18	2,650.56	—
Revenue & Taxation—Vice-Chair.....	23,136.96	—	—	—	—	—	—
Televising the Assembly.....	119,804.82	—	—	22.65	72.00	418.54	—
Televising the Assembly—Vice-Chair.....	41,931.83	—	—	—	—	—	—
Transportation.....	388,693.15	747.70	463.63	654.16	—	5,416.27	—
Transportation—Vice-Chair.....	7,202.55	—	—	—	—	423.49	—
Utilities & Commerce.....	366,906.96	816.72	144.29	114.59	163.00	1,072.94	—
Utilities & Commerce—Vice-Chair.....	73,946.34	1,003.24	86.74	—	—	359.48	—
* Business Recovery and Job Retention.....	9,038.47	—	—	—	—	—	—
Veterans' Affairs.....	11,923.55	23.64	—	1.64	—	—	—
Water, Parks & Wildlife.....	203,408.82	1,751.01	240.66	1,613.26	46.13	2,677.33	—
Water, Parks & Wildlife—Vice-Chair.....	1,093.50	—	—	—	—	146.64	—

Ways & Means (Majority)	222,687.97	1,405.20	46.21	279.37	28.00	1,365.43	—
* No. 1—Health & Human Services	12,802.50	—	—	—	—	—	—
* No. 2—School Finance	93,210.70	—	—	—	—	299.89	—
* No. 3—Resources, Agriculture, & Environment	123,248.09	—	—	—	—	790.00	—
* No. 4—State Administration	76,801.91	—	—	—	—	—	—
Ways & Means—Vice-Chair	88,088.74	412.31	—	—	—	294.96	—
<i>Special & Select Committees</i>							
Alameda Corridor Project	11,417.05	—	—	—	—	647.55	—
Bob Moretti Memorial Fund	40,149.91	39.00	—	—	—	428.36	—
California-Mexico Affairs	4,179.41	—	—	—	—	35.44	—
California Ports	17,111.41	42.97	100.08	—	—	973.35	—
California Wine Production & Economy	10,737.82	96.01	122.42	—	13.75	457.24	—
Defense Conversion	80,810.67	786.28	—	516.48	9.50	562.15	—
Democratic Economic Prosperity Task Force	58,538.00	—	—	—	—	883.01	—
Joint Fisheries & Aquaculture	144,193.88	—	—	206.57	—	770.88	—
Joint Legislative Audit	138,778.00	383.82	430.90	—	—	933.53	—
Joint Legislative Ethics	11,566.00	—	—	—	—	557.88	—
Restructuring Government	3,452.71	—	—	—	—	—	—
State Public Procurement Practices	103,898.24	4,317.53	649.97	152.00	46.00	532.96	—
Statewide Immigration Impact	—	—	—	—	—	—	—
Status of African-American Males	5,884.50	—	—	—	—	196.19	—
Youth at Risk	—	—	—	—	—	—	—
TOTALS	\$9,295,698.12	\$25,058.20	\$3,652.64	\$7,384.24	\$975.71	\$85,343.24	\$0.00

* Subcommittee of Standing Committee.

TABLE III
Committee Expenditures
12/1/94-11/30/95

<i>Committee</i>	<i>Subscr. & Publications</i>	<i>Office Supplies</i>	<i>Misc. Services</i>	<i>TOTAL EXP.</i>
Agriculture.....	\$395.66	\$347.88	\$901.68	\$234,102.98
Agriculture—Vice-Chair.....	—	—	—	79,553.21
* Fairs & Expositions.....	139.00	1,616.03	444.90	15,330.27
Appropriations.....	—	—	289.71	434,557.27
Appropriations—Vice-Chair.....	—	614.61	778.62	205,095.83
Banking & Finance.....	1,194.62	—	—	146,825.98
Banking & Finance—Vice-Chair.....	—	1,140.63	4,693.71	17,211.50
Budget.....	1,438.12	—	—	445,965.65
Budget—Vice-Chair.....	—	—	—	57,534.36
Consumer Protection, Governmental Efficiency & Economic Development.....	—	605.32	896.97	352,006.71
Consumer Protection, Governmental Efficiency & Economic Development—Vice-Chair.....	—	—	—	8,112.65
Education.....	62.25	222.36	1,289.21	303,960.97
Education—Vice-Chair.....	—	—	—	14,851.32
* Urban Education Quality.....	—	—	753.00	1,499.76
Elections, Reapportionment & Constitutional Amendments.....	—	447.92	8,248.47	177,615.31
Elections, Reapportionment & Constitutional Amendments—Vice-Chair.....	—	—	—	97,342.13
Environmental Safety & Toxic Materials.....	740.62	810.66	127.68	233,902.45
Environmental Safety & Toxic Materials—Vice-Chair.....	—	—	193.14	49,365.16
Finance & Insurance.....	283.65	1,254.79	121.36	47,187.89
Government Effectiveness and Accountability.....	644.78	552.33	789.41	268,509.72
Governmental Organization.....	1,728.80	—	69.50	54,701.86
Governmental Organization—Vice-Chair.....	—	—	29.34	7,216.78
* Veterans' Affairs.....	2,883.45	1,739.42	465.23	310,088.23
Health.....	—	50.50	396.30	237,625.53
Health—Vice-Chair.....	—	133.49	852.54	135,469.07
Higher Education.....	267.95	—	—	—

Higher Education—Vice-Chair.....		12.98	—	125.43
* Workforce Training, Development, & Educational Support.....		—	—	24,733.00
Housing & Community Development.....	870.60	468.83	558.34	193,557.20
Human Services.....	408.21	1,735.03	623.68	206,323.03
Human Services—Vice-Chair.....	—	—	—	99,435.64
Insurance.....	827.28	1,107.55	1,760.07	288,806.17
Insurance—Vice-Chair.....	—	—	—	67,495.62
Judiciary.....	2,306.48	156.47	11,006.94	387,954.98
Judiciary—Vice-Chair.....	—	—	1,038.43	1,038.43
Labor & Employment.....	831.21	976.88	6,690.08	188,344.00
Labor & Employment—Vice-Chair.....	—	—	—	8,004.64
Local Government.....	493.03	883.12	981.28	211,504.31
Local Government—Vice-Chair.....	—	—	—	57,893.89
Natural Resources.....	154.00	228.45	405.88	282,554.34
Natural Resources—Vice-Chair.....	—	—	—	6,409.90
Public Employees, Retirement & Social Security.....	1,381.74	362.38	8,174.00	193,797.98
Public Employees, Retirement & Social Security—Vice-Chair.....	—	—	—	115,349.46
Public Safety.....	2,562.91	1,840.38	577.48	385,313.38
Public Safety—Vice-Chair.....	—	—	4,271.05	107,749.60
Revenue & Taxation.....	—	1,654.50	754.48	218,513.61
Revenue & Taxation—Vice-Chair.....	—	—	—	23,136.96
Televising the Assembly.....	—	1,394.47	792.28	122,504.76
Televising the Assembly—Vice-Chair.....	—	—	—	41,931.83
Transportation.....	1,102.00	698.03	784.01	398,561.95
Transportation—Vice-Chair.....	—	—	—	7,626.04
Utilities & Commerce.....	1,139.32	2,203.97	6,342.84	378,904.63
Utilities & Commerce—Vice-Chair.....	1,258.61	237.36	90.00	76,981.77
* Business Recovery and Job Reten- tion.....	—	—	—	9,038.47
Veterans' Affairs.....	—	248.58	157.37	12,354.78
Water, Parks & Wildlife.....	854.76	791.42	881.86	212,265.25
Water, Parks & Wildlife—Vice-Chair.....	—	26.67	—	1,266.81

TABLE III—Continued
Committee Expenditures
12/1/94–11/30/95

<i>Committee</i>	<i>Subscr. & Publications</i>	<i>Office Supplies</i>	<i>Misc. Services</i>	<i>TOTAL EXP.</i>
<i>Ways & Means (Majority)</i>	—	463.59	20.00	226,297.77
* No. 1—Health & Human Services	—	0.64	—	12,803.14
* No. 2—School Finance	—	—	—	93,510.59
* No. 3—Resources, Agriculture, & Environment	—	—	—	124,038.09
* No. 4—State Administration	—	—	—	76,801.91
<i>Ways & Means—Vice-Chair</i>	18.00	304.76	446.71	89,565.48
<i>Special & Select Committees</i>				
Alameda Corridor Project	—	—	278.70	12,343.30
Bob Moretti Memorial Fund	—	—	(6,924.61)	(6,924.61)
California-Mexico Affairs	—	—	462.99	41,080.26
California Ports	—	—	—	4,214.85
California Wine Production & Economy	77.50	—	705.94	19,011.25
Defense Conversion	—	—	612.30	12,039.54
Democratic Economic Prosperity Task Force	23.00	—	395.10	83,103.18
Joint Fisheries & Aquaculture	—	—	264.20	59,685.21
Joint Legislative Audit	—	—	450.30	144,644.18
Joint Legislative Ethics	—	301.03	467.00	140,523.48
Joint Rules	119.08	—	455.14	2,279.47
Restructuring Government	—	—	—	12,123.88
State Public Procurement Practices	—	—	—	3,452.71
Statewide Immigration Impact	—	—	977.59	103,408.79
Status of African-American Males	—	—	2,119.46	7,284.96
Youth at Risk	—	—	—	6,080.69
TOTALS	\$24,206.63	\$25,635.03	\$67,951.65	\$9,535,905.46

* Subcommittee of Standing Committee.

TABLE IV—Continued
Leadership Expenditures
12/1/94–11/30/95

	Staff Salary	Staff Travel	Car Rental	Postage	Freight	Telephone	Telegraph	Subscr. & Publications	Office Supplies	Misc. Services	TOTAL EXP
Member of Rules—Kuehl	73,418.88	-	-	-	-	-	-	-	-	-	73,418.88
Member of Rules—Lee	134,361.53	-	-	-	-	615.02	-	-	-	271.62	135,248.17
Member of Rules—Mounjoy	12,555.91	-	-	-	-	-	-	-	-	-	12,555.91
Member of Rules—Murray, K.	90,972.09	-	-	-	-	-	-	-	-	-	90,972.09
Member of Rules—Murray, W.	36,196.60	-	-	-	-	-	-	-	-	-	36,196.60
Member of Rules—Rogan	18,300.00	-	-	-	-	-	-	-	-	-	18,300.00
Latino Legislative Caucus	31,294.32	-	-	-	-	-	-	-	-	-	31,294.32
Rural Caucus	187.50	58.00	-	-	-	-	-	-	-	450.30	695.80
Retired	13,687.90	-	-	-	-	(23.59)	-	-	74.47	454.00	14,192.78
TOTALS	\$3,294,220.66	\$35,488.11	\$1,563.16	\$6,140.81	\$17,031.09	\$74,040.07	\$0.00	\$26,960.50	\$6,530.15	\$117,042.67	\$3,579,017.22

TABLE V A
Support Services Expenditures
12/1/94-11/30/95

	Staff Salary	Staff Travel & Per Diem	Car Rental	Telephone	Telegraph	Postage	Freight
Rules Committee.....	\$3,653,815.52	\$16,373.66	\$8,410.02	\$139,502.86	-	\$17,621.09	\$4,809.59
Democratic Office of Research	874,859.17	2,836.86	39.76	7,924.81	-	609.80	979.21
Republican Office of Research	214,983.46	-	-	4,574.00	-	5.92	-
Democratic Caucus.....	2,499,435.70	3,443.53	5,956.03	48,090.71	-	5,214.09	3,009.53
Republican Caucus.....	2,831,394.87	22,017.77	2,092.63	35,864.90	-	3,346.47	133.31
Reproduction Center	963,409.75	3,435.46	5,235.38	9,450.44	-	703.49	99.16
Secretarial Services	643,895.52	-	-	3,778.00	-	-	-
Clerical Services	138,360.13	-	-	2,133.51	-	6.00	-
Address Control	189,324.50	-	-	552.78	-	0.55	-
Chief Clerk	1,220,091.69	-	36.95	13,070.25	-	2,128.25	13.00
Sergeant at Arms	1,428,806.47	7,467.44	85,442.47	47,906.66	-	278.50	366.51
Fellowship Program	36,691.00	-	-	1,737.33	-	1,743.43	118.75
Computer Services.....	1,630,333.82	18,512.16	3,430.87	20,657.23	-	14,757.67	124.25
TOTALS	\$16,325,401.60	\$74,086.88	\$110,644.11	\$335,243.48	\$0.00	\$46,415.26	\$9,653.31

TABLE V B
Support Services Expenditures
12/1/94-11/30/95

	<i>Furniture & Equipment</i>	<i>Office Supplies</i>	<i>Subscr. & Publications</i>	<i>Misc. Services</i>	<i>TOTAL EXP.</i>
Rules Committee.....	\$269,859.16	\$47,806.68	\$5,831.94	\$77,360.53	\$4,241,383.45
Democratic Office of Research.....	124.00	1,224.56	1,702.44	689.22	890,989.83
Republican Office of Research.....	—	1,416.82	2,265.61	727.20	223,973.01
Democratic Caucus.....	13,863.97	10,849.97	8,503.63	148,023.45	2,746,390.61
Republican Caucus.....	6,095.73	11,143.48	11,197.23	16,658.01	2,939,944.40
Reproduction Center.....	35,970.93	22,978.23	379.00	460,693.41	1,502,355.25
Secretarial Services.....	2,408.18	2,604.58	—	700.60	653,386.88
Clertical Services.....	180.00	44.48	—	—	140,724.12
Address Control.....	11,032.05	390.17	—	1,231.19	202,544.24
Chief Clerk.....	10,572.54	4,916.69	69.00	1,487.13	1,252,372.50
Sergeant at Arms.....	7,927.78	11,237.81	993.62	2,792.55	1,593,203.81
Fellowship Program.....	—	310.84	—	85.12	40,686.47
Computer Services.....	6,768.10	5,890.56	332.59	17,623.05	1,718,430.30
TOTALS.....	\$364,795.44	\$120,804.87	\$31,274.46	\$728,071.46	\$18,146,390.87

TABLE VI
General Overhead Expenditures
12/1/94-11/30/95

Miscellaneous Salaries.....	\$864,599.68
Employee Benefits	11,631,544.21
Building, Rent, Maintenance, & Utilities	586,772.49
Office Alterations	1,348,088.91
Telephone	32,928.24
Furniture & Equipment	2,257,255.38
Office Supplies	151,548.86
Subscriptions, Publications, & Codes	93,339.90
Meeting Expenses	(3,020.53)
Meeting Expenses (Meals)	21,771.10
Freight Moving, & Delivery	48,143.56
Other Miscellaneous Services	665,399.86
Study Contracts	44,737.00
TOTALS.....	<u>\$17,863,108.66</u>

TABLE VII
Assembly Operating Fund Transfers
12/1/94-11/30/95

Joint Legislative Budget Committee	\$1,851,916.65
TOTALS.....	<u>\$1,851,916.65</u>

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

November 29, 1996

Mr. Speaker: Your Committee on Appropriations reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2403
 Assembly Bill No. 2476
 Assembly Bill No. 2749

Assembly Bill No. 2957
 Assembly Bill No. 3393

POOCHIGIAN, Chairman

Above bills ordered filed with the Chief Clerk.

Committee on Education

November 29, 1996

Mr. Speaker: Your Committee on Education reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2016
 Assembly Bill No. 2554

BALDWIN, Chairman

Above bills ordered filed with the Chief Clerk.

Committee on Elections, Reapportionment and Constitutional Amendments

November 29, 1996

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2381
 Assembly Bill No. 3448

MCPHERSON, CHAIRMAN

Above bills ordered filed with the Chief Clerk.

November 29, 1996

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports the following resolutions pursuant to the provisions of Joint Rule 62(a):

Assembly Constitutional Amendment No. 4
 Assembly Constitutional Amendment No. 37
 Assembly Constitutional Amendment No. 44

MCPHERSON, CHAIRMAN

Above resolutions ordered filed with the Chief Clerk.

Committee on Natural Resources

May 6, 1996

Mr. Speaker: Your Committee on Natural Resources reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 3285

OLBERG, Chairman

Above bill ordered filed with the Chief Clerk.

Committee on Public Employees, Retirement and Social Security

November 29, 1996

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports the following resolution pursuant to the provisions of Joint Rule 62(a):

Assembly Constitutional Amendment No. 35

KALOOGIAN, Chairman

Above resolution ordered filed with the Chief Clerk.

Committee on Agriculture

November 30, 1996

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 2031

Assembly Bill No. 2547

Assembly Bill No. 2038

Assembly Bill No. 2948

Without action.

HARVEY, Chairman

November 30, 1996

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Joint Resolution No. 4

Without action.

HARVEY, Chairman

Committee on Appropriations

November 30, 1996

Mr. Speaker: The Committee on Appropriations reports:

Assembly Bill No. 1984

Assembly Bill No. 2061

Assembly Bill No. 2005

Assembly Bill No. 2062

Assembly Bill No. 2019

Assembly Bill No. 2078

Assembly Bill No. 2021

Assembly Bill No. 2103

Assembly Bill No. 2034

Assembly Bill No. 2123

Assembly Bill No. 2036

Assembly Bill No. 2136

Assembly Bill No. 2058

Assembly Bill No. 2185

Without action.

POOCHIGIAN, Chairman

November 30, 1996

Mr. Speaker: The Committee on Appropriations reports:

Assembly Bill No. 2190

Assembly Bill No. 2391

Assembly Bill No. 2220

Assembly Bill No. 2392

Assembly Bill No. 2228

Assembly Bill No. 2393

Assembly Bill No. 2261

Assembly Bill No. 2397

Assembly Bill No. 2330

Assembly Bill No. 2404

Assembly Bill No. 2336

Assembly Bill No. 2408

Assembly Bill No. 2378

Assembly Bill No. 2453

Assembly Bill No. 2382

Without action.

POOCHIGIAN, Chairman

November 30, 1996

Mr. Speaker: The Committee on Appropriations reports:

Assembly Bill No. 2470

Assembly Bill No. 2556

Assembly Bill No. 2477

Assembly Bill No. 2598

Assembly Bill No. 2511

Assembly Bill No. 2604

Assembly Bill No. 2522

Assembly Bill No. 2610

Assembly Bill No. 2539

Assembly Bill No. 2629

Assembly Bill No. 2542

Assembly Bill No. 2661

Assembly Bill No. 2546

Assembly Bill No. 2664

Assembly Bill No. 2550

Without action.

POOCHIGIAN, Chairman

November 30, 1996

Mr. Speaker: The Committee on Appropriations reports:

Assembly Bill No. 2687	Assembly Bill No. 2785
Assembly Bill No. 2690	Assembly Bill No. 2826
Assembly Bill No. 2693	Assembly Bill No. 2828
Assembly Bill No. 2707	Assembly Bill No. 2847
Assembly Bill No. 2717	Assembly Bill No. 2870
Assembly Bill No. 2729	Assembly Bill No. 2911
Assembly Bill No. 2756	

Without action.

POOCHIGIAN, Chairman

November 30, 1996

Mr. Speaker: The Committee on Appropriations reports:

Assembly Bill No. 2942	Assembly Bill No. 3034
Assembly Bill No. 2974	Assembly Bill No. 3083
Assembly Bill No. 2977	Assembly Bill No. 3100
Assembly Bill No. 2987	Assembly Bill No. 3163
Assembly Bill No. 2991	Assembly Bill No. 3177
Assembly Bill No. 2995	Assembly Bill No. 3214
Assembly Bill No. 2998	Assembly Bill No. 3217
Assembly Bill No. 3030	Assembly Bill No. 3258

Without action.

POOCHIGIAN, Chairman

November 30, 1996

Mr. Speaker: The Committee on Appropriations reports:

Assembly Bill No. 3276	Assembly Bill No. 3383
Assembly Bill No. 3298	Assembly Bill No. 3398
Assembly Bill No. 3346	Assembly Bill No. 3401
Assembly Bill No. 3349	Assembly Bill No. 3431
Assembly Bill No. 3370	Assembly Bill No. 3451
Assembly Bill No. 3380	

Without action.

POOCHIGIAN, Chairman

November 30, 1996

Mr. Speaker: The Committee on Appropriations reports:

Assembly Joint Resolution No. 17

Without action.

POOCHIGIAN, Chairman

November 30, 1996

Mr. Speaker: The Committee on Appropriations reports:

Assembly Constitutional Amendment No. 48

Without action.

POOCHIGIAN, Chairman

November 30, 1996

Mr. Speaker: The Committee on Appropriations reports:

Senate Bill No. 174	Senate Bill No. 770
Senate Bill No. 316	Senate Bill No. 948
Senate Bill No. 420	Senate Bill No. 956
Senate Bill No. 478	Senate Bill No. 973
Senate Bill No. 543	Senate Bill No. 974
Senate Bill No. 590	Senate Bill No. 979
Senate Bill No. 617	Senate Bill No. 1019
Senate Bill No. 618	Senate Bill No. 1169
Senate Bill No. 723	

Without action.

POOCHIGIAN, Chairman

Above bills returned to the Senate.

November 30, 1996

Mr. Speaker: The Committee on Appropriations reports:

- | | |
|----------------------|----------------------|
| Senate Bill No. 1177 | Senate Bill No. 1658 |
| Senate Bill No. 1188 | Senate Bill No. 1661 |
| Senate Bill No. 1261 | Senate Bill No. 1709 |
| Senate Bill No. 1380 | Senate Bill No. 1710 |
| Senate Bill No. 1410 | Senate Bill No. 1802 |
| Senate Bill No. 1446 | Senate Bill No. 1934 |
| Senate Bill No. 1551 | Senate Bill No. 1940 |
| Senate Bill No. 1564 | Senate Bill No. 2012 |

Without action.

POOCHIGIAN, Chairman

Above bills returned to the Senate.

November 30, 1996

Mr. Speaker: The Committee on Appropriations reports:

- Senate Bill No. 2078

Without action.

POOCHIGIAN, Chairman

Above bill returned to the Senate.

Committee on Banking and Finance

November 30, 1996

Mr. Speaker: The Committee on Banking and Finance reports:

- Assembly Bill No. 2502
- Assembly Bill No. 3331

Without action.

GOLDSMITH, Chairman

November 30, 1996

Mr. Speaker: The Committee on Banking and Finance reports:

- Assembly Concurrent Resolution No. 49

Without action.

GOLDSMITH, Chairman

November 30, 1996

Mr. Speaker: The Committee on Banking and Finance reports:

- Senate Bill No. 196

Without action.

GOLDSMITH, Chairman

Above bill returned to the Senate.

Committee on Budget

November 30, 1996

Mr. Speaker: The Committee on Budget reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1986 | Assembly Bill No. 2821 |
| Assembly Bill No. 1995 | Assembly Bill No. 3247 |
| Assembly Bill No. 2180 | Assembly Bill No. 3271 |
| Assembly Bill No. 2182 | Assembly Bill No. 3318 |
| Assembly Bill No. 2449 | Assembly Bill No. 3327 |
| Assembly Bill No. 2700 | Assembly Bill No. 3328 |
| Assembly Bill No. 2805 | Assembly Bill No. 3336 |

Without action.

MILLER, Chairman

November 30, 1996

Mr. Speaker: The Committee on Budget reports:

Assembly Bill No. 3421
 Assembly Bill No. 3422
 Assembly Bill No. 3485
 Assembly Bill No. 3486
 Assembly Bill No. 3494

Assembly Bill No. 3496
 Assembly Bill No. 3498
 Assembly Bill No. 3500
 Assembly Bill No. 3501

Without action.

MILLER, Chairman

November 30, 1996

Mr. Speaker: The Committee on Budget reports:

Assembly Constitutional Amendment No. 32

Without action.

MILLER, Chairman

November 30, 1996

Mr. Speaker: The Committee on Budget reports:

House Resolution No. 24

Without action.

MILLER, Chairman

**Committee on Consumer Protection, Governmental Efficiency
 and Economic Development**

November 30, 1996

Mr. Speaker: The Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Bill No. 2124
 Assembly Bill No. 2269
 Assembly Bill No. 2308
 Assembly Bill No. 2372
 Assembly Bill No. 2402
 Assembly Bill No. 2416
 Assembly Bill No. 2622
 Assembly Bill No. 2684

Assembly Bill No. 2716
 Assembly Bill No. 2863
 Assembly Bill No. 2874
 Assembly Bill No. 2903
 Assembly Bill No. 2990
 Assembly Bill No. 3008
 Assembly Bill No. 3017

Without Action.

MORRISSEY, Chairman

November 30, 1996

Mr. Speaker: The Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Bill No. 3060
 Assembly Bill No. 3173

Assembly Bill No. 3292
 Assembly Bill No. 3402

Without Action.

MORRISSEY, Chairman

November 30, 1996

Mr. Speaker: The Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Joint Resolution No. 1
 Assembly Joint Resolution No. 2

Without action.

MORRISSEY, Chairman

November 30, 1996

Mr. Speaker: The Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Constitutional Amendment No. 11

Without action.

MORRISSEY, Chairman

November 30, 1996

Mr. Speaker: The Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Senate Bill No. 1031
Senate Bill No. 1052
Senate Bill No. 1681

Senate Bill No. 1733
Senate Bill No. 2052
Senate Bill No. 2149

Without action.

MORRISSEY, Chairman

Above bills returned to the Senate.

Committee on Education

November 30, 1996

Mr. Speaker: The Committee on Education reports:

Assembly Bill No. 2028
Assembly Bill No. 2134
Assembly Bill No. 2241
Assembly Bill No. 2314
Assembly Bill No. 2415

Assembly Bill No. 2435
Assembly Bill No. 2506
Assembly Bill No. 2541
Assembly Bill No. 2672
Assembly Bill No. 2699

Without action.

BALDWIN, Chairman

November 30, 1996

Mr. Speaker: The Committee on Education reports:

Assembly Bill No. 2718
Assembly Bill No. 2731
Assembly Bill No. 2783
Assembly Bill No. 2886
Assembly Bill No. 2983
Assembly Bill No. 3119

Assembly Bill No. 3123
Assembly Bill No. 3124
Assembly Bill No. 3126
Assembly Bill No. 3207
Assembly Bill No. 3210
Assembly Bill No. 3295

Without action.

BALDWIN, Chairman

November 30, 1996

Mr. Speaker: The Committee on Education reports:

Assembly Bill No. 3330
Assembly Bill No. 3397

Without action.

BALDWIN, Chairman

November 30, 1996

Mr. Speaker: The Committee on Education reports:

Assembly Joint Resolution No. 11
Assembly Joint Resolution No. 20

Without action.

BALDWIN, Chairman

November 30, 1996

Mr. Speaker: The Committee on Education reports:

Assembly Constitutional Amendment No. 15
Assembly Constitutional Amendment No. 20
Assembly Constitutional Amendment No. 50

Without action.

BALDWIN, Chairman

November 30, 1996

Mr. Speaker: The Committee on Education reports:

Senate Bill No. 630
 Senate Bill No. 967
 Senate Bill No. 1078
 Senate Bill No. 1184
 Senate Bill No. 1387
 Senate Bill No. 1415
 Senate Bill No. 1437

Senate Bill No. 1452
 Senate Bill No. 1531
 Senate Bill No. 1683
 Senate Bill No. 1860
 Senate Bill No. 1873
 Senate Bill No. 1894
 Senate Bill No. 2176

Without action.

BALDWIN, Chairman

Above bills returned to the Senate.

Committee on Elections, Reapportionment and Constitutional Amendments

November 30, 1996

Mr. Speaker: The Committee on Elections, Reapportionment and Constitutional Amendments reports:

Assembly Bill No. 2271
 Assembly Bill No. 2275

Assembly Bill No. 2746
 Assembly Bill No. 3279

Without action.

MCPHERSON, Chairman

November 30, 1996

Mr. Speaker: The Committee on Elections, Reapportionment and Constitutional Amendments reports:

Assembly Constitutional Amendment No. 6
 Assembly Constitutional Amendment No. 8
 Assembly Constitutional Amendment No. 23
 Assembly Constitutional Amendment No. 33
 Assembly Constitutional Amendment No. 41

Without action.

MCPHERSON, Chairman

November 30, 1996

Mr. Speaker: The Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 62
 Senate Bill No. 704
 Senate Bill No. 753
 Senate Bill No. 754
 Senate Bill No. 834

Senate Bill No. 913
 Senate Bill No. 986
 Senate Bill No. 1511
 Senate Bill No. 1668

Without action.

MCPHERSON, Chairman

Above bills returned to the Senate.

Committee on Environmental Safety and Toxic Materials

November 30, 1996

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

Assembly Bill No. 1983
 Assembly Bill No. 1996
 Assembly Bill No. 2742
 Assembly Bill No. 3286

Assembly Bill No. 3329
 Assembly Bill No. 3433
 Assembly Bill No. 3477

Without action.

RICHTER, Chairman

November 30, 1996

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

Assembly Joint Resolution No. 10

Without action.

RICHTER, Chairman

Committee on Governmental Organization

November 30, 1996

Mr. Speaker: The Committee on Governmental Organization reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1988 | Assembly Bill No. 2663 |
| Assembly Bill No. 1989 | Assembly Bill No. 2921 |
| Assembly Bill No. 2026 | Assembly Bill No. 3107 |
| Assembly Bill No. 2048 | Assembly Bill No. 3302 |
| Assembly Bill No. 2070 | Assembly Bill No. 3310 |
| Assembly Bill No. 2096 | Assembly Bill No. 3348 |
| Assembly Bill No. 2479 | Assembly Bill No. 3379 |
| Assembly Bill No. 2518 | |

Without action.

HOGE, Chairman

November 30, 1996

Mr. Speaker: The Committee on Governmental Organization reports:

- Senate Bill No. 823
- Senate Bill No. 1800

Without action.

HOGE, Chairman

Above bills returned to the Senate.

Committee on Health

November 30, 1996

Mr. Speaker: The Committee on Health reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2025 | Assembly Bill No. 2665 |
| Assembly Bill No. 2042 | Assembly Bill No. 2669 |
| Assembly Bill No. 2192 | Assembly Bill No. 2698 |
| Assembly Bill No. 2212 | Assembly Bill No. 2803 |
| Assembly Bill No. 2341 | Assembly Bill No. 2851 |
| Assembly Bill No. 2490 | Assembly Bill No. 2879 |
| Assembly Bill No. 2654 | Assembly Bill No. 2905 |

Without action.

GRANLUND, Chairman

November 30, 1996

Mr. Speaker: The Committee on Health reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2907 | Assembly Bill No. 3094 |
| Assembly Bill No. 2925 | Assembly Bill No. 3139 |
| Assembly Bill No. 2927 | Assembly Bill No. 3184 |
| Assembly Bill No. 2928 | Assembly Bill No. 3186 |
| Assembly Bill No. 2931 | Assembly Bill No. 3195 |
| Assembly Bill No. 2932 | Assembly Bill No. 3196 |
| Assembly Bill No. 2934 | Assembly Bill No. 3208 |
| Assembly Bill No. 3059 | Assembly Bill No. 3218 |

Without action.

GRANLUND, Chairman

November 30, 1996

Mr. Speaker: The Committee on Health reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 3230 | Assembly Bill No. 3390 |
| Assembly Bill No. 3274 | Assembly Bill No. 3396 |
| Assembly Bill No. 3297 | Assembly Bill No. 3413 |
| Assembly Bill No. 3309 | Assembly Bill No. 3423 |
| Assembly Bill No. 3337 | Assembly Bill No. 3449 |
| Assembly Bill No. 3373 | Assembly Bill No. 3459 |
| Assembly Bill No. 3389 | |

Without action.

GRANLUND, Chairman

Mr. Speaker: The Committee on Health reports:
 Assembly Joint Resolution No. 53
 Assembly Joint Resolution No. 59
 Without action.

November 30, 1996

GRANLUND, Chairman

November 30, 1996

Mr. Speaker: The Committee on Health reports:
 Senate Bill No. 164
 Senate Bill No. 246
 Senate Bill No. 268
 Senate Bill No. 563
 Senate Bill No. 737
 Senate Bill No. 789
 Senate Bill No. 891
 Senate Bill No. 1004
 Without action.

Senate Bill No. 1064
 Senate Bill No. 1145
 Senate Bill No. 1193
 Senate Bill No. 1194
 Senate Bill No. 1211
 Senate Bill No. 1287
 Senate Bill No. 1290
 Senate Bill No. 1677

GRANLUND, Chairman

Above bills returned to the Senate.

November 30, 1996

Mr. Speaker: The Committee on Health reports:
 Senate Bill No. 1944
 Senate Bill No. 1984
 Senate Bill No. 2004
 Without action.

Senate Bill No. 2068
 Senate Bill No. 2071
 Senate Bill No. 2081

GRANLUND, Chairman

Above bills returned to the Senate.

Committee on Higher Education

November 30, 1996

Mr. Speaker: The Committee on Higher Education reports:
 Assembly Bill No. 2186
 Assembly Bill No. 2422
 Assembly Bill No. 2544
 Without action.

Assembly Bill No. 2627
 Assembly Bill No. 2873

FIRESTONE, Chairman

November 30, 1996

Mr. Speaker: The Committee on Higher Education reports:
 Assembly Constitutional Amendment No. 14
 Without action.

FIRESTONE, Chairman

November 30, 1996

Mr. Speaker: The Committee on Higher Education reports:
 Senate Bill No. 225
 Senate Bill No. 627
 Senate Bill No. 1569
 Without action.

FIRESTONE, Chairman

Above bills returned to the Senate.

Committee on Housing and Community Development

November 30, 1996

Mr. Speaker: The Committee on Housing and Community Development reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2046 | Assembly Bill No. 2732 |
| Assembly Bill No. 2569 | Assembly Bill No. 2836 |
| Assembly Bill No. 2609 | Assembly Bill No. 2952 |
| Assembly Bill No. 2715 | Assembly Bill No. 3120 |
| Assembly Bill No. 2725 | Assembly Bill No. 3121 |
| Assembly Bill No. 2728 | Assembly Bill No. 3415 |

Without action.

HAWKINS, Chairman

November 30, 1996

Mr. Speaker: The Committee on Housing and Community Development reports:
Assembly Joint Resolution No. 12

Without action.

HAWKINS, Chairman

November 30, 1996

Mr. Speaker: The Committee on Housing and Community Development reports:

- | | |
|---------------------|----------------------|
| Senate Bill No. 78 | Senate Bill No. 1257 |
| Senate Bill No. 335 | Senate Bill No. 1708 |
| Senate Bill No. 895 | Senate Bill No. 2077 |

Without action.

HAWKINS, Chairman

Above bills returned to the Senate.

Committee on Human Services

November 30, 1996

Mr. Speaker: Your Committee on Human Services reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1990 | Assembly Bill No. 2926 |
| Assembly Bill No. 1993 | Assembly Bill No. 3007 |
| Assembly Bill No. 2172 | Assembly Bill No. 3016 |
| Assembly Bill No. 2394 | Assembly Bill No. 3091 |
| Assembly Bill No. 2814 | Assembly Bill No. 3172 |
| Assembly Bill No. 2816 | Assembly Bill No. 3387 |
| Assembly Bill No. 2818 | Assembly Bill No. 3455 |

Without action.

BORDONARO, Chairman

November 30, 1996

Mr. Speaker: Your Committee on Human Services reports:

- | | |
|----------------------|----------------------|
| Senate Bill No. 201 | Senate Bill No. 1728 |
| Senate Bill No. 278 | Senate Bill No. 1892 |
| Senate Bill No. 341 | Senate Bill No. 1973 |
| Senate Bill No. 1240 | Senate Bill No. 1975 |

Without action.

BORDONARO, Chairman

Above bills ordered transmitted to the Senate.

Committee on Insurance

November 30, 1996

Mr. Speaker: The Committee on Insurance reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2052 | Assembly Bill No. 3386 |
| Assembly Bill No. 2274 | Assembly Bill No. 3414 |
| Assembly Bill No. 2505 | Assembly Bill No. 3417 |
| Assembly Bill No. 2594 | Assembly Bill No. 3424 |
| Assembly Bill No. 2695 | Assembly Bill No. 3439 |
| Assembly Bill No. 3290 | Assembly Bill No. 3454 |
| Assembly Bill No. 3340 | |

Without action.

KNOWLES, Chairman

November 30, 1996

Mr. Speaker: The Committee on Insurance reports:

Senate Bill No. 464
 Senate Bill No. 705
 Senate Bill No. 968
 Senate Bill No. 1021
 Senate Bill No. 1216
 Senate Bill No. 1323

Senate Bill No. 1370
 Senate Bill No. 1858
 Senate Bill No. 1965
 Senate Bill No. 2037
 Senate Bill No. 2101

Without action.

KNOWLES, Chairman

Above bills returned to the Senate.

Committee on Judiciary

November 30, 1996

Mr. Speaker: The Committee on Judiciary reports:

Assembly Bill No. 2002
 Assembly Bill No. 2060
 Assembly Bill No. 2119
 Assembly Bill No. 2175
 Assembly Bill No. 2223
 Assembly Bill No. 2272
 Assembly Bill No. 2303
 Assembly Bill No. 2386

Assembly Bill No. 2395
 Assembly Bill No. 2425
 Assembly Bill No. 2459
 Assembly Bill No. 2473
 Assembly Bill No. 2555
 Assembly Bill No. 2577
 Assembly Bill No. 2602

Without action.

MORROW, Chairman

November 30, 1996

Mr. Speaker: The Committee on Judiciary reports:

Assembly Bill No. 2721
 Assembly Bill No. 2777
 Assembly Bill No. 2880
 Assembly Bill No. 2967
 Assembly Bill No. 3018
 Assembly Bill No. 3078
 Assembly Bill No. 3193
 Assembly Bill No. 3243

Assembly Bill No. 3281
 Assembly Bill No. 3283
 Assembly Bill No. 3287
 Assembly Bill No. 3338
 Assembly Bill No. 3356
 Assembly Bill No. 3362
 Assembly Bill No. 3363
 Assembly Bill No. 3367

Without action.

MORROW, Chairman

November 30, 1996

Mr. Speaker: The Committee on Judiciary reports:

Assembly Bill No. 3404
 Assembly Bill No. 3416

Without action.

MORROW, Chairman

November 30, 1996

Mr. Speaker: The Committee on Judiciary reports:

Assembly Concurrent Resolution No. 79

Without action.

MORROW, Chairman

November 30, 1996

Mr. Speaker: The Committee on Judiciary reports:

Assembly Constitutional Amendment No. 2
 Assembly Constitutional Amendment No. 17
 Assembly Constitutional Amendment No. 18
 Assembly Constitutional Amendment No. 36

Without action.

MORROW, Chairman

November 30, 1996

Mr. Speaker: The Committee on Judiciary reports:

- | | |
|----------------------|----------------------|
| Senate Bill No. 15 | Senate Bill No. 1400 |
| Senate Bill No. 56 | Senate Bill No. 1523 |
| Senate Bill No. 197 | Senate Bill No. 1813 |
| Senate Bill No. 413 | Senate Bill No. 2017 |
| Senate Bill No. 1034 | Senate Bill No. 2040 |
| Senate Bill No. 1125 | |

Without action.

MORROW, Chairman

Above bills returned to the Senate.

Committee on Labor and Employment

November 30, 1996

Mr. Speaker: The Committee on Labor and Employment reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2441 | Assembly Bill No. 3460 |
| Assembly Bill No. 3165 | Assembly Bill No. 3479 |

Without action.

HOUSE, Chairman

November 30, 1996

Mr. Speaker: The Committee on Labor and Employment reports:

- Assembly Concurrent Resolution No. 33

Without action.

HOUSE, Chairman

November 30, 1996

Mr. Speaker: The Committee on Labor and Employment reports:

- | | |
|----------------------|----------------------|
| Senate Bill No. 434 | Senate Bill No. 1654 |
| Senate Bill No. 588 | Senate Bill No. 1686 |
| Senate Bill No. 667 | Senate Bill No. 1822 |
| Senate Bill No. 843 | Senate Bill No. 1937 |
| Senate Bill No. 970 | Senate Bill No. 2145 |
| Senate Bill No. 1049 | Senate Bill No. 2146 |
| Senate Bill No. 1353 | Senate Bill No. 2166 |

Without action.

HOUSE, Chairman

Above bills returned to the Senate.

Committee on Local Government

November 30, 1996

Mr. Speaker: The Committee on Local Government reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2024 | Assembly Bill No. 2496 |
| Assembly Bill No. 2084 | Assembly Bill No. 2526 |
| Assembly Bill No. 2148 | Assembly Bill No. 2586 |
| Assembly Bill No. 2196 | Assembly Bill No. 2784 |
| Assembly Bill No. 2268 | Assembly Bill No. 2792 |
| Assembly Bill No. 2316 | Assembly Bill No. 3024 |
| Assembly Bill No. 2406 | Assembly Bill No. 3156 |
| Assembly Bill No. 2469 | |

Without action.

RAINEY, Chairman

November 30, 1996

Mr. Speaker: The Committee on Local Government reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 3168 | Assembly Bill No. 3301 |
| Assembly Bill No. 3189 | Assembly Bill No. 3334 |
| Assembly Bill No. 3190 | Assembly Bill No. 3435 |
| Assembly Bill No. 3192 | |

Without action.

RAINEY, Chairman

November 30, 1996

Mr. Speaker: The Committee on Local Government reports:
 Assembly Constitutional Amendment No. 7
 Assembly Constitutional Amendment No. 13
 Assembly Constitutional Amendment No. 24
 Assembly Constitutional Amendment No. 34
 Assembly Constitutional Amendment No. 38
 Without action.

RAINEY, Chairman

November 30, 1996

Mr. Speaker: The Committee on Local Government reports:
 Senate Bill No. 80
 Senate Bill No. 288
 Senate Bill No. 674
 Senate Bill No. 736
 Senate Bill No. 738
 Senate Bill No. 1024
 Senate Bill No. 1086
 Senate Bill No. 1389
 Senate Bill No. 1521
 Without action.

RAINEY, Chairman

Above bills returned to the Senate.

Committee on Natural Resources

November 30, 1996

Mr. Speaker: The Committee on Natural Resources reports:
 Assembly Bill No. 2337
 Assembly Bill No. 2858
 Assembly Bill No. 3023
 Assembly Bill No. 3206
 Assembly Bill No. 3285
 Assembly Bill No. 3406
 Assembly Bill No. 3463
 Assembly Bill No. 3466
 Assembly Bill No. 3467
 Assembly Bill No. 3468
 Assembly Bill No. 3469
 Without action.

OLBERG, Chairman

November 30, 1996

Mr. Speaker: The Committee on Natural Resources reports:
 Assembly Joint Resolution No. 6
 Without action.

OLBERG, Chairman

November 30, 1996

Mr. Speaker: The Committee on Natural Resources reports:
 Senate Bill No. 1163
 Without action.

OLBERG, Chairman

Above bill returned to the Senate.

November 30, 1996

Mr. Speaker: The Committee on Natural Resources reports:
 Senate Joint Resolution No. 25
 Without action.

OLBERG, Chairman

Above resolution returned to the Senate.

Committee on Public Employees, Retirement and Social Security

November 30, 1996

Mr. Speaker: The Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 2210
Assembly Bill No. 2273
Assembly Bill No. 2584
Assembly Bill No. 2833

Assembly Bill No. 2954
Assembly Bill No. 3011
Assembly Bill No. 3254
Assembly Bill No. 3376

Without action.

KALOOGIAN, Chairman

November 30, 1996

Mr. Speaker: The Committee on Public Employees, Retirement and Social Security reports:

Assembly Constitutional Amendment No. 22
Assembly Constitutional Amendment No. 1

Without action.

KALOOGIAN, Chairman

November 30, 1996

Mr. Speaker: The Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 48
Senate Bill No. 168
Senate Bill No. 285
Senate Bill No. 377
Senate Bill No. 381
Senate Bill No. 471
Senate Bill No. 540
Senate Bill No. 576

Senate Bill No. 613
Senate Bill No. 707
Senate Bill No. 708
Senate Bill No. 747
Senate Bill No. 847
Senate Bill No. 1209
Senate Bill No. 1703

Without action.

KALOOGIAN, Chairman

Above bills returned to the Senate.

Committee on Public Safety

November 30, 1996

Mr. Speaker: The Committee on Public Safety reports:

Assembly Bill No. 1992
Assembly Bill No. 2066
Assembly Bill No. 2072
Assembly Bill No. 2095
Assembly Bill No. 2132
Assembly Bill No. 2141
Assembly Bill No. 2204

Assembly Bill No. 2207
Assembly Bill No. 2227
Assembly Bill No. 2236
Assembly Bill No. 2290
Assembly Bill No. 2301
Assembly Bill No. 2364

Without action.

BOLAND, Chairwoman

November 30, 1996

Mr. Speaker: The Committee on Public Safety reports:

Assembly Bill No. 2418
Assembly Bill No. 2497
Assembly Bill No. 2603
Assembly Bill No. 2606
Assembly Bill No. 2619
Assembly Bill No. 2656
Assembly Bill No. 2724
Assembly Bill No. 2906

Assembly Bill No. 2918
Assembly Bill No. 2933
Assembly Bill No. 2946
Assembly Bill No. 2968
Assembly Bill No. 2996
Assembly Bill No. 3110
Assembly Bill No. 3242

Without action.

BOLAND, Chairwoman

November 30, 1996

Mr. Speaker: The Committee on Public Safety reports:

Assembly Bill No. 3299

Assembly Bill No. 3350

Assembly Bill No. 3303

Assembly Bill No. 3425

Assembly Bill No. 3326

Assembly Bill No. 3461

Without action.

BOLAND, Chairwoman

November 30, 1996

Mr. Speaker: The Committee on Public Safety reports:

Assembly Joint Resolution No. 18

Assembly Joint Resolution No. 67

Without action.

BOLAND, Chairwoman

November 30, 1996

Mr. Speaker: The Committee on Public Safety reports:

Assembly Constitutional Amendment No. 10

Assembly Constitutional Amendment No. 19

Assembly Constitutional Amendment No. 28

Assembly Constitutional Amendment No. 46

Without action.

BOLAND, Chairwoman

November 30, 1996

Mr. Speaker: The Committee on Public Safety reports:

Senate Bill No. 43

Senate Bill No. 1234

Senate Bill No. 138

Senate Bill No. 1242

Senate Bill No. 165

Senate Bill No. 1560

Senate Bill No. 166

Senate Bill No. 1561

Senate Bill No. 693

Senate Bill No. 1714

Senate Bill No. 769

Senate Bill No. 1715

Senate Bill No. 1134

Senate Bill No. 1716

Senate Bill No. 1195

Senate Bill No. 1956

Without action.

BOLAND, Chairwoman

Above bills returned to the Senate.

November 30, 1996

Mr. Speaker: The Committee on Public Safety reports:

Senate Bill No. 1972

Senate Bill No. 2124

Senate Bill No. 2126

Without action.

BOLAND, Chairwoman

Above bills returned to the Senate.

November 30, 1996

Mr. Speaker: The Committee on Public Safety reports:

Senate Joint Resolution No. 16

Without action.

BOLAND, Chairwoman

Above resolution returned to the Senate.

Committee on Revenue and Taxation

November 30, 1996

Mr. Speaker: The Committee on Revenue and Taxation reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2054 | Assembly Bill No. 2888 |
| Assembly Bill No. 2133 | Assembly Bill No. 2950 |
| Assembly Bill No. 2158 | Assembly Bill No. 2978 |
| Assembly Bill No. 2178 | Assembly Bill No. 3076 |
| Assembly Bill No. 2199 | Assembly Bill No. 3219 |
| Assembly Bill No. 2292 | Assembly Bill No. 3322 |
| Assembly Bill No. 2373 | Assembly Bill No. 3394 |
| Assembly Bill No. 2583 | Assembly Bill No. 3399 |
| Assembly Bill No. 2644 | Assembly Bill No. 3437 |

Without action.

TAKASUGI, Chairman

November 30, 1996

Mr. Speaker: The Committee on Revenue and Taxation reports:

- Assembly Joint Resolution No. 50

Without action.

TAKASUGI, Chairman

November 30, 1996

Mr. Speaker: The Committee on Revenue and Taxation reports:

- Assembly Constitutional Amendment No. 29
- Assembly Constitutional Amendment No. 31
- Assembly Constitutional Amendment No. 40

Without action.

TAKASUGI, Chairman

November 30, 1996

Mr. Speaker: The Committee on Revenue and Taxation reports:

- | | |
|----------------------|----------------------|
| Senate Bill No. 14 | Senate Bill No. 1828 |
| Senate Bill No. 173 | Senate Bill No. 1831 |
| Senate Bill No. 494 | Senate Bill No. 1832 |
| Senate Bill No. 565 | Senate Bill No. 1833 |
| Senate Bill No. 711 | Senate Bill No. 1834 |
| Senate Bill No. 719 | Senate Bill No. 1835 |
| Senate Bill No. 877 | Senate Bill No. 1837 |
| Senate Bill No. 1590 | Senate Bill No. 1842 |

Without action.

TAKASUGI, Chairman

Above bills returned to the Senate.

Committee on Rules

November 30, 1996

Mr. Speaker: The Committee on Rules reports:

- Assembly Concurrent Resolution No. 3
- Assembly Concurrent Resolution No. 15
- Assembly Concurrent Resolution No. 42
- Assembly Concurrent Resolution No. 44
- Assembly Concurrent Resolution No. 71
- Assembly Concurrent Resolution No. 73
- Assembly Concurrent Resolution No. 75
- Assembly Concurrent Resolution No. 88

Without action.

PRINGLE, Chairman

November 30, 1996

Mr. Speaker: The Committee on Rules reports:

Assembly Joint Resolution No. 8
 Assembly Joint Resolution No. 13
 Assembly Joint Resolution No. 43
 Assembly Joint Resolution No. 46
 Assembly Joint Resolution No. 47
 Assembly Joint Resolution No. 71

Without action.

PRINGLE, Chairman

November 30, 1996

Mr. Speaker: The Committee on Rules reports:

Assembly Constitutional Amendment No. 5
 Assembly Constitutional Amendment No. 21
 Assembly Constitutional Amendment No. 26
 Assembly Constitutional Amendment No. 27

Without action.

PRINGLE, Chairman

November 30, 1996

Mr. Speaker: The Committee on Rules reports:

House Resolution No. 14	House Resolution No. 18
House Resolution No. 15	House Resolution No. 25
House Resolution No. 16	House Resolution No. 34
House Resolution No. 17	House Resolution No. 38

Without action.

PRINGLE, Chairman

November 30, 1996

Mr. Speaker: The Committee on Rules reports:

Senate Bill No. 1869

Without action.

PRINGLE, Chairman

Above bill returned to the Senate.

November 30, 1996

Mr. Speaker: The Committee on Rules reports:

Senate Concurrent Resolution No. 6
 Senate Concurrent Resolution No. 10
 Senate Concurrent Resolution No. 26
 Senate Concurrent Resolution No. 29
 Senate Concurrent Resolution No. 36

Without action.

PRINGLE, Chairman

Above resolutions returned to the Senate.

November 30, 1996

Mr. Speaker: The Committee on Rules reports:

Senate Joint Resolution No. 15
 Senate Joint Resolution No. 42

Without action.

PRINGLE, Chairman

Above resolutions returned to the Senate.

Committee on Transportation

November 30, 1996

Mr. Speaker: The Committee on Transportation reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2151 | Assembly Bill No. 2831 |
| Assembly Bill No. 2245 | Assembly Bill No. 2837 |
| Assembly Bill No. 2321 | Assembly Bill No. 2917 |
| Assembly Bill No. 2426 | Assembly Bill No. 2999 |
| Assembly Bill No. 2517 | Assembly Bill No. 3004 |
| Assembly Bill No. 2532 | Assembly Bill No. 3019 |
| Assembly Bill No. 2639 | Assembly Bill No. 3028 |
| Assembly Bill No. 2704 | Assembly Bill No. 3065 |

Without action.

BOWLER, Chairman

November 30, 1996

Mr. Speaker: The Committee on Transportation reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 3104 | Assembly Bill No. 3374 |
| Assembly Bill No. 3253 | Assembly Bill No. 3391 |
| Assembly Bill No. 3273 | |

Without action.

BOWLER, Chairman

November 30, 1996

Mr. Speaker: The Committee on Transportation reports:

- Assembly Concurrent Resolution No. 66
- Assembly Concurrent Resolution No. 83

Without action.

BOWLER, Chairman

November 30, 1996

Mr. Speaker: The Committee on Transportation reports:

- Assembly Joint Resolution No. 75

Without action.

BOWLER, Chairman

November 30, 1996

Mr. Speaker: The Committee on Transportation reports:

- | | |
|----------------------|----------------------|
| Senate Bill No. 309 | Senate Bill No. 1198 |
| Senate Bill No. 899 | Senate Bill No. 2105 |
| Senate Bill No. 1138 | |

Without action.

BOWLER, Chairman

Above bills returned to the Senate.

Committee on Utilities and Commerce

November 30, 1996

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2362 | Assembly Bill No. 2875 |
| Assembly Bill No. 2576 | Assembly Bill No. 3108 |
| Assembly Bill No. 2712 | |

Without action.

CONROY, Chairman

November 30, 1996

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

- Assembly Concurrent Resolution No. 81

Without action.

CONROY, Chairman

MESSAGES FROM THE SENATE

Senate Chamber, November 30, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate returns without further action:

Assembly Bill No. 83	Assembly Bill No. 2013
Assembly Bill No. 229	Assembly Bill No. 2139
Assembly Bill No. 260	Assembly Bill No. 2281
Assembly Bill No. 479	Assembly Bill No. 2323
Assembly Bill No. 685	Assembly Bill No. 2424
Assembly Bill No. 947	Assembly Bill No. 2514
Assembly Bill No. 1231	Assembly Bill No. 2811
Assembly Bill No. 1241	Assembly Bill No. 3027
Assembly Bill No. 1332	Assembly Bill No. 3112
Assembly Bill No. 1390	Assembly Bill No. 3149
Assembly Bill No. 1805	Assembly Bill No. 3205
Assembly Bill No. 1839	Assembly Bill No. 3216
Assembly Bill No. 1913	Assembly Bill No. 3324
Assembly Bill No. 1929	Assembly Bill No. 3343
Assembly Bill No. 1982	Assembly Bill No. 3344

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

Senate Chamber, November 30, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate returns without further action:

Assembly Bill No. 132	Assembly Bill No. 773
Assembly Bill No. 589	Assembly Bill No. 890
Assembly Bill No. 765	Assembly Bill No. 1750

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

Senate Chamber, November 30, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate returns without further action:

Assembly Bill No. 482	Assembly Bill No. 2350
Assembly Bill No. 489	Assembly Bill No. 2460
Assembly Bill No. 504	Assembly Bill No. 2683
Assembly Bill No. 1309	Assembly Bill No. 3489
Assembly Bill No. 1415	Assembly Bill No. 3491
Assembly Bill No. 1509	

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

Senate Chamber, November 30, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate returns without further action:

Assembly Bill No. 508
Assembly Bill No. 2438
Assembly Bill No. 3179
Assembly Constitutional Amendment No. 43

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

Senate Chamber, November 30, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate returns without further action:

Assembly Bill No. 1253	Assembly Bill No. 3150
Assembly Bill No. 2043	Assembly Bill No. 3440
Assembly Bill No. 2315	

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

Senate Chamber, November 30, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate returns without further action:

Assembly Bill No. 550
 Assembly Bill No. 628
 Assembly Bill No. 1176
 Assembly Bill No. 1353
 Assembly Bill No. 1607
 Assembly Bill No. 2045

Assembly Bill No. 2198
 Assembly Bill No. 2401
 Assembly Bill No. 2520
 Assembly Bill No. 2853
 Assembly Bill No. 2860
 Assembly Bill No. 3089

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

Senate Chamber, November 30, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate returns without further action:

Assembly Bill No. 1
 Assembly Bill No. 50
 Assembly Bill No. 269
 Assembly Bill No. 398
 Assembly Bill No. 525
 Assembly Bill No. 572
 Assembly Bill No. 656
 Assembly Bill No. 801
 Assembly Bill No. 894
 Assembly Bill No. 1105
 Assembly Bill No. 1106
 Assembly Bill No. 1288
 Assembly Bill No. 1365
 Assembly Bill No. 1394
 Assembly Bill No. 1474
 Assembly Bill No. 1477

Assembly Bill No. 1749
 Assembly Bill No. 1847
 Assembly Bill No. 1961
 Assembly Bill No. 2399
 Assembly Bill No. 2498
 Assembly Bill No. 2504
 Assembly Bill No. 2509
 Assembly Bill No. 2540
 Assembly Bill No. 2929
 Assembly Bill No. 3087
 Assembly Bill No. 3134
 Assembly Bill No. 3236
 Assembly Bill No. 3293
 Assembly Bill No. 3385
 Assembly Bill No. 3388
 Assembly Bill No. 3450

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

Senate Chamber, November 30, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate returns without further action:

Assembly Bill No. 42
 Assembly Bill No. 403
 Assembly Bill No. 468
 Assembly Bill No. 1956
 Assembly Bill No. 2102

Assembly Bill No. 2209
 Assembly Bill No. 2607
 Assembly Bill No. 2620
 Assembly Bill No. 3198
 Assembly Bill No. 3476

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

Senate Chamber, November 30, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate returns without further action:

Assembly Bill No. 5
 Assembly Bill No. 10
 Assembly Bill No. 11
 Assembly Bill No. 12
 Assembly Bill No. 14
 Assembly Bill No. 19
 Assembly Bill No. 29
 Assembly Bill No. 30
 Assembly Bill No. 32
 Assembly Bill No. 52
 Assembly Bill No. 86
 Assembly Bill No. 90
 Assembly Bill No. 94
 Assembly Bill No. 98
 Assembly Bill No. 114
 Assembly Bill No. 125
 Assembly Bill No. 127

Assembly Bill No. 139
 Assembly Bill No. 154
 Assembly Bill No. 164
 Assembly Bill No. 165
 Assembly Bill No. 169
 Assembly Bill No. 172
 Assembly Bill No. 187
 Assembly Bill No. 191
 Assembly Bill No. 198
 Assembly Bill No. 208
 Assembly Bill No. 209
 Assembly Bill No. 215
 Assembly Bill No. 224
 Assembly Bill No. 243
 Assembly Bill No. 244
 Assembly Bill No. 246
 Assembly Bill No. 249

Assembly Bill No. 252
Assembly Bill No. 261
Assembly Bill No. 267
Assembly Bill No. 271
Assembly Bill No. 288
Assembly Bill No. 289
Assembly Bill No. 291
Assembly Bill No. 297
Assembly Bill No. 299
Assembly Bill No. 300
Assembly Bill No. 318
Assembly Bill No. 321
Assembly Bill No. 334
Assembly Bill No. 340
Assembly Bill No. 357
Assembly Bill No. 362
Assembly Bill No. 364
Assembly Bill No. 380
Assembly Bill No. 383
Assembly Bill No. 388
Assembly Bill No. 394
Assembly Bill No. 405
Assembly Bill No. 409
Assembly Bill No. 410
Assembly Bill No. 411
Assembly Bill No. 417
Assembly Bill No. 432
Assembly Bill No. 435
Assembly Bill No. 447
Assembly Bill No. 450
Assembly Bill No. 455
Assembly Bill No. 456
Assembly Bill No. 462
Assembly Bill No. 477
Assembly Bill No. 484
Assembly Bill No. 491
Assembly Bill No. 501
Assembly Bill No. 527
Assembly Bill No. 528
Assembly Bill No. 534
Assembly Bill No. 546
Assembly Bill No. 556
Assembly Bill No. 566
Assembly Bill No. 584
Assembly Bill No. 587
Assembly Bill No. 593
Assembly Bill No. 596
Assembly Bill No. 604
Assembly Bill No. 606
Assembly Bill No. 607
Assembly Bill No. 619
Assembly Bill No. 621
Assembly Bill No. 638
Assembly Bill No. 667
Assembly Bill No. 669
Assembly Bill No. 675
Assembly Bill No. 677
Assembly Bill No. 678
Assembly Bill No. 688
Assembly Bill No. 698
Assembly Bill No. 703
Assembly Bill No. 705
Assembly Bill No. 707
Assembly Bill No. 708
Assembly Bill No. 711
Assembly Bill No. 715
Assembly Bill No. 720

Assembly Bill No. 735
Assembly Bill No. 743
Assembly Bill No. 754
Assembly Bill No. 760
Assembly Bill No. 768
Assembly Bill No. 769
Assembly Bill No. 779
Assembly Bill No. 789
Assembly Bill No. 795
Assembly Bill No. 800
Assembly Bill No. 808
Assembly Bill No. 851
Assembly Bill No. 856
Assembly Bill No. 871
Assembly Bill No. 879
Assembly Bill No. 880
Assembly Bill No. 883
Assembly Bill No. 886
Assembly Bill No. 892
Assembly Bill No. 913
Assembly Bill No. 916
Assembly Bill No. 917
Assembly Bill No. 918
Assembly Bill No. 927
Assembly Bill No. 930
Assembly Bill No. 934
Assembly Bill No. 941
Assembly Bill No. 955
Assembly Bill No. 956
Assembly Bill No. 957
Assembly Bill No. 966
Assembly Bill No. 978
Assembly Bill No. 982
Assembly Bill No. 993
Assembly Bill No. 999
Assembly Bill No. 1006
Assembly Bill No. 1018
Assembly Bill No. 1026
Assembly Bill No. 1030
Assembly Bill No. 1031
Assembly Bill No. 1046
Assembly Bill No. 1048
Assembly Bill No. 1056
Assembly Bill No. 1057
Assembly Bill No. 1069
Assembly Bill No. 1073
Assembly Bill No. 1074
Assembly Bill No. 1076
Assembly Bill No. 1081
Assembly Bill No. 1098
Assembly Bill No. 1123
Assembly Bill No. 1133
Assembly Bill No. 1135
Assembly Bill No. 1157
Assembly Bill No. 1179
Assembly Bill No. 1183
Assembly Bill No. 1185
Assembly Bill No. 1187
Assembly Bill No. 1189
Assembly Bill No. 1192
Assembly Bill No. 1202
Assembly Bill No. 1207
Assembly Bill No. 1230
Assembly Bill No. 1239
Assembly Bill No. 1249
Assembly Bill No. 1251
Assembly Bill No. 1275

Assembly Bill No. 1277
Assembly Bill No. 1283
Assembly Bill No. 1322
Assembly Bill No. 1326
Assembly Bill No. 1330
Assembly Bill No. 1342
Assembly Bill No. 1352
Assembly Bill No. 1359
Assembly Bill No. 1363
Assembly Bill No. 1385
Assembly Bill No. 1396
Assembly Bill No. 1403
Assembly Bill No. 1412
Assembly Bill No. 1416
Assembly Bill No. 1433
Assembly Bill No. 1446
Assembly Bill No. 1478
Assembly Bill No. 1484
Assembly Bill No. 1485
Assembly Bill No. 1488
Assembly Bill No. 1493
Assembly Bill No. 1502
Assembly Bill No. 1505
Assembly Bill No. 1508
Assembly Bill No. 1553
Assembly Bill No. 1555
Assembly Bill No. 1560
Assembly Bill No. 1579
Assembly Bill No. 1585
Assembly Bill No. 1588
Assembly Bill No. 1591
Assembly Bill No. 1592
Assembly Bill No. 1593
Assembly Bill No. 1601
Assembly Bill No. 1605
Assembly Bill No. 1606
Assembly Bill No. 1608
Assembly Bill No. 1621
Assembly Bill No. 1625
Assembly Bill No. 1627
Assembly Bill No. 1630
Assembly Bill No. 1640
Assembly Bill No. 1649
Assembly Bill No. 1652
Assembly Bill No. 1659
Assembly Bill No. 1670
Assembly Bill No. 1673
Assembly Bill No. 1678
Assembly Bill No. 1729
Assembly Bill No. 1730
Assembly Bill No. 1741
Assembly Bill No. 1745
Assembly Bill No. 1746
Assembly Bill No. 1752
Assembly Bill No. 1758
Assembly Bill No. 1759
Assembly Bill No. 1761
Assembly Bill No. 1764
Assembly Bill No. 1766
Assembly Bill No. 1768
Assembly Bill No. 1776
Assembly Bill No. 1795
Assembly Bill No. 1803
Assembly Bill No. 1809
Assembly Bill No. 1815
Assembly Bill No. 1826
Assembly Bill No. 1852
Assembly Bill No. 1862
Assembly Bill No. 1867
Assembly Bill No. 1880
Assembly Bill No. 1883
Assembly Bill No. 1898
Assembly Bill No. 1904
Assembly Bill No. 1905
Assembly Bill No. 1908
Assembly Bill No. 1923
Assembly Bill No. 1924
Assembly Bill No. 1927
Assembly Bill No. 1935
Assembly Bill No. 1940
Assembly Bill No. 1952
Assembly Bill No. 1954
Assembly Bill No. 1958
Assembly Bill No. 1977
Assembly Bill No. 1994
Assembly Bill No. 2001
Assembly Bill No. 2004
Assembly Bill No. 2010
Assembly Bill No. 2022
Assembly Bill No. 2029
Assembly Bill No. 2033
Assembly Bill No. 2037
Assembly Bill No. 2039
Assembly Bill No. 2040
Assembly Bill No. 2041
Assembly Bill No. 2055
Assembly Bill No. 2059
Assembly Bill No. 2065
Assembly Bill No. 2073
Assembly Bill No. 2077
Assembly Bill No. 2079
Assembly Bill No. 2080
Assembly Bill No. 2085
Assembly Bill No. 2087
Assembly Bill No. 2092
Assembly Bill No. 2094
Assembly Bill No. 2100
Assembly Bill No. 2101
Assembly Bill No. 2106
Assembly Bill No. 2107
Assembly Bill No. 2109
Assembly Bill No. 2117
Assembly Bill No. 2121
Assembly Bill No. 2122
Assembly Bill No. 2129
Assembly Bill No. 2130
Assembly Bill No. 2143
Assembly Bill No. 2145
Assembly Bill No. 2147
Assembly Bill No. 2156
Assembly Bill No. 2163
Assembly Bill No. 2166
Assembly Bill No. 2169
Assembly Bill No. 2194
Assembly Bill No. 2197
Assembly Bill No. 2200
Assembly Bill No. 2206
Assembly Bill No. 2213
Assembly Bill No. 2217
Assembly Bill No. 2225
Assembly Bill No. 2226
Assembly Bill No. 2232
Assembly Bill No. 2240
Assembly Bill No. 2247

Assembly Bill No. 2248
Assembly Bill No. 2250
Assembly Bill No. 2251
Assembly Bill No. 2264
Assembly Bill No. 2270
Assembly Bill No. 2276
Assembly Bill No. 2277
Assembly Bill No. 2285
Assembly Bill No. 2302
Assembly Bill No. 2309
Assembly Bill No. 2310
Assembly Bill No. 2311
Assembly Bill No. 2318
Assembly Bill No. 2320
Assembly Bill No. 2327
Assembly Bill No. 2335
Assembly Bill No. 2342
Assembly Bill No. 2348
Assembly Bill No. 2351
Assembly Bill No. 2356
Assembly Bill No. 2357
Assembly Bill No. 2358
Assembly Bill No. 2361
Assembly Bill No. 2365
Assembly Bill No. 2366
Assembly Bill No. 2370
Assembly Bill No. 2375
Assembly Bill No. 2379
Assembly Bill No. 2385
Assembly Bill No. 2387
Assembly Bill No. 2389
Assembly Bill No. 2405
Assembly Bill No. 2409
Assembly Bill No. 2410
Assembly Bill No. 2412
Assembly Bill No. 2445
Assembly Bill No. 2446
Assembly Bill No. 2450
Assembly Bill No. 2456
Assembly Bill No. 2462
Assembly Bill No. 2465
Assembly Bill No. 2467
Assembly Bill No. 2471
Assembly Bill No. 2481
Assembly Bill No. 2484
Assembly Bill No. 2486
Assembly Bill No. 2489
Assembly Bill No. 2495
Assembly Bill No. 2499
Assembly Bill No. 2510
Assembly Bill No. 2527
Assembly Bill No. 2529
Assembly Bill No. 2531
Assembly Bill No. 2533
Assembly Bill No. 2534
Assembly Bill No. 2545
Assembly Bill No. 2552
Assembly Bill No. 2561
Assembly Bill No. 2570
Assembly Bill No. 2571
Assembly Bill No. 2572
Assembly Bill No. 2579
Assembly Bill No. 2587
Assembly Bill No. 2592
Assembly Bill No. 2595
Assembly Bill No. 2597
Assembly Bill No. 2621
Assembly Bill No. 2624
Assembly Bill No. 2625
Assembly Bill No. 2632
Assembly Bill No. 2638
Assembly Bill No. 2640
Assembly Bill No. 2641
Assembly Bill No. 2642
Assembly Bill No. 2646
Assembly Bill No. 2653
Assembly Bill No. 2657
Assembly Bill No. 2658
Assembly Bill No. 2662
Assembly Bill No. 2670
Assembly Bill No. 2671
Assembly Bill No. 2682
Assembly Bill No. 2685
Assembly Bill No. 2688
Assembly Bill No. 2689
Assembly Bill No. 2702
Assembly Bill No. 2703
Assembly Bill No. 2706
Assembly Bill No. 2708
Assembly Bill No. 2723
Assembly Bill No. 2733
Assembly Bill No. 2740
Assembly Bill No. 2744
Assembly Bill No. 2745
Assembly Bill No. 2752
Assembly Bill No. 2758
Assembly Bill No. 2761
Assembly Bill No. 2762
Assembly Bill No. 2763
Assembly Bill No. 2764
Assembly Bill No. 2765
Assembly Bill No. 2773
Assembly Bill No. 2778
Assembly Bill No. 2786
Assembly Bill No. 2790
Assembly Bill No. 2795
Assembly Bill No. 2796
Assembly Bill No. 2798
Assembly Bill No. 2807
Assembly Bill No. 2825
Assembly Bill No. 2832
Assembly Bill No. 2840
Assembly Bill No. 2843
Assembly Bill No. 2849
Assembly Bill No. 2855
Assembly Bill No. 2859
Assembly Bill No. 2864
Assembly Bill No. 2868
Assembly Bill No. 2878
Assembly Bill No. 2882
Assembly Bill No. 2885
Assembly Bill No. 2889
Assembly Bill No. 2892
Assembly Bill No. 2893
Assembly Bill No. 2896
Assembly Bill No. 2900
Assembly Bill No. 2908
Assembly Bill No. 2909
Assembly Bill No. 2922
Assembly Bill No. 2924
Assembly Bill No. 2930
Assembly Bill No. 2944
Assembly Bill No. 2959
Assembly Bill No. 2965

Assembly Bill No. 2969
 Assembly Bill No. 2997
 Assembly Bill No. 3002
 Assembly Bill No. 3006
 Assembly Bill No. 3010
 Assembly Bill No. 3021
 Assembly Bill No. 3033
 Assembly Bill No. 3038
 Assembly Bill No. 3039
 Assembly Bill No. 3041
 Assembly Bill No. 3045
 Assembly Bill No. 3049
 Assembly Bill No. 3051
 Assembly Bill No. 3063
 Assembly Bill No. 3067
 Assembly Bill No. 3068
 Assembly Bill No. 3069
 Assembly Bill No. 3071
 Assembly Bill No. 3074
 Assembly Bill No. 3082
 Assembly Bill No. 3084
 Assembly Bill No. 3113
 Assembly Bill No. 3114
 Assembly Bill No. 3117
 Assembly Bill No. 3118
 Assembly Bill No. 3128
 Assembly Bill No. 3140
 Assembly Bill No. 3143
 Assembly Bill No. 3146
 Assembly Bill No. 3158
 Assembly Bill No. 3174
 Assembly Bill No. 3175
 Assembly Bill No. 3180
 Assembly Bill No. 3181
 Assembly Bill No. 3200

Assembly Bill No. 3201
 Assembly Bill No. 3202
 Assembly Bill No. 3211
 Assembly Bill No. 3225
 Assembly Bill No. 3231
 Assembly Bill No. 3237
 Assembly Bill No. 3240
 Assembly Bill No. 3248
 Assembly Bill No. 3249
 Assembly Bill No. 3250
 Assembly Bill No. 3252
 Assembly Bill No. 3261
 Assembly Bill No. 3264
 Assembly Bill No. 3266
 Assembly Bill No. 3267
 Assembly Bill No. 3282
 Assembly Bill No. 3284
 Assembly Bill No. 3288
 Assembly Bill No. 3306
 Assembly Bill No. 3307
 Assembly Bill No. 3311
 Assembly Bill No. 3312
 Assembly Bill No. 3315
 Assembly Bill No. 3341
 Assembly Bill No. 3357
 Assembly Bill No. 3359
 Assembly Bill No. 3360
 Assembly Bill No. 3364
 Assembly Bill No. 3371
 Assembly Bill No. 3377
 Assembly Bill No. 3381
 Assembly Bill No. 3412
 Assembly Bill No. 3432
 Assembly Bill No. 3465

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

Senate Chamber, November 30, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate returns without further action:

Assembly Constitutional Amendment No. 9
 Assembly Constitutional Amendment No. 25
 Assembly Constitutional Amendment No. 39
 Assembly Concurrent Resolution No. 32
 Assembly Concurrent Resolution No. 54
 Assembly Concurrent Resolution No. 60
 Assembly Concurrent Resolution No. 63
 Assembly Concurrent Resolution No. 72
 Assembly Concurrent Resolution No. 91
 Assembly Joint Resolution No. 16
 Assembly Joint Resolution No. 23
 Assembly Joint Resolution No. 31
 Assembly Joint Resolution No. 32
 Assembly Joint Resolution No. 38
 Assembly Joint Resolution No. 57
 Assembly Joint Resolution No. 61
 Assembly Joint Resolution No. 65
 Assembly Joint Resolution No. 69

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

MEASURES WHICH DIED AT ASSEMBLY DESK

Assembly Bills Nos. 2030, 2098, 2230, 2253, 2304, 2326, 2332, 2485, 2521, 2537, 2543, 2730, 2734, *2757, 2813, 2815, 2817, 2822, 2829, 2844, *2876, 2891, 2913, 2914, 2941, 2956, 2986, 2993, 3052, 3154, 3209, 3269, 3272, 3275, 3291, 3300, 3325, 3333, 3347, 3353, 3395, 3408, 3409, 3410, 3411, 3418, 3419, 3420, 3430, and 3438; Assembly Concurrent Resolutions Nos. 23, 62, 69, 74, and 99; Assembly Joint Resolution No. 74; and House Resolutions Nos. 9, 62, 65, 71, and 90.

Senate Bills Nos. **575, 1390, 1752, 1761, 1764, 1767, 1773, 1775, 1786, 1787, 1812, 1829, 1830, 1840, 1897, and 2072; Senate Concurrent Resolution No. 62; and Senate Joint Resolutions Nos. 8 and 57.

*NOTE: Bills withdrawn from enrollment and held at desk

**NOTE: Bill held at desk pursuant to Article 4, Sections 8(b) and 10(c) of the Constitution

**MEASURES WHICH DIED ON UNFINISHED BUSINESS—
CONCURRENCE PENDING**

Assembly Bills Nos. 641, 1755, 2553, *2696, and 3222.

*NOTE: Bill died under Call of the Assembly (See Assembly Journal, page 9154).

MEASURES WHICH DIED ON THIRD READING

Assembly Bills Nos. 2614 and 3014; Assembly Constitutional Amendments Nos. 30, 42, 45, and 47; Assembly Concurrent Resolution No. 89; Assembly Joint Resolutions Nos. 52, 54, 66, and 72; and House Resolution No. 46.

Senate Bills Nos. 118, 144, 183, 431, 484, 500, 524, 535, 692, 763, 1838, and 2086.

MEASURES WHICH DIED IN CONFERENCE

Assembly Bills Nos. 126, 177, 223, 256, 275, 378, 423, 458, 668, 861, 905, 906, 976, 1136, 1533, 1574, 1590, 2049, 2167, 2289, 2444, 2452, 2549, 3054, 3122, 3147, 3151, 3268, and 3426; and Assembly Constitutional Amendment No. 49.

MEASURES WHICH DIED ON INACTIVE FILE

Assembly Bills Nos. 1998, 2113, 2114, 2142, 2150, 2205, 2305, 2325, 2347, 2437, 2455, 2493, 2503, 2580, 2600, 2650, 2709, 2747, 2782, 2899, 2940, 2994, 3066, 3105, 3127, 3159, 3178, 3227, 3352, 3442, 3444, and 3456; Assembly Constitutional Amendment No. 12; Assembly Joint Resolutions Nos. 64 and 70; and House Resolution No. 48.

Senate Bills Nos. 249, 622, 908, 920, 1076, 1280, 1315, 1354, 1517, 1609, 1619, 1628, 1676, 1948, 2058, and 2114; and Senate Joint Resolution No. 35.

The following bills died on the inactive file—concurrence pending:

Assembly Bills Nos. 118, 348, 644, 802, 1143, 1167, 1218, 1537, 1675, 1875, 2111, 2257, 2806, 3009, and 3490.

MEASURES WHICH DIED IN COMMITTEE—CONCURRENCE PENDING

Assembly Bill No. 161 (Appropriations);
Assembly Bill No. 1682 (Appropriations);
Assembly Bill No. 445 (Budget);
Assembly Bill No. 281 (Consumer Protection, Governmental
Efficiency, and Economic Development);
Assembly Bill No. 1513 (Education);
Assembly Bill No. 1807 (Health);
Assembly Bill No. 1841 (Health);
Assembly Bill No. 2739 (Housing and Community Development);
Assembly Bill No. 201 (Insurance);
Assembly Bill No. 1242 (Judiciary);
Assembly Bill No. 2020 (Judiciary);
Assembly Bill No. 3166 (Local Government);
Assembly Bill No. 401 (Public Safety);
Assembly Bill No. 547 (Public Safety);
Assembly Bill No. 1881 (Public Safety);
Assembly Bill No. 3246 (Public Safety);
Assembly Bill No. 365 (Revenue and Taxation).

ADJOURNMENT

At 12 p.m., November 30, 1996, pursuant to the provisions of Article IV, Section 3(a) of the Constitution and Joint Rule 51, the Assembly adjourned *sine die* for the 1995-96 Regular Session of the Legislature.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

ASSEMBLY JOURNAL

APPENDIX TO THE ASSEMBLY JOURNAL

FOR THE

1995-96 REGULAR SESSION

Assembly Chamber, Sacramento
November 30, 1996

The following is an appendix to the Assembly Journal for the 1995-96 Regular Session containing information received subsequent to publication of the November 30, 1996 Journal.

COMMUNICATIONS

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

November 21, 1996

E. Dotson Wilson
California State Assembly
State Capitol Building, Room 3196
Sacramento, California

Dear Mr. Wilson: Please be advised pursuant to Public Resources Code Section 33213, I have appointed Timothy Riley to the Santa Monica Mountains Conservancy Advisory Committee replacing Mary Jo Kitz, who is removed.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

E. Dotson Wilson, Chief Clerk
California State Assembly
State Capitol Building, Room 3196
Sacramento, California

Dear Mr. Wilson: Please be advised pursuant to Business and Professions Code Section 5620, I have appointed Eric Erickson to the State Board of Landscape Architects for a term ending June 1, 1999, to fill an existing vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Welfare and Institutions Code, Section 9200, I have appointed Brian Johnston to the California Commission of Aging for a term ending November 27, 1999 replacing Irene Tonello whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Welfare and Institutions Code, Section 9200, I have appointed Clark Handley to the California Commission of Aging for a term ending November 27, 1999 filling a vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Government Code Sections 8751 and 8752, I have appointed Hugh Hewitt to the Arts Council for a term expiring January 1, 2000, replacing Joan Agajanian Quinn whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 26, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Business and Professions Code, Section 7000 et seq. I have reappointed John Chalker to the Contractors' State License Board for a term expiring June 1, 2000.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Business and Professions Code Section 7302, I have appointed Wayne Sheriff to the Board of Barbering and Cosmetology for a term ending June 1, 2000, replacing Ronald Lind, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Education Code Section 51874, I have appointed Frank Ury to the Education Council for Technology in Learning for a term ending July 1, 1998 replacing Kathryn Edwards, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Education Code Section 94740, I have appointed Bob Smith and Al Nagy to the Council for Private Postsecondary and Vocational Education. Smith represents vocational schools, and fills an existing vacancy for a term ending January 1, 1998. Nagy, a public member, also fills a vacancy, for a term ending January 1, 1999.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Health and Safety Code Section 1799, I have appointed Steve Murphy to the Commission on Emergency Medical Services for a term ending January 1, 1999, filling an existing vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Business and Professions Code Section 6710 I have appointed Andy Hopwood to the State Board of Registration for Professional Engineers for a term ending June 1, 1999, to fill an existing vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Government Code Section 14998.2, I have appointed myself to the California Film Commission for a term ending November 27, 2000, to fill an existing vacancy, created by the resignation of Assemblyman Jim Brulte.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Government Code Section 15363.10, I have appointed Mark Watts to the California Economic Strategy Panel for a term ending November 27, 1998 replacing Hal Plotkin, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Business and Professions Code Section 2600, I have appointed Virginia Zlaket to the Physical Therapy Examining Committee for a term ending June 1, 1999, to fill an existing vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Business and Professions Code Section 2701, I have appointed Seth Liebman to the Board of Registered Nurses for a term ending June 1, 2000 replacing Harriett Clark, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Health and Safety Code Section 44021, I have appointed Bob Gannon to the Smog Check Inspection and Maintenance Review Committee for a term ending January 1, 2000, to fill an existing vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Business and Professions Code Section 2531, I have appointed Mary Ruth Pinson to the Speech Pathology and Audiology Examining Committee for a term ending June 1, 2000 replacing Louise Gelber, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Health and Safety Code Section 24162, I have appointed Doug Cavanaugh and Hal Massey to the Tobacco Education Oversight Committee for terms ending November 27, 1998 replacing Dr. Reed Tuckson and Dr. Lester Breslow, whose terms have expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Business and Professions Code Section 4832, I have appointed Marty Roberts to the Registered Veterinary Technician Examining Committee for a term ending June 1, 2000 replacing Ceasar A. Churchwell, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Education Code Section 51874, I have appointed Anna Tung Beth to the Education Council for Technology in Learning for a term ending July 1, 1998 replacing James Brown, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Health and Safety Code Sections 39904 and 39905, I have appointed John Ben to the Scientific Advisory Committee on Acid Deposition, replacing Freeman Allen, who is removed.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Food and Agricultural Code Section 54441, I have appointed Steve Arnoldy to the Agricultural Cooperative Bargaining Associations Advisory Committee to fill an existing vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Government Code Section 15394, I have appointed Greg Buchbinder to the California Export Finance Board for a term ending December 31, 1997, to fill an existing vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Health and Safety Code Section 1799, I have appointed Dan Trueba to the Commission on Emergency Medical Services for a term ending January 1, 1999, filling an existing vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Corporations Code Section 14021, I have appointed Steven Kister to the Small Business Development Board, replacing Bruce Leppla, who is removed.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to California Penal Code Section 13810, I have appointed John Distelrath to the California Council on Criminal Justice, replacing Oliver Thompson, who is removed.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Education Code Section 60606, I have appointed Betty Cordoba to the Statewide Pupil Assessment Review Panel, for a term ending November 27, 1998, filling an existing vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Government Code Section 66620, I have appointed Wade HUGHAN to the San Francisco Bay Conservation and Development Commission replacing Keith Eickman, who is removed.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Health and Safety Code Sections 1777, I have appointed Rita Deiss to the Committee on Continuing Care Contracts of the State Department of Social Services, to fill an existing vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Business and Professions Code Section 3710, I have appointed Sara Blicharz to the Respiratory Care Examining Committee for a term ending June 1, 2000 replacing Barbara Young, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Education Code Section 33590, I have appointed Veronica Lomeli and Louis Cassani to the Advisory Commission on Special Education, for terms ending December 31, 1999. Lomeli and Cassani are replacing Ann Kinkor and Beth Rice, whose terms have expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Business and Professions Code Section 3910, I have appointed Brian Johnston to the Board of Nursing Home Administrators for a term ending July 15, 1999, replacing Gloria Sutton Clark, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Education Code Section 8952.5, I have appointed Joseph Stein to the Board of Trustees for the California State Summer School for the Arts for a term ending November 27, 1999, replacing Richard Bains, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Business and Professions Code Section 8520, I have appointed Glenn Hellyer to the Structural Pest Control Board for a term ending June 1, 2000, replacing Wayne Grisham, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Health and Safety Code Section 44021, I have appointed Richard Skaggs to the Smog Check Inspection and Maintenance Review Committee for a term ending January 1, 2000, to fill an existing vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Education Code Section 51874, I have appointed Anna Tungseth to the Education Council for Technology in Learning for a term ending July 1, 1998 replacing James Brown, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Health and Safety Code Section 523 I have appointed Jeff Roberts to the Environmental Health Specialist Registration Committee for a term ending January 1, 1999 to fill an existing vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Health and Safety Code Section 128695, I have appointed Peter Farley, M.D. to the California Health Policy and Data Advisory Commission for a term ending January 1, 1999, replacing William Weil, whose term expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Education Code Section 69562, I have appointed Anthony Souza to the Student Opportunity and Access Program Project Grant Advisory Committee, replacing William J. Cordero, who is removed.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Business and Professions Code, Section 1601, I have appointed Sylvia Muscia to the Board of Dental Examiners of California for a term ending January 15, 2000, replacing Linda Lucks, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Business and Professions Code Section 6046, I have appointed Cynthia Coad to the State Bar Examining Committee for a term ending September 30, 1999, replacing Marilyn Mackett, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

November 27, 1996

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

Dear Mr. Wilson: Please be advised pursuant to Business and Professions Code Section 2841, I have appointed Bridget Robins to the Board of Vocational Nurse and Psychiatric Technician Examiners for a term ending June 1, 2000 replacing Regina Carey, whose term has expired.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

COMMUNICATIONS

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

November 27, 1996

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

Dear Dotson: Please be advised that the following payment has been received by the Assembly Rules Committee in connection with the California Commission on the Status of African American Males:

Source	Northrop Grumman
Amount	\$5,000.00
Purpose	California Commission on the Status of African-American Males

Person/Class for

Whom Payment Used Assembly Member Barbara Lee and Staff

Please cause this information to be printed in the Assembly Journal in accordance with HR 37 and regulation 18944.2 of the Fair Political Practices Commission, Title 2, Division 6 of the California Code of Regulations.

Very truly yours,

JIM RICHARDSON
Chief Administrative Officer
Assembly Rules Committee

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

APPENDIX TO ASSEMBLY JOURNAL

1995-96 REGULAR SESSION

California State Assembly



Appendix
to
Assembly Journal

Standing Rules of the Assembly,
1995–96 Regular Session

Temporary Standing Rules of the Assembly,
1993–94 Regular Session

Standing Rules of the Senate,
1995–96 Regular Session

Temporary Joint Rules of the Senate and Assembly
1993–94 (Custom and Usage)

Assembly Chamber
July 1995

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STANDING RULES OF THE ASSEMBLY

1995–96 Regular Session

NOTE: See motions by Assemblymember Isenberg and Speaker Allen on p. 2000, Journal of the Assembly, 1995–96 Regular Session, June 5, 1995, and p. 2225, Journal of the Assembly, 1995–96 Regular Session, June 22, 1995.

**Standing Rules of the Assembly
1995-96 Regular Session**

Adoption of Rules

1. The adoption of the Standing Rules shall require an affirmative recorded vote of a majority of the duly elected and qualified Members of the Assembly. Once adopted, the Standing Rules shall remain in effect, unless amended as provided in these rules.

Amendment of Rules

2. Additions, deletions, substitutions, or amendments to these rules may be adopted only by a resolution adopted by an affirmative vote of 54 or more Members.

Duration of Rules

3. These rules shall remain in effect for all sessions of the Legislature that occur prior to December 2, 1996.

Speaker

4. A Speaker shall be elected by an affirmative vote of the majority of the duly elected and qualified Members.

Speaker to Call Assembly to Order

5. The Speaker or, in the Speaker's absence, a Speaker Pro Tempore designated by the Speaker, shall, at the hour appointed for the meeting, call the Assembly to order and shall preside.

Speakers pro Tempore

6. There shall be two Speakers pro Tempore. The Speaker shall appoint one Speaker pro Tempore, who shall be known as the Majority Speaker pro Tempore. The Floor Leader of the other party shall also appoint a Speaker pro Tempore, who shall be known as the Minority Speaker pro Tempore. A Speaker pro Tempore shall, if designated by the Speaker, preside over the daily sessions of the Legislature.

Committee on Rules

7. The Committee on Rules shall consist of the following 10 Members:

- (a) A Chair, appointed by the Speaker.
- (b) A Vice-Chair, who shall be a member of a different party than the Chair and appointed by the Floor Leader.
- (c) Four Members who are appointed by the Speaker.
- (d) Four Members who are appointed by the Floor Leader of the other party.

The Committee on Rules shall have the power to refer each bill and house resolution to a committee.

The Committee on Rules shall have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by Members as private offices.

Standing Committees

8. The Standing Committees created for the 1993-94 Regular Session of the Legislature are hereby created for all sessions of the Legislature that occur prior to December 2, 1996, with the exception of the Committee on Ways and Means. A Committee on Appropriations is hereby created to consider fiscal bills, and a

Committee on Budget is hereby created to consider the state budget. The Committee on Rules may create other standing committees. The Committee on Rules shall determine the jurisdiction and number of Members to serve on each standing committee. The Committee on Rules may create other committees or subcommittees.

Membership of Standing Committees

9. The Committee on Rules shall have an even number of members, divided equally between members of the Democratic and Republican Parties.

The members of all other committees shall have an odd number of members, divided proportionately between the two parties in relation to the political composition of the Assembly.

No Member may serve on more than four standing committees.

The membership of the standing committees from the party of the Speaker shall be appointed by the Speaker. The membership of the standing committees from the other party shall be appointed by the Floor Leader of that party.

Chairs of Standing Committees

10. The Speaker and the Floor Leader of the other party shall allocate the committees between the parties for the purpose of appointing the chair of each standing committee. The vice chair shall not be allocated to the same party as the chair. If the Speaker and the Floor Leader cannot agree upon the allocation, they shall adopt a rotation system to allocate committees. The system shall be as follows:

(a) The Speaker shall select the Committee on Rules. The Floor Leader of the other party shall then select between Appropriations and Budget.

(b) The method of allocating the other committees shall be determined by the Speaker and the Floor Leader of the other party.

(c) The Speaker shall appoint the chairs and vice chairs of the committees allocated to his or her party. The Floor Leader of the other party shall appoint the chairs and vice chairs of all other committees allocated to that party.

(d) The Speaker may be appointed to serve as the chair of any committee allocated to the Speaker's party.

Committee on Conference

11. The Assembly membership of a committee on conference shall be appointed in a manner to be determined by the Speaker and the Floor Leader of the other party.

Allocation of Operating Funds

12. The Committee on Rules shall classify certain functions of the Assembly as common functions and allocate resources for their operation. These common functions include services that are available to all Members without regard to party affiliation, and include, but are not limited to, the offices of the Chief Clerk, Sergeant-at-Arms, vehicles, printing, and computer services.

The Committee on Rules shall allocate an amount for the Assembly share of the joint operations of the houses, including the Legislative Analyst.

The Committee on Rules shall allocate an amount for the common functions.

The Committee on Rules shall allocate an amount for the operation of the office of the Speaker and the office of the Floor Leader of the party other than that of the Speaker, and offices of other party leaders as determined by the Committee on Rules.

The Committee on Rules shall allocate an amount to the chairpersons and vice chairpersons of all other committees.

The Committee on Rules shall allocate an equal amount for the operation of the office of each Member.

After allocating resources for the joint operations, common functions, offices of the Speaker, Floor Leader, and party leaders, committees, and offices of the Members, the Committee on Rules shall allocate the remainder of the operating funds in equal amounts to party caucuses.

The committee shall allocate sufficient amounts for all expenditures of the entities during the entire 1995–96 Regular Session.

Co-Chief Administrative Officers of the Assembly

13. The Committee on Rules shall appoint Co-Chief Administrative Officers of the Assembly who shall have duties relating to the administrative, fiscal, and business affairs of the Assembly that the committee shall prescribe.

Both Co-Chief Administrative Officers shall be responsible for administering the allocations made by the Committee on Rules for the Assembly share of the joint operations of the houses, common functions, committees, and offices of the Members. One Co-Chief Administrative Officer shall be responsible for administering the allocations to the Office of the Speaker and offices of other leaders of the same party and to the caucus of the same party as that of the Speaker. The other Co-Chief Administrative Officer shall be responsible for administering the allocations to the office of the Floor Leader of the party other than that of the Speaker and offices of other leaders of the same party and to the caucus of that same party.

Appointments by Speaker

14. Any appointment made pursuant to a statute by the Speaker to a board, commission, or other governmental entity or the dismissal of an appointee shall be confirmed by the Committee on Rules. All other appointments that the Speaker is authorized to make to governmental entities or the dismissal of an appointee shall be made by the Committee on Rules.

Speaker Emeritus

15. Any Member having served the Assembly in the capacity of Speaker shall, subsequent to that service, be known as Speaker Emeritus, and may perform such functions and duties as assigned by the Speaker.

Conflict with Other Rules

16. To the extent that these rules are in conflict with any other Rules of the Assembly from a preceding session which govern the Assembly by custom and usage, these rules shall prevail.

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**TEMPORARY STANDING RULES
OF THE ASSEMBLY**

1993–94 Regular Session

(Custom and Usage)

**TEMPORARY STANDING RULES
OF THE ASSEMBLY
1993-94 REGULAR SESSION**

(Custom and Usage)

**I. LEGISLATIVE ORGANIZATION
Assembly General Officers**

1. The general officers of the Assembly whose names and titles shall appear on the frontispiece of all publications are:

Speaker
Speaker pro Tempore
Assistant Speaker pro Tempore
Majority Floor Leader
Minority Floor Leader
Chief Clerk

Hours of Meeting

2. The session of the Assembly shall be daily, beginning at 9 o'clock a.m. (Sundays excepted), unless otherwise ordered by a majority vote of the Members present and voting.

Speaker to Call Assembly to Order

3. The Speaker, or in his or her absence, the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order. In the absence of both the Speaker and the Speaker pro Tempore, the Assistant Speaker pro Tempore shall call the Assembly to order, and shall preside until the return of the Speaker or the Speaker pro Tempore.

Roll Call and Quorum

4. Before proceeding with the business of the Assembly, the roll of the Members shall be called, and the names of those present shall be entered in the Journal. Forty-one Members constitute a quorum.

Assignment of Desks to Members

5. Members shall be assigned to offices and desks by the Committee on Rules, and, as far as possible, the committee shall conform to the requests of Members, giving due consideration to their seniority in legislative service in the Assembly.

Conference Committee Meetings

5.5. No Member may attend a meeting of a conference committee considering the Budget Bill, or a bill amending, augmenting, or supplementing the Budget Act, that is not open to the public.

**Conference Committee: Substantial
Policy Change**

5.6. (a) No conference committee on any bill, other than the Budget Bill and the budget implementation bills, shall approve any substantial policy change in any bill if that substantial policy change has been defeated in a policy committee of the Assembly within the current legislative session.

(b) For purposes of subdivision (d) of Joint Rule 29.5, the term "heard" means that a printed bill with substantially similar language was before the appropriate committee and taken up at a regular or special hearing of the committee during the current legislative

12 *Temporary Standing Rules of the Assembly (1993-94)*

session; or that an amendment, which was drafted and given a request number or approved as to form by the Legislative Counsel, was before the committee and taken up at a regular or special hearing of the committee.

II. RULES

Adoption of Standing Rules

6. The adoption of the Standing Rules shall require an affirmative recorded vote of 41 or more Members. When once adopted, the Standing Rules shall remain in effect, unless suspended or amended as provided in these rules.

Suspension of Rules

7. Any Standing Rule of the Assembly, except Rule 8, may be suspended temporarily by a vote of two-thirds of the Members present and voting; provided, that the temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

Amending Standing Rules

8. No Standing Rule of the Assembly shall be amended except by resolution adopted by an affirmative recorded vote of 54 or more Members.

No resolution proposing to amend a rule shall be considered until it has been referred to the Committee on Rules.

Temporary Rules

9. The Committee on Rules may at any time report a temporary rule. Upon adoption by an affirmative recorded vote of 54 or more Members, the temporary rule shall have the effect, for the time being, of a standing rule. If the temporary rule is in conflict with a standing rule, it shall supersede the standing rule only for the legislative day on which it is adopted or for a greater period as may be specified in the temporary rule.

Mason's Manual

10. In all cases not provided for by the Constitution, by the Assembly Rules, by the Joint Rules of the Senate and Assembly, or by statute, the authority shall be Mason's Manual (1979 edition).

III. ORGANIZATION OF COMMITTEES

Standing Committees

11. Twenty-four standing committees of the Assembly are hereby created, upon the several subjects, and titled respectively, as follows:

Agriculture

Consumer Protection, Governmental Efficiency and Economic Development

Education

Elections, Reapportionment and Constitutional Amendments

Environmental Safety and Toxic Materials

Finance, Insurance and Public Investment

Governmental Organization

Health

Higher Education
Housing and Community Development
Human Services
Judiciary
Labor and Employment
Local Government
Natural Resources
Public Employees, Retirement and Social Security
Public Safety
Revenue and Taxation
Rules
Televising the Assembly
Transportation
Utilities and Commerce
Water, Parks and Wildlife
Ways and Means

Open Meetings

11.3. (a) Except as otherwise provided in this rule, all meetings of the Assembly or a committee thereof shall be open and public, and all persons shall be permitted to attend the meetings. As used in this rule, "meeting" means a gathering of a quorum of the Members of the Assembly or a committee in one place for the purpose of discussing legislative or other official matters within the jurisdiction of the Assembly or committee. As used in this rule, "committee" includes a standing committee, joint committee, conference committee, subcommittee, select committee, special committee, research committee, or any similar body.

(b) Any meeting that is required to be open and public pursuant to this rule, including any closed session held pursuant to subdivision (c), shall be held only after full and timely notice to the public as provided by the Joint Rules of the Assembly and Senate.

(c) The Assembly or a committee thereof may hold a closed session solely for any of the following purposes:

(1) To consider the appointment, employment, evaluation of performance, or dismissal of a public officer or employee, to consider or hear complaints or charges brought against a Member of the Legislature or other public officer or employee, or to establish the classification or compensation of an employee of the Assembly.

(2) To consider matters affecting the safety and security of Members of the Legislature or its employees or the safety and security of any buildings and grounds used by the Legislature.

(3) To confer with, or receive advice from, its legal counsel regarding pending or reasonably anticipated, or whether to initiate, litigation when discussion in open session would not protect the interests of the Assembly or committee regarding the litigation.

(d) A caucus of the Members of the Assembly which is composed of members of the same political party may meet in closed session.

(e) A closed session may be held pursuant to paragraph (3) of subdivision (c) under any of the following circumstances:

(1) An adjudicatory proceeding before a court, administrative body exercising its adjudicatory authority, hearing officer, or

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arbitrator, to which the Assembly or a committee, Member, or employee thereof is a party, has been initiated formally.

(2) Based on existing facts and circumstances, a point has been reached where, in the opinion of the Assembly or a committee thereof, on the advice of its legal counsel, litigation against the Assembly or a committee, Member, or employee thereof is reasonably anticipated.

(3) Based on existing facts and circumstances, the Assembly or a committee thereof has decided to initiate or is deciding whether to initiate litigation.

(4) To confer with, or receive advice from, its legal counsel and negotiator prior to the purchase, sale, exchange, or lease of real property by or for the Assembly or a committee regarding the price and terms of payment for the purchase, sale, exchange, or lease.

(f) Prior to holding a closed session pursuant to paragraph (3) of subdivision (c), the presiding officer of the Assembly or the chair of the committee shall state publicly which paragraph of subdivision (c) is applicable. If the closed session is held pursuant to paragraph (1) of subdivision (e), the presiding officer or chair shall state the title of or otherwise specifically identify the litigation to be discussed, unless the presiding officer or chair states that to do so would jeopardize the ability to effectuate service of process upon one or more unserved parties, or that to do so would jeopardize the ability of the Assembly or the committee to conclude existing settlement negotiations to its advantage. If the closed session is held pursuant to paragraph (4) of subdivision (e), the notice of the closed session shall identify the real property which the negotiations may concern and the person with whom the negotiations may take place.

(g) The legal counsel for the Assembly or the committee shall prepare and submit to the Assembly or the committee a memorandum stating the specific reasons and legal authority for the closed session. If the closed session is held pursuant to paragraph (1) of subdivision (e), the memorandum shall include the title of or other identification of the litigation. If the closed session is held pursuant to paragraph (2), (3), or (4) of subdivision (e), the memorandum shall set forth the existing facts and circumstances on which the closed session is based. The legal counsel shall submit the memorandum to the Assembly or the committee prior to the closed session, if feasible, or, in any case, not later than one week after the closed session. The memorandum shall be exempt from disclosure under the Legislative Open Records Act (Art. 3.5 (commencing with Sec. 9070), Ch. 1.5, Pt. 1, Div. 2, Title 2, Gov. C.).

(h) For purposes of paragraph (3) of subdivision (c), "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

(i) For purposes of this rule, all expressions of the lawyer-client privilege other than those provided in this section are hereby abrogated. This section is the exclusive expression of the lawyer-client privilege for the purposes of conducting closed-session meetings pursuant to this rule.

(j) Disclosure of a memorandum required under this section shall not be deemed a waiver of the lawyer-client privilege provided for

under Article 3 (commencing with Section 950) of Chapter 4 of Division 8 of the Evidence Code.

Assembly Investigating Committees

11.5. (a) The standing committees of the Assembly created pursuant to Rule 11, with the exception of the Committee on Rules, are hereby constituted Assembly investigating committees and are authorized and directed to ascertain, study, and analyze all facts relating to any subjects or matters which the Committee on Rules shall assign to them upon request of the Assembly or upon its own initiative.

(b) Each of the Assembly investigating committees shall consist of the members of the standing committee on the same subject as most recently constituted. The chairperson and vice chairperson shall be the chairperson and vice chairperson of the standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power. The Speaker may increase or reduce the size of the committees.

(c) Each committee and any subcommittee, and its members, shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by law and by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the committee or subcommittee and their members.

(d) In order to prevent duplication and overlapping of studies between the various investigating committees herein created, no committee shall commence the study of any subject or matter not specifically authorized herein or assigned to it unless and until prior written approval thereof has been obtained from the Committee on Rules.

(e) The Committee on Rules shall provide for the expenses of the above committees and their members and for any charges, expenses, or claims they may incur under this resolution, to be paid from the Assembly Operating Fund and disbursed, after certification by the Chairperson of the Committee on Rules or his or her authorized representative, upon warrants drawn by the Controller upon the State Treasurer.

Membership of Standing Committees

12. The membership of the several standing committees shall be proportional to the partisan composition of the Assembly, to the extent practicable. Majority party members of each committee shall be recommended to the Speaker for his or her consideration by the majority party in a manner to be determined by the majority party caucus. Minority party members of each committee shall be recommended to the Speaker for his or her consideration by the minority party in a manner to be determined by the minority party caucus. In appointing Members to serve on the several standing committees, the Speaker shall consider the preferences of the Members as well as the recommendations of the respective party caucuses. A Member should not be appointed to serve on more than one committee that meets at the same time. The Speaker shall make

every effort to consider gender and ethnicity in making appointments to committees. The Speaker thereafter shall determine the number and Members to serve on each standing committee, except the Committee on Rules. Upon publication in the Journal of the number of Members on each standing committee, no further change in the number of Members of the committee shall be made otherwise than by an affirmative recorded vote of 41 or more Members.

Committee on Rules

13. There is a Committee on Rules, which shall act as the executive committee of the Assembly. The committee shall consist of the chairperson, who shall be the Speaker or a Member appointed by the Speaker, and eight other Members, four of whom shall be members of the minority party and four of whom shall be members of the majority party. The chairperson of each minority and majority party caucus shall within 72 hours after the operative date of this rule, convene the party caucus of which he or she is chairperson and provide the members thereof with ballots showing the names of the members. The members of each party caucus shall thereupon select four Members as nominees for membership on the Committee on Rules. Following the selection by the party caucus, the chairperson thereof shall file with the Chief Clerk the list of the four nominees for membership on the Committee on Rules. Upon the filing of each list, the Speaker shall immediately present the name of each nominee to the Assembly for its approval or rejection in the order filed. If approved by an affirmative recorded vote of 41 or more Members, the nominee shall be declared elected as a member of the committee. If a nominee fails to receive approval, the committee membership to which he or she would have been elected remains vacant until the chairperson of his or her party caucus files the name of another nominee who shall be a member of the party caucus selected in the same manner as the names of those previously presented. That person shall be the nominee who shall be thereafter approved by an affirmative recorded vote of 41 or more Members.

Vacancies in the elected membership of the Committee on Rules occurring during any session of the Legislature shall be filled as herein provided, and such vacancies occurring during joint recesses shall be filled temporarily, and until the session reconvenes, by the remaining committee members who are members of the same party as that of the member causing the vacancy. Vacancies in the appointive membership shall be filled by the Speaker.

In the event of an excused absence of an elected committee member of the majority party, the Majority Floor Leader, or his or her designee, shall serve as a temporary member of the committee. In the event of an excused absence of an elected committee member of the minority party, the Minority Floor Leader, or his or her designee, shall serve as a temporary member of the committee. In the event of an excused absence of the committee chairperson, the Speaker, or his or her designee, shall serve as the temporary chairperson of the committee. A temporary member or temporary chairperson shall serve until the absent member or chairperson returns. Five duly qualified members of the committee shall constitute a quorum.

No member of the Committee on Rules is eligible to serve as the chairperson of a standing committee.

The following Members, unless otherwise appointed or elected as a member, shall each be ex officio a member of the Committee on Rules with all of the rights and privileges of that membership except the right to vote:

- (a) Speaker
- (b) Speaker pro Tempore
- (c) Majority Floor Leader
- (d) Minority Floor Leader
- (e) Majority party caucus chairperson
- (f) Minority party caucus chairperson

Organization of Party Caucuses

13.1. Within two days after the general election held in November of each even-numbered year, the minority and majority caucuses shall meet for the purposes of electing their officers and their nominees for members of the Rules Committee for the next regular session. The rules and procedures of each caucus shall be determined by each caucus, but in no way shall they be inconsistent with these rules.

Powers of the Committee on Rules

14. The Committee on Rules shall have the following powers:

To refer each bill and house resolution to a committee, as provided by these rules.

To appoint all employees of the Assembly not otherwise provided for by statute. It shall have authority to terminate, to discipline, to establish and to modify the terms and conditions of employment of, or to suspend, with or without pay, any employee of the Assembly.

To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish these purposes.

Both during sessions, and after final adjournment and until the convening of the next regular session, the Committee on Rules has the following additional powers and duties:

(a) To contract with other agencies, public or private, as it deems necessary for the rendition and affording of these services, facilities, studies, and reports to the committee that will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of these rules and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of these rules.

(e) To make available to the Assembly, or to any Assembly or joint committee, or to any Member of the Assembly assistance in connection with the duties of the committee or other legislative

matters as the personnel under direction of the committee or its other facilities permit. Expenditure of funds for staffing and other resources for partisan purposes shall be proportional to the partisan composition of the Assembly. The committee shall allocate annually an amount for the operation of each Assembly committee, which shall constitute the annual budget of the committee.

(f) To make available to and furnish to the Assembly, and to Assembly investigating committees created at this session and to each of the members thereof, clerical, secretarial, and stenographic help as may be reasonably necessary for the Assembly to carry out its work, and for the committees and each of the members thereof, to make and carry on the studies and investigations required by or of them by the resolutions creating the committees, and for these purposes to employ additional stenographic and secretarial assistants as may be necessary, assign, reassign, and discharge these assistants and prescribe amounts, times, and methods of payment of their compensation. The committee shall allocate annually an amount for the operation of each investigating committee, which shall constitute the annual budget of the committee.

(g) During the times as the Assembly is not in session, the committee is authorized and directed to incur and pay expenses of the Assembly not otherwise provided for that the committee determines are reasonably necessary, including the repair, alteration, improvement, and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol and the Capitol Annex.

(h) The committee shall allocate sufficient moneys from the Assembly Operating Fund to support the Assembly's share of joint operations.

(i) The Chairperson of the Committee on Rules shall appoint a Chief Administrative Officer of the Assembly, subject to the ratification of the Committee on Rules, who shall have duties relating to the administrative, fiscal, and business affairs of the Assembly that the committee shall prescribe. The Chairperson of the Committee on Rules or a majority of the membership of the Committee on Rules may terminate the services of the Chief Administrative Officer at any time.

(j) The Committee on Rules shall provide for the publication of a compilation of the photographs of accredited press representatives.

Committee on Rules

15. The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular session and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction, the committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

Operating Fund Report

15.5. The Committee on Rules shall annually prepare a report to the public of expenditures as required by Section 9131 of the Government Code.

Independent Audit of Operating Funds

15.6. The Committee on Rules shall annually contract for an independent audit of the revenues and expenditures, for each fiscal year, from the Assembly Operating Fund. The organization performing the audit shall be selected by a majority of the Assembly upon the recommendation of the Committee on Rules. The audit shall be prepared in a manner and form to be determined by the organization performing the audit and consistent with generally accepted accounting principles.

The audit shall be completed and made available to the public within 180 calendar days following the completion of the fiscal year for which the audit is performed.

Rules Committee Resolutions

16. The Committee on Rules, acting unanimously by appropriate resolution, on behalf of and in the name of the Assembly, may extend congratulations, commendations, sympathy, or regret to any person, group, or organization, and may authorize the presentation of suitably prepared copies of these resolutions to the persons concerned and to their relatives.

Assembly Operating Fund

17. The Committee on Rules is the committee provided for in Section 9127 of the Government Code. The balance of all money in the Assembly Operating Fund, including money now or hereafter appropriated, except the sums that are specifically made available for the expense of designated committees or for other purposes, is hereby made available to the Committee on Rules for any charges or claims it may incur in carrying out the duties imposed upon it by these rules or by Assembly or concurrent resolution. The money made available by this rule includes the unencumbered balances of all sums heretofore made available to any Assembly or joint committee by the Assembly, upon the expiration of the committee, and shall be expended as provided in these rules.

Expenditures

18. No Member or committee shall be permitted to incur any expense except as authorized pursuant to these rules or the Joint Rules of the Senate and Assembly, or as authorized by the Assembly or the Committee on Rules.

The Committee on Rules shall provide, by rules and regulations, for the manner of authorizing expenditures by Members, committees, and officers and employees of the Assembly, not otherwise authorized by law, these rules, or the Joint Rules of the Senate and Assembly. These rules and regulations shall incorporate a provision whereby construction, alteration, improvement, repair, or maintenance of real or personal property, and the purchase of supplies and equipment, shall be governed by competitive bidding. Further, the rules and regulations shall provide for the payment of expenditures, authorized by these rules and regulations, from the

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Assembly Operating Fund upon certification of claims therefor to the Controller by the Committee on Rules or its authorized representative.

No Member may be reimbursed for travel outside the State of California without prior approval of the Speaker or the Committee on Rules.

Creation of Investigating Committees

19. An affirmative recorded vote of 41 or more Members is necessary in order to constitute any standing committee and investigating committee; and an affirmative recorded vote of 54 or more Members is necessary in order to create any other investigating committee.

Rules and Regulations Governing Committees

20. All claims for expenses incurred by investigating committees of the Assembly shall be approved by the Committee on Rules, or its authorized representative, before the claims are presented to the Controller.

All proposed expenditures, other than expenditures of the funds of an investigating committee, shall be approved by the Committee on Rules or its authorized representative before the expenses are incurred, unless the expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with the provisions of this rule.

The Committee on Rules shall adopt rules and regulations governing the awarding of any contract by an investigating committee and shall also adopt rules and regulations limiting the amount, time, and place of expenses and allowances to be paid to employees of Assembly investigating committees or other Assembly committees.

These rules may provide for allowances to committee employees in lieu of actual expenses.

Mileage is an allowance to a committee employee in lieu of actual expenses of travel. When travel is by private conveyance, mileage shall be allowed only to the operator of, and not to passengers in, a private vehicle. Claims for mileage by private conveyance must be accompanied by the license number of the vehicle and the names of state officers and employees riding as passengers.

Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairperson of every investigating committee and of any other Assembly committee that has employees.

Every Assembly committee, upon the conclusion of its work, or at the end of each legislative session in the case of standing committees, shall deliver to the Assembly Office of Research for use and custody, available to the Members of the Assembly, all documents, data, reports, and other materials that have come into the possession of the committee and which are not included within the final report of the

committee to the Assembly. A copy of the final report of each Assembly committee shall be filed with the Assembly Office of Research.

Fees for Witnesses

21. Each witness summoned to appear before the Assembly or any of its committees shall be reimbursed at a rate set by the Assembly Committee on Rules.

Assembly General Research Committee

22. (a) The Assembly General Research Committee is hereby continued as a permanent factfinding committee pursuant to Section 11 of Article IV of the California Constitution. The committee is allocated all subjects within the scope of legislative regulation and control but shall not undertake any investigation which another committee has been specifically requested or directed to undertake. The Assembly General Research Committee may act through subcommittees appointed by the Speaker in consultation with the Committee on Rules and these subcommittees may act only on the particular study or investigation assigned by the Speaker in consultation with the Committee on Rules, to the subcommittees. Each subcommittee shall be known and designated as a select committee. The Speaker is the Chairperson of the Assembly General Research Committee and may be a voting member of any subcommittee. Each member of the Assembly General Research Committee is authorized and directed to receive and investigate requests for legislative action made by individuals or groups and to report thereon to the full committee. The Committee on Rules is authorized to allocate to any subcommittee from the Assembly Operating Fund those sums that the Committee on Rules deems necessary to complete the investigation or study conferred upon that subcommittee. The Committee on Rules shall further allocate, from time to time, to the Assembly General Research Committee from the Assembly Operating Fund those sums as are necessary to permit the Assembly General Research Committee and the members thereof to carry out the duties imposed on them. The committee has continuous existence until the time that its existence is terminated by a resolution adopted by the Assembly, and the committee is authorized to act both during and between sessions of the Legislature, including any recess.

(b) The committee and its members shall have and exercise all the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to the committee and its members.

(c) The committee has the following additional powers and duties:

(1) To contract with other agencies, public or private, as it deems necessary for the rendition and affording of services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(2) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(3) To report its findings and recommendations to the Legislature and to the people from time to time and at any time.

(4) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

Printing of Committee Reports

23. All requests for the printing of reports of Assembly committees shall be referred to the Committee on Rules. The Committee on Rules shall determine the number of copies needed and whether or not the report shall be printed in the Journal. In no event shall more than 1,000 copies of any committee report be authorized by the Committee on Rules on the first printing, exclusive of the Journal copies, if the report is to be printed therein, unless the Committee on Rules finds and determines that there is a special need for that report in greater numbers.

Upon determination by the Committee on Rules that additional copies of an Assembly committee report are required at any time following the first printing of the authorized number of copies, the Committee on Rules may authorize one or more additional printings in the numbers found by it to be necessary and may make funds available therefor.

The State Printer shall hold the type for each Assembly committee report for a period of 90 days from the date of the first printing or for the time that the Committee on Rules deems necessary.

No Assembly committee report shall contain more than 100 pages, including the front and back cover thereof and any appendix, unless a greater number of pages has been approved and authorized by the Committee on Rules.

Assembly Employees

24. Every employee who works for a committee of the Assembly or a subcommittee of a committee, for a Member of the Assembly, for the Chief Clerk's office, or for the Sergeant at Arms, is an employee of the Assembly. All employees of the Assembly serve at the pleasure of the Assembly and the terms and conditions of their employment may be modified, or their employment may be terminated at will, by the Committee on Rules.

Every applicant for employment by the Assembly shall prepare a formal application for employment on forms prescribed by the Committee on Rules. The application shall include a statement of his or her present employment, his or her employment during the preceding two years, and other pertinent information that the Committee on Rules may require. The application shall be certified under penalty of perjury, and any willful false statement or omission of a material fact shall be punishable as perjury. If the application discloses any fact that indicates that the applicant has a personal interest that would conflict with the faithful performance of his or

her duties, the applicant shall not be employed. All applications shall be retained in the records of the committee.

Every employee shall complete the Assembly ethics course in the first six months of his or her employment. Thereafter, every employee shall take the course in the first six months of every legislative session.

No employee shall engage in any outside business activity or outside employment that is inconsistent, incompatible, or in conflict with his or her functions or responsibilities as an employee of the Assembly. Any employee who engages in any outside business activity or employment that is in any way related to his or her functions or responsibilities as an employee shall promptly notify the Committee on Rules of that business activity or employment.

Press Representatives

25. Accredited press representatives may not be excluded from any public legislative meeting or hearing and may not be prohibited from taking photographs, televising, or recording the committee or house hearings, subject to the following conditions:

1. This rule shall extend to all public legislative meetings.

2. Lights shall be used only when cameras are filming, and, when possible, proceedings in hearing rooms and the Chamber will be filmed without lights.

3. Every effort should be made to set up filming equipment before hearings or sessions begin, whenever possible.

4. The committee chairperson or Speaker of the Assembly shall be notified, as far in advance of the proceedings as possible, that recordings and television cameras will be present and filming.

5. To the extent practical, flash cameras shall not be used.

6. Photographs shall be taken in an orderly and expeditious manner so as to cause the least possible inconvenience to the committee or to the Members in the Chamber.

IV. ASSEMBLY FUNCTIONS

A. Duties of Assembly Officers

Duties of the Speaker

26. The Speaker shall possess the powers and perform the duties prescribed:

(a) To preserve order and decorum; he or she may speak to points of order in preference to the other Members, rising from his or her chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any Member. On every appeal, he or she shall have the right to assign his or her reason for his or her decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by Members as private offices.

(d) To name any Member to perform the duties of the Speaker, but those substitutions shall not extend beyond adjournment.

(e) To appoint the membership of all standing and special committees, and their respective chairpersons and vice-chairpersons, except as to the membership of the Committee on Rules. The Speaker has approval power over the appointment of subcommittees of those standing and special committees.

- (f) To establish a schedule of meetings of standing committees.
- (g) To have general control and direction over the Journals, papers, and bills of the Assembly.
- (h) To act as Chairperson of the Committee of the Whole.
- (i) To order the Lobby and Gallery cleared whenever he or she shall deem it necessary.
- (j) To authenticate by his or her signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpoenas issued by order of the Assembly.
- (k) The Speaker shall be ex officio member of all Assembly and joint committees with all of the rights and privileges of that membership, except the right to vote. In counting a quorum of any of those committees, the Speaker shall not be counted as a member.
- (l) The Speaker shall, at each regular session, appoint a Member of the Assembly to serve on the Judicial Council.

**Funerals and Other
Ceremonies and Events**

27. The Speaker may designate any one or more of the Members of the Assembly as the representatives of the Assembly to attend funerals and other ceremonies and events in appropriate circumstances. The Members so designated shall receive their expenses as provided in Joint Rule 35.

The Speaker or any Member of the Assembly designated by him or her may incur expenses that may be necessary for the purchase on behalf of the Assembly of suitable floral pieces at any funeral or at any other ceremony or event at which the offering of a floral tribute is appropriate.

Upon the death of a Member of the Assembly, the Speaker or any Member of the Assembly designated by him or her shall incur expenses that may be necessary for the purchase on behalf of the Assembly of a Bear Flag for use in connection with the funeral and burial of the Member, which flag shall be presented to the family of the Member.

The Speaker or any Member of the Assembly designated by him or her may incur expenses that may be necessary on behalf of the Assembly in connection with ceremonies and other events which are attended by the Speaker or by a Member of the Assembly pursuant to the Speaker's request. This paragraph does not include expenses for which a Member is entitled to reimbursement by these rules or the Joint Rules. "Expenses," as used in this paragraph constitute legislative expenses.

All expenses incurred pursuant to this rule, after approval by the Speaker, are hereby ordered to be paid out of the money allocated from the Assembly Operating Fund to the Committee on Rules and disbursed, after certification by the chairperson of the committee, upon warrants drawn by the Controller upon the State Treasury.

Duties of the Speaker pro Tempore

28. The Speaker pro Tempore shall perform those duties assigned by the Speaker, including the responsibility of presiding over sessions of the Assembly and advising the Members on parliamentary procedures of the house.

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.

Majority Floor Leader

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

It shall be his or her duty to make those appropriate motions, points of order, or other arrangements that may be necessary to expedite the proceedings of the Assembly and he or she 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.

Minority Floor Leader

30. The minority, if any, or any organized segment of the membership, may, through caucus or other means, designate a Member to act as floor leader for it. When so acting, he or she may be referred to as Minority Floor Leader.

Caucus Chairpersons

31. The chairperson of the caucus of the majority party and the chairperson of the caucus of the minority party shall perform those duties that are prescribed by their respective party caucuses.

Chief Clerk

32. The Chief Clerk of the Assembly shall have the following duties and responsibilities:

(a) To be charged with the responsibility of the keeping of the bills, papers, and records of the proceedings and actions of the Assembly and to have charge of the publication and distribution of those publications related thereto.

(b) To supervise Assembly employees engaged in duties related to paragraph (a) above.

(c) To act as Parliamentarian of the Assembly and to advise the officers of the Assembly and the Committee on Rules on parliamentary procedure and the Rules of the Assembly when called upon to do so.

(d) To prepare all bills, resolutions, histories, journals, and related publications for printing.

(e) To refuse to permit any bills, papers, or records to be removed from his or her office or out of his or her custody, except upon duly signed receipts from persons authorized.

(f) Before the commencement of each regular session of the Legislature, the Chief Clerk of the Assembly shall mail to each Member a blank form on which the Member may indicate his or her committee preferences. Accompanying the blank form shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning the form. After their receipt, all those

communications shall be held by the Chief Clerk of the Assembly and the information contained in the forms shall be forwarded to the Speaker of the Assembly.

(g) To perform those other duties that are prescribed by law or the Committee on Rules.

(h) The Chief Clerk may make technical changes in measures and amendments pending before the Assembly. The Chief Clerk shall notify the Speaker and the author of the measure of any such change.

(i) The Assistant Chief Clerk shall have the powers and perform the duties of the Chief Clerk during his or her absence.

(j) To compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, to see that the engrossed bill is a true copy of the original, with those amendments that may have been made thereto; and to see that all engrossed bills are reported back in the order in which they were ordered engrossed.

(k) To assist the Committee on Rules, upon its request, in recommending the reference of bills to the appropriate standing committee.

Sergeant at Arms

33. The duties of the Sergeant at Arms shall be as follows:

(a) To attend the Assembly during its session, preserve order, announce all official messengers, and serve all process issued by authority of the Assembly and directed by the Speaker; he or she shall receive his or her actual expenses for himself or herself or for an assistant when executing any process.

(b) To see that no person is admitted to the Assembly Chamber except in accordance with the provisions of these rules.

(c) To have general supervision over the Assistant Sergeants at Arms and be responsible for their official acts and their performance of and regular attendance upon their duties.

(d) To execute all commands of the Speaker.

(e) To perform all other duties pertaining to his or her office as prescribed by law or Assembly rule.

(f) The Chief Assistant Sergeant at Arms shall have the powers and perform the duties of the Sergeant at Arms during his or her absence.

Filling Interim Vacancies—Assembly Elected Officers

34. In the event a vacancy in any office, except Speaker, elected by the membership of the Assembly occurs during joint recesses, the Committee on Rules shall fill the office until the session reconvenes. If a vacancy occurs in the office of the Speaker during a joint recess, the Committee on Rules shall notify the membership within 15 days from the time the vacancy occurs and shall call a caucus of the membership of the Assembly for the purpose of filling the vacancy. This caucus shall be held at the State Capitol within 30 days from the time the vacancy occurs. Notice of the caucus shall be in writing and shall be mailed not less than 10 days prior to the meeting of the caucus. If the Committee on Rules fails to act within 15 days from the time the vacancy in the office of Speaker occurs, the Chief Clerk of the Assembly shall act in its place following the procedure set forth in

this rule. Any person selected to fill any vacancy pursuant to this rule shall hold the office until the session reconvenes.

An affirmative recorded vote of 41 or more Members shall be required for the selection by the Assembly caucus of a person to fill a vacancy pursuant to this rule. The procedure for selecting the Speaker at the caucus shall be the same as the procedure required for the election of the Speaker at a session.

**B. Printing
Authority for Printing**

35. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly. All invoices for printing furnished to the Assembly shall be itemized and rendered by the State Printer within 30 days after completion of the printing. When necessary, the Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

Ordering of Printing

36. The Chief Clerk is authorized and shall have the responsibility for ordering printing of bills, resolutions, journals, daily files, histories, and related documents.

The Chief Clerk of the Assembly, or the Chief Administrative Officer of the Assembly, shall order other printing as directed or authorized by the Committee on Rules, and the written order for that printing shall be countersigned by the Speaker or a person designated by the Speaker. The Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly shall also order other printing as directed or authorized by resolution or motion of the Assembly.

**Printing Assembly History and
Legislative Handbook**

37. During the session, the Chief Clerk shall cause to be printed and placed upon each Member's desk prior to convening on Monday of each week a complete history showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of the Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

The Chief Clerk of the Assembly shall, as soon as practicable, in each even-numbered year, commence to compile a legislative manual or handbook, pursuant to Section 9740 of the Government Code.

Guests of the Assembly

38. Nothing in these rules shall prevent the Speaker or Speaker pro Tempore from permitting the introduction of a special guest or guests.

Printing of Maps

39. Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by an affirmative recorded vote of 41 or more Members.

V. LEGISLATIVE PROCEDURE

Order of Business

40. The order of business of the Assembly shall be as follows:
1. Roll Call
 2. Prayer by the Chaplain
 3. Reading of the Previous Day's Journal
 4. Presentation of Petitions
 5. Introduction and Reference of Bills
 6. Reports of Committees
 7. Messages From the Governor
 8. Messages From the Senate
 9. Motions and Resolutions
 10. Business on the Daily File
 11. Announcements
 12. Adjournment

Pledging of Allegiance to the Flag

41. At each session, following the prayer by the Chaplain, the Members of the Assembly and its officers and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America. The Speaker shall invite guests present in the Assembly Chamber to join in the pledge of allegiance to the Flag of the United States of America.

Reading and Correcting Journals

42. (a) The reading of the Journal of the previous day may be dispensed with on motion by a majority vote of the Members present and voting.

(b) All journals of the Assembly shall be corrected by the Minute Clerk and delivered to the Chief Clerk.

(c) A motion to correct any day's Journal shall always be in order and shall require a majority vote of the Members present and voting.

Presentation of Petitions

43. Whenever petitions, memorials, or other papers are presented by a Member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or be referred to a committee as the Speaker shall determine. Receipt of that presentation and its disposition shall be noted in the Journal.

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer the petition to committee.

Messages From the Governor

44. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by an affirmative recorded vote of 54 or more Members.

Messages From the Senate

45. Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal. The Committee on Rules shall refer each bill to a committee, unless upon a motion the Assembly by an affirmative recorded vote of 41 or more Members shall refer it to some other committee. The action to refer a bill shall not be debatable. The reference shall be entered in the Journal. Assembly bills which have been passed without amendment by the Senate shall be ordered to enrollment.

Assembly bills amended by the Senate shall be placed upon the unfinished business file.

A. Bills and Resolutions

Bills Defined

46. (a) Whenever the word "bill" is used in these rules, it includes a constitutional amendment, a concurrent resolution, and a joint resolution, except as otherwise specifically provided.

(b) A concurrent resolution and a joint resolution, other than a resolution ratifying proposed amendments to the United States Constitution and a resolution calling for a constitutional convention, shall be treated in all respects as a bill except as follows:

- (1) It shall be given only one formal reading.
- (2) It shall not be deemed a bill within the meaning of subdivision (a) of Section 8 of Article IV of the California Constitution.
- (3) It shall not be deemed a bill for the purposes of Rule 96.

Introduction and Reference of Bills

47. Each bill shall be signed by each Member who is an author or coauthor of the bill before it is introduced. If any bill is introduced which does not contain the signature of its author or coauthor, the same, on motion of the Member whose name appears thereon without the signature, shall be stricken from the file by an affirmative recorded vote of 41 or more Members. In each legislative session, on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z, and as each Member's name is called, the Member may introduce one bill, constitutional amendment, concurrent or joint resolution. After this roll call, the preprint bills shall be introduced in numerical order.

After the introduction of preprinted bills, and subject to the provisions of the Joint Rules, any Member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Chief Clerk's desk.

When received at the Chief Clerk's desk it shall, under the proper order of business, be numbered, read the first time, be printed, referred to a standing committee, and a copy placed upon the desk of each Member before final passage.

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

Any committee may introduce a bill germane to any subject within the proper consideration of the committee in the same manner as any Member. No committee bill may be introduced unless it contains the signatures of a majority of all the members, including the

chairperson, of the committee. If all the members of a committee sign the bill, at the option of the committee chairperson, the committee members' names need not appear as authors in the heading of the printed bill.

Limitation on the Introduction of Bills

49. (a) A Member may introduce not more than 50 bills in the regular session.

(b) Notwithstanding subdivision (a), a Member who introduced 30 or more bills in the first year of the 1993-94 Regular Session may introduce up to 20 bills in the second year of the 1993-94 Regular Session without regard to the number of bills that the Member introduced in the first year of that session. A Member who introduced less than 30 bills in the first year of the 1993-94 Regular Session may introduce bills in the second year up to the limitation in subdivision (a).

(c) This rule shall not apply to a constitutional amendment, any type of resolution, or a bill introduced by a committee pursuant to Rule 47.

(d) This rule may be suspended with respect to a particular bill by approval of the Committee on Rules.

Reference of Bills to Committee

51. Except as otherwise provided in this rule, the Committee on Rules shall refer each bill to a committee by a majority vote of the membership of the committee, unless upon a motion the Assembly by an affirmative recorded vote of 41 or more Members shall refer it to some other committee. A motion to refer a bill shall not be debatable.

The Committee on Rules may require that, if a bill is reported out of the committee to which it has been referred, it shall be re-referred to another committee that shares jurisdiction of the subject matter of the bill.

Spot Bills

51.5. A bill which upon introduction makes no substantive change in or addition to existing law and which would not otherwise affect the ongoing operations of state and local government, may not be referred to a committee by the Committee on Rules. If the author subsequently proposes to the Committee on Rules to make substantive changes in the bill as introduced, the Committee on Rules may refer the bill to a committee, together with the proposed changes for consideration as author's amendments. A vote on passage of the bill may not be taken, however, until the bill with its amendments, if adopted, has been in print for at least 20 days.

Delivery of Bills to State Printer

52. After introduction and first reading, all bills shall be delivered to the State Printer.

Introduction of House Resolutions

53. All house resolutions shall be numbered and shall be referred to the appropriate committee by the Committee on Rules.

Each house resolution shall be signed by each Member who is an author or coauthor of the house resolution before it is introduced.

Resolutions by Member

54. A concurrent resolution or a house resolution may be introduced relating to a present or former state or federal elected official or a member of their immediate families. Other resolutions for the purpose of commendation or congratulation of any person, group or organization, or for the purpose of expressing sympathy, regret or sorrow on the death of any person, shall be prepared as a Rules Committee Resolution and presented to the committee for appropriate action.

The Committee on Rules may approve exceptions to this rule for house resolutions. The Chief Clerk shall not accept for introduction any house resolution that is contrary to this rule unless it is accompanied by the approval of the Committee on Rules.

B. Standing Committee Functions

Standing Committee Rules

55. Subject to the Joint Rules of the Senate and Assembly, the Rules of the Assembly shall govern the conduct of all committee meetings. Each committee may adopt, by a majority vote of its entire membership, those additional rules, not in conflict with the Standing Rules, that it may deem necessary for the conduct of any business referred to the committee.

**Meetings of Standing Committees
and Subcommittees**

56. All standing committees and subcommittees shall meet at the hour and place provided by schedule, unless otherwise ordered by the Assembly. No committee or subcommittee shall meet during any session of the Assembly, nor shall any Member of the Assembly attend a conference committee meeting on any bill during any session of the Assembly, without first obtaining permission from the Assembly.

When an unscheduled meeting of a standing committee or subcommittee has been so ordered, the meeting shall convene in an area which is readily accessible to the public and the Assembly shall take care that every effort is made to inform the public that a meeting has been called. An unscheduled meeting of a committee or subcommittee shall not be held in the Assembly Chamber.

No bills shall be set for hearing nor shall any notice thereof be published by any Assembly committee or subcommittee until that bill has been referred to the committee or subcommittee. Nothing in this paragraph shall prevent a committee or subcommittee from acting with regard to a bill referred to it where the only action taken is to cause the bill to be reported to the Assembly with the recommendation that amendments be adopted and the bill be reprinted as amended and re-referred to the committee or subcommittee.

The several standing committees and subcommittees and their chairpersons are directed to adopt a procedure which assures that no committee or subcommittee shall commence the hearing of any bill after the hour of six o'clock p.m. at an afternoon meeting of the committee or subcommittee or after the hour of 11 o'clock p.m. at an evening meeting, but the hearings on a bill commenced prior

thereto may be continued thereafter for that period of time that the committee or subcommittee deems necessary.

The several standing committees and subcommittees and their chairpersons shall adopt a procedure under which bills are scheduled for hearing on the basis of like subject matter groupings.

Committee Analyses

56.5. Except as otherwise noted in this rule, each standing committee and subcommittee shall prepare an analysis of every bill it has set for hearing, which shall be available to the public in the office of the committee or subcommittee one working day prior to the date on which the hearing is to be held. In the case of special meetings, or in the case of meetings of the Ways and Means Committee and its subcommittees, the analysis shall be available to the public at the beginning of the hearing. No question concerning a committee's compliance with this rule with regard to any bill shall be in order following a vote on passage of the bill in that committee. As used in this rule, a "working day" is any day on which a house file is published.

A copy of each committee analysis shall be transmitted by the committee secretary to the Assembly Floor Analysis Unit at the same time it is made available to the public.

Committee Consultants: Floor Analyses

56.6. Except as otherwise provided in this rule, the consultants of a standing committee or subcommittee are responsible for monitoring and tracking bills assigned to their respective committee or subcommittee throughout the entire legislative process. Except for resolutions and bills on the Consent Calendar, a consultant of the appropriate standing committee shall prepare, in a timely fashion, an analysis of every bill on third reading or the unfinished business file, and of any amendment to a bill that is on the Assembly Floor, as directed by the Assembly Floor Analysis Unit.

The committee consultant who prepares the analysis shall transmit a copy of the completed analysis to the Assembly Floor Analysis Unit. The Assembly Floor Analysis Unit is responsible for final editing and approval of all floor analyses.

Consent Calendar

56.7. If the chairperson of a committee or subcommittee, in advance of a hearing, proposes to recommend any bills for consideration on the Consent Calendar without hearing testimony on those bills in committee, a list of those bills shall be made available to the public at the same time as the committee analysis required under Rule 56.5.

Committee Quorum

57. Except as otherwise provided in this rule, a majority of the membership of any standing committee shall constitute a quorum for the transaction of its business, including the decision to recommend the adoption of any amendments to any bill. A majority of the membership of the committee shall be required to report a bill out of committee. Any vacancy on a standing committee shall not reduce the votes required to take action on a bill in that committee.

Whenever a member is disqualified pursuant to the provisions of Joint Rule 44 or the Political Reform Act of 1974 (Title 9 (commencing with Sec. 81000), Gov. C.) from voting or taking any other action related to the passage, defeat, or amendment of a bill in committee, that disqualification shall be treated the same as a vacancy. The member shall advise the chairperson of a disqualification and the chairperson shall announce which members are so disqualified at the commencement of the hearing on the bill.

Reconsideration

57.1. After a committee has voted on a bill, reconsideration may be granted only one time. Pursuant to subdivision (a) of Joint Rule 62, reconsideration may be granted within 15 legislative days or prior to the interim study joint recess, whichever occurs first. A vote on reconsideration may not be taken without the same notice required to set a bill for hearing unless that vote is taken at the same meeting at which the vote to be reconsidered was taken and the author is present. No action taken by a committee may be reconsidered except by a majority vote of the membership of the committee.

Bills Reported Back to Assembly

58. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairperson of each committee is charged with the observance of this rule. The chairperson of each committee shall, insofar as practicable, report back bills in the same order as they were acted upon by the committee.

Ways and Means Suspense File

58.2. The Committee on Ways and Means may maintain a suspense file, to which bills may be referred by vote of a majority of the members of the committee present and voting, pending further consideration by the committee. A bill may be taken off the suspense file and heard, upon two days' notice published in the file, by a vote of a majority of the members of the committee present and voting. A bill removed from the suspense file for the purpose of amendment only, pursuant to Rule 68, shall be re-referred to the committee and shall be placed on the suspense file pending further consideration by the committee.

Voting in Committee

58.5. When a standing committee or subcommittee takes action on a bill, including reconsideration, the vote shall be by roll call vote only. All roll call votes taken in a standing committee or subcommittee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly. The record of a roll call vote shall show for each proposal voted upon: all votes for and against, all members absent, and all members not voting. The chairperson of each standing committee or subcommittee shall promptly transmit a copy of the record of the roll call votes to the Chief Clerk of the Assembly, who shall cause the votes to be published in an appendix to the Journal on a monthly basis.

The committee secretary of each standing committee or subcommittee shall promptly transmit a copy of the record of the roll call votes to the Assembly Floor Analysis Unit.

A member may submit a written explanation of his or her vote, absence, or failure to vote on any bill or resolution, and shall have that explanation printed in the appendix to the Journal in the appropriate place, provided that explanation shall not exceed 50 words in length.

At the request of the author or any member of the committee, the committee shall hold the roll open on any Assembly bill until the adjournment of the committee meeting. At no time shall a bill be passed out by a committee without a quorum being present.

The provisions of this rule shall not apply to:

- (a) Adoption of author's amendments to a bill.
- (b) Withdrawal of a bill from a committee calendar at the request of an author.
- (c) Return of bills to the house where the bills have not been voted on by the committee.
- (d) Votes of subcommittees of the Ways and Means Committee when considering the Budget Bill.
- (e) Votes of the Committee on Rules when referring bills to committees.

**Subject Matter of Bill Recommended
for Study**

59. Whenever it is the decision of a standing committee that a bill referred to that committee shall not be given a do-pass recommendation but that the subject matter of the bill should be referred for study, that standing committee shall retain the bill in its possession and report its recommendation to the Assembly that the subject matter of the bill be referred to the Committee on Rules for assignment by it of the subject matter to an appropriate committee.

Nothing in this rule shall be construed to prohibit a committee from subsequently reporting the bill to the Assembly with a do-pass or do-pass as amended recommendation or from reporting it out of committee without further action on the final day of the session.

Committee Chairperson as Author

60. No chairperson of a standing committee shall preside at a committee hearing to consider a bill of which he or she is the sole author or the lead author, except that the Chairperson of the Committee on Ways and Means may preside at the hearing of the Budget Bill by the Committee on Ways and Means.

Reports of Committees

61. Reports of standing and special committees shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal, and a copy transmitted to the Assembly Office of Research, unless otherwise ordered by the Speaker or a majority vote of the Members present and voting.

When a report of a joint legislative committee is delivered to the Assembly Desk, the Speaker shall refer it to a standing committee for review and appropriate action.

Constitutional Amendments

62.5. All constitutional amendments shall be referred to the policy standing committee having jurisdiction of that subject matter and,

upon being reported out of that committee, shall be re-referred to the committee having constitutional amendments within its jurisdiction.

C. Passage of Bills
Daily File

63. There shall be printed an Assembly Daily File for each legislative day. The following listing shall constitute the order of business on the Daily File:

1. Special Orders of the Day
2. Second Reading, Assembly Bills
3. Second Reading, Senate Bills
4. Unfinished Business
5. Third Reading, Assembly Bills
6. Third Reading, Senate Bills

All bills on the Daily File shall be called for consideration, provided compliance has been had with Rule 58 in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the Members present. All scheduled committee hearings, together with the list of bills to be heard, shall be published in the Daily File.

Copies of Bills for Action Upon
Bill on Floor

64. No bill may be considered or acted upon on the floor of the Assembly unless and until a copy of the printed bill as introduced and a printed copy of each amended form of the bill have been placed upon the desks of the Members.

Second Reading of Bills

66. All bills shall be read by title the second time in the order of their appearance upon the second reading file. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading. All bills reported out of committee shall be placed on the second reading file for the next legislative day and shall not be read a second time until the next legislative day under that order of business. As used in this rule, "bill" does not include joint or concurrent resolutions, but does include constitutional amendments.

Bills Requiring General Fund
Appropriation

66.6. A bill which, if enacted and implemented, would provide for any new or expanded activity that would require the expenditure of money appropriated from the General Fund of the state, except money appropriated for the public schools, shall not be taken up on third reading file, if both (1) the bill does not contain an appropriation from the General Fund to meet that expenditure, and (2) either of the Budget Bills which are then pending, or the Budget Bill as enacted does not contain provisions that appropriate money from the General Fund for that expenditure.

Bills that require a state department or agency to prepare a study shall not be subject to the provisions of this rule.

Committee Amendments

67. Committee amendments reported with bills shall be considered upon their second reading and the amendments may be adopted by majority vote of the Members present and voting. Assembly and Senate bills amended on second reading, whether by committee amendment or amendment from the floor, shall be ordered reprinted and returned to the second reading file. Assembly bills so amended shall be engrossed after printing.

Committee amendments reported with bills shall be prepared by, or approved as to form by, the Legislative Counsel. Five copies of the committee amendments to Assembly bills and five copies of the committee amendments to Senate bills must be delivered to the Chief Clerk's desk.

The Chief Clerk shall cause to be transmitted to the Assembly Floor Analysis Unit a copy of each committee report and committee amendment, unless the committee report or committee amendment is relative to a joint, concurrent, or house resolution.

Adoption of amendments to any bill in the Assembly prior to third reading, other than by a roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of those amendments, or any part thereof, by the Assembly.

Author's Amendments

68. Upon request of the author of a bill, the chairperson of the committee to which the bill has been referred may, by his or her individual action taken independently of any committee meeting, cause the bill to be reported to the Assembly with the recommendation that amendments submitted by the author be adopted and the bill be reprinted as amended and re-referred to the committee.

Notwithstanding the provisions of any other rule, that bill shall not be placed on the second reading file for the adoption of those amendments.

Vote on Passage of Bill as Amended

68.5. Except as otherwise provided in this rule, a vote on passage of any bill in a standing committee or subcommittee shall be taken only when the bill is in print, including any previously adopted amendments which may have been made to it. A vote on passage of an amended bill when the amended form of the bill is not in print may be taken only if the sole effect of the amendment is to add coauthors to the bill or if the committee determines that the amendment is of such a nature that its effect upon the bill can be readily understood by all the members and audience present at the hearing. In that circumstance, any member may require that the amendments be in writing at the time of their adoption.

Bill Analysis Prior to Third Reading

68.6. No bill may be considered on third reading unless and until an analysis of the measure has been prepared by the Assembly Floor Analysis Unit and placed upon the desks of the Members, unless otherwise ordered by the Speaker.

As used in this rule, "bill" does not include joint or concurrent resolutions, but does include constitutional amendments.

**Analysis of Conference Committee
Amendments**

68.7. No report of a conference committee on any bill, other than the Budget Bill, that recommends the substantive amendment of a bill may be considered unless and until an analysis of the proposed amendment has been prepared by the Assembly Floor Analysis Unit and placed upon the desks of the Members, unless otherwise ordered by the Speaker.

Printing Conference Committee Reports

68.8. No conference report may be heard by the Assembly until it has been in print for two days prior to being taken up by the house.

Amendments From the Floor

69. (a) Any Member may move to amend a bill during its second or third reading and that motion to amend may be adopted by a majority vote of the Members present and voting.

No amendments to a bill offered from the floor, except committee amendments reported with bills, amendments offered with a motion to amend and re-refer a bill to committee, amendments deleting any number of words, amendments adding a total of not more than 25 words, or amendments previously printed in the Journal, shall be in order unless and until a copy of the proposed amendments has been placed upon the desks of the Members. If a copy of amendments adding a total of 25 words or less is not placed on the desks of Members, it shall be made available to the author of the bill, and the amendments shall be read in their entirety by the Chief Clerk prior to debate.

Amendments offered from the floor during a bill's second or third reading shall be prepared by, or approved as to form by, the Legislative Counsel.

Before debate five copies of the proposed amendment to Assembly bills, and five copies of the proposed amendments to Senate bills, must be delivered to the Chief Clerk's desk. One copy of the proposed amendment shall be transmitted by the Chief Clerk to the Assembly Floor Analysis Unit. Bills so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed as many copies of all amended bills as he or she may determine to be necessary.

(b) Amendments from the floor during a bill's third reading that would make a substantive change in the bill shall have an analysis prepared by the committee of origin in conjunction with the Assembly Floor Analysis Unit and a copy of that analysis shall be distributed to each Member's desk prior to the beginning of debate on adoption of the proposed amendment, unless otherwise ordered by the Speaker. As used in this subdivision, "bill" does not include joint or concurrent resolutions, but does include constitutional amendments.

**Consideration of Bills Re-referred
to Committee**

70. Whenever a bill which has been amended and re-referred to committee is reported out by that committee, it shall be placed on the second reading file and shall not be transferred therefrom to the third reading file until the following day.

Uncontested Bills

71. No bill shall be placed on the Assembly Consent Calendar unless it has met the requirements of Joint Rule 22.1 with respect to each Assembly standing committee to which the bill has been referred.

**Consideration of Concurrent and
Joint Resolutions**

73. Concurrent resolutions and joint resolutions may be amended by a majority vote of the Members present and voting. The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those authorizing expenditures of money, unless regularly demanded, or required by statute, or required by the Constitution.

Adoption of Resolutions

74. Any resolution upon which a roll call vote is demanded shall require an affirmative recorded vote of 41 or more Members for adoption.

The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of 41 or more Members.

Printing of Resolutions

75. When any previously printed house resolution is before the Assembly for adoption it shall be printed in the Assembly Daily Journal only if amendments to it have been adopted, in which case it shall be printed as amended. In the absence of those amendments, house resolutions before the Assembly for adoption shall be referred to by day and page of the Journal as printed upon introduction. For the purposes of this rule, the adding of a coauthor shall not be deemed an amendment.

Concurrence in Senate Amendments

77. It shall require the same affirmative recorded vote to concur in any Senate amendment to an Assembly bill as the vote required by the Constitution for the passage of the bill. The vote on concurrence shall be deemed the vote upon final passage of the bill.

Senate amendments to Assembly bills may not be concurred in unless and until an analysis of the measure has been prepared by the Assembly Floor Analysis Unit and a copy placed upon the desks of the Members, unless otherwise ordered by the Speaker. As used in this paragraph, “bill” does not include joint or concurrent resolutions, but does include constitutional amendments.

Digest of Bills Amended in Senate

77.1. Whenever the Senate amends and passes an Assembly bill, the Legislative Counsel shall, within one day after the bill is passed by the Senate, prepare and transmit to the Chief Clerk and the Speaker, a brief digest summarizing the effect of the Senate amendment. The Chief Clerk shall cause the digest to be printed in the Daily File immediately following any reference in the file to the bill covered by the digest.

Substantially Amended Bills

77.2. If the analysis of an amendment adopted on the floor discloses that the amendment makes a substantial substantive change

to a bill as passed by the last committee of reference, the bill, as amended, may be referred by the Chief Clerk of the Assembly, with the approval of the Speaker, to the committee of first reference. If the Speaker, after evaluation of the amended bill, determines that the committee of first reference is not an appropriate committee to hear the amended bill, the Speaker may direct the clerk to refer the bill to the Assembly Committee on Rules for appropriate action.

If the digest to an Assembly Bill that has been returned to the Assembly by the Senate for concurrence in Senate amendments discloses that the Senate has made a substantial substantive change in the bill as first passed by the Assembly, the bill may be referred by the Chief Clerk of the Assembly, with the approval of the Speaker, to the committee of first reference. If the Speaker, after evaluation of the amended bill, determines that the committee of first reference is not an appropriate committee to hear the amended bill, the Speaker may direct the clerk to refer the bill to the Assembly Committee on Rules for appropriate action.

Inactive File

78. Whenever a bill has been passed twice on third reading file, it shall forthwith be placed upon a special file to be known as the inactive file. A bill may also be placed on the inactive file at the request of the author. When a bill has been placed on the inactive file, it may be returned to the third reading file by a request of the author. Notice of the request to return the bill to the third reading file shall be published one day in advance in the Assembly File. The bill, when returned to the third reading file, shall then be placed at the foot of the third reading file.

When a bill, placed on the inactive file from the second reading file or the unfinished business file, is removed from the inactive file, it shall be returned to the foot of the second reading file or unfinished business file respectively, in the next published Daily File.

Engrossing and Enrolling Bills

79. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his or her hands for that purpose, in compliance with the provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in Sections 9508 and 9509 of the Government Code. The Chief Clerk shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal.

VI. PARLIAMENTARY PROCEDURE

A. Motions and Questions

Precedence of Motions During Debate

80. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

First—To adjourn;

Second—To recess to a time certain;

Third—To lay on the table;

- Fourth—For the previous question;
- Fifth—To set as a special order;
- Sixth—To postpone indefinitely;
- Seventh—To refer to or to re-refer;
- Eighth—To amend.

**Questions of Order Decided
Without Debate**

81. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 80 and pending that motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal From Decision of the Speaker

82. Any Member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another Member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his or her reasons for the decision, and the Member making the appeal may give his or her reasons for the appeal, and the Speaker shall forthwith put this question to the Assembly: “Shall the decision of the Speaker be sustained?”

An appeal cannot be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, that action shall have no effect on the pending question.

An appeal cannot be debated when relating to indecorum, transgression of rules, or priority of business. A majority vote of the Members present and voting shall decide any appeal. In the event of a tie vote, the appeal is lost.

Speaker Explains Order of Business

83. The Speaker may, on his or her own motion or upon the motion of any Member, explain the order of business when the motion pending before the Assembly is not debatable. That explanation shall not consume more than two minutes.

To Adjourn

84. A motion to adjourn is not debatable and cannot be amended, and is always in order, except: (a) when another Member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any Member moving an adjournment and also the hour at which the motion was made and adjournment taken shall be entered in the Journal. A motion to adjourn must be adopted by a majority vote of the Members present and voting.

When a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any Member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. That statement shall not occupy more than two minutes and shall not be debatable.

To Recess to a Time Certain

85. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that the motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

To Lay on the Table

86. A motion to lay on the table is not debatable and cannot be amended.

A motion to table a bill, constitutional amendment, or concurrent or joint resolution requires an affirmative recorded vote of 41 or more Members.

Any motion to lay on the table, if carried by 41 or more votes, carries with it the main question and everything that adheres to it; provided, however, that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, or concurrent, joint, or house resolution.

A motion to lay an amendment on the table may be adopted by a majority vote of the Members present and voting.

A motion to lay on the table cannot be applied with respect to reconsideration.

The Previous Question

87. The previous question shall be put only when demanded by five Members and its effect, when sustained by a majority vote of the Members present and voting, shall be to put an end to all debate and bring the Assembly to a vote only on the question then pending; except that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

Motion to Set Special Order

88. A motion to set any matter before the Assembly as a special order of business must be adopted by an affirmative recorded vote of 54 or more Members. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

Motion to Postpone to a Time Certain

89. A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

Motion to Postpone Indefinitely

90. When a motion is made to postpone indefinitely any bill, motion, or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by an affirmative recorded vote of 41 or more Members, the main question shall not be acted upon again during the session.

Motion to Amend

91. A motion to amend may itself be amended, but no "amendment to an amendment" may be amended. A motion to substitute shall be deemed to be a motion to amend and shall be considered the same as an amendment.

Only one substitute is in order when an amendment is pending. A motion to amend or to substitute is debatable, except where the main

question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the Members present and voting.

A motion to amend having been decided in the negative shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule, a motion to amend is in order during the second or third reading of any bill.

Amendment To Be Germane

92. No amendment to any bill, whether reported by a committee or offered by a Member, shall be in order when the amendment relates to a different subject than, or is intended to accomplish a different purpose than, or requires a title essentially different than, the original bill.

No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

No amendment shall be in order that changes the original number of any bill.

No Member shall be added or deleted as an author or coauthor of a bill or resolution without his or her consent.

Consideration of Motions

93. No motion, whether oral or written, shall be adopted until it is seconded and distinctly stated to the Assembly by the Speaker.

Motions in Writing

94. Upon request of the Speaker, all motions shall be reduced to writing and shall be read to the Assembly by the Speaker before being acted upon.

Withdrawal of Motions

95. After a motion is stated by the Speaker, or a bill, resolution, or petition is read by the Chief Clerk, it is in the possession of the Assembly.

Motion to Withdraw or Re-refer Bills

96. A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee, may be made during the regular order of business. A motion to re-refer shall only be debated as to the propriety of the reference, and shall require an affirmative recorded vote of 41 or more Members.

No bill or resolution shall be withdrawn from committee and placed upon the file, except upon two days' notice thereof and except by an affirmative recorded vote of 41 or more Members.

Re-reference of Measures on File

97. A motion to re-refer a bill or resolution that is on the Assembly Daily File to committee may be made during the regular order of business. The motion shall only be debatable as to the propriety of that reference and shall require an affirmative recorded vote of 41 or more Members.

Bills Stricken From File

98. A motion to strike from the file any bill or resolution requires an affirmative recorded vote of 41 or more Members. That bill or resolution shall not be acted upon again during the session.

**Motion to Rescind Action or
Expunge Record**

99. Previous to the approval of the Journal by the Assembly any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take that action originally; except that no action shall be rescinded and the record expunged by a vote less than an affirmative recorded vote of 41 or more Members. No motion to rescind the action and expunge the record shall be made twice on the same proposition.

A motion to rescind is not in order on any matter upon which a vote to reconsider has previously been taken in the Assembly.

Whenever any action of the Assembly is rescinded and its record ordered expunged, the record of the action expunged shall not appear in any form whatsoever, but the record of the proceedings on the motion to rescind and expunge shall appear in the Assembly Journal as and when printed.

Reconsideration of Vote

100. (a) A motion to reconsider a vote on the next legislative day must be made on the same day the vote to be reconsidered was taken. No motion to reconsider shall be adopted unless it receives an affirmative recorded vote of 41 or more Members, except that it shall require a vote of 54 or more Members or 60 or more Members, respectively, to reconsider the vote on any matter originally requiring 54 or more votes or 60 or more votes, as the case may be. A motion to reconsider may be voted on without a second.

A motion to reconsider a vote must be made by a Member voting on the question, and shall take precedence over all motions, except a motion to adjourn. Upon that motion being made, the matter to be reconsidered shall forthwith be placed upon the unfinished business file, and no further action shall be taken prior to the next legislative day. When a motion to reconsider has once been made, the same is the property of the Assembly. When reconsideration is granted, the matter to be reconsidered shall be before the Assembly in the same status as it was prior to the vote being reconsidered.

(b) (1) Interim Study Recess:

No motion to reconsider the vote whereby amendments are concurred in on Assembly bills, the vote whereby a Senate bill is passed and returned to the Senate or the vote whereby a conference committee report is adopted shall be in order on the last two legislative days preceding the interim study recess.

A motion to reconsider the vote whereby amendments are refused concurrence on Assembly bills, the vote whereby Senate bills are refused passage, or the vote whereby a conference committee report is refused adoption shall be in order on the last legislative day preceding the interim study recess.

The motion may be taken up before the end of that legislative day.

As used in this paragraph, "bill" does not include joint or concurrent resolutions.

(2) January 31—Even-numbered Year:

No motion to reconsider the vote whereby an Assembly bill is passed to the Senate shall be in order on the last two legislative days preceding January 31 of the even-numbered year.

A motion to reconsider the vote whereby an Assembly bill is refused passage on its third reading shall be in order on the last legislative day preceding January 31 of the even-numbered year.

The motion shall be taken up before the end of that legislative day.

As used in this paragraph, "bill" does not include Senate bills, constitutional amendments, or joint or concurrent resolutions.

(3) Final Recess:

No motion to reconsider the vote whereby a bill is passed shall be in order on the last two legislative days preceding the final recess.

A motion to reconsider the vote whereby a bill is defeated shall be in order on the day of the final recess.

The motion shall be taken up before the end of that legislative day.

(c) Any Member voting on any matter may move to take up on the same day the motion to reconsider the vote thereon, previously made by another Member. A motion to take up on the same day a motion to reconsider the vote on a bill shall require an affirmative recorded vote of two-thirds of the Members present and voting. A motion to take up on the same day a motion to reconsider the vote on any motion, amendment, Assembly resolution, or proposition other than a bill shall require an affirmative vote of a majority vote of the Members present and voting. The motion to take up the reconsideration on the same day shall take precedence over the motion to reconsider and upon demand of any Member the motion to take up the reconsideration on the same day shall be put to an immediate vote. If the motion to take up the reconsideration on the same day is adopted, the motion to reconsider shall be the next order of business before the Assembly.

(d) A second motion to reconsider the same question shall not be in order nor is a motion to reconsider reconsideration in order.

Call of Assembly

101. After the roll has been called, and prior to the announcement of the vote, any Member may move a call of the Assembly. The Members present may order a call of the Assembly by a majority vote of the Members present and voting, and the Speaker shall immediately order the Sergeant at Arms to lock all doors and shall direct the Chief Clerk to prepare a list of absentees as disclosed by the last roll call. The list of absentees shall be furnished to the Sergeant at Arms. Thereupon no Members shall be permitted to leave the Assembly Chamber except by written permission of the Speaker. No person shall be permitted to enter except Members, Senators, or officers, or employees of the Legislature in the official performance of their duties.

Those Members who are found to be absent, and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant at Arms or his or her assistants or any person designated by the Sergeant at Arms, including members of the California Highway Patrol, the State Police, and sheriffs or their deputies, and brought to the Assembly Chamber.

No recess or adjournment shall be taken during a call of the Assembly. Additional business may be conducted and calls placed regardless of the number of calls in effect. A call of the Assembly may be dispensed with at any time upon a majority vote of the Members present, that action to become effective upon the completion of the roll call and the announcement of the vote upon the matter for which the call was ordered, unless prior to the announcement of the vote, the call is continued by a majority vote of the Members present.

Division of Question

102. Any Member may call for a division of the question, and the Speaker shall order the question divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Assembly.

**B. Voting
Members Voting**

104. Every Member in the Assembly Chamber when a roll call is required shall record his or her vote openly and without debate, unless the Assembly shall, by a majority vote of the Members present and voting, excuse him or her.

No Member shall operate the voting switch of any other Member; except that a Member presiding at the time of a roll call, who is not the Speaker or the Speaker pro Tempore, may direct another Member on the floor to operate the presiding Member's voting switch, and any Member so presiding, including the Speaker and the Speaker pro Tempore, may also operate the voting switches at the rostrum, of the Speaker and the Speaker pro Tempore, at their direction.

The name of any Member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal of the Assembly, together with a statement that he or she was present and did so refuse to vote. Any Member who refuses so to vote may, if he or she so desires, and immediately after the announcement of the vote, submit a written explanation of the failure to vote and have such explanation printed in the Journal, provided no such explanation shall exceed 50 words in length.

In addition to the entry of his or her name in the Journal, any Member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, at the discretion of the Speaker or upon demand of any Member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any Member designated by the Speaker. Censure of a Member as provided by this rule shall not constitute a bar to proceedings for his or her expulsion from the Assembly pursuant to Section 5 of Article IV of the Constitution.

A Member may submit a written explanation of his or her vote on any bill or house resolution, and have the explanation printed in the Journal immediately following the vote, provided no explanation shall exceed 50 words in length.

A Member, prior to adjournment on the same legislative day, in the absence of any objection, may instruct the Chief Clerk to add his or her vote to any previously announced vote which had been taken during his or her absence, as long as the outcome of the vote is not changed. The Chief Clerk shall record any vote additions.

Ayes and Noes

105. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, when an affirmative recorded vote of 41 Members or any vote above that number is required, when demanded by three Members, or when ordered by the Speaker. The names of the Members so voting shall be entered in the Journal.

Voting Not To Be Interrupted

106. When once begun, voting shall not be interrupted, except that before the vote is announced, any Member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of the vote, the presiding officer will instruct the Chief Clerk to record verbal votes from Members not at their desks. Any Member may move a call of the Assembly after the completion of the roll. A Member, prior to adjournment on the same legislative day, in the absence of any objection, may instruct the Chief Clerk to change his or her recorded vote after the vote is announced, as long as the outcome of the vote is not changed. The Chief Clerk shall record any vote change only after the Member making the change has announced it to the Assembly.

Tie Vote

107. In case of an equal division, or tie vote, the question shall be lost.

**VII. MEMBERS' DECORUM
AND PRIVILEGES**

Order in Speaking to Questions

108. When a Member desires to address the Assembly, the Member shall rise from his or her seat and respectfully address himself or herself to "Mr. Speaker" or "Madame Speaker." Upon being recognized, the Member may speak, confining himself or herself to the question under consideration. When two or more Members rise at the same time, the Speaker shall designate the Member who is entitled to the floor.

No Member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question shall have the right to open and close the debate thereon. No Member shall be allowed to speak more than five minutes to open and five minutes to close the debate on any question, including amendments, and no Member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon. No Member shall yield to any other Member the time for which he or she is entitled to speak on any matter.

Motions

109. When a Member desires to make a motion, the Member shall obtain recognition as provided in Rule 108. Upon being recognized, the Member shall open by stating his or her motion, except in the case of a nomination, and in any other case shall not speak to the merits of the motion at that time and shall confine his or her remarks to those necessary to explain the motion. If the motion is in order and is seconded, it shall be stated to the Assembly by the Speaker. If the

motion is debated, the Member who made it shall then be entitled to recognition to open the debate thereon.

When a Member obtains the floor during debate upon any question that is pending before the Assembly and addresses the Assembly regarding the merits of the pending question, the Member shall not be permitted to conclude his or her debate by making any motion or by demanding the previous question.

Leave of Absence

110. No Member shall absent himself or herself from attendance at any session of the Assembly without leave of the Assembly. No Member shall obtain that leave of absence or be excused for nonattendance except by a vote of 54 or more Members or by unanimous consent. A Member who obtains a leave of absence for personal business or is excused for nonattendance for personal business shall waive his or her per diem allowance for attendance upon any session of the Legislature for which he or she secures that leave of absence or excuse. A Member may not obtain a leave of absence for legislative business or be excused for nonattendance for legislative business unless the Member has filed with the Speaker a statement of the legislative business for which he or she seeks leave of absence or excuse. That statement shall be printed in the Journal.

If a Member is not recorded on the attendance roll within one-half hour after the scheduled start of the session, the Member shall stand up before the Assembly and explain the reason he or she is late before he or she is recorded on the roll call for any votes. If a Member does not explain his or her reason for being late, any other Member may raise a point of order and the tardy Member's vote shall not be recorded until an explanation is made.

Personal Privilege

111. Any Member may rise to explain a matter of personal privilege. A matter of personal privilege is a matter involving the Member's integrity, dignity, or honor. Upon rising to explain such a matter, the Member shall forthwith be recognized by the Speaker, but shall not discuss a question in that explanation. Those matters of personal privilege yield only to a motion to recess or adjournment.

Objection to Reading of Any Paper

112. Any Member, upon recognition by the Speaker, may object to the reading of any paper before the Assembly. After that objection, the question of reading shall be determined without debate by a majority vote of the Members present and voting, upon a brief statement of its substance by the Speaker.

Members at Chief Clerk's Desk

113. No Member or other person shall be allowed at the Chief Clerk's desk while the ayes and noes are being recorded or the votes counted.

Members Called to Order for Transgressing Rules

114. If any Member transgresses the Rules of the Assembly, the Speaker shall, or any Member may, call the offending Member to order. The Member so called to order shall immediately take his or

her seat, until the Speaker, without debate, shall have determined whether the Member is in order or not. That decision by the Speaker shall be subject to an appeal to the Assembly.

If any Member is called to order for offensive words spoken in debate, the person calling him or her to order shall state to the Assembly the words to which exception is taken. No Member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business has been transacted by the Assembly prior to exception being taken to the words spoken.

VIII. MISCELLANEOUS

Committee of the Whole

115. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the Members present and voting. While sitting as that committee, persons other than Members may address the committee. The Speaker of the Assembly, or any Member named by the Speaker, shall preside as Chairperson of the Committee of the Whole.

A motion that the Committee of the Whole “do now rise and report back to the Assembly,” shall always be in order and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairperson, but shall not be entered in the Journal except upon motion and a majority vote of the Members present and voting.

Committee on Policy Research Management

117. (a) There is a Committee on Policy Research Management which shall consist of the Majority Floor Leader, the Minority Floor Leader, and 12 other Members appointed by the Speaker. The chairperson of the committee shall be appointed by the Speaker from among the committee’s membership.

(b) It shall be the duty of the Committee on Policy Research Management to ascertain the research needs of the Assembly and its committees with regard to policy development, legislative oversight and interim studies and to assist the committees in conducting these activities. In performing its duties, the Committee on Policy Research Management shall do all of the following:

(1) Develop procedures for establishing research priorities for the Assembly with regard to policy development, legislative oversight, and interim studies and recommend appropriate methods and resources to achieve these priorities.

(2) Establish means to coordinate the research work of the Assembly in order to avoid unnecessary duplication of staff effort.

(3) Review all bills that require policy research or studies for the purpose of advising the Committee on Rules as to the need for the research or studies and the appropriate methodology and staff resources necessary to conduct the research or studies.

Use of Assembly Chamber

118. The Assembly Chamber shall not be used for any public or private business, other than legislative matters during the sessions or joint recesses of the Legislature, except by consent of 41 or more Members or, during a joint recess, the Assembly Rules Committee.

Use of Assembly Facilities: Smoking

118.5. Smoking of tobacco products is prohibited within any building or portion of a building occupied or used by Assembly Members or employees if the building or portion of the building is under the jurisdiction or control of the Assembly. The smoking prohibition shall apply to any outdoor area within five feet of an entrance or exit to any building or portion of a building subject to this rule. This smoking prohibition shall apply to the Assembly Chamber, Assembly hearing rooms, and Assembly offices, and to hallways, stairways, and bathrooms within any building or portion of a building subject to this rule.

**Persons Admitted to Floor
of the Assembly**

119. No person other than Members of the Legislature, officers, employees of the Legislature, accredited members of the press, and guests shall be admitted to the floor of the Assembly during any session of the Assembly. A guest of any Member shall be admitted only upon presentation of a guest card of the Member countersigned by the Speaker. A guest card is valid only on the legislative day for which it is issued. No lobbyist, as defined by Section 82039 of the Government Code shall, under any circumstances, be admitted to the Assembly Chamber while the Assembly is in session.

Persons admitted to the Assembly Chamber, other than Members, shall not be permitted to stand in the lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

All guests shall be seated only in the chairs in the back of the rail in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the Members. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the balcony may be reserved for those holding guest cards. Neither any person mentioned in this rule nor any other person, except Members of the Legislature, shall engage in influencing the passage or defeat of legislation in the Assembly Chamber.

No person other than a Member of the Legislature, the Sergeant at Arms or his or her assistants, the Chief Clerk or his or her assistants, or the Legislative Counsel or his or her representatives, shall be permitted in the area of the floor of the chamber which is occupied by the desks of the Members.

Qualifications and Elections of Members

119.5. An affirmative vote of 41 or more Members shall be required to determine the qualifications and election of any Member pursuant to Section 5 of Article IV of the Constitution of California.

Compensation and Expenses of Member Convicted of Felony

120. If a Member of the Assembly is convicted of a felony by a superior court, his or her right to further compensation or expenses is thereupon suspended and his or her membership on any committee is suspended. If the conviction becomes final, the right of the Member to further compensation or expenses shall terminate and any compensation or expenses withheld shall be forfeited to the state. If the conviction is reversed by an appellate court or a motion

for a new trial is granted and the Member is thereafter found not guilty or the charges against him or her are dismissed, the amounts of the withheld compensation or expenses shall be paid to the Member and the suspension of his or her committee membership shall terminate.

Whenever a Member is convicted of a felony in the superior court, the Committee on Rules shall give written notice to the Controller, directing him or her to discontinue any further payments to the Member unless and until the Committee on Rules notifies the Controller that the Member has been found not guilty or that the charges against him or her are dismissed. The Controller shall not draw any warrant payable to that Member except as provided in this rule.

The Seal of the Assembly

121. The seal of the Assembly shall be used only by or on behalf of a Member of the Assembly or when specifically authorized by the Committee on Rules.

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OF THE SENATE
1995-96**

(As last amended February 2, 1995)

STANDING RULES OF THE SENATE (1995-96)**CONVENING AND SESSIONS****Hours of Meeting**

1. The Senate shall meet at 9:30 a.m., daily, except Sundays, unless otherwise ordered by the Senate.

Calling to Order

2. The President, President pro Tempore, Vice Chairman of the Committee on Rules, or senior member present, shall call the Senate to order at the hour stated, and if a quorum is present shall proceed with the order of business.

Attendance of Members

3. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A lesser number than a quorum of the Senate is hereby authorized to send the Sergeant at Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Senate Operating Fund. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directly to the Sergeant at Arms, or to any other person to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant at Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the state.

Order of Business

4. The order of business shall be as follows:
 1. Rollcall.
 2. Prayer by the Chaplain.
 3. Privileges of the Floor.
 4. Communications and Petitions.
 5. Messages from the Governor.
 6. Messages from the Assembly.
 7. Reports of Committees.
 8. Motions, Resolutions and Notices.
 9. Introduction and First Reading of Bills.
 10. Consideration of Daily File:
 - a. Second Reading.
 - b. Special Orders.
 - c. Unfinished Business.
 - d. Third Reading.
 11. Announcement of Committee Meetings.
 12. Continuation of Privileges of the Floor.
 13. Leaves of Absence.
 14. Adjournment.

Executive Sessions

5. When a motion is adopted to close the doors of the Senate, on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant at Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters, and proceedings concerning which secrecy shall be enjoined by order of the Senate.

OFFICERS OF THE SENATE**The President**

6. The President shall maintain order in the Senate chamber and in case of a disturbance or disorderly conduct outside the bar, or in the gallery, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

The President pro Tempore

7. The President pro Tempore shall, in the absence of the President, take the Chair and call the Senate to order, at the hour of the meetings of the Senate, and shall have the same powers as the President.

It shall be the particular responsibility of the President pro Tempore to secure the prompt and businesslike disposition of bills and other business before the Senate.

The President pro Tempore shall serve ex officio as a member of all Senate and joint committees of which he or she is not a regular member with all of the rights and privileges of that membership, except the right to vote. In counting a quorum of any of these committees, the President pro Tempore shall not be counted as a member.

The Vice Chairman of the Committee on Rules shall, in the absence of the President pro Tempore, perform the duties, and have all powers and authority of the President pro Tempore.

Presiding by Senators

8. The President pro Tempore of the Senate may name any Senator to perform the duties of the Chair in the absence of the President or President pro Tempore. The Senator so named shall be vested, during such time, with all the powers of the President, and the Senator who performs these duties shall be known as the Presiding Officer.

Secretary of the Senate

9. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

He shall superintend all printing to be done for the Senate and shall have supervision over all attachés of the Senate. He shall assign, reassign or transfer all attachés to their respective duties.

He shall certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

He shall also keep a correct Journal of the proceedings of the Senate, and shall notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

The Secretary of the Senate shall have custody of all bills, documents, papers and records of the Senate and shall not permit any such bills, documents, records or papers to be taken from the desk or out of his custody by any person, except in the regular course of the business of the Senate.

Sergeant at Arms of the Senate

10. The Sergeant at Arms shall attend the Senate during all of its sittings, execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant at Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation or otherwise making a noise to the disturbance of the Senate. The actual expenses for the Sergeant at Arms for every arrest, for each day's custody and releasement, and the traveling expenses for himself and special messenger going and returning shall be paid out of the Senate Operating Fund.

The Sergeant at Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, Journals, Histories and Files, when printed, on the desks of Senators, at least one hour previous to the opening of the session.

Elected and Appointed Officers

10.5. On the first day of each session, the President pro Tempore, members of the Committee on Rules, Secretary of the Senate, and Sergeant at Arms shall be elected by a majority vote of the duly elected and qualified Members of the Senate and shall serve until their successors are elected and qualify. The Committee on Rules shall appoint an Assistant Secretary, a Minute Clerk, a Chaplain, and such other employees with such duties as the committee requires.

Officers and Employees Compensation:

Approval

10.6. The Controller is hereby authorized and directed to draw his warrants in favor of officers and employees who render services to the Senate as certified by the Committee on Rules or by its authorized representative, from the fund set aside for the pay of officers and employees of the Senate at the rate of compensation certified by the committee or its representative, and the Treasurer is hereby directed to pay the same.

COMMITTEES OF THE SENATE

Appointment of Committees

11. The Committee on Rules shall consist of the President pro Tempore of the Senate, who shall be the chairman of the committee, and four other Members of the Senate to be elected by the Senate. There is a vacancy on the committee in the event a Member ceases to be a Member of the Senate or resigns from the Committee on Rules. Any such vacancy occurring during a summer, interim study, or final recess, except in the case of the President pro Tempore, shall

be filled by the remaining Members of the Committee on Rules. A vacancy occurring at any other time shall be filled by election by the Senate.

The Committee on Rules shall appoint all other committees of the Senate unless otherwise directed by the Senate and shall designate a chairman of each committee so appointed and a vice chairman of each standing committee.

In making committee appointments, the Committee on Rules shall give consideration to seniority, preference and experience; provided, however, that in making committee appointments, the Committee on Rules shall, as far as practicable, give equal representation to all parts of the state.

Standing Committees

12. The standing committees of the Senate, the number of members, and subjects to be referred to each are set out below. The provisions set forth below as to the assignment of bills are intended as a guide to the Rules Committee, but are not binding upon the committee.

1. Agriculture and Water Resources, 11 members. Bills relating to agriculture and water.

2. Appropriations, 13 members. Bills which are subject to Joint Rule 10.5 and which are not referred to the Budget and Fiscal Review Committee. Bills which constitute a state-mandated local program.

3. Budget and Fiscal Review, 13 members. The Budget Bill and bills implementing the Budget. Bills which directly affect the State Budget, including deficiencies and reappropriations.

4. Business and Professions, 9 members. Bills relating to business and professional practices and regulations other than horseracing, alcoholic beverages, oil, mining, geothermal, and forestry industries. Bills relating to health and dance studios.

5. Constitutional Amendments, 5 members. Bills relating to constitutional amendments and constitutional amendments favorably reported out of the standing committee having jurisdiction of the subject matter.

6. Criminal Procedure, 7 members. Bills amending the following:

(a) Evidence Code, relating to criminal procedure.

(b) Penal Code.

(c) Statutes of a penal nature not related closely to a subject included in another subdivision of this rule.

(d) Bills relating to the Youth and Adult Corrections Agency.

7. Education, 10 members. Bills relating to education, higher education, and educational personnel other than noncertificated employees.

8. Elections and Reapportionment, 5 members. Bills relating to elections and reapportionment.

9. Energy, Utilities, and Communications, 9 members. Bills relating to public utilities and carriers, energy conservation and development of alternate sources, entertainment technology and multimedia, and energy production related to utility generation; except legislation permitting the use of state-controlled lands. Bills relating to community antenna television.

10. Finance, Investment and International Trade, 9 members. Bills relating to financial institutions, commerce, international trade, retail credit interest rates, and corporations.

11. Governmental Organization, 11 members. Bills relating to state government organization, horseracing, public gaming, the National Guard, alcoholic beverages, integrated waste management, and legislation permitting the use of state-controlled lands. Bills that have been considered by other committees having jurisdiction of the appropriate subject, for consideration of any question relating to state government.

12. Health and Human Services, 9 members. Bills relating to public health, welfare, the blind and disabled, alcohol and drug abuse, mental health, and institutions related thereto.

13. Housing and Land Use, 7 members. Bills relating to housing and land use.

14. Industrial Relations, 7 members. Bills relating to labor, industrial safety, unemployment, worker's compensation and insurance, and noncertificated public school employees.

15. Insurance, 9 members. Bills relating to insurance, indemnity, surety, warranty agreements, liens, claims, unclaimed property, collections, and franchises.

16. Judiciary, 9 members. Bills amending the following:
a. Civil Code, except measures related to retail credit interest rates.

b. Code of Civil Procedure.

c. Evidence Code, except matters relating to criminal procedure.

d. Family Code.

e. Probate Code.

f. Bills relating to municipal and state court judgeships, court attachés, and personnel.

17. Local Government, 7 members. Bills relating to local governmental procedure and organization. Bills that have been considered by other committees having jurisdiction of the appropriate subject, for consideration of any questions relating to local government administration.

18. Natural Resources and Wildlife, 11 members. Bills relating to conservation and the management of public resources, fish and wildlife, regulation of oil, mining, geothermal development, acid deposition, wetlands and lakes, global atmospheric effects, ocean and bay pollution, forestry practices, recreation, parks, and historical resources, beverage container recycling, except bills affecting the California Integrated Waste Management Act of 1989, and legislation affecting the Department of Boating and Waterways.

19. Public Employment and Retirement, 5 members. Bills relating to state and local nonschool public employees and public employee retirement.

20. Revenue and Taxation, 9 members. Bills relating to state and local revenues and taxation, except bills described in subdivision (a) of Rule 28.9.

21. Rules, 5 members. Proposed amendments to the rules and other matters relating to the business of the Legislature.

22. Toxics and Public Safety Management, 7 members. Bills relating to hazardous and toxic substances, siting of facilities managing hazardous materials, emergency planning responses, and

household hazardous waste, except bills affecting the California Integrated Waste Management Act of 1989. Bills relating to natural disasters.

23. Transportation, 9 members. Bills relating to the operation, safety, equipment, transfer of ownership, licensing, and registration of vehicles, aircraft, and vessels. Legislation affecting the Department of Transportation and the Department of Motor Vehicles. Bills relating to waterways, harbors, highways, public transportation systems, and airports.

24. Veterans Affairs, 5 members. Bills relating to veterans and armories. Bills amending the Military and Veterans Code.

The standing committees of any regular session shall be the standing committees of concurrent special or extraordinary sessions unless otherwise ordered by the Senate.

Committee on Legislative Ethics

12.3. (a) (1) The Committee on Legislative Ethics is hereby created. The committee shall be appointed by the Committee on Rules and shall consist of six Senators, at least two of whom are members of the political party having the largest number of members in the Senate and at least two of whom are members of the political party having the second largest number of members in the Senate. The members of the committee shall serve two-year terms. The President pro Tempore and the Minority Floor Leader shall serve as ex officio, nonvoting, members of the committee.

(2) The Committee on Rules shall select a Chair and a Vice Chair who shall not be members of the same political party. The Chair shall not serve more than two consecutive two-year terms, and the Committee on Rules shall select a successor who is not a member of the same political party as the immediately previous Chair.

(3) Vacancies in the committee shall be filled within 30 calendar days by the Committee on Rules for the remainder of a term.

(4) If a complaint is filed against a member of the committee, the Committee on Rules shall temporarily replace the member with a Senator of the same political party who shall serve until the complaint is dismissed by the committee or until the Senate takes such action as it deems appropriate, whichever is earlier.

(5) The Committee on Rules, upon the recommendation of the Committee on Legislative Ethics, shall appoint a Chief Counsel to assist the committee in carrying out its functions. The staff of the committee shall be considered permanent and professional and shall perform their duties in a nonpartisan manner. No staff of the committee may engage in partisan activities regarding a Senate election campaign. The committee may retain independent counsel when necessary for specific investigations.

(b) The committee shall do all of the following:

(1) The committee shall formulate and recommend, for adoption by the Senate, standards of conduct for Senators and officers and employees of the Senate in the performance of their legislative responsibilities. The Ethics Manual for Members, Officers, and Employees of the United States House of Representatives, as prepared by the Staff of the Committee on Standards of Official Conduct, 100th Congress First Session (United States Government Printing Office, Washington, 1987), the Code of Ethics (Article 2

(commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of the Government Code), and Joint Rule 44 shall serve as guides in the formulation of the standards of conduct.

(2) At the request of any Senator or officer or employee of the Senate, the committee shall provide an advisory opinion with respect to the standards of conduct of the Senate on the general propriety of past, current, or anticipated conduct of that Senator, officer, or employee. The opinion shall be rendered within 21 legislative days unless the Chair and Vice Chair agree otherwise. The committee may, with appropriate deletions to ensure the privacy of the individuals concerned, publish the advisory opinions for the guidance of other Senators, officers, or employees.

(3) The committee shall develop, issue, and annually update a clear, informative, and usable manual for the Senate based on the standards of conduct adopted by the Senate, including any advisory opinions published pursuant to paragraph (2).

(4) The committee shall conduct periodic workshops, at least once each calendar year, for Senators and officers and employees of the Senate, including workshops specifically designed for newly elected Senators and newly appointed officers and employees. At least once in each biennial session, each Senator and each officer and employee of the Senate who is a designated employee under the Senate Conflict of Interest Code shall attend one of these workshops. The workshops shall include, but not be limited to, a comprehensive review of all applicable statutes and Senate rules.

(5) After adoption by the Senate of the standards of conduct, the committee shall receive and review complaints alleging violations of the standards of conduct by Senators and officers and employees of the Senate in accordance with the procedures specified in subdivisions (c) to (s), inclusive.

(6) The committee shall maintain a record of its investigations, hearings, and other proceedings. All records, complaints, documents, and reports filed with, submitted to, or made by the committee, and all records and transcripts of any investigations or hearings of the committee shall be confidential and shall not be open to inspection by any person other than a member of the committee or the staff of the committee, except as otherwise specifically provided for in this rule. Any member of the committee or any person on the staff of the committee who discloses any record, complaint, document, report, or transcript that is confidential shall be subject to discipline. The committee may, by a majority vote of the membership of the committee, authorize the release of any records, complaints, documents, reports, and transcripts in its possession to the appropriate enforcement agency if the committee determines that there is probable cause to believe that the violation or violations alleged in the complaint would constitute a felony or if the committee determines that the information is material to any matter pending before the enforcement agency.

(c) (1) Any person may file a complaint with the committee that alleges a violation of the standards of conduct.

(2) Except as provided in paragraphs (3) and (4), no complaint may be filed more than 18 months after the date that the alleged violation occurred.

(3) If the committee determines that the person filing the complaint did not know, or through the exercise of reasonable diligence could not have known, of the alleged violation within 18 months after the date that the alleged violation occurred, the complaint may be filed within three years after the date that the alleged violation occurred.

(4) If a complaint is filed within 60 days prior to an election at which a Senator or officer or employee is a candidate for elective office, the complaint shall be returned to the person filing the complaint, and the person shall be informed that the complaint may be filed with an appropriate enforcement agency and may be refiled with the committee after the election. The period of time for filing the complaint shall be extended for 60 days.

(5) No complaint may be filed if it alleges a violation that occurred prior to the adoption of the standards of conduct.

(d) A complaint shall satisfy all of the following requirements:

(1) It shall be in writing.

(2) It shall state the name of the person filing the complaint.

(3) It shall state the name of Senator or the name and position or title of the officer or employee of the Senate who is alleged to have committed a violation of the standards of conduct.

(4) It shall set forth allegations that, if true, would constitute a violation of the standards of conduct. The allegations shall be stated with sufficient clarity and detail to enable the committee to make a finding pursuant to subdivision (h).

(5) It shall state the date of the alleged violation.

(6) It shall include a statement that the allegations are true of the person's own knowledge or that the person believes them to be true, and shall be signed by the person under penalty of perjury.

(e) The committee, on its own motion, two-thirds of the membership concurring, may initiate a proceeding by filing a complaint that complies with paragraphs (1) to (5), inclusive, of subdivision (d).

(f) The committee shall promptly send a copy of a complaint to the Senator or officer or employee alleged to have committed the violation, who shall thereafter be designated as the respondent.

(g) If a complaint is filed by a person other than the committee, the Chair and Vice Chair of the committee shall examine the complaint to determine whether it was filed in accordance with this rule and any rules of the committee. Within 15 calendar days after the complaint is filed, the Chair and Vice Chair shall provide to the committee a copy of the complaint and their opinion whether the allegations in the complaint, if true, would constitute a violation of the standards of conduct. If the committee, by a two-thirds vote of its membership, finds that the allegations, if true, would constitute a violation of the standards of conduct, it shall hold a hearing within 30 calendar days to conduct a preliminary inquiry. If two-thirds of the membership of the committee fails to find that the allegations, if true, would constitute a violation of the standards of conduct, it shall dismiss the complaint and so notify the person who filed the complaint and the respondent, and the complaint shall not be made public.

(h) At the preliminary inquiry, the respondent may respond to the allegations in the complaint by written statement or oral

testimony. If two-thirds of the membership of the committee finds that probable cause exists for believing that the respondent committed a violation of the standards of conduct, the committee shall issue a count-by-count statement of alleged violations. If two-thirds of the membership of the committee fails to find that probable cause exists, it shall dismiss the complaint. In either event, the committee shall immediately notify the respondent and the person who filed the complaint of its action. If the committee finds that probable cause exists, the statement of alleged violations shall be made public within seven days.

(i) Within 21 calendar days after the issuance of the statement of alleged violations, the respondent may file an answer that admits or denies each count. Upon request of the respondent, the committee may grant the respondent an additional 21 calendar days to respond.

(j) Within 60 days after the issuance of the statement of alleged violations, the committee shall hold a disciplinary hearing. If a majority of the membership of each party on the committee fails to find that the respondent committed a violation of the standards of conduct, it shall dismiss the complaint. If a majority of the membership of each party on the committee finds by clear and convincing evidence that the respondent committed a violation of the standards of conduct it shall take the following action:

(1) If the respondent is a Senator, it shall hold a hearing to determine an appropriate sanction.

(2) If the respondent is an officer or employee, it shall transmit its findings to the Committee on Rules for appropriate action.

(k) (1) At the hearing to determine an appropriate sanction, two-thirds of the membership committee shall determine whether the violation is serious or minor.

(2) If the committee determines that a violation is minor or fails to determine that a violation is serious, two-thirds of the membership of the committee (A) shall, if it determines that the violation bears upon the exercise of a right or privilege, recommend that the Committee on Rules deny or limit that right or privilege and shall transmit its findings and recommendation to the Committee on Rules or (B) shall impose any lesser sanction. Within 15 days after the imposition of a lesser sanction, the respondent may appeal the sanction imposed to the Committee on Rules.

(3) If the committee determines that a violation is serious, two-thirds of the membership of the committee shall recommend that the Senate take one or more of the following actions and shall transmit its findings and recommendation to the Senate:

(A) The denial or limitation of any right or privilege if the violation bears upon the exercise of that right or privilege.

(B) A reprimand for a serious violation.

(C) A censure for a more serious violation.

(D) An expulsion for a most serious violation.

(J) The Senate shall, within 15 legislative days after receiving the findings and recommendation, vote on the recommendation of the committee. The Senate, by 21 votes, may deny or limit any right or privilege of, reprimand, or censure the Senator or, by 27 votes, may expel the Senator.

(m) The committee or Senate may defer any action required by this rule if other proceedings have been commenced on the same matter.

(n) (1) At all hearings, the Chief Counsel of the committee shall present the case. All relevant and probative evidence shall be admissible unless it is privileged. Witnesses may be called and cross-examined by the committee and the respondent, and exhibits and other documents may be entered into the record. The respondent shall have the right to be represented by legal counsel or any other person of his or her choosing.

(2) If the committee receives, at any time, any exculpatory information relating to the alleged violation, the committee shall make the information available to the respondent.

(o) If the committee determines that the complaint was filed with malicious intent, it may request that the Committee on Rules reimburse the expenses incurred by the respondent.

(p) At any time during the proceedings, the respondent may admit that he or she committed a violation of the standards of conduct. If the respondent admits some but not all of the violations alleged in the complaint or the counts set forth in the statement of alleged violations, the committee shall find that the admitted violations constituted a violation of the standards of conduct and may continue the proceedings to determine whether the other alleged violations constituted violations of the standards of conduct. If the respondent admits to all alleged violations, the committee shall find that the admitted violations constituted a violation of the standards of conduct, shall terminate the preliminary inquiry or disciplinary hearing, and take the action required by paragraph (1) or (2) of subdivision (j).

(q) Meetings of the committee shall not be open to the public until the committee finds that probable cause exists for believing that the respondent committed a violation of the standards of conduct. Subsequent meetings of the committee or Senate shall be public, and notice of any meeting shall be published in the Senate File for four calendar days prior to the meeting.

(r) If the committee finds that probable cause exists for believing that the respondent committed a violation of the standards of conduct, the transcript of any testimony given, or any documents admitted into evidence, at a public hearing and any report prepared by the committee subsequent to that finding that states a final finding or recommendation shall be open to public inspection.

(s) Upon request of the respondent, the committee may permit the respondent to inspect, copy, or photograph books, papers, documents, photographs, or other tangible objects that relate to the allegations in the complaint. If the committee finds that probable cause exists for believing that the respondent committed a violation of the standards of conduct, the committee shall permit the respondent to inspect, copy, or photograph books, papers, documents, photographs, or other tangible objects that relate to the statement of alleged violations.

(t) (1) No Senator or officer or employee of the Senate shall directly or indirectly use or attempt to use his or her official authority or influence to intimidate, threaten, coerce, command, or attempt to intimidate, threaten, coerce, or command any person for the purpose

of interfering with the right of that person to file a complaint with the committee, or testify before, or in any way cooperate with, the committee or any panel.

(2) For the purpose of paragraph (1), “use of official authority or influence” includes promising to confer, or conferring, any benefit; effecting, or threatening to effect, any reprisal; or taking, or directing others to take, or recommending, processing, or approving, any personnel action, including, but not limited to, appointment, promotion, transfer, assignment, performance evaluation, suspension, or other disciplinary action.

(3) Nothing in this subdivision shall be construed to authorize any person to disclose information the disclosure of which is otherwise prohibited by law.

(u) The committee may adopt rules governing its proceedings not inconsistent with this rule. The provisions of Joint Rule 36 relating to investigating committees shall apply to the committee to the extent those provisions are consistent with this rule.

(v) The powers and procedures set forth in subdivisions (b) to (u), inclusive, confer independent authority and shall not be limited or altered by Joint Rule 45.

General Research Committee

12.5. The General Research Committee is hereby created pursuant to Section 11 of Article IV of the California Constitution, which relates to legislative committees. The committee consists of the 40 members, and the President pro Tempore is its chairman. The committee is allocated all subjects within the scope of legislative regulation and control, but shall not undertake any investigation which another committee has been specifically requested or directed to undertake. The General Research Committee may act through subcommittees appointed by the Senate Committee on Rules and such subcommittees may act only on the particular study or investigation assigned by the Committee on Rules to such subcommittees. Each member of the General Research Committee is authorized and directed to receive and investigate requests for legislative action made by individuals or groups and to report thereon to the full committee.

The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Senate Rules and the Joint Rules of the Senate and Assembly. However, neither the committee nor its members may issue a subpoena without the prior approval of the Committee on Rules. The committee has the following additional powers and duties:

- (a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies, and reports to the committee as will best assist it to carry out the purposes for which it is created.
- (b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this rule and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

- (c) To meet and act at any place within the State of California and, when authorized to do so in writing by the Committee on Rules, to meet and act outside the state carrying out its duties.
- (d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time.
- (e) To act during sessions of the Legislature, including any recess.
- (f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

The Committee on Rules may allocate, from time to time, to the General Research Committee from the Senate Operating Fund such sums as are necessary to permit the General Research Committee and the members thereof to carry out the duties imposed on them. In addition, the Committee on Rules may allocate to any such subcommittee from the Senate Operating Fund such sums as the Committee on Rules deems necessary to complete the investigation or study conferred upon that subcommittee.

Additional Committee on Rules Powers

12.7. In addition to other rights, duties and powers vested in the Committee on Rules, the committee and the members thereof shall have and exercise all the rights, duties and powers of the General Research Committee and the members thereof, as provided in Rule 12.5, with authority to act on any subject allocated by Rule 12.5 to the General Research Committee.

Committee on Rules

13. The Committee on Rules is charged with the general responsibility for the administrative functioning of the Senate. The committee shall have general charge of the books, documents and other papers and property of the Senate and shall see that the same are properly kept, cared for, filed or otherwise disposed of in accordance with law and the rules applicable thereto. The committee shall also have the duty of making studies and recommendations designed to promote, improve, and expedite the business and procedure of the Senate and of the committees thereof, including investigating committees consisting wholly or in part of Members of the Senate, and of proposing any amendments to the rules deemed necessary to accomplish such purposes.

The Committee on Rules shall continue in existence during any recess of the Legislature until the convening of the next regular session and shall have the same powers and duties as while the Senate is in session. The committee shall have the authority to fill vacancies in any Senate committee or in the Senate membership of any joint committee.

In dealing with any matter within its jurisdiction, the committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

The committee may make available to any Senate or joint committee or any Member of the Senate such assistance in

connection with the duties of the committee or other legislative matters as the personnel under the direction of the committee or its other facilities permit.

The committee shall make available to and shall furnish to the Senate investigating committees created at this regular session and to each of the members thereof such secretarial and stenographic help as may be reasonably necessary for such committees and each of the members thereof to make and carry on the studies and investigations required by or of them by the resolutions creating such committees, and for such purpose, in addition to any other power or authority, the Committee on Rules may employ such additional stenographic and secretarial assistants as may be necessary, assign and reassign such assistants, prescribe the amounts, times, and methods of payment of their compensation, and provide for the auditing of any and all records and accounts in respect thereto. The Committee on Rules shall have general supervision over all clerks, attachés and employees of the Senate and shall have the powers and duties to suspend, discipline or discharge any attachés or employees when necessary.

All employees on the payroll of the Senate are employees of the Senate and not of individual members and they are under the direct control of the Committee on Rules. Any insubordination or inefficiency on the part of any employees shall be reported to the Committee on Rules.

The Committee on Rules shall constitute the Committee on Introduction of Bills and shall have charge of engrossment and enrollment of bills, contingent expenses of the Senate, and legislative printing, except insofar as these functions are delegated to the Secretary of the Senate.

The rooms, passages, and buildings set apart for the use of the Senate shall be under the direction of the Committee on Rules and the committee may assign the press desks in the Senate Chamber to accredited newspaper representatives.

Executive communication of nominations sent by the Governor to the Senate for confirmation shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, without debate.

The Committee on Rules shall, at each regular session, appoint a Member of the Senate to serve on the Judicial Council and shall have the authority during any joint recess to fill any vacancy in such position that occurs during such recess.

When a report of a joint legislative committee is delivered to the Senate desk, the Committee on Rules shall refer it to a standing committee for review and appropriate action.

Expenses of Senate Committees

13.1. All claims for expenses incurred by investigating committees of the Senate, the Secretary of the Senate, and the Sergeant at Arms shall be approved by the Committee on Rules or its authorized representative, before such claims are presented to the Controller.

All proposed expenditures, including furniture, equipment and other property but not including stationery supplies, shall be approved by the Committee on Rules or its authorized

representatives before such expenses are incurred, unless such expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with the provisions of this rule.

The Committee on Rules may adopt rules and regulations limiting the amount, time, and place of expenses and allowances to be paid to employees of Senate investigating committees and regulating the terms and conditions of employment of such employees. Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairman of every such investigating committee.

Alteration, Repair, Improvement to Senate

13.2. Pursuant to the powers vested in the Committee on Rules, the committee is authorized and directed to incur and pay such expenses of the Senate not otherwise provided for as the committee determines are reasonably necessary, including the repair, alteration, improvement and equipping of the Senate Chamber and the offices provided for the Senate in the State Capitol.

In order to avoid unanticipated reversions of appropriations for contingent expenses, the Committee on Rules may designate the appropriation from which payment shall be made pursuant to allocations to committees or for other purposes. If there should be insufficient money available in any such appropriation to pay all claims pursuant to allocations charged against it, the committee shall designate another appropriation from which such allocations shall be paid.

Rooms and Property of Senate

13.3. The Committee on Rules is responsible for the safekeeping of Senate property. The Chief of the Bureau of Buildings and Grounds is directed to leave the Senate Chamber and all the committee rooms and other rooms used by the Senators and officers of the Senate in such condition that they will be available for the use of the Senate at any time; and it is further directed that no persons other than the members, officers and attachés of the Senate be permitted to occupy or use the offices, committee rooms and other rooms now occupied by the Senate without permission as hereinafter provided, and that the desks, furniture, and other equipment of the Senate be at the disposal of the Committee on Rules, and that no person except Members of the Senate be permitted to occupy any of the Senate's offices or make use of Senate equipment without permission of the committee or its authorized representative.

Inventory of Senate Property

13.4. The Committee on Rules is authorized and directed, through its authorized representative, to make and maintain a complete inventory of all property of the Senate, including all such property in the possession or control of any Senate committee. The Committee on Rules shall have custody and control of all such property of the Senate and shall adopt such rules or orders as it may determine are necessary relating to the purchase, care, custody and use or disposal thereof.

**Status of Standing Rules for Preceding
Regular Session**

13.5. The adoption of the Standing Rules for any special session shall not be construed as modifying or rescinding the Standing Rules of the Senate for a regular session.

Operating Expense Fund

13.6. The Committee on Rules is the committee provided for in Section 9126 of the Government Code. The balance of all money in the Senate Operating Fund, including money now or hereafter appropriated by the Legislature, except such sums as are specifically made available for purposes other than the expenses of designated committees, is hereby made available to the Committee on Rules for any charges or claims it may incur in carrying out the duties imposed upon it by these rules or by Senate or concurrent resolution.

Rules Committee Appointees

13.8. The Committee on Rules shall review its nonlegislator appointees every two years. Such review shall be completed not later than the 120th calendar day of the regular session in which such review is undertaken.

**Appointees to the Regents of the
University of California**

13.9. No vote to confirm an appointment by the Governor to the Regents of the University of California shall be in order unless the Committee on Rules determines that the Governor has convened and consulted the advisory committee specified in subdivision (e) of Section 9 of Article IX of the California Constitution and that the advisory committee has held at least one public meeting.

Schedule of Committee Meetings

14. The Committee on Rules shall propose to the Senate such schedules for regular meetings of the standing committees as will permit a full attendance of their members without conflict of committee engagements.

The committee may also propose such special committee meetings or special schedules of committee meetings as will facilitate the business of the Senate. Such schedules may provide a special schedule of committee meetings or upon certain days of the week or to meet any special condition which may arise.

Powers of Standing Committees

16. Each standing committee of the Senate to which a proposed law or bill is assigned shall have full power and authority during the session of the Legislature or any recess thereof, to make such investigation and study of and concerning any such proposed law or bill as such committee shall determine necessary to enable it to properly act thereon.

In the exercise of the power granted by this rule, each committee may appoint a secretary and employ such clerical, legal and technical assistants as may appear necessary when money has been made available therefor by the Senate.

Each standing committee is authorized and empowered to summon and subpoena witnesses, require the production of papers,

books, accounts, reports, documents, records and papers of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary. However, no committee may issue a subpoena without the prior approval of the Committee on Rules.

The members of such committees are, and each of them is, authorized and empowered to administer oaths, and all of the provisions of Chapter 4 (commencing with Section 9400) of Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant at Arms, or other person designated by the Sergeant at Arms or by the committee, shall serve any and all subpoenas, orders and other process that may be issued by the committee, when directed to do so upon a vote of the majority of the membership of the committee.

All officers of this state, including the heads of each department, agency and subdivision thereof, and all employees of such departments, agencies and subdivisions, the Legislative Counsel, and all other persons whether connected with the State Government or not, shall give and furnish to these committees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each standing committee was created.

Each standing committee may meet at the State Capitol and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it and may expend such money as may be made available by the Senate for such purpose; but no committee shall incur any indebtedness unless money shall have been first made available therefor.

Funerals

17.5. The chairman or vice chairman of the Committee on Rules may designate any one or more of the Members of the Senate as a Senate committee to attend funerals in appropriate circumstances. The members so designated shall receive expenses as provided in Joint Rule 35.

The chairman or vice chairman of the Committee on Rules or any Member of the Senate designated by either of said officers may incur such expense as may be necessary for the purchase on behalf of the Senate of suitable floral pieces for any such funeral.

All expenses incurred pursuant to this rule are hereby ordered to be paid out of the money allocated from the Senate Operating Fund to the Committee on Rules and disbursed, after certification by the chairman or vice chairman of the committee or by the committee's disbursing officer appointed and designated therefor by the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Expenditures

18. No member of any committee shall be permitted to incur any expense chargeable to the Senate unless authorized by resolution of the Senate.

The Committee on Rules shall provide, by rules and regulations, for the manner of authorizing expenditures by members, committees, and officers and employees of the Senate, not otherwise authorized by law, these rules, or the Joint Rules of the Senate and Assembly, and for the payment of such expenditures from the Senate Operating Fund upon certification of claims therefor to the Controller by the Committee on Rules or its authorized representative.

Printing of Reports

18.5. All requests for the printing of reports of Senate committees shall be made to the Committee on Rules.

The Committee on Rules shall determine if the report is to be printed and the number of copies needed; and whether or not the report shall be printed in the Journal.

If the report is to be printed by the State Printer, he shall hold the type for each Senate committee report for a period of 90 days from the date of the first printing or for such time as the Committee on Rules deems necessary.

PROCEDURES AND RULES

**Joint and Concurrent Resolutions and
Constitutional Amendments**

19. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills under these rules; except, that they shall have but one official reading, which reading shall occur after they have been reported by committee.

Parliamentary Rules

20. In all cases not provided for by the Constitution, these rules, or by the Joint Rules of the Senate and Assembly, or by statute, the authority shall be Mason's Manual (1979 edition).

Suspension or Amendment of Rules

21. No standing rule of the Senate may be repealed or amended except upon an affirmative vote of a majority of the Members of the Senate, one day's notice being given, but any rule not requiring more than a majority vote may be temporarily suspended by a vote of a majority of the Members of the Senate. A rule requiring a two-thirds vote on any question may be amended only by a two-thirds vote on one day's notice, and a rule requiring a two-thirds vote may be temporarily suspended only by a two-thirds vote.

All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

Suspension of the Joint Rules

21.1. Pursuant to Joint Rule 33, no joint rule may be suspended by the Senate except with the concurrence of 27 members unless a lower vote is prescribed by these rules or the Joint Rules of the Senate and the Assembly.

Permission of Committee on Rules

21.2. (a) Except as provided in subdivision (b), notwithstanding Rule 21 or 21.1 no Senate or Joint Rule may be suspended unless the Committee on Rules determines that an extraordinary circumstance exists which justifies the suspension.

(b) Notwithstanding Rule 21, Rule 38.5 may not be suspended unless the Committee on Rules determines that an extraordinary circumstance and overwhelming compelling public interest exist which justify the suspension.

Rules Governing Standing Committees

21.5. Except as otherwise provided in these rules, standing committees of the Senate will be governed as follows:

a. The Officers of each Senate committee shall be a Chairman, Vice Chairman, and Secretary.

b. The chairman shall preside at meetings when present except when the committee is considering a bill of which he is the sole author or the lead author. Whenever the chairman is not presiding, the vice chairman shall assume the duties of the chairman. In the absence of both, a member designated by the chairman shall preside.

c. The secretary shall keep a complete record of the meetings and actions taken by the committee. Bills favorably acted upon shall be reported to the Senate as expeditiously as the reports can be prepared.

d. The committee shall meet in regular session on the day and hour designated by the Committee on Rules. Adjourned meetings or special meetings shall be held at the time fixed in the adjourning motion, or on the call of the chairman for the special meeting.

e. Special meetings may be called by the chairman, with the approval of the Committee on Rules, by giving reasonable notice to all members of the committee either in writing or by telephone, specifying the purpose of the meeting, the time and place thereof, and the matters to be considered at such special meeting. Notice of hearing of bills as provided by Joint Rule 62(a) shall also be given in the Daily File. No matter shall be considered at such special meeting other than that specified in the notice.

Such special meeting shall be scheduled so as to permit a full attendance of the members without conflict with other scheduled committee meetings.

This subdivision may not be suspended by the committee.

f. A majority of the members of the committee shall constitute a quorum. A majority vote of the committee shall be required to table a bill, remove it from the table and reconsider a vote on a bill.

g. No action shall be taken on any measure outside of a duly constituted committee meeting.

h. The chairman shall set the hearings of bills and arrange the calendar for committee hearings. Notice of hearing of bills shall be given the author and such other persons requiring notice. Bills will not be considered in the absence of the author without his consent; however, bills may be presented by the author's representative authorized in writing.

i. Committees or subcommittees, by a majority vote of such committee, may meet in executive session only as provided in Section 9029 of the Government Code. Otherwise, all meetings shall be open and public.

j. The chairman shall direct the order of presentation of the arguments for and against matters for consideration by the

committee, and shall permit questions to be asked by the various members of the committee in an orderly fashion and in keeping with proper decorum.

k. Further consideration of a bill which has been voted out of a committee or defeated, shall be by reconsideration only as follows:

1. A motion to reconsider a vote by which a bill is voted out shall be in order and shall be voted upon at the same meeting. If such a motion is carried by a vote of a majority of the committee, the bill may be considered at that meeting, provided the author is present, or at a subsequent meeting.

2. The procedure for reconsideration of a bill which has been defeated shall conform to the requirements of Joint Rule 62(a). Any bill, reconsideration of which has been granted pursuant to this paragraph, shall not be heard again until a subsequent meeting of the committee after being calendared in the Daily File.

l. Any bill which has been laid on the table and which is removed from the table at a later meeting shall not be heard again until a subsequent meeting of the committee after being calendared in the Daily File and after notice.

m. When a committee adopts proposed amendments to a bill, the bill may be taken up for vote at that meeting, or if the committee or author requests, sent out to print before final action. If the amendments are not in proper form, they shall be prepared and submitted to the chairman for approval, before being reported to the Desk. Amendments submitted by the author which in the opinion of the committee chairman are major or substantial shall be submitted to the committee at least two legislative days before the bill is scheduled for hearing.

n. No bill shall be set for hearing, nor shall any notice thereof be published, by a Senate committee until the bill has been referred to the committee by the Committee on Rules.

o. The chairman may appoint from the members of the committee, subcommittees of one or more members to consider and recommend to the full committee action on such matters as may be assigned to the subcommittee for consideration from time to time by the chairman. The chairman may assign and reassign members of, and matters to, the various subcommittees. The recommendation of a subcommittee may be accepted by the affirmative vote of a majority of the members of the committee.

p. Except as otherwise provided in the rules, any provision of this rule may be suspended by a majority vote of the full committee.

q. In all cases not provided for by this rule, the Senate Rules, or the Joint Rules, or by statute, the authority shall be Mason's Manual (1979 edition).

Additional Rules

21.6. Committees may adopt additional rules, not in conflict with Rule 21.5 or other rules.

Reporting Bills Out of Committee

21.7. At least a majority of all members constituting a standing committee shall be required to report a bill out of committee.

Press Participation

21.8. Accredited press representatives may not be excluded from any public legislative meeting or hearing and may not be prohibited from taking photographs, televising, or recording the committee or house hearings, subject to the following conditions:

- (1) This rule shall extend to all public legislative meetings.
- (2) Lights shall be used only when cameras are filming, and, when possible, proceedings in hearing rooms and the chamber will be filmed without lights.
- (3) Every effort should be made to set up filming equipment before hearings or sessions begin, whenever possible.
- (4) The committee chairman or Committee on Rules shall be notified, as far in advance of the proceedings as possible, that recordings and television cameras will be present and filming.
- (5) To the extent practical, flash cameras shall not be used.
- (6) Photographs shall be taken in an orderly and expeditious manner so as to cause the least possible inconvenience to the committee or to the members in the chamber.

However, the chairman of a committee may request any person to relocate or remove any object, or discontinue the use of any equipment, which is situated or used in such a manner as to disrupt the proceedings or to create a potential danger to, or substantially obstruct the view of, members of the committee or the public.

In case any person fails to respond to such a request of the chairman to relocate, remove, or discontinue the use of such objects or equipment, the committee may, by majority vote, require it.

**INTRODUCTION AND REFERENCE
OF BILLS**

**Introduction, First Reading, and
Reference of Bills**

22. Any Senator desiring to introduce a bill shall send it to the Senate Desk.

When received at the Secretary's desk, it shall, under the proper order of business, be numbered, read the first time, and be referred by the Committee on Rules to a standing committee and be printed. The Committee on Rules shall check all Assembly Bills before reference to committee and shall designate the committee to which they shall be referred.

All joint resolutions, concurrent resolutions, and Senate resolutions shall be automatically referred to the Committee on Rules upon introduction and may be re-referred to any other standing committee upon the vote of a majority of the members of the Committee on Rules.

Unless otherwise ordered by the Senate without debate the assignment of the bill shall then be complete and after printing the Secretary shall deliver the bills to the committee designated by the Committee on Rules.

Under the order of Messages from the Assembly the Secretary shall read each Assembly bill the first time, shall read the name of the committee to which the bill has been assigned by the Committee on Rules, and unless otherwise ordered by the Senate without debate the assignment of the bill shall then be complete and the Secretary shall deliver the bill to the committee so designated.

Bill Introduction Limitation

22.5. (a) A Member of the Senate may introduce not more than 65 bills in the regular session.

(b) This rule may be suspended with respect to a particular bill by approval of the Senate Committee on Rules.

(c) This rule shall not apply to a constitutional amendment, any type of resolution, or a bill introduced by a committee with the signatures of a majority of its members, including its chair.

(d) This rule shall apply only to the 1995–96 Regular Session.

Introduction of Bills by a Committee

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee in the same manner as any member.

Bill Introduction Deadline

23.5. The Senate Desk shall remain open for the introduction of bills from 9:00 a.m. to 5:00 p.m. on the days designated in subdivision (a) of Joint Rule 54 as the deadlines for the introduction of bills in the first and second years of the regular session.

Introduction of Bills at Special Sessions

24. Whenever at any special session a bill is received at the desk, under the order of Introduction of Bills, it shall be referred to the Committee on Rules which shall decide whether or not such bill can properly be considered at the session. If in the judgment of the Committee on Rules such bill can be considered it shall report it back and designate the committee to which it shall be assigned. Thereafter it shall be assigned a number by the Secretary, be read first time, and referred to the committee recommended by the Committee on Rules unless otherwise referred on motion without debate.

Resolutions

24.5. A Senate concurrent resolution or Senate resolution may be introduced relating to a present or former state or federal elected official or a member of their immediate families. Other resolutions for the purpose of commendation or congratulation of any person, group or organization, or for the purpose of expressing sympathy, regret or sorrow on the death of any person, shall be prepared as Rules Committee resolutions and presented to the Committee on Rules for appropriate action.

The Committee on Rules may approve exceptions to this rule for Senate resolutions. The Secretary shall not accept for introduction any Senate resolution that is contrary to this rule unless it is accompanied by the approval of the Committee on Rules.

Senate Resolutions

25. All Senate resolutions eligible to be introduced under the rules, upon being presented, shall be given a number by the Secretary. Such resolution shall be printed, and indexed in the History and Journal.

BILLS IN COMMITTEE**Substitute Committee Bills**

27. A committee may amend into one bill related provisions germane to the subject and embraced within the title; and with the consent of the author the committee may constitute such bill a committee bill by striking out of the heading of the bill the line “Introduced by” and the name of the author and substituting therefor “Substitute committee bill of the Committee on” and the name of the committee.

Author’s Amendments

27.5. Upon request of the author of a bill, the chairman of the committee to which the bill has been referred may, by his individual action taken independently of any committee meeting, cause the bill to be reported to the Senate with the recommendation that amendments submitted by the author be adopted and the bill be reprinted as amended and re-referred to the committee.

Withdrawing a Bill From Committee

28. No bill or resolution shall be withdrawn from committee except upon written notice being first given to the Committee on Rules and by 21 votes of the Senate.

Consent Calendar

28.3. (a) If a Senate bill or Assembly bill is amended in the Senate to create a new bill or to rewrite the bill, a standing committee shall not place the bill on its consent calendar, and shall not report the bill out of committee with the recommendation that it be placed on the consent calendar on the floor.

(b) For purposes of this rule, an amendment creates a new bill or rewrites the bill if the amendment (1) changes the subject of the bill to a new or different subject, or (2) adds a new subject to the bill that is different from, and not related to, the contents of the bill.

Consideration of Constitutional Amendments, Bills, and Resolutions

28.5. Each constitutional amendment, bill, or resolution shall be authored by a Member or committee of the Legislature before it is considered or voted on by a committee or the Senate. Each amendment to a constitutional amendment, bill, or resolution shall be signed by a Member or committee of the Legislature prior to adoption by the Senate.

This rule shall apply only to the 1995–96 Regular Session.

Vote in Committee

28.7. Voting on the disposition of bills by committees shall be by rollcall vote only. A rollcall vote shall only be taken if requested by any member of the committee, or the author of the measure, on any motion to amend. All rollcall votes taken in committees shall be promptly transmitted by their respective chairmen to the Secretary of the Senate who shall cause a record of such rollcall votes to be printed in the Journal, together with the text of amendments voted upon where the rollcall has been recorded and the amendments adopted.

“Bill” as used in this rule shall include constitutional amendments but shall not include resolutions, except those relating to voting

procedures on the floor or in committee, resolutions ratifying proposed amendments to the United States Constitution, and resolutions calling for constitutional conventions.

The provisions of this rule shall not apply to:

(a) Procedural motions which do not have the effect of disposing of a bill.

(b) Withdrawal of a bill from a committee calendar at the request of an author.

(c) Return of bills to the Senate, where the bills have not been voted on by the committee.

(d) The assignment of bills to committee.

On a legislative day when the President pro Tempore or Minority Floor Leader is in attendance, he or she, in the absence of any objection, may instruct the committee secretary of a committee of which he or she is a member to add his or her vote to any previously announced vote which had been taken while he or she was performing the responsibilities of the office of President pro Tempore or Minority Floor Leader, provided the outcome of the vote is not changed. This provision may not extend to any rollcall beyond adjournment of the legislative day during which the rollcall in question was taken. The intent of this paragraph is to allow the President pro Tempore and the Minority Floor Leader to carry out the unique and special duties of their offices without losing the opportunity to vote on matters before the committees of which they are members.

Appropriations Committee

28.8. Any bill referred to the Appropriations Committee pursuant to Joint Rule 10.5 which does not appropriate money shall not be set for hearing and shall, along with any nonsubstantive amendments, promptly be reported to the Senate with the recommendation it be placed on second reading if the chairman of the committee determines that (a) any additional state costs are not significant and do not and will not require the appropriation of additional state funds, and (b) the bill will cause no significant reduction in revenues.

State-Mandated Local Program Bills

28.9. (a) Any bill having a digest which, pursuant to Section 17575 of the Government Code, indicates that the bill requires state reimbursement to local agencies or school districts for costs mandated by the state shall be rereferred to the Committee on Appropriations. No such bill shall be rereferred to the Committee on Revenue and Taxation.

(b) Any bill re-referred to the Committee on Appropriations pursuant to this rule which does not appropriate money and which does not contain a complete disclaimer of all of the provisions of Section 905.2 of, and Part 7 (commencing with Section 17500) of Division 4 of Title 2 of, the Government Code, need not be set for hearing and may, along with any nonsubstantive amendments, be reported to the Senate with the recommendation that it be placed on second reading if the chairman of the committee determines, after consideration of the analyses of local costs prepared by the Legislative Analyst and the Department of Finance, that (1) any

additional local costs are not significant and (2) the bill will cause no significant reduction in local revenues.

For the purposes of this rule, "complete disclaimer" means a provision in a bill which prohibits local agencies and school districts from filing claims with the State Board of Control for reimbursement for the costs of unfunded mandated programs or services.

(c) Whenever the Assembly amends and passes a Senate bill and the Senate must concur in such amendments, upon the request of any Senator, such bill shall be rereferred to the Committee on Appropriations if, based upon the Legislative Counsel's Digest of the Assembly amendments, such bill (1) imposes state-mandated local costs without providing adequate reimbursement, or (2) contains a complete disclaimer. The Committee on Appropriations shall make a recommendation to the Senate regarding whether the Senate should concur in such Assembly amendments.

(d) Any bill referred to the Committee on Appropriations solely pursuant to this rule, and which otherwise would not be rereferred to such committee pursuant to Joint Rule 10.5, shall not be subject to subparagraph (a) (2), (a) (9), (b) (5), or (b) (12) of Joint Rule 61 or subparagraph (a) (2), (a) (9), (b) (1), (b) (5), or (b) (12) of Senate Rule 29.4, whichever rule is last adopted.

CONSIDERATION OF BILLS

Order of Making Files

29. When bills are reported from committee they shall be placed upon the Daily File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committee shall be placed at the foot of the Second Reading Senate or Assembly File, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the Senate or Assembly Third Reading File, in the order of reading. Unless otherwise ordered by the Senate the File shall be taken up in the following order: Senate Second Reading File, Assembly Second Reading File, Special Orders, Unfinished Business, and Senate Third Reading File, Assembly Third Reading File. The bills upon the third reading shall be considered in the order in which they appear upon the File, unless otherwise ordered by the Senate.

Senate bills returned from the Assembly for concurrence in Assembly amendments shall not be considered until they appear under Unfinished Business on the Daily File pursuant to Joint Rule 26.5 and an analysis is provided to each Senator pursuant to Senate Rule 29.8.

An Inactive File shall be kept to which bills and resolutions may be transferred at the request of the author, or on motion, and they shall be so transferred when they have been passed on Third Reading File without action three successive times.

Bills and resolutions may be transferred from the Inactive File to the Second Reading File on motion, and after being read the second time such bills will take their place regularly on Third Reading File and be available for consideration and passage.

Bills, resolutions, and other questions may be transferred from the Unfinished Business File to the Inactive File upon request or motion and may be returned to the Unfinished Business File by request or on motion.

Placement of any question on the Inactive File shall not prejudice such question.

Committee Reports

29.1. If a bill is acted upon in committee before the relevant deadline specified in Joint Rule 61 and the committee votes to report the bill out with amendments that have not at the time of the vote been prepared by the Legislative Counsel, the Secretary of the Senate may subsequently receive a report recommending the bill for passage or for rereferral together with the amendments at any time within two legislative days after the deadline or, if the Legislature has recessed for the Summer Recess, within seven calendar days after the deadline.

Strike From File

29.2. A motion to strike any bill, resolution, or other question from the file shall require 21 votes. Such bill, resolution, or other question shall not be acted upon again during the session.

Bills Amended From the Floor

29.3. The consideration of a bill that has been amended by amendments offered from the floor, except committee amendments reported with bills or amendments offered with a motion to amend and rerefer a bill to committee, shall not be in order until the amended bill has been in print for not less than one legislative day. Any bill so amended shall be placed on the Second Reading File.

Amended Forms of Bills

29.5. No bill shall be considered for passage unless and until a copy of the bill as introduced and of each amended form of the bill is on the desk of each member.

Conference Reports

29.6. (a) No conference committee on any bill, other than the budget bill and the budget implementation bills, shall approve any substantial policy change in any bill if that substantial policy change has been defeated in a policy committee of the Senate within the current legislative session.

(b) For purposes of subdivision (d) of Joint Rule 29.5, the term "heard" shall mean that a printed bill with substantially similar language was before the appropriate committee and taken up at a regular or special hearing of the committee during the current legislative session; or that an amendment, which was drafted and given a request number or approved as to form by Legislative Counsel, was before the committee and taken up at a regular or special hearing of the committee.

Conference Committee Meetings

29.7. Before the adoption of a conference report by the Senate, any Senator may raise a point of order and put the following question to the chairman or chairwoman of the Committee on Conference from the Senate: "Did the Committee on Conference meet at a public meeting attended by at least two of the Assembly Members and two of the Senate Members of the Committee on Conference and adopt the conference report by an affirmative rollcall vote of not less than two of the Assembly Members and two of the Senate

Members constituting the Committee on Conference?" If the chairman or chairwoman answers this question in the negative, the conference report shall be returned to the Committee on Conference and shall not be further considered by the Senate until the Committee on Conference has met at a public meeting attended by at least two of the Assembly Members and two of the Senate Members of the Committee on Conference and has adopted the conference report by an affirmative rollcall vote of not less than two of the Assembly Members and two of the Senate Members constituting the Committee on Conference.

Analysis of Bills, Conference Reports, and Floor Amendments

29.8. (a) With the exception of the Budget Bill and the Budget Implementation Bill, no bill, unfinished business item, *or* report of a conference committee may be considered unless and until an analysis of each has been prepared by the Office of Senate Floor Analyses and placed upon the desks of the Senators, unless otherwise ordered by the President pro Tempore.

(b) No amendment from the floor shall be in order unless and until the amendment has been reviewed by the Office of Senate Floor Analyses. Upon a request by the Chairman or Vice Chairman of the Committee on Rules or by the lead author of the measure to which a substantive amendment is proposed from the floor, an analysis thereof shall be prepared by the Office of Senate Floor Analyses and placed upon the desks of the Senators.

Consideration of Conference Reports

29.9. No conference report may be adopted by the Senate until it has been in print for two days prior to being taken up by the Senate.

Referral of Bills

29.10. (a) If the analysis, prepared in accordance with subdivision (b) of Rule 29.8, of proposed floor amendments to a bill, other than the Budget Bill, discloses that the amendments create a new bill or rewrite the current form of the bill, the amendments shall, prior to consideration of the amendments by the Senate, be referred to the Committee on Rules. If the amendments to the bill are proposed by any Senator other than the author of the bill or the Senator presenting the Assembly bill on the floor, action on the bill shall be deferred until after the Committee on Rules acts upon the amendments. Upon receipt of the amendments, the Committee on Rules by a majority vote of its membership may either (1) refer the amendments to an appropriate standing committee or (2) return the amendments to the Senate Floor for consideration.

If the amendments are referred to a standing committee, the committee shall meet and act upon the amendments no later than the next scheduled hearing of the committee. If the amendments are referred to a standing committee during a time when standing committees are not meeting, the standing committee shall meet and act upon the amendments as directed by the Committee on Rules and, in any event, within two legislative days of receipt of the amendments. Upon receipt of the amendments, the committee by a majority vote of the membership may do any of the following: (1) hold the amendments, (2) return the amendments to the Senate

Floor for consideration, or (3) return amendments as approved by the committee to the Senate Floor.

If the amendments are referred to a standing committee during the time when no committee may meet, the Committee on Rules shall grant permission to suspend the joint rule to allow the committee to meet as directed by the Committee on Rules.

If the amendments are referred to the Committee on Rules on the last legislative day preceding a joint recess, the Committee on Rules and, if the amendments are referred to a standing committee, the standing committee, shall meet and act upon the amendments before adjourning for the recess. If the amendments are referred to the Committee on Rules on any of the three legislative days preceding January 31 or September 1 of an even-numbered year, the Committee on Rules and, if the amendments are referred to a standing committee, the standing committee, shall meet and act upon the amendments on the same legislative day.

(b) If the analysis, prepared in accordance with subdivision (a) of Rule 29.8, of a bill, other than the Budget Bill, that is returned to the Senate for a vote on concurrence discloses that the Assembly amendments create a new bill or rewrite the bill as passed by the Senate, action on the bill shall be deferred until the Committee on Rules acts upon the bill. The Committee on Rules by a majority vote of its membership may either (1) refer the bill to an appropriate standing committee or (2) recommend that the bill be taken up for consideration of the Assembly amendments.

If the bill is referred to a standing committee, the committee shall meet and act upon the bill no later than the next scheduled hearing of the committee. If the bill is referred to a standing committee during a time when standing committees are not meeting, the standing committee shall meet and act upon the bill as directed by the Committee on Rules and, in any event, within two legislative days of receipt of the bill. Upon receipt of the bill, the committee by a majority vote of the membership may either (1) hold the bill or (2) return the bill to the Senate Floor for consideration of the Assembly amendments.

If the bill is referred to a standing committee during the time when no committee may meet, the Committee on Rules shall grant permission to suspend the joint rule to allow the committee to meet as directed by the Committee on Rules.

If the bill is referred to the Committee on Rules on the last legislative day preceding a joint recess, the Committee on Rules and, if the bill is referred to a standing committee, the standing committee, shall meet and act upon the bill before adjourning for the recess. If the bill is referred to the Committee on Rules on any of the three legislative days preceding January 31 or September 1 of an even-numbered year, the Committee on Rules and, if the bill is referred to a standing committee, the standing committee, shall meet and act upon the bill on the same legislative day.

(c) An amendment creates a new bill or rewrites the bill if the amendment (1) changes the subject of the bill to a new or different subject, or (2) adds a new subject to the bill that is different from, and not related to, the contents of the bill.

This rule shall apply only to the 1995–96 Regular Session.

Special Order

30. Any measure or subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

Messages From the Governor or Assembly

31. Messages from the Governor or from the Assembly may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, or while a Senator is addressing the Senate.

Messages from the Governor or from the Assembly may be considered when indicated in the order of business or at any other time by unanimous consent or upon motion.

Engrossing Bills

32. All Senate bills, constitutional amendments, and joint and concurrent resolutions shall be engrossed after each amendment and before final action is taken on them in the Senate. Engrossment shall consist of comparing the printed engrossed bill with the original bill introduced and any amendments adopted to ascertain that it is correct. When a bill is reported correctly engrossed it shall be substituted for the original bill.

Enrolling Bills

33. All Senate bills shall be enrolled immediately following their final passage and receipt from the Assembly. An enrolled copy of every such bill, amendment or resolution shall be printed and examined to ascertain that it is a true and accurate copy of the measure as it was passed. It shall then be authenticated by the signature of the Secretary or an Assistant Secretary of the Senate and by the Chief Clerk or an Assistant Clerk of the Assembly, and transmitted to the Governor.

DEBATE**Statement of Motion**

34. No motion shall be debated until the same be distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

Regulations as to Speaking

35. (a) When a Senator desires to address the Senate, he shall rise in his place, address the President, and when recognized he shall proceed to speak through the public address system.
- (b) No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.
- (c) When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

- (d) No Senator shall be interrupted when speaking, and no question shall be asked him except through the presiding officer.
- (e) The author of a bill, motion, or resolution shall have the privilege of closing the debate.

Order in Debate

36. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

Right to Address the Senate

37. No person other than a Member of the Senate or the President thereof, shall address the Senate while it is in session, but the Senate may resolve itself into a Committee of the Whole and while sitting as such committee may be addressed by persons other than members.

QUESTIONS AND MOTIONS

Amendments to Bills

38. When amendments to a bill are reported by a committee or offered from the floor, such amendments shall be submitted in quintuplicate.

Adoption of amendments to any bill in the Senate prior to third reading, other than by rollcall, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments or any part thereof by the Senate.

Amendments to Be Germane

38.5. Every amendment proposed must be germane. In order to be germane, an amendment must relate to the same subject as the original bill, resolution, or other question under consideration.

A point of order may be raised that the proposed amendment or an amendment now in the bill, resolution, or other question under consideration is not germane, so long as the question is within control of the body. In that case the President pro Tempore shall decide whether the point of order is well taken. In the absence of the President pro Tempore, the Vice Chairman of the Committee on Rules shall decide whether the point of order is well taken. If in the opinion of the President pro Tempore or the Vice Chairman of the Committee on Rules the point of order is well taken, the question of germaneness shall on his or her motion be referred to the Rules Committee for determination. The Committee on Rules shall make its determination by the following legislative day. If the point of order and referral is made on the last legislative day preceding a joint recess, the Committee on Rules shall make its determination before adjourning for the recess.

The proposition shall remain on File until the determination is made. If upon consideration of the matter the Committee on Rules determines that the amendment is not germane, the bill, resolution, or other question shall be stricken from the File and shall not be acted upon during the remainder of the session; provided that the

author of a bill, resolution, or other question, shall be given the opportunity to amend the bill, resolution, or other question to delete the portions that are not germane, in which case the bill, resolution, or other question may continue to be acted upon. If the Committee on Rules determines that the amendment is germane, the bill, resolution, or other question may thereafter be acted upon by the house.

Amendments From the Floor

38.6. No amendments to a bill offered from the floor, except committee amendments reported with bills or amendments offered with a motion to amend and rerefer a bill to committee, shall be in order unless and until a copy of the proposed amendments provided by the author has been placed upon the desks of the members.

Motion to Lay on the Table

39. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

Division of a Question

40. If a question in debate contains more than one distinct proposition, any Senator may have the same divided.

The Previous Question

41. The previous question shall be put in the following form: "Shall the question be now put?" It shall require a majority vote of the Senators present; and its effect shall be to put an end to all the debate except that the author of the bill or the amendment shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote.

Call of the Senate

42. Upon a motion being carried for a call of the Senate, the President shall immediately order the doors to be closed, and shall direct the Secretary to call the names of the absentees as disclosed by the last previous rollcall. Thereupon, no members shall be permitted to leave the Senate Chamber except by written permission of the President pro Tempore or in his absence of the Vice Chairman of the Committee on Rules or, in the absence of both, of another member of the Committee on Rules designated for that purpose by the President pro Tempore or the Vice Chairman of the Committee on Rules. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant at Arms whenever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a rollcall of the Senate and compel the attendance of absentees in the manner above provided.

A call of the Senate may be ordered after the roll has been called and prior to the announcement of the vote. A call of the Senate may be dispensed with at any time upon a majority vote of the Senators

present, such action to become effective upon completion of the rollcall and the announcement of the vote upon the matter for which the call was ordered.

No recess can be taken during a call of the Senate. During any call such call may be made to apply also to other items of business by a motion made and adopted by a majority vote of the members present. Under such circumstances, when the call of the Senate is dispensed with as to any item of business, the call shall be deemed to be continued in effect until such other items of business as have been made subject to the call by a majority of the members present, shall have been acted upon. When a call of the Senate is ordered, pending the announcement of the vote upon the completion of a rollcall, the pending rollcall shall become unfinished business, the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

A motion to adjourn is not in order during a call of the Senate.

Reconsideration

43. On the day on which a vote has been taken on any question a motion to reconsider the vote may be made by any member.

The motion may be considered on the day made or on the succeeding legislative day but may not be further postponed without the concurrence of 30 members.

No vote by which a bill was passed may be reconsidered on the last legislative day preceding the interim study joint recess or the final recess, and no vote by which the bill was passed may be reconsidered on a Senate bill introduced during the first year of the biennium of the legislative session on January 31, or on the last legislative day immediately preceding January 31, of an even-numbered year.

When reconsideration of the vote by which any bill has passed has been demanded the Secretary shall not transmit it to the Assembly until the demand has been disposed of or the time for reconsideration has expired, but if the bill has already been transmitted to the Assembly the demand for reconsideration shall be preceded by a motion to request the Assembly to return the bill. The motion shall be put to a vote immediately without debate and if not adopted shall preclude a demand for reconsideration.

A demand to reconsider the vote on any debatable question opens the main question to debate and the vote on the reconsideration shall be on the merits of such main question.

VOTING BY SENATE

Rescinding

43.5. No action whereby a bill has been passed or defeated may be rescinded without the concurrence of 27 members.

Voting on Rollcall

44. Whenever a rollcall is required by the Constitution or rules, or is ordered by the Senate or demanded by three members, every member within the Senate shall without debate answer “Aye” or “No” when his or her name is called.

The names of members shall be called alphabetically.

No Senator shall be permitted to vote or change his or her vote after the announcement of the vote by the presiding officer.

On a legislative day when the President pro Tempore or Minority Floor Leader is in attendance throughout a session, he or she, in the absence of any objection, may instruct the Secretary of the Senate to add his or her vote to any previously announced vote which had been taken while he or she was performing the responsibilities of the office of President pro Tempore or Minority Floor Leader, provided the outcome of the vote is not changed. This provision may not extend to any rollcall beyond adjournment of the legislative day during which the rollcall in question was taken. The intent of this paragraph is to allow the President pro Tempore and the Minority Floor Leader to carry out the unique and special duties of their offices without losing the opportunity to vote on matters before the Senate.

Excused From Voting

45. When a Senator declines or fails to vote on call of his name he may, after completion of the rollcall, and before the announcement of the vote be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which question shall be decided without debate. Unless the Senator is excused from voting he shall be required to vote.

Voting by Presiding Senator

46. When the President pro Tempore or any other Member of the Senate is presiding over the Senate he shall vote on rollcall the same as though he were not presiding.

Vote Required

47. Unless otherwise required by the Constitution, the Joint Rules of the Senate and Assembly or by these rules, any action which can be taken by the Senate requires only a majority vote of the Senate, a quorum being present.

The following actions require 30 votes:

1. To dispense with constitutional provision requiring 30 calendar day delay after introduction before a bill may be heard by any committee or acted upon by either house—(Constitution, Art. IV, Sec. 8(a)).
2. To postpone the reconsideration of a vote beyond the first legislative day succeeding the day the motion was made.

The following actions require 27 votes:

3. To pass urgency statutes—(Constitution, Art. IV, Sec. 8(d)).
4. To suspend constitutional provisions requiring reading bills on three several days— (Constitution, Art. IV, Sec. 8(b)).
5. To pass bills over the Governor's veto— (Constitution, Art. IV, Sec. 10).
6. To prescribe compensation and reimbursement for travel and living expenses of the Members of the Legislature— (Constitution, Art. IV, Sec. 4).
7. To propose constitutional amendments or revision of the Constitution—(Constitution, Art. XVIII, Secs. 1, 2).
8. To amend or withdraw proposed legislative constitutional amendment or revision—(Constitution, Art. XVIII, Sec. 1).
9. To classify or exempt personal property for property taxation purposes—(Constitution, Art. XIII, Sec. 2).

10. To permit exemption of real property from taxation—(Constitution, Art. XIII, Sec. 7).
11. To remove a member of the Public Utilities Commission—(Constitution, Art. XII, Sec. 1).
12. To reconsider the vote by which a concurrent resolution proposing a constitutional amendment is defeated.
13. To rescind the action whereby a bill has been passed or defeated.
14. To suspend the rule against lobbying in the Senate Chamber.
15. To concur in Assembly amendments to or adopt a report of a Committee on Conference concerning constitutional amendments or bills which require 27 votes for passage.
16. To concur in any Assembly amendments to, or any conference report affecting, any Senate bill which contains an item or items of appropriation subject to Section 12(d) of Article IV of the Constitution.

The following actions require 21 votes:

17. To amend or suspend the rules, except as provided in Rule 21.
18. To pass bills, unless under some other rules a larger vote is required—(Constitution, Art. IV, Sec. 8(b)).
19. To adopt joint and concurrent resolutions.
20. To reconsider bills, joint and concurrent resolutions.
21. To confirm appointments by the Governor, unless a higher vote is required by statute, or to reconsider the same.
22. To recall a bill from committee.
23. To concur in Assembly amendments to or adopt a report of a Committee on Conference concerning concurrent or joint resolutions or bills which require 21 votes for passage.
24. To change rate of bank and corporation taxation, or tax on insurers, for state purposes—(Constitution, Art. XIII, Secs. 27, 28).
25. To strike from file.

Actions requiring 14 votes:

26. To reconsider a vote by which a concurrent resolution proposing a constitutional amendment was adopted.

Vote Required for Amendments

48. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

CONTENTS OF SENATE JOURNAL

Proceedings to Be Printed

49. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

The Journal shall state the name of the Senator presenting each Assembly bill, concurrent or joint resolution or constitutional amendment to the Senate for final action.

Every vote of the Senate shall be recorded in the Journal.

Titles of Bills to Be Printed

50. The titles of all bills, joint and concurrent resolutions, and constitutional amendments when introduced and when acted upon

by the Senate, and a brief statement of the contents of each petition, memorial or paper presented to the Senate shall be printed in the Journal.

Other Matters to Be Printed

51. Messages from the Governor (other than annual messages and inaugural addresses) shall be printed in the Journal, unless otherwise ordered by the Senate.

Letters of transmittal presenting reports of committees and reports of such state departments and agencies as shall be made to the Senate pursuant to law or resolution adopted by the Senate, shall be printed in the Journal, but the reports shall be printed in the Appendix to Journals unless otherwise directed by the Senate.

Duty of Secretary to Order Printing

52. It shall be the duty of the Secretary of the Senate and he is hereby directed to order for the Senate the necessary printing including stationery for the members and to audit and approve all bills for printing to be charged to the Senate. The Secretary shall order from the State Printer such number of copies of bills, Journals, Histories, Files, forms and other printing as shall be necessary.

It shall further be the duty of the Secretary to order bills and other legislative publications for which there is a demand printed before the supply of same shall become exhausted.

**Printing Only on Written Orders:
Rush Orders**

53. The State Printer shall not charge any printing or other work to the Senate except as required by law unless he has a written order from the Secretary of the Senate prior to the beginning of the printing or other work. All printing orders by the Secretary shall be delivered as directed by him. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under specially prepared written order, to be known as a "Rush Order."

THE SENATE CHAMBER

Admission To The Senate Chamber

55. (a) Persons not Members, officers or employes of the Senate, shall be admitted to the Senate Chamber only as follows:

1. The Members, Officers, and assistant clerks of the Assembly.
2. The Legislative Counsel or his representatives.
3. The accredited press, radio and television representatives.
4. Former State Senators and Assemblymen.
5. Visitors in the chairs reserved for that purpose on invitation of the President or a Senator or on presentation of a pass.

(b) While the Senate is in session no person, except Members of the Legislature, shall engage in influencing the passage or defeat of legislation in any way in the Senate Chamber.

(c) No person described as a lobbyist in Section 82039 of the Government Code shall be admitted to the Senate Chamber while the Senate is in session.

(d) Only Members and Officers of the Senate and Assembly, former Members of the Senate, assistant clerks of the Senate and the

Assembly, the Legislative Counsel or his representatives, Senate employees for the purpose of delivering messages and when so directed by a Member of the Senate, and members of the press who have seats assigned to them, shall be permitted on the Floor of the Senate.

(e) The Senate Chamber is the Senate Chamber proper, the adjoining hallway, Rooms 3046, 3189, 3191, 3195, and 3196 of the Capitol Annex, and Room 215 of the Capitol.

(f) The Floor of the Senate is all of the Senate Chamber except the adjoining hallway and the rooms listed in subdivision (e), the visitors seating area, and the western portion of Room 3191.

(g) Notwithstanding any other provision of this rule, any person may be admitted to the western portion of Room 3191 to attend a meeting of a Senate, Assembly, Joint or Conference Committee.

(h) Notwithstanding any other provision of this rule, no person shall be permitted on the Floor of the Senate while it is in session unless the person is wearing appropriate attire. Appropriate attire must include coats and ties for men. Accredited camerapersons, sound technicians, and photographers are excepted from this requirement. Floor of the Senate has the same meaning as defined in subdivision (f).

(i) This rule may be suspended by a vote of two-thirds of the Members of the Senate.

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**STANDARDS OF CONDUCT
OF THE SENATE**

(adopted by the Senate May 4, 1992)

**Standards of Conduct
of the Senate
(adopted by the Senate May 4, 1992)**

The Standards of Conduct of the Senate are as follows:

First—That each Senator and each officer and employee of the Senate has an obligation to exercise his or her independent judgment on behalf of the people of California, rather than for any personal gain or private benefit.

(a) No Senator or officer or employee of the Senate should accept anything from anyone that would interfere with the exercise of his or her independent judgment.

(b) No Senator or officer or employee of the Senate should accept outside employment that is inconsistent with the conscientious performance of his or her duties.

(c) No Senator should use the prestige of his or her office, and no Senate officer or employee of the Senate should use the status of his or her position for material or financial gain or private benefit.

Second—That each Senator has an obligation to provide energetic and diligent representation, and each officer and employee of the Senate has an obligation to provide energetic and diligent service on behalf of the Senate, with due consideration for the interests of all of the people of California.

(a) Each Senator and each officer and employee of the Senate has an obligation to be informed and prepared, recognizing all sides of an issue.

(b) Each Senator and each officer and employee of the Senate, when intervening on behalf of a constituent with any governmental agency should make every effort to ensure that decisions affecting any constituent are made on their merits and in a fair and equitable manner.

(c) Each Senator should be accessible to all constituents, making a special effort to attend to the concerns of those who might not otherwise be heard.

(d) Each Senator should fairly characterize the issues confronting the Legislature and accurately inform the public regarding the conduct of his or her office.

Third—That each Senator and each officer and employee of the Senate has an obligation to the public and to his or her colleagues to be informed about, and abide by, the rules that govern the proceedings of the Senate and the Legislature.

(a) Each Senator should perform his or her duties with courtesy and respect for both colleagues and those who may appear before them.

(b) In exercising the power of confirmation, each Senator should act with due regard for the general welfare of the people of California.

(c) Each Senator and each officer and employee of the Senate, when exercising oversight functions with respect to any governmental agency, should act in an informed fashion, with attention to the underlying policies being implemented and with due respect for the independence of the agency.

Fourth—Each Senator, when acting in a position of leadership, should exercise his or her power and carry out his or her responsibility so as to enhance reasoned and visible decisionmaking by the Senate.

Fifth—Each Senator has an obligation to treat every officer and employee of the Senate with fairness and without discrimination, and to ensure that each officer and employee performs only those tasks for which there is a legislative or governmental purpose.

Sixth—Each officer and employee of the Senate has an obligation to perform his or her properly assigned duties using his or her best judgment with diligence and a duty of loyalty to the Senate as an institution.

Seventh—Each Senator and each officer and employee of the Senate has an obligation to make proper use of public funds.

(a) No Senator and no officer or employee of the Senate may use state resources for personal or campaign purposes.

(b) Each officer and employee of the Senate is free to volunteer for, and participate in, campaign activities on his or her own time, but no officer or employee of the Senate may be intimidated, coerced, or compelled, as a condition of continued appointment or employment, to either volunteer time or contribute money to a candidate or campaign.

Eighth—Each Senator and each officer and employee of the Senate shall uphold the Constitution of California and the Constitution of the United States, and shall adhere to the spirit and the letter of the laws, rules, and regulations governing officeholder conduct.

Ninth—Each Senator and each officer and employee of the Senate shall conduct himself or herself in the performance of his or her duties in a manner that each does not discredit the Senate.

Tenth—Each Senator and each officer and employee of the Senate, is encouraged to report to the proper authority any apparent and substantial violation of these standards, or related statutes, regulations, and rules, and to consult with the Senate Committee on Legislative Ethics, or any other appropriate governmental agency, regarding the propriety of any conduct.

**TEMPORARY JOINT RULES
OF THE
SENATE AND ASSEMBLY
1993–94**

(Custom and Usage)

**Resolution Chapter 43, Statutes of 1993
(SCR No. 1, 1993–94 Regular Session)**

**NOTE: The amendment made by ACR 107, (Resolution Chapter 8) 1993–94
Regular Session, is incorporated in these rules.**

**TEMPORARY JOINT RULES OF THE
SENATE AND ASSEMBLY**

Standing Committees

1. Each house shall appoint such standing committees as the business of the house may require, the committees, the number of members, and the manner of selection to be determined by the rules of each house.

Joint Meeting of Committees

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen or chairwomen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

Effect of Adoption of Joint Rules

3.5. The adoption of the Joint Rules for any extraordinary session shall not be construed as modifying or rescinding the Joint Rules of the Senate and Assembly for any previous session, nor as affecting in any way the status or powers of the committees created by those rules.

Definition of Word Bill

4. Whenever the word "bill" is used in these rules, it shall include constitutional amendments, resolutions ratifying proposed amendments to the United States Constitution, and resolutions calling for constitutional conventions.

Concurrent and Joint Resolutions

5. Concurrent resolutions relate to matters to be treated by both houses of the Legislature.

Joint resolutions are those which relate to matters connected with the federal government.

Resolutions Treated as Bills

6. Concurrent and joint resolutions, other than resolutions ratifying proposed amendments to the United States Constitution and resolutions calling for constitutional conventions, shall be treated in all respects as bills except as follows:

(a) They shall be given only one formal reading in each house.

(b) They shall not be deemed bills within the meaning of subdivision (a) of Section 8 of Article IV of the Constitution.

(c) They shall not be deemed bills for the purposes of Rules 10.8, 53, 55, 56, and 61, and subdivisions (a) and (c) of Rule 54 and subdivisions (a) and (b) of Rule 62.

(d) They shall not, except for those relating to voting procedures on the floor or in committee, be deemed bills for the purposes of subdivision (c) of Rule 62.

**PREPARATION AND
INTRODUCTION OF BILLS**

Title of Bill

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

Division of Bill Into Sections

8. A bill amending more than one section of an existing law shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

Digest of Bills Introduced

8.5. No bill shall be introduced unless it is contained in a cover attached by the Legislative Counsel and unless it is accompanied by a digest, prepared and attached to the bill by the Legislative Counsel, showing the changes in the existing law which are proposed by the bill. No bill shall be printed where the body of the bill or the Legislative Counsel's Digest has been altered, unless the alteration has been approved by the Legislative Counsel. If any bill is presented to the Secretary of the Senate or Chief Clerk of the Assembly for introduction, which does not comply with the foregoing requirements of this rule, the Secretary or Chief Clerk shall return it to the member who presented it. The digest shall be printed on the bill as introduced, commencing on the first page thereof.

Digest of Bills Amended

8.6. Whenever a bill is amended in either house, the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be, shall request the Legislative Counsel to prepare an amended digest and cause it to be printed on the first page of the bill as amended. The digest shall be amended to show changes in the existing law which are proposed by the bill as amended with any material changes in the digest indicated by the use of appropriate type.

Errors in Digest

8.7. If a material error in a printed digest referred to in Rule 8.5 or 8.6 is brought to the attention of the Legislative Counsel, he shall prepare a corrected digest which shall show the changes made in the digest as provided in Rule 10 for amendments to bills. He shall deliver the corrected digest to the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be. If the correction warrants it in the opinion of the President pro Tempore of the Senate or the Speaker of the Assembly, a corrected print of the bill as introduced shall be ordered with the corrected digest printed thereon.

**Bills Amending Title 9 of the
Government Code**

8.8. A member who is the first-named author of a bill which would amend, add, or repeal any provision of Title 9 (commencing with Section 81000) of the Government Code, upon introduction or amendment of such bill in either house shall notify the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, of the nature of such bill. Thereafter, the Chief Clerk of the Assembly or the Secretary of the Senate shall deliver a copy of such bill as introduced or amended to the Fair Political Practices Commission pursuant to Section 81012 of the Government Code.

Restrictions as to Amendments

9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment, or resolution under consideration. No amendment shall be in order when all that would be done to the bill is the addition of a coauthor or coauthors, unless the Rules Committee of the house in which such an amendment is to be offered grants prior approval.

**Changes in Existing Law to Be
Marked by Author**

10. In a bill amending or repealing a code section or a general law, any new matter shall be underlined and any matter to be omitted shall be in type bearing a horizontal line through the center and commonly known as “strikeout” type. When printed the new matter shall be printed in italics, and the matter to be omitted shall be printed in “strikeout” type.

In any amendment to a bill which sets out for the first time a section being amended or repealed, any new matter to be added and any matter to be omitted shall be indicated by the author and shall be printed in the same manner as though the section as amended or repealed were a part of the original bill and was being printed for the first time.

When an entire code is repealed as part of a codification or recodification or when an entire title, part, division, chapter, or article of a code is repealed, the sections comprising such code, title, part, division, chapter, or article shall not be set forth in the bill or amendment in strikeout type.

**Rereference to Fiscal and
Rules Committees**

10.5. Bills shall be rereferred to the fiscal committee of each house when they would do any of the following:

- (1) Appropriate money.
- (2) Result in substantial expenditure of state money by:
 - (a) imposing new responsibilities on the state or
 - (b) imposing new or additional duties on a state agency or
 - (c) liberalizing any state program, function, or responsibility.
- (3) Result in a substantial loss of revenue to the state.
- (4) Result in substantial reduction of expenditures of state money by reducing, transferring, or eliminating any existing responsibilities of any state agency, program, or function.

Concurrent and joint resolutions shall be rereferred to the fiscal committee of each house when they contemplate any action which would involve any of the following:

- (1) Any substantial expenditure of state money.
- (2) Any substantial loss of revenue to the state.

The above requirements do not apply to bills or concurrent resolutions which contemplate the expenditure or allocation of operating funds.

A bill which assigns a study to the Joint Legislative Budget Committee or to the Legislative Analyst shall be rereferred to the respective rules committees. Before the committee shall act upon such bill, it shall obtain from the Joint Legislative Budget Committee an estimate of the amount required to be expended to make the study.

This rule may be suspended in either house as to any particular bill by approval of the Committee on Rules of the house and two-thirds vote of the membership of the house.

Heading of Bills

10.7. No bill shall indicate in its heading or elsewhere that it was introduced at the request of a state agency or officer or any other person. No bill shall contain the words "By request" or words of similar import.

Consideration of Bills

10.8. The limitation contained in subdivision (a) of Section 8 of Article IV of the Constitution may be dispensed with as follows:

(a) A written request for such dispensation entitled "Request to Consider and Act on Bill Within 30 Calendar Days" shall be filed with the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, and transmitted to the Committee on Rules of the appropriate house.

(b) The Committee on Rules of the Assembly or Senate, as the case may be, shall determine whether there exists an urgent need for dispensing with the 30-calendar-day waiting period following the bill's introduction.

(c) If the Committee on Rules recommends that the waiting period be dispensed with, the member may offer a resolution, without further reference thereof to committee, authorizing hearing and action upon the bill before the 30 calendar days have elapsed. The adoption of the resolution shall require an affirmative recorded vote of three-fourths of the elected members of the house in which the resolution is presented.

Printing of Amendments

11. (a) All bills amended by either house shall be immediately reprinted. Except as otherwise provided in subdivision (b), if new matter is added by the amendment, the new matter shall be printed in italics in the printed bill; if matter is omitted, the matter to be omitted shall be printed in strikeout type. When a bill is amended in either house, the first or previous markings shall be omitted.

(b) If amendments to a bill, including the report of a committee on conference, are adopted that omit the entire contents of the bill, the matter omitted need not be reprinted in the amended version of the bill. Instead, the Secretary of the Senate or the Chief Clerk of the

Assembly, as the case may be, may select any such amended bill and cause to be printed a brief statement to appear after the last line of the amended bill identifying which previously printed version of the bill contains the complete text of the omitted matter.

Manner of Printing Bills

12. The State Printer shall observe the directions of the Joint Rules Committee in printing all bills, constitutional amendments, and concurrent and joint resolutions.

Distribution of Legislative Publications

13. The Secretary of the Senate and the Chief Clerk of the Assembly shall order a sufficient number of bills and legislative publications as may be necessary for legislative requirements.

No complete list of bills shall be delivered except upon payment therefor of such sum as may be fixed by the Joint Rules Committee for any regular or extraordinary session. No more than one copy of any bill or other legislative publication, nor more than a total of 100 bills or other legislative publications during a session, shall be distributed free to any person, office, or organization. The limitations imposed by this paragraph do not apply to Members of the Legislature, the President of the Senate, the Secretary of the Senate and the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; Attorney General's office; Secretary of State's office; Controller's office; Governor's office; the Clerk of the Supreme Court; the clerk of the court of appeal for each district; the Judicial Council; the California Law Revision Commission; the State Library; the Library of Congress; the libraries of the University of California at Berkeley and at Los Angeles; and accredited members of the press. The State Printer shall fix the cost of such bills and publications, including postage, and such moneys as may be received by him shall, after deducting the cost of handling and mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing. Legislative publications heretofore distributed through the Bureau of Documents shall be distributed through the Bill Room. Unless otherwise provided for, the total number of each bill to be printed shall not be more than 2,500.

Legislative Index

13.1. The Legislative Counsel shall provide for the periodic publication of a cumulative Legislative Index which shall include tables of sections affected by pending legislation. The State Printer shall print the Legislative Index in such quantities, and at such times, as are determined by the Secretary of the Senate and the Chief Clerk of the Assembly. The costs of such printing shall be paid from the legislative printing appropriation.

Summary Digest

13.3. The Legislative Counsel shall compile and prepare for publication a summary digest of legislation passed at each regular and extraordinary session, which digest shall be prepared in a form suitable for inclusion in the publication of statutes. The digest shall be printed as a separate legislative publication on the order of the Joint

Rules Committee and may be made available to the public in such quantities and at such prices as the Joint Rules Committee may determine.

Statutory Record

13.5. The Legislative Counsel shall prepare for publication from time to time a cumulative statutory record. The statutory record shall be printed as a legislative publication on the order of the Secretary of the Senate or the Chief Clerk of the Assembly.

OTHER LEGISLATIVE PRINTING

Printing of the Daily Journal

14. The State Printer shall print in such quantity as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, copies of the journal of each day's proceedings of each house. At the end of the session he shall also print, as directed by the Secretary of the Senate and the Chief Clerk of the Assembly a sufficient number of copies properly paged after being corrected and indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, to bind in book form as the journal of the respective houses of the Legislature.

What Shall Be Printed in the Journal

15. The following shall always be printed in the journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions, and constitutional amendments when introduced in, offered to, or acted upon by the house.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial, or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

Printing of the Daily File

16. A daily file of bills ready for consideration shall be printed each day for each house when the Legislature is not in joint recess except days when a house does not meet.

Printing of History

17. Each house shall cause to be printed, once each week, a complete history of all bills; constitutional amendments; and concurrent, joint, and house resolutions originating in, considered, or acted upon by the respective houses and committees thereof. A regular form shall be prescribed by the Secretary of the Senate and the Chief Clerk of the Assembly. Such history shall show the action taken upon each measure up to and including the legislative day preceding its issuance. Except for periods when the houses are in joint recess, for each day intervening there shall be printed a daily history showing the consideration given to or action taken upon any measure since the issuance of the complete history.

Authority for Printing Orders

18. The State Printer shall not print for use of either house nor charge to legislative printing any matter other than provided by law

or by the rules, except upon a written order signed by the Secretary of the Senate, on behalf of the Senate, or the Chief Clerk of the Assembly or other person authorized by the Assembly, on behalf of the Assembly. Persons authorized to order printing under this rule may, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

The Secretary of the Senate, on behalf of the Senate, and the Chief Clerk of the Assembly or other person authorized by the Assembly, on behalf of the Assembly, are hereby authorized and directed to order and distribute for the members stationery and legislative publications for which there is a demand, and, subject to the rules of their respective houses, to approve the bills covering such orders. All bills for printing must be presented by the State Printer within 30 days after the completion of the printing.

RECORD OF BILLS

**Secretary and Chief Clerk
to Keep Records**

19. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a complete and accurate record of every action taken by the Senate and Assembly on every bill.

**Secretary and Chief Clerk
Shall Endorse Bills**

20. The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original or engrossed bill a statement of any action taken by the Senate or Assembly concerning such bill.

**ACTION IN ONE HOUSE ON BILL
TRANSMITTED FROM THE OTHER**

**After a Bill Has Been Passed by the
Senate or Assembly**

21. When a bill has been passed by either house it shall be transmitted promptly to the other unless a motion to reconsider or a notice of motion to reconsider has been made or it is held pursuant to some rule or order of the house.

The procedure of referring bills to committees shall be determined by the respective houses.

**Messages to Be in Writing Under Proper
Signatures**

22. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the Assembly from which such message is to be conveyed. A receipt shall be taken from the officer to whom such message is delivered.

Uncontested Bills

22.1. Each standing committee may report an uncontested bill out of committee with the recommendation that it be placed on the consent calendar. The Secretary of the Senate and the Chief Clerk of the Assembly shall provide to each committee chairman or chairwoman appropriate forms for such report. As used in this rule, "uncontested bill" means a bill, except a revenue measure or a

measure as to which the 30-day limitation prescribed by subdivision (a) of Section 8 of Article IV of the Constitution has been dispensed with, which: (a) receives a do-pass or do-pass-as-amended recommendation from the committee to which it is referred, by unanimous vote of the members present provided a quorum is present; and (b) has no opposition expressed by any person present at the committee meeting with respect to the final version of the bill as approved by the committee; and (c) prior to final action by the committee, has been requested by the author to be placed on the consent calendar.

Consent Calendar

22.2. Following their second reading and the adoption of any committee amendments thereto, all bills certified by the committee chairman or chairwoman as uncontested bills shall be placed by the Secretary of the Senate or the Chief Clerk of the Assembly on the consent calendar, and shall be known as "consent calendar bills." Any consent calendar bill which is amended from the floor shall cease to be a consent calendar bill and shall be replaced on the third reading file. Upon objection of any member to the placement or retention of any bill on the consent calendar, such bill shall cease to be a consent calendar bill and shall be replaced on the third reading file. No consent calendar bill shall be considered for adoption until the second legislative day following the day of its placement on the consent calendar.

Consideration of Bills on Consent Calendar

22.3. Bills on the consent calendar are not debatable, except that the President of the Senate or the Speaker of the Assembly shall allow a reasonable time for questions from the floor and shall permit the proponents of such bills to answer such questions. Immediately prior to voting on the first bill on the consent calendar, the President of the Senate or the Speaker of the Assembly shall call to the attention of the members the fact that the next rollcall will be the rollcall on the first bill on the consent calendar.

The consent calendar shall be considered as the last order of business on the daily file.

PASSAGE AND ENROLLING OF BILLS

Procedure on Defeat of More Than Majority Bill

23.5. Whenever a bill containing a section or sections requiring for passage an affirmative recorded vote of more than 21 votes in the Senate and more than 41 votes in the Assembly is being considered for passage and the urgency clause, if the bill is an urgency bill, or the bill, in any case, fails to receive the necessary votes to make all sections effective, no further action may be taken on the bill; provided that an amendment to remove all sections requiring the higher vote for passage from the bill shall be in order prior to consideration of further business. If the amendment is adopted, the bill shall be reprinted to reflect such amendment. When the bill is reprinted, it shall be returned to the same place on the file as when it failed to receive the necessary votes.

Enrollment of Bill After Passage

24. After a bill has passed both houses it shall be printed in enrolled form, omitting symbols indicating amendments, and shall be compared by the Engrossing and Enrolling Clerk and the proper committee of the house where it originated to determine that it is in the form approved by the houses. The enrolled bill shall thereupon be signed by the Secretary of the Senate and Chief Clerk of the Assembly and, except as otherwise provided by these rules, presented without delay to the Governor. The committee shall report the time of presentation of the bill to the Governor to the house and the record shall be entered in the journal. After enrollment and signature by the officers of the Legislature, constitutional amendments, and concurrent and joint resolutions shall be filed without delay in the office of the Secretary of State and the time of filing shall be reported to the house and the record entered in the journal.

AMENDMENTS AND CONFERENCES**Amendments to Amended Bills
Must Be Attached**

25. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments. One copy of such amendment or amendments shall be attached to the bill or resolution so amended, and endorsed “adopted” and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be endorsed “concurred in,” and such endorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly, as the case may be; provided, however, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

**Amendments to Concurrent and
Joint Resolutions**

25.5. When a concurrent or joint resolution is amended, and the only effect of the amendments is to add coauthors, the joint or concurrent resolution shall not be reprinted unless specifically requested by one of the added coauthors, but a list of the coauthors shall appear in the journal and history.

**To Concur or Refuse to Concur
in Amendments**

26. In case the Senate amends and passes an Assembly bill, or the Assembly amends and passes a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either “concur” or “refuse to concur” in the amendments. If the Senate concurs (if it be a Senate bill), or the Assembly concurs (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

Reference to Committee

26.5. Pursuant to Rule 26, whenever a bill is returned to its house of origin for a vote on concurrence in an amendment made in the other house, the Legislative Counsel shall promptly prepare and transmit to the Chief Clerk of the Assembly and the Speaker of the Assembly in the case of an Assembly bill, or to the Secretary of the Senate and Chairman of the Senate Committee on Rules in the case of a Senate bill, a brief digest summarizing the effect of the amendment made in the other house. The Secretary or Chief Clerk shall cause the digest to be printed in the Daily File immediately following any reference to the bill covered by the digest. A motion to concur or refuse to concur in the amendment shall not be in order until such time as the Legislative Counsel's Digest has appeared in the file.

If the digest discloses that the amendment of the other house has made a substantial substantive change in the bill as first passed by the house of origin, the bill shall on motion of the Chairman of the Senate Committee on Rules, if it be a Senate bill, be referred to the Senate Committee on Rules for reference to an appropriate standing committee. If the bill is an Assembly bill it shall be referred by the Chief Clerk of the Assembly, with the approval of the Speaker, to the committee of first reference. If the Speaker, upon evaluation of the bill, determines that the committee of first reference is not an appropriate committee to hear the amended bill, the Speaker shall not approve referral to that committee, but shall instead refer the bill to the Assembly Committee on Rules for rereferral.

Upon receipt of such a bill, the committee may vote to recommend concurrence or nonconcurrence in the amendment or the committee may hold the bill. The committee shall be subject to all the requirements for procedure provided under Rule 62 for committees other than for committees of first referral, and such other requirements for normal committee procedure as the Assembly or Senate may separately provide in the standing rules of their respective houses.

Any of the provisions of this rule may be dispensed with regard to a particular bill in its house of origin upon an affirmative vote of a majority of the members of that house.

**Concurring in Amendments Adding
Urgency Section**

27. When a bill which has been passed in one house is amended in the other by the addition of a section providing that the act shall take effect immediately as an urgency statute and is returned to the house in which it originated for concurrence in the amendment or amendments thereto, the procedure and vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members elected to the house vote in the affirmative, the presiding officer shall then direct that the question of whether the house shall concur in the amendment or amendments shall be put to a vote. If two-thirds of all the members elected to the house vote in the affirmative, concurrence in the amendments shall be effective.

If the affirmative vote on either of such questions is less than two-thirds of all the members elected to such house, the effect is a refusal to concur in the amendment or amendments, and the procedure thereupon shall be as provided in Rule 28.

**When Senate or Assembly Refuse
to Concur**

28. If the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) refuses to concur in amendments to the bill made by the other house, and when the other house has been notified of such refusal to concur, a conference committee shall be appointed for each house in the manner prescribed by these rules. The Committee on Rules in the case of the Senate and the Speaker of the Assembly in the case of the Assembly shall each appoint a committee of three on conference, and the Secretary of the Senate or the Chief Clerk of the Assembly shall immediately notify the other house of the action taken.

Committee on Conference

28.1. The Senate Committee on Rules and the Speaker of the Assembly, in appointing a committee on conference, shall each select two members from those voting with the majority on the point about which the difference has arisen, and the other member from the minority, in the event there is a minority vote.

Whether a member has voted with the majority or minority on the point about which the difference has arisen is determined by his or her vote on the appropriate rollcall, as follows:

(1) In the Assembly—

(a) The rollcall on the question of final passage of a Senate bill amended in the Assembly when the Senate has refused to concur with the Assembly amendments.

(b) The rollcall on the question of concurrence with Senate amendments to an Assembly bill.

(2) In the Senate—

(a) The rollcall on the question of final passage of an Assembly bill amended in the Senate when the Assembly has refused to concur with the Senate amendments.

(b) The rollcall on the question of concurrence with Assembly amendments to a Senate bill.

**Meetings and Reports of Committees
on Conference**

29. The first Senator named on the conference committee shall act as chairman or chairwoman of the committee from the Senate, and the first Member of the Assembly named on such committee shall act as chairman or chairwoman of the committee from the Assembly. The chairman or chairwoman of the committee on conference for the house of origin of the bill shall arrange the time and place of meeting of the conference committee and shall prepare or direct the preparation of reports. It shall require an affirmative vote of not less than two of the Assembly Members and two of the Senate Members constituting the committee on conference to agree upon a report, and the report shall be submitted to both the Senate and the Assembly. The committee on conference shall report to both the Senate and the Assembly. Such report is not subject to amendment,

and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed; provided, however, that no more than three different conference committees shall be appointed on any one bill. No member who has served on a committee on conference shall be appointed a member of another committee on conference on the same bill. It shall require the same affirmative recorded vote to adopt any conference report as required by the Constitution upon the final passage of the bill affected by such report. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of each house to adopt any conference report affecting any bill which contains an item or items of appropriation which are subject to subdivision (d) of Section 12 of Article IV of the Constitution. The report of a conference committee shall be in writing, and shall have affixed thereto the signatures of each Senator and each Member of the Assembly consenting to the report. Space shall also be provided where a member of a conference committee may indicate his or her dissent in the committee's findings. Any dissenting member may have attached to a conference committee report a dissenting report which shall not exceed, in length, the majority committee report. A copy of any amendments proposed in the majority report shall be placed on the desk of each member of the house before it is acted upon by the house.

The vote on concurrence or upon the adoption of such conference report shall be deemed the vote upon final passage of such bill.

Conference Committees

29.5. (a) All meetings of any conference committee on the Budget Bill shall be open and readily accessible to the public.

No conference committee on any bill may meet, consider, or act on the subject matter of the bill except in a meeting that is open and readily accessible to the public; unless the action is on a report determined by the Legislative Counsel to be nonsubstantive. The Legislative Counsel shall examine each proposed report and shall note upon the face of the report that the amendments proposed are "substantive" or "nonsubstantive" as the case may be.

The chairman or chairwoman of the conference committee of each house shall give notice to the file clerk of their respective houses of the time and place of such meeting. Notice of each public meeting shall be published in the file of each house one calendar day prior to the meeting, except that such notice shall not be required for a meeting of a conference committee on the Budget Bill. When the provisions of this subdivision are waived with respect to a meeting of any public conference committee, and when there is a meeting of a conference committee on the Budget Bill, every effort shall be made to inform the public that such a meeting has been called. When the provisions of this subdivision have been waived with respect to the meeting of any public conference committee, the chairman or chairwoman of the conference committee of each house shall immediately notify the chairman or chairwoman of the policy committee of their respective houses that considered the bill in question of the waiver, and of the time and place of the meeting.

(b) The first committee on conference of the Budget Bill, if such a committee is appointed, shall submit its report to each house no later than 15 days after the Budget Bill has been passed by both

houses. If such report is not submitted by such date, the conference committee shall be deemed to have reached no agreement and shall so inform each house pursuant to Rule 30.7.

(c) A committee on conference of the Budget Bill shall only consider differences between the Assembly version of the Budget Bill as passed by the Assembly and the Senate version of the Budget Bill as passed by the Senate and shall not approve any item of expenditure nor control which exceeds that contained in one of the two versions before the conference committee.

(d) No conference committee on any bill, other than the Budget Bill, shall approve any substantial financial provision in any bill if such financial provision has not been heard by the fiscal committee of each house, nor shall any such conference committee approve substantial policy changes which have not been heard by the policy committee of each house.

(e) No waiver of the one calendar day file notice requirement of subdivision (a) shall be effective for longer than three calendar days.

Conference Committee Reports

30. Upon submission of the report of a committee on conference, if the report recommends that the bill be further amended, the bill shall be reprinted incorporating the amendments recommended by the conference committee. The consideration of the report of a committee on conference shall not be in order until the bill in the form recommended by the report of the committee on conference has both been in print and been noticed in the Daily File for not less than one legislative day.

If the conference committee's report recommends only that the amendments of the Senate or the Assembly "be concurred in", consideration of the report shall be in order at any time, and reprinting of the bill shall not be required, but notice shall appear in the Daily File for not less than one legislative day.

No conference committee report shall be in order unless it has been received by the Secretary of the Senate and the Chief Clerk of the Assembly at least three calendar days preceding the scheduled commencement of the summer, interim, or final recesses of the Legislature.

The provisions of this rule may be suspended as to any particular conference committee report by a two-thirds vote of the membership of either house.

This rule shall not apply to a report of a committee on conference on the Budget Bill.

Conference Committee Reports on Urgency Statutes

30.5. When the report of a committee on conference recommends the amendment of a bill by the addition of a section providing that the act shall take effect immediately as an urgency statute, the procedure and the vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members elected to the house vote in the affirmative, the presiding officer shall then direct that the question of whether the house shall adopt the report of the committee on conference shall be put to a vote. If two-thirds of the

members elected to the house vote in the affirmative, the adoption of the report and the amendments proposed thereby shall be effective.

If the affirmative vote on either of such questions is less than two-thirds of the members elected to such house, the effect is a refusal to adopt the report of the committee on conference.

Failure to Agree on Report

30.7. A conference committee may find and determine that it is unable to submit a report to the respective houses, upon the affirmative vote to that effect of not less than two of the Assembly Members and not less than two of the Senate Members constituting the committee. Such finding may be submitted to the Chief Clerk of the Assembly and the Secretary of the Senate in the form of a letter from the chairman of the committee on conference for the house of origin of the bill, containing the signatures of the members of the committee consenting to the finding and determination that the committee is unable to submit a report. The Chief Clerk of the Assembly and the Secretary of the Senate, upon being notified that a conference committee is unable to submit a report, shall so inform each house, whereupon the conferees shall be discharged and other conferees appointed, in accordance with the provisions of Rule 29.

MISCELLANEOUS PROVISIONS

Authority When Rules Do Not Govern

31. All relations between the houses which are not covered by these rules shall be governed by Mason's Manual (1979 edition).

Press Rules

32. (a) Persons desiring privileges of accredited press representatives shall make application to the Joint Rules Committee. Such application shall constitute compliance with any provisions of the Rules of the Assembly or the Senate with respect to registration of news correspondents. Applications shall state in writing the names of the daily newspapers, periodic publications, news associations, or radio or television stations by which the press representatives are employed, and what other occupations or employment they may have, if any, and the press representatives shall further declare that they are not employed, directly or indirectly, to assist in the prosecution of the legislative business of any person, corporation, or association, and will not become so employed while retaining the privilege of accredited press representatives.

(b) The applications required by subdivision (a) of this rule shall be authenticated in a manner that shall be satisfactory to the Standing Committee of the Capitol Correspondents Association which shall see that occupation of seats and desks in the Senate and the Assembly Chambers is confined to bona fide correspondents of reputable standing in their business, who represent daily newspapers requiring a daily file of legislative news, qualified periodic publications, or news associations requiring daily telegraphic or radio or television service on legislative news. It shall be the duty of the standing committee at its discretion, to report violation of accredited press privileges to the Speaker of the Assembly, or to the Senate Committee on Rules, and pending action thereon the offending correspondent may be suspended by the standing committee.

(c) Except as otherwise provided in this subdivision, persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to news associations requiring telegraphic or radio or television service shall not be entitled to the privileges accorded accredited press representatives; and the press list in the Handbook of the California Legislature and the Senate and Assembly Histories shall be a list only of persons authenticated by the standing committee of correspondents. Accreditation may be granted to bona fide correspondents of reputable standing employed by periodic publications of general circulation, providing that the applicants are employed on a full-time basis in the capitol area preparing articles dealing with state government and politics and that their publications are not organs or organizations involved in legislative advocacy.

(d) The press seats and desks in the Senate and Assembly Chambers shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the Assembly and the Senate Committee on Rules. Press cards shall be issued by the President of the Senate and the Speaker of the Assembly only to correspondents properly accredited in accordance with the provisions of this rule.

(e) One or more rooms shall be assigned for the exclusive use of correspondents during the legislative session, which rooms shall be known as the Press Room. The Press Room shall be under the control of the Chief of the Office of Buildings and Grounds; provided, that all rules and regulations shall be approved by the Senate Committee on Rules and the Speaker of the Assembly.

(f) No accredited member of the Capitol Correspondents Association shall, for compensation, perform any service for state constitutional officers or members of their staffs, for state agencies, for the Legislature, for candidates for state office, or for a state officeholder, or for any person registered or performing as a legislative advocate.

(g) An accredited member of the association who violates subdivision (a) or (f) of this rule shall be subject to the following penalties:

(1) For the first offense, the Standing Committee of the Capitol Correspondents Association shall send a letter of admonition to the offending member, his or her employer, and the Joint Rules Committee. The letter shall state the nature of the member's rule violation and shall warn of an additional penalty for a second offense.

(2) For a second offense, the Standing Committee of the Capitol Correspondents Association shall recommend to the Joint Rules Committee that the member's accreditation be suspended or revoked and that he or she lose all rights and privileges attached thereto. The Standing Committee of the Capitol Correspondents Association shall also dismiss the member from the association.

Any member of the Standing Committee of the Capitol Correspondents Association may propose that the committee make an inquiry to determine if an association member has violated subdivision (a) or (f) of this rule. Upon a majority vote of the Standing Committee of the Capitol Correspondents Association, an inquiry shall be made.

Upon receipt of a signed, written notice from any association member of his belief that another association member may have violated subdivision (a) or (f) of this rule, the Standing Committee of the Capitol Correspondents Association shall commence an inquiry into the possible violation.

If the Standing Committee of the Capitol Correspondents Association determines by majority vote that an association member has broken an association rule, it shall inform the member of its finding. Within two weeks of notification, the member may request a meeting of the membership. If the member makes such a request, the Standing Committee of the Capitol Correspondents Association shall promptly schedule a meeting at the earliest possible time. After hearing the member and the committee review the circumstances of the alleged violation, the membership may, by majority vote, nullify the finding of the Standing Committee of the Capitol Correspondents Association. If nullification does not occur, the Standing Committee of the Capitol Correspondents Association shall impose immediately the appropriate penalty.

Dispensing With Joint Rules

33. No joint rule shall be dispensed with except by a vote of two-thirds of each house, except as otherwise provided in these rules. If either house shall violate a joint rule, a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the rules of such house; and if it shall be decided that the joint rules have been violated, the bill involving such violations shall be returned to the house in which it originated, and such disputed matter be considered in like manner as in conference committee.

Dispensing with Joint Rules: Unanimous Consent

33.1. Notwithstanding any other rule to the contrary, a joint rule that may be dispensed with by one house may be done so by unanimous consent if the rules committee of that house has approved, and the house has adopted, a house resolution permitting the joint rule to be dispensed with by unanimous consent. A house resolution adopted pursuant to this rule shall require an affirmative recorded vote of 21 or more votes in the Senate and 41 or more votes in the Assembly, and shall not remain in effect longer than the remainder of the legislative year in which it was adopted.

Opinions of Legislative Counsel

34. Whenever the Legislative Counsel issues an opinion to any person other than the first-named author analyzing the constitutionality, operation, or effect of a bill or other legislative measure which is then pending before the Legislature or of any amendment made or proposed to be made to such bill or measure, he is authorized and instructed to deliver two copies of the opinion to the first-named author as promptly as feasible after the delivery of the original opinion and also to deliver a copy to any other author of the bill or measure who so requests. A copy of any letter prepared by the Legislative Counsel for the sole purpose of advising a member of a conflict between two or more bills as to the sections of law being amended, repealed, or added shall be submitted to the chairman of the committee to which each such bill has been referred.

**Resolutions Prepared by
Legislative Counsel**

34.1. Whenever the Legislative Counsel has been requested to draft a resolution commemorating or taking note of any event, or a resolution congratulating or expressing sympathy toward any person, and subsequently receives a similar request from another Member of the Legislature, he shall inform that requester and each subsequent requester that such a resolution is being, or has been, prepared, and he shall inform them of the name of the Member for whom the resolution was, or is being, prepared.

Resolutions

34.2. A concurrent resolution, Senate resolution, or House resolution may be introduced to memorialize the death of a present or former state or federal elected official or a member of their immediate families. In all other instances, a resolution other than a concurrent resolution, as specified by the Committee on Rules of each house, or as provided by the Joint Rules Committee in those cases which require that such resolution should emanate from both houses, shall be used for the purpose of commendation, congratulation, sympathy, or regret with respect to any person, group, or organization.

No concurrent resolution requesting the Governor to issue a proclamation shall be introduced without the prior approval of the Committee on Rules of the house in which the resolution is to be introduced.

Identical Drafting Requests

34.5. Whenever it shall come to the attention of the Legislative Counsel that a member has requested the drafting of a bill which will be substantially identical to one already introduced, he shall inform such member of that fact.

Expense of Members

35. As provided in Section 8902 of the Government Code, each Member of the Legislature is entitled to reimbursement for living expenses while required to be in Sacramento to attend a session of the Legislature, or while traveling to and from or in attendance at a committee meeting, or while attending to any legislative function or responsibility as authorized or directed by legislative rules or the Committee on Rules of the house of which he or she is a member at the same rate as may be established by the State Board of Control for other elected state officers. Each member shall be reimbursed for travel expenses incurred in traveling to and from a session of the Legislature, or when traveling to and from a meeting of a committee of which he or she is a member, or when traveling pursuant to any other legislative function or responsibility as authorized or directed by legislative rules or the Committee on Rules of the house of which he or she is a member at the rate prescribed by Section 8903 of the Government Code.

Expense allowances for Members of the Senate and Assembly shall be approved and certified to the Controller by the Secretary of the Senate, on behalf of the Senate, and the Chief Clerk of the Assembly or other person authorized by the Assembly Committee on Rules, on behalf of the Assembly, weekly or as otherwise directed by either

house, and upon such certification the Controller shall draw his or her warrants in payment of the allowances to the respective members.

Investigating Committees

36. In order to expedite the work of the Legislature either house, or both houses jointly, may by resolution or statute provide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control.

The resolution providing for the appointment of a committee shall state the purpose of the committee, and the scope of the subject concerning which it is to act and may authorize it to act either during sessions of the Legislature or, when such authorization may lawfully be made, after final adjournment.

In the exercise of the power granted by this rule, each committee may employ such clerical, legal, and technical assistants as may be authorized by: (a) the Joint Committee on Rules in the case of a joint committee, (b) the Senate Committee on Rules in the case of a Senate committee, or (c) the Assembly Committee on Rules in the case of an Assembly committee.

Except as otherwise provided herein for joint committees or by the Rules of the Senate or the Assembly for single house committees, each committee may adopt and amend such rules governing its procedure as may appear necessary and proper to carry out the powers granted and duties imposed under this rule. Such rules may include provisions fixing the quorum of the committee and the number of votes necessary to take action on any matter. With respect to all joint committees, a majority of the membership from each house constitutes a quorum and an affirmative vote of a majority of the membership from each house is necessary for the committee to take action.

Each such committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, records, and papers of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

Each member of such committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4 (commencing with Section 9400), Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant at Arms of the Senate or Assembly, or such other person as may be designated by the chairman or chairwoman of the committee, shall serve any and all subpoenas, orders, and other process that may be issued by the committee, when directed to do so by the chairman, chairwoman, or by a majority of the membership of the committee.

Every department, commission, board, agency, officer, and employee of the state government, including the Legislative Counsel and the Attorney General and their subordinates, and of every political subdivision, county, city, or public district of or in this state,

shall give and furnish to these committees and to their subcommittees upon request such information, records, and documents as the committees deem necessary or proper for the achievement of the purposes for which each such committee was created.

Each committee or subcommittee of either house in accordance with the rules of that respective house and each joint committee or subcommittee thereof, may meet at any time during the period in which it is authorized to act, either at the State Capitol, or at any other place in the State of California, in public or executive session, and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it or accomplish the objects and purposes of the resolution creating it with the following exceptions:

(a) When the Legislature is not in joint recess:

(1) No committee or subcommittee of either house shall meet outside the State Capitol without the prior approval of the Senate Committee on Rules with respect to Senate committees and subcommittees and the Speaker of the Assembly with respect to Assembly committees and subcommittees.

(2) No committee or subcommittee of either house, other than a standing committee or subcommittee thereof, shall meet unless notice of such meeting has been printed in the daily file for four days prior thereto. This requirement may be waived by a majority vote of either house with respect to a particular bill.

(3) No joint committee or subcommittee thereof, other than the Joint Committees on Legislative Audit, Legislative Budget, Legislative Ethics, and Rules, shall meet outside the State Capitol without the prior approval of the Joint Rules Committee.

(4) No joint committee or subcommittee thereof, other than the Joint Committees on Legislative Audit, Legislative Budget, Legislative Ethics, and Rules, shall meet unless notice of such meeting has been printed in the daily file for four days prior thereto.

(b) When the Legislature is in joint recess each joint committee or subcommittee, other than the Joint Committees on Legislative Audit, Legislative Budget, Legislative Ethics, and Rules, shall notify the Joint Rules Committee at least two weeks prior to any such meeting.

(c) The requirements placed upon joint committees by subdivisions (a) and (b) of this rule may be waived where it is deemed necessary by the Joint Rules Committee.

Each such committee may expend such money as may be made available to it for such purpose but no committee shall incur any indebtedness unless money shall have been first made available therefor.

No living expenses shall be allowed in connection with legislative business for a day on which the member receives reimbursement for expenses while required to be in Sacramento to attend a session of the Legislature. The chairman or chairwoman of each committee shall audit and approve the expense claims of the members of the committee, including claims for mileage in connection with attendance on committee business, or in connection with specific assignments by the committee chairman or chairwoman, but excluding other types of mileage, and shall certify the amount

approved to the Controller, and the Controller shall draw his or her warrants upon the certification of the chairman or chairwoman.

Subject to the rules of each house for the respective committees of each house, and subject to the joint rules for any joint committee, the chairman or chairwoman of any such committee may appoint subcommittees and chairmen or chairwomen thereof for the purpose of more expeditiously handling and considering matters referred to it, and such subcommittees and the chairmen or chairwomen thereof shall have all the powers and authority herein conferred upon the committee and its chairman or chairwoman. The chairman or chairwoman of such subcommittee shall audit the expense claims of the members of such subcommittees and other claims and the expenses incurred by it and shall certify the amount thereof to the chairman or chairwoman of the committee who shall, if he or she approves the same, certify the amount thereof to the Controller, and the Controller shall draw his or her warrant therefor upon such certification, and the Treasurer shall pay the same. Whenever such committee or any subcommittee thereof is authorized to leave the State of California in the performance of its duties, then such committee or subcommittee shall, while out of the state, have the same authority as if it were acting and functioning within the state, and the members thereof shall be reimbursed for expenses.

Notwithstanding any provision of this rule, if the standing rules of either house require that expense claims of committees for goods or services or pursuant to contracts or for expenses of employees or members of committees be audited or approved, after approval of the committee chairman or chairwoman, by another agency of either house, the Controller shall draw his warrants only upon the certification of such other agency. All expense claims approved by the chairman or chairwoman of any joint committee, other than the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, shall be approved by the Joint Rules Committee and the Controller shall draw his warrants only upon the certification of the Joint Rules Committee.

Except salary claims of employees clearly subject to federal withholding taxes and the requirement as to loyalty oaths, claims presented for services or pursuant to contract shall refer to the agreement, the terms of which shall be made available to the Controller.

Expenses of Committee Employees

36.1. Unless otherwise provided by respective house or committee rule or resolution, employees of legislative committees shall, when entitled to traveling expenses, be entitled to allowances in lieu of actual expenses for hotel accommodations, breakfast, lunch, and dinner, at the rates fixed by the Board of Control from time to time in limitation of reimbursement of expenses of state employees generally; provided, that if an allowance for hotel accommodations, breakfast, lunch, and dinner is made by a committee at a rate in excess of those fixed by the Board of Control, the chairman or chairwoman of the committee shall notify the Controller of that fact in writing.

Appointment of Committees

36.5. The provisions of this rule shall apply whenever a joint committee is created by a statute or resolution which either provides that appointments be made and vacancies be filled in the manner provided for in the Joint Rules, or which makes no provision for the appointment of members or the filling of vacancies.

The Senate members of the committee shall be appointed by the Senate Committee on Rules; the Assembly members of the committee shall be appointed by the Speaker of the Assembly; and vacancies occurring in the membership of the committee shall be filled by the respective appointing powers. The members appointed shall hold over until their successors are regularly selected.

**Appointment of Joint Committee
Chairmen or Chairwomen**

36.7. The chairman or chairwoman of each joint committee heretofore or hereafter created, except the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, shall be appointed by the Joint Rules Committee from a member or members recommended by the Senate Committee on Rules and the Speaker of the Assembly.

Joint Committee Funds

36.8. Each joint committee, heretofore or hereafter created, except the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, shall expend the funds heretofore or hereafter made available to it in compliance with the policies set forth by the Joint Rules Committee with respect to personnel, salaries, purchasing, office space assignment, contractual services, rental or lease agreements, travel, and any and all other matters relating to the management and administration of committee affairs.

Joint Legislative Budget Committee

37. In addition to any other committee provided for by these rules, there shall be a joint committee to be known and called the Joint Legislative Budget Committee, which is hereby declared to be a continuing body.

It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the State Budget, the revenues and expenditures of the state, and the organization and functions of the state, its departments, subdivisions and agencies, with a view of reducing the cost of the state government and securing greater efficiency and economy.

The committee shall consist of seven Members of the Senate and seven Members of the Assembly. The Senate members of the committee shall consist of seven Members of the Senate appointed by the Senate Committee on Rules. The Assembly members of the committee shall consist of seven Members of the Assembly appointed by the Speaker of the Assembly. The committee shall select its own chairman or chairwoman.

Any vacancies occurring between regular sessions in the Senate membership of the Joint Legislative Budget Committee shall be filled by the Senate Committee on Rules, and the Senators appointed shall hold over until their successors are regularly selected. For the

purposes of this rule, a vacancy shall be deemed to exist as to a Senator whose term is expiring whenever he or she is not reelected at the general election.

Any vacancies occurring between regular sessions in the Assembly membership of the Joint Legislative Budget Committee shall be filled by the Speaker of the Assembly, and the Members of the Assembly appointed shall hold over until their successors are regularly selected. For the purposes of this rule, a vacancy shall be deemed to exist as to a Member of the Assembly whose term is expiring whenever he or she is not reelected at the general election.

Any vacancy occurring at any time in the Assembly membership of the committee shall be filled by appointment by the Speaker. The committee shall have the authority to make rules to govern its own proceedings and its employees. It may also create subcommittees from its membership, assigning to its subcommittees any study, inquiry, investigation, or hearing which the committee itself has authority to undertake or hold and the subcommittee for the purpose of this assignment shall have and may exercise all the powers conferred upon the committee, limited only by the express terms of any rule or resolution of the committee defining the powers and duties of the subcommittee. Such powers may be withdrawn or terminated at any time by the committee.

The Joint Legislative Budget Committee may render services to any investigating committee of the Legislature pursuant to contract between the Joint Legislative Budget Committee and the committee for which the services are to be performed. The contract may provide for payment to the Joint Legislative Budget Committee of the cost of such services from the funds appropriated to the contracting investigating committee. All legislative investigating committees are authorized to enter into such contracts with the Joint Legislative Budget Committee. Money received by the Joint Legislative Budget Committee pursuant to any such agreement shall be in augmentation of the current appropriation for the support of the Joint Legislative Budget Committee.

The provisions of Rule 36 shall apply to the Joint Legislative Budget Committee, and it shall have all the authority provided in such rule or pursuant to Section 11 of Article IV of the Constitution.

The committee shall have authority to appoint a Legislative Analyst, to fix his or her compensation and to prescribe his or her duties, and to appoint such other clerical and technical employees as may appear necessary. The duties of the Legislative Analyst shall be as follows:

(1) To ascertain the facts and make recommendations to the Joint Legislative Budget Committee and under its direction to the committees of the Legislature concerning:

- (a) The State Budget.
- (b) The revenues and expenditures of the state.
- (c) The organization and functions of the state, its departments, subdivisions, and agencies.

(2) To assist the Senate Budget and Fiscal Review Committee and the Assembly Ways and Means Committee in consideration of the budget and all bills carrying express or implied appropriations and all legislation affecting state departments and their efficiency; to appear

before any other legislative committee; and to assist any other legislative committee upon instruction by the Joint Legislative Budget Committee.

(3) To provide all legislative committees and Members of the Legislature with information obtained under the direction of the Joint Legislative Budget Committee.

(4) To maintain a record of all work performed by the Legislative Analyst under the direction of the Joint Legislative Budget Committee and to keep and make available all documents, data, and reports submitted to him by any Senate, Assembly, or joint committee. The committee may meet either during sessions of the Legislature, any recess thereof, or after final adjournment, and may meet or conduct business at any place within the State of California.

The chairman or chairwoman of the committee or, in the event of such person's inability to act, the vice chairman or vice chairwoman, shall audit and approve the expenses of members of the committee or salaries of the employees, and all other expenses incurred in connection with the performance of its duties by the committee, and the chairman or chairwoman shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman or chairwoman, and the Treasurer shall pay the same to the chairman or chairwoman of the committee to be disbursed by the chairman or chairwoman.

On and after the commencement of a succeeding regular session those members of the committee who continue to be Members of the Senate and Assembly, respectively, continue as members of the committee until their successors are appointed, and the committee continues with all its powers, duties, authority, records, papers, personnel, and staff, and all funds theretofore made available for its use.

Upon the conclusion of its work, any Assembly, Senate, or joint committee (other than a standing committee) shall deliver to the Legislative Analyst for use and custody all documents, data, reports, and other materials that have come into the possession of such committee and which are not included within the final report of such committee to the Assembly, Senate, or the Legislature, as the case may be. Such documents, data, reports, and other materials shall be available to Members of the Legislature, the Senate Office of Research, and the Assembly Office of Research, upon request.

The Legislative Analyst with the consent of the committee shall make available to any Member or committee of the Legislature any other reports, records, documents, or other data under his control, except that reports prepared by the Legislative Analyst in response to a request from a Member or committee of the Legislature shall only be made available with the written permission of the member or committee who made the request.

The Legislative Analyst, upon the receipt of a request from any committee or Member of the Legislature to conduct a study or provide information which falls within the scope of his responsibilities and which concerns the administration of the government of the State of California, shall at once advise the Joint Legislative Budget Committee of the nature of the request without disclosing the name of the member or committee making the request.

The Legislative Analyst shall immediately undertake to provide the requesting committee or legislator with the service or information requested, and shall inform the committee or legislator of the approximate date when this information will be available. Should there be any material delay, he or she shall subsequently communicate this fact to the requester.

Neither the Committee on Rules of either house nor the Joint Rules Committee shall assign any matter for study to the Joint Legislative Budget Committee or the Legislative Analyst without first obtaining from the Joint Legislative Budget Committee an estimate of the amount required to be expended by it to make the study.

Any concurrent, joint, Senate, or House resolution assigning a study to the Joint Legislative Budget Committee or to the Legislative Analyst shall be referred to the respective rules committees. Before the committees shall act upon or assign such resolution, they shall obtain an estimate from the Joint Legislative Budget Committee of the amount required to be expended to make the study.

Citizen Cost Impact Report

37.1. Any Member or committee of the Legislature may recommend that the Legislative Analyst prepare a citizen cost impact analysis on proposed legislation. However, such a recommendation shall first be reviewed by the Committee on Rules of the house where the recommendation originated, and this committee shall make the final determination as to which bills shall be assigned for preparation of an impact analysis.

In selecting specific bills for assignment to the Legislative Analyst for preparation of citizen cost impact analyses, the Committee on Rules shall request the Legislative Analyst to present an estimate of his time and prospective costs for preparing the analyses. Only those bills which have a potential significant cost impact shall be assigned. Where necessary, the Committee on Rules shall provide funds to offset added costs incurred by the Legislative Analyst.

The citizen cost impact analyses shall include those economic effects which the Legislative Analyst deems significant and which he or she believes will result directly from the proposed legislation. Insofar as feasible, the Legislative Analyst shall consider, but not be limited to consideration of, the following:

- (a) The economic effect on the public generally.
- (b) Any specific economic effect on persons or businesses in the case of legislation which is regulatory.

The Legislative Analyst shall submit the citizen cost impact analyses when completed to the committee or committees and at the time or times designated by the Committee on Rules.

The Legislative Analyst shall submit from time to time, but at least once a year, a report to the Legislature on the trends and directions of the state's economy, and shall list the alternatives and make recommendations as to legislative actions which, in his or her judgment, will insure a sound and stable state economy.

Joint Legislative Audit Committee

37.3. The Joint Legislative Audit Committee is created pursuant to the Legislature's rulemaking authority and specific constitutional

authority by Chapter 4 (commencing with Section 10500), Part 2, Division 2, Title 2 of the Government Code. The committee shall consist of seven Members of the Senate and seven Members of the Assembly who shall be selected in the manner provided for in these rules, of which one shall be the chairman of the fiscal committee for the Senate and one the chairman of the fiscal committee for the Assembly. Notwithstanding anything to the contrary in these rules, four members from each house constitute a quorum and the number of votes necessary to take action on any matter. The Chairman of the Joint Legislative Audit Committee, upon receiving a request by any Member of the Legislature or committee thereof for a copy of a report prepared or being prepared by the Auditor General, shall provide the member or committee with a copy of such report when it is, or has been, submitted by the Auditor General to the Joint Legislative Audit Committee.

Study or Audits

37.4. (a) Notwithstanding any other provision of law to the contrary, the Joint Legislative Audit Committee shall establish priorities and assign all work to be done by the Auditor General.

(b) Any bill requiring action by the Auditor General shall contain an appropriation for the cost of any study or audit.

(c) Any bill or concurrent, joint, Senate, or House resolution assigning a study to the Joint Legislative Audit Committee or to the Auditor General shall be referred to the respective rules committees. Before the committees shall act upon or assign the bill or resolution, they shall obtain an estimate from the Joint Legislative Audit Committee of the amount required to be expended to make the study.

Waiver

37.5. The provisions of subdivision (b) of Rule 37.4 may be waived by the Joint Legislative Audit Committee. The chairman or chairwoman of the committee shall notify the Secretary of the Senate, the Chief Clerk of the Assembly, and the Legislative Counsel in writing when the provisions of subdivision (b) of Rule 37.4 have been waived. If the cost of a study or audit is less than one hundred thousand dollars (\$100,000), the chairman or chairwoman of the committee may exercise the committee's authority to waive the provisions of subdivision (b) of Rule 37.4.

Administrative Regulations

37.7. (a) Any Member of the Senate may request the Senate Committee on Rules, and any Member of the Assembly may request the Speaker of the Assembly, to direct a standing committee or the Office of Research of their respective house to study any proposed or existing regulation or group of related regulations. Upon receipt of such a request, the Senate Committee on Rules or the Speaker of the Assembly shall, after review, determine whether such a study shall be made. In reviewing the request, the Senate Committee on Rules or the Speaker of the Assembly shall determine:

- (1) The cost of making such a study.
- (2) The potential public benefit to be derived from such a study.
- (3) The scope of the study.

(b) The study may consider, among other relevant issues, whether the proposed or existing regulation:

- (1) Exceeds the agency's statutory authority.
- (2) Fails to conform to the legislative intent of the enabling statute.
- (3) Contradicts or duplicates other regulations adopted by federal, state, or local agencies.
- (4) Involves an overdelegation of regulatory authority to a particular state agency.
- (5) Unfairly burdens particular elements of the public.
- (6) Imposes social or economic costs which outweigh its intended benefits to the public.
- (7) Imposes unreasonable penalties for violation.

The respective reviewing unit shall in a timely manner transmit its concerns, if any, to the Senate Committee on Rules or the Speaker of the Assembly, and the promulgating agency.

In the event that a state agency takes a regulatory action which the reviewing unit finds unacceptable, the unit shall file a report for publication in the daily journal of its respective house indicating the specific reasons why the regulatory action should not have been taken. The report may include a recommendation that the Legislature adopt a concurrent resolution requesting the state agency to reconsider its action or that the Legislature enact a statute to restrict the regulatory powers of the state agency taking the action.

Designating Legislative Sessions

39. All extraordinary sessions shall be designated in numerical order by the session in which convened.

Joint Rules Committee

40. The Joint Rules Committee is hereby created. The committee has a continuing existence and may meet, act, and conduct its business during sessions of the Legislature or any recess thereof.

The committee shall consist of the members of the Assembly Committee on Rules, the Assembly Majority Floor Leader, the Assembly Minority Floor Leader, the Speaker of the Assembly, and four members of the Senate Committee on Rules, and as many Members of the Senate as may be required to maintain equality in the number of Assembly Members and Senators on the committee, to be appointed by the Senate Committee on Rules. Vacancies occurring in the membership shall be filled by the appointing power.

The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

The committee shall ascertain facts and make recommendations to the Legislature and to the houses thereof concerning:

- (a) The relationship between the two houses and procedures calculated to expedite the affairs of the Legislature by improving that relationship.

(b) The legislative branch of the state government and any defects or deficiencies in the law governing that branch.

(c) Methods whereby legislation is proposed, considered, and acted upon.

(d) The operation of the Legislature, and the committees thereof, and the means of coordinating the work thereof and avoiding duplication of effort.

(e) Aids to the Legislature.

(f) Information and statistics for the use of the Legislature, and respective houses thereof, and the members.

Any matter of business of either house, the transaction of which would affect the interests of the other house, may be referred to the committee for action if the Legislature is not in recess, and shall be referred to the committee for action if the Legislature is in recess.

The committee has the following additional powers and duties:

(a) To select a chairman or chairwoman from its membership. The vice chairman or vice chairwoman of the committee shall be one of the Senate members of the committee, to be selected by the Senate Committee on Rules.

(b) To allocate space in the State Capitol Building and all annexes and additions thereto as provided by law.

(c) To approve, as provided by law, the appearance of the Legislative Counsel in litigation.

(d) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies, and reports to the committee as will best assist it to carry out the purposes for which it is created.

(e) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this rule and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(f) To report its findings and recommendations, including recommendations for the needed revision of any and all laws and constitutional provisions relating to the Legislature, to the Legislature and to the people from time to time and at any time.

(g) The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the state in the performance of its duties.

(h) To expend such funds as may be made available to it to carry out the functions and activities related to the legislative affairs of the Senate and Assembly.

(i) To appoint a chief administrative officer of the committee, who shall have such duties relating to the administrative, fiscal, and business affairs of the committee as the committee shall prescribe. The committee may terminate the services of the chief administrative officer at any time.

(j) To employ such persons as may be necessary to assist all other joint committees, except the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, in the exercise of their powers and performance of their duties. In accordance with Rule 36.8, the committee shall govern and administer the expenditure of funds by such other joint committees, requiring that the claims of

such joint committees be approved by the Joint Rules Committee or its designee. All expenses of the committee as well as expenses of all other joint committees may be paid from the Operating Funds of the Assembly and Senate.

(k) To appoint the chairmen or chairwomen of joint committees, as authorized by Rule 36.7.

(l) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

The members of the Joint Rules Committee from the Senate may meet separately as a unit, and the members of the Joint Rules Committee from the Assembly may meet separately as a unit, and consider any action which is required to be taken by the Joint Rules Committee. If the majority of members of the Joint Rules Committee of each house at the separate meetings vote in favor of such action, the action shall be deemed to be action taken by the Joint Rules Committee.

The Joint Rules Committee shall meet not less than biweekly during a session of the Legislature, other than during a joint recess, at a regularly scheduled time and place. If the full committee fails to so meet, the members of the committee from the Senate shall meet separately as a unit and the members of the committee from the Assembly shall meet separately as a unit within five days of the regularly scheduled meeting date.

The committee shall succeed to, and is vested with, all of the powers and duties of the Joint Committee on Legislative Organization, State Capitol Committee, the Joint Committee on Interhouse Cooperation, the Joint Legislative Committee for School Visitations, and the Joint Standing Committee on the Joint Rules of the Senate and the Assembly.

Review of Administrative Regulations

40.1. The Joint Rules Committee, with regard to joint committees, and the respective rules committee of each house, with regard to standing and select committees of the house, shall approve any request for a priority review made by a committee pursuant to Section 11340.15 of the Government Code and shall submit approved requests to the Office of Administrative Law. The Joint Rules Committee or the respective rules committee, and the committee initiating the request, shall each receive a copy of the priority review.

Subcommittee on Legislative Space and Facilities

40.3. (a) A subcommittee of the Joint Rules Committee is hereby created to be known as the Subcommittee on Legislative Space and Facilities. The subcommittee shall consist of three Members of the Senate and three Members of the Assembly, appointed by the Chairman or Chairwoman of the Joint Rules Committee, and the chairman or chairwoman of the fiscal committee of each house who shall have full voting rights on the subcommittee. The chairman or chairwoman of the subcommittee shall be appointed by the members thereof. For purposes of this subcommittee, the chairmen or chairwomen of the fiscal committees shall be ex officio members of the Joint Rules Committee, but shall not have voting rights on that

committee, nor shall they be counted in determining a quorum. The subcommittee shall consider the housing of the Legislature and legislative facilities.

(b) The subcommittee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this subcommittee and its members.

(c) The subcommittee has the following additional powers and duties:

(1) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies, and reports to the subcommittee as will best assist it to carry out the purposes for which it is created.

(2) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this rule and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the subcommittee.

(3) To report its findings and recommendations to the Legislature and to the people from time to time and at any time.

(4) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

(d) The subcommittee is authorized to leave the State of California in the performance of its duties.

Subcommittee on Legislative Assistance

40.5. A subcommittee of the Joint Rules Committee is hereby created to be known as the Subcommittee on Legislative Assistance. The Chairman or Chairwoman of the Joint Rules Committee shall appoint one member of the Joint Rules Committee from each house to be members of the subcommittee.

The subcommittee shall have the duty and responsibility of offering such assistance as may be desired by Members of the Legislature, former members, and their families and rendering such aid and assistance as is possible through the offices of the Sergeants at Arms and other officers and employees of the Legislature in the event of the death of a member, former member, or a member of their families.

The Sergeants at Arms and other officers and employees of each house of the Legislature shall render such aid or assistance as may be requested or directed by the subcommittee.

The Joint Rules Committee shall allocate to the subcommittee, from any funds available therefor, such funds as may be required to carry out its functions.

Claims for Workers' Compensation

41. The Chairman or Chairwoman of the Committee on Rules of each house, or a designated representative, shall sign any required worker's compensation report regarding injuries or death arising out of and within the course of employment suffered by any member, officer, or employee of the house, or any employee of a standing or

investigating committee thereof. In the case of a joint committee, the Chairman or Chairwoman of the Committee on Rules of either house, or a designated representative, may sign any such report with respect to a member or employee of such joint committee.

Information Concerning Committees

42. The Committee on Rules of each house shall provide for a continuous cumulation of information concerning the membership, organization, meetings, and studies of legislative investigating committees. Each Committee on Rules shall be responsible for information concerning the investigating committees of its own house and concerning joint investigating committees under the chairmanship of a member of that house. To the extent possible, each Committee on Rules shall seek to insure that the investigating committees for which it has responsibility under this rule have organized, including the organization of any subcommittees, and have had all topics for study assigned to them within a reasonable period of time.

The information thus cumulated shall be made available to the public by the Committee on Rules of each house and shall be published periodically under their joint direction.

Joint Committees

43. Concurrent resolutions creating joint committees of the Legislature and concurrent resolutions allocating moneys from the Operating Funds of the Assembly and Senate to such committees shall be referred to the Committee on Rules of the respective houses.

Conflict of Interest

44. (a) No Member of the Legislature shall, while serving as such, have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state.

(b) No Member of the Legislature shall, during the term for which he or she was elected:

(1) Accept other employment which he or she has reason to believe will either impair his or her independence of judgment as to his or her official duties or require him or her, or induce him or her, to disclose confidential information acquired by him or her in the course of and by reason of his or her official duties.

(2) Willfully and knowingly disclose, for pecuniary gain, to any other person, confidential information acquired by him or her in the course of and by reason of his or her official duties or use any such information for the purpose of pecuniary gain.

(3) Accept or agree to accept, or be in partnership with any person who accepts or agrees to accept, any employment, fee, or other thing of value, or portion thereof, in consideration of his or her appearance, agreeing to appear, or taking any other action on behalf of another person regarding a licensing or regulatory matter, before any state board or agency which is established by law for the primary purpose of licensing or regulating the professional activity of persons licensed, pursuant to state law; provided, that this rule shall not be construed to prohibit a member who is an attorney at law from

practicing in such capacity before the Workers' Compensation Appeals Board or the Commissioner of Corporations, and receiving compensation therefor, or from practicing for compensation before any state board or agency in connection with, or in any matter related to, any case, action, or proceeding filed and pending in any state or federal court; and provided that this rule shall not act to prohibit a member from making inquiry for information on behalf of a constituent before a state board or agency, if no fee or reward is given or promised in consequence thereof, and provided that the prohibition contained in this rule shall not apply to a partnership in which the Member of the Legislature is a member if the Member of the Legislature does not share directly or indirectly in the fee resulting from the transaction; and provided that the prohibition contained in this rule shall not apply in connection with any matter pending before any state board or agency on the operative date of this rule if the affected Member of the Legislature is attorney of record or representative in the matter prior to such operative date.

(4) Receive or agree to receive, directly or indirectly, any compensation, reward, or gift from any source except the State of California for any service, advice, assistance, or other matter related to the legislative process, except fees for speeches or published works on legislative subjects and except, in connection therewith, reimbursement of expenses for actual expenditures for travel and reasonable subsistence for which no payment or reimbursement is made by the State of California.

(5) Participate, by voting or any other action, on the floor of either house, or in committee or elsewhere, in the enactment or defeat of legislation in which he or she has a personal interest, except as follows:

(i) If, on the vote for final passage by the house of which he or she is a member, of the legislation in which he or she has a personal interest, he or she first files a statement (which shall be entered verbatim on the journal) stating in substance that he or she has a personal interest in the legislation to be voted on and notwithstanding such interest, he or she is able to cast a fair and objective vote on such legislation, he or she may cast his or her vote without violating any provision of this rule;

(ii) If the member believes that, because of his or her personal interest, he or she should abstain from participating in the vote on the legislation, he or she shall so advise the presiding officer prior to the commencement of the vote and shall be excused from voting on the legislation without any entry on the journal of the fact of his or her personal interest. In the event a rule of the house, requiring that each member who is present vote aye or nay is invoked, the presiding officer shall order the member excused from compliance and shall order entered on the journal a simple statement that the member was excused from voting on the legislation pursuant to law.

(c) A person subject to this rule has an interest which is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed in the laws of this state or a personal interest, arising from any situation, within the scope of this rule, if he or she has reason to believe or expect that he or she will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his or her

official activity. He or she does not have an interest which is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state or a personal interest, arising from any situation, within the scope of this rule, if any benefit or detriment accrues to him or her as a member of a business, profession, occupation, or group to no greater extent than any other member of such business, profession, occupation, or group.

(d) A person subject to the provisions of this rule shall not be deemed to be engaged in any activity which is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state, arising from any situation, or to have a personal interest, arising from any situation, within the scope of this rule, solely by reason of any of the following:

(1) His or her relationship to any potential beneficiary of any situation is one which is defined as a remote interest by Section 1091 of the Government Code or is otherwise not deemed to be a prohibited interest by Section 1091.1 or 1091.5 of the Government Code.

(2) Receipt of a campaign contribution regulated, received, reported, and accounted for pursuant to Chapter 4 (commencing with Section 84100) of Title 9 of the Government Code, so long as the contribution is not made on the understanding or agreement, in violation of law, that the person's vote, opinion, judgment, or action will be influenced thereby.

(e) The enumeration in this rule of specific situations or conditions which are deemed not to result in substantial conflicts with the proper discharge of the duties and responsibilities of a legislator or legislative employee or in a personal interest shall not be construed as exclusive.

The Legislature in adopting this rule recognizes that Members of the Legislature and legislative employees may need to engage in employment, professional, or business activities other than legislative activities, in order to maintain a continuity of professional or business activity, or may need to maintain investments, which activities or investments do not conflict with the specific provisions of this rule. However, in construing and administering the provisions of the rule, weight should be given to any coincidence of income, employment, investment, or other profit from sources which may be identified with the interests represented by those sources which are seeking action of any character on matters then pending before the Legislature.

(f) No employee of either house of the Legislature shall, during the time he or she is so employed, commit any act or engage in any activity prohibited by any part of this rule.

(g) No person shall induce or seek to induce any Member of the Legislature to violate any part of this rule.

(h) Violations of any part of this rule are punishable as provided in Section 8926 of the Government Code.

Joint Legislative Ethics Committee

45. (a) The Joint Legislative Ethics Committee is hereby created. The committee shall consist of three Members of the Senate

appointed by the Senate Committee on Rules and three Members of the Assembly appointed by the Speaker of the Assembly. Of the three members appointed from each house, at least one from each house shall be a member of the political party having the largest number of members in that house and at least one from each house shall be a member of the political party having the second largest number of members in that house. The committee shall elect its own chairman or chairwoman. Vacancies occurring in the membership of the committee shall be filled in the manner provided for in these rules for other committees. A vacancy shall be deemed to exist as to any member of the committee whose term is expiring whenever such member is not reelected at the general election.

(b) The committee is authorized to make rules governing its own proceedings. The provisions of Rule 36 relating to investigating committees shall apply to the committee.

Prior to the issuance of any subpoena by the committee with respect to any matter before the committee, it shall by a resolution adopted by a vote of two members of the committee from each house of the Legislature define the nature and scope of its investigation in the matter before it.

(c) Funds for the support of the committee shall be provided from the Operating Funds of the Assembly and the Senate in the same manner that such funds are made available to other joint committees of the Legislature.

(d) The committee shall have power, pursuant to the provisions of this rule, to investigate and make findings and recommendations concerning alleged violations by Members of the Legislature of the provisions of Rule 44.

(e) Any person may: (1) file with the committee a verified complaint in writing which shall state the name of the Member of the Legislature alleged to have committed the violation complained of, and which shall set forth the particulars thereof, or (2) file a complaint concerning the alleged violation by a Member of the Legislature with the district attorney of the appropriate county.

If a person files a complaint with respect to any alleged violation by a Member of the Legislature with the committee, he or she may not thereafter file a complaint to institute a criminal prosecution for such violation until the committee has rendered its report or until a period of 120 days has elapsed since the filing of the complaint. If a complaint is filed with the appropriate district attorney by any person concerning an alleged violation by a Member of the Legislature of any provision of Rule 44, such person may not thereafter file a complaint with respect to such alleged violation with the committee.

If a complaint is filed with the committee, the committee shall promptly send a copy of the complaint to the Member of the Legislature alleged to have committed the violation complained of, who shall thereafter be designated as the respondent.

No complaint may be filed with the committee after the expiration of six months from the date upon which the alleged violation occurred.

(f) If the committee determines that the verified complaint does not allege facts, directly or upon information and belief, sufficient to constitute a violation of any of the provisions of Rule 44, it shall

dismiss the complaint and notify the complainant and respondent thereof. If the committee determines that such verified complaint does allege facts, directly or upon information and belief, sufficient to constitute a violation of any of the provisions of Rule 44, the committee shall promptly investigate the alleged violation and if, after such preliminary investigation, the committee finds that probable cause exists for believing the allegations of the complaint, it shall fix a time for a hearing in the matter, which shall be not more than 30 days after such finding. If, after the preliminary investigation, the committee finds that probable cause does not exist for believing the allegations of the complaint, the committee shall dismiss the complaint. In either event, the committee shall notify the complainant and respondent of its determination.

(g) After the complaint has been filed, the respondent shall be entitled to examine and make copies of all evidence in the possession of the committee relating to the complaint.

(h) If a hearing is to be held pursuant to subdivision (f) of this rule, the committee, before the hearing has commenced, shall issue subpoenas and subpoenas duces tecum at the request of any party in accordance with the provisions of Chapter 4 (commencing with Section 9400), Part 1, Division 2, Title 2 of the Government Code. All of the provisions of Chapter 4, except Section 9410, shall be applicable to the committee and the witnesses before it.

(i) At any hearing held by the committee:

(1) Oral evidence shall be taken only on oath or affirmation.

(2) Each party shall have these rights: to be represented by legal counsel; to call and examine witnesses; to introduce exhibits; and to cross-examine opposing witnesses.

(3) The hearing shall be open to the public.

(j) Any official or other person whose name is mentioned at any investigation or hearing of the committee and who believes that testimony has been given which adversely affects him or her, shall have the right to testify or, at the discretion of the committee, to file a statement of facts under oath relating solely to the material relevant to the testimony of which he or she complains.

(k) After the hearing the committee shall state its findings of fact. If the committee finds that the respondent has not violated any of the provisions of Rule 44, it shall order the action dismissed, and shall notify the respondent and complainant thereof and shall also transmit a copy of the complaint and the fact of dismissal to the Attorney General and to the district attorney of the appropriate county. If the committee finds that the respondent has violated any of the provisions of Rule 44, it shall state its findings of fact and submit a report thereon to the house in which the respondent serves, send a copy of such findings and report to the complainant and respondent, and the committee shall also report thereon to the Attorney General and to the district attorney of the appropriate county.

(l) Nothing in this rule shall preclude any person from instituting a prosecution for violation of any provision of Rule 44 unless such person has filed a complaint with the committee concerning such violation, in which case such person may not file a complaint with the district attorney of the appropriate county to institute a criminal prosecution for such violation until the committee has made its

determination of the matter or a period of 120 days has elapsed since the filing of the complaint with the committee.

(m) The filing of a complaint with the committee pursuant to this rule suspends the running of the statute of limitations applicable to any violation of the provisions of Rule 44 while such complaint is pending.

(n) The committee shall maintain a record of its investigations, inquiries, and proceedings. All records, complaints, documents, reports filed with or submitted to or made by the committee, and all records and transcripts of any investigations, inquiries, or hearings of the committee under this rule shall be deemed confidential and shall not be open to inspection by any person other than a member of the committee, an employee of the committee, or a state employee designated to assist the committee, except as otherwise specifically provided in this rule. The committee may, by adoption of a resolution, authorize the release to the Attorney General or to the district attorney of the appropriate county of any information, records, complaints, documents, reports, and transcripts in its possession material to any matter pending before the Attorney General or the district attorney. All matters presented at a public hearing of the committee and all reports of the committee stating a final finding of fact pursuant to subdivision (k) of this rule shall be public records and open to public inspection. Any employee of the committee who divulges any matter which is deemed to be confidential by this subdivision is punishable as provided in Section 8953 of the Government Code.

(o) All actions of the committee shall require the concurrence of two members of the committee from each house.

(p) The committee may render advisory opinions to Members of the Legislature with respect to the provisions of Rule 44 and their application and construction. The committee may secure an opinion from the Legislative Counsel for this purpose or issue its own opinion.

Legislative Hearing Rooms

46. The Rules Committee of each house shall provide designated space for nonsmokers in each legislative hearing room under its jurisdiction; provided, however, that nothing in this rule shall prevent any committee chairman or chairwoman from prohibiting smoking completely, or from further restricting smoking to a greater extent than provided by the Rules Committee of that house.

Designating Legislative Sessions

50. Regular sessions shall be identified with the odd-numbered year subsequent to each general election, followed by a hyphen, and then the last two digits of the following even-numbered year. For example: 1973–74 Regular Session.

Days and Dates

50.5. (a) As used in these rules, “day” means a calendar day, unless otherwise specified.

(b) When the date of a deadline, recess requirement, or circumstance falls on a Saturday, Sunday, or Monday that is a holiday, the date shall be deemed to refer to the preceding Friday. When the date falls on a holiday on a weekday other than a Monday, the date shall be deemed to refer to the preceding day.

Legislative Calendar

51. (a) The Legislature shall observe the following calendar during the first year of the regular session:

(1) **Organizational Recess**—The Legislature shall meet on the first Monday in December following the general election to organize. Thereafter, each house shall be in recess from such time as it determines, but not later than the following Friday until the first Monday in January, except when the first Monday is January 1 or January 1 is a Sunday, in which case, the following Wednesday.

(2) **Easter Recess**—The Legislature shall be in recess from the 10th day prior to Easter until the Monday after Easter.

(3) **Summer Recess**—The Legislature shall be in recess from July 16 until August 16. This recess shall not commence until the Budget Bill is enacted.

(4) **Interim Study Recess**—The Legislature shall be in recess from September 10 until the first Monday in January, except when the first Monday is January 1 or January 1 is a Sunday, in which case, the following Wednesday.

(b) The Legislature shall observe the following calendar for the remainder of the legislative session:

(1) **Easter Recess**—The Legislature shall be in recess from the 10th day prior to Easter until the Monday after Easter.

(2) **Summer Recess**—The Legislature shall be in recess from July 8 until August 8. This recess shall not commence until the Budget Bill is enacted.

(3) **Final Recess**—The Legislature shall be in recess on September 1 until adjournment sine die on November 30.

(c) Recesses shall be from the hour of adjournment on the day specified to reconvene at the time designated by the respective houses.

(d) The recesses specified by this rule shall be designated as joint recesses.

Recall From Recess

52. Notwithstanding the power of the Governor to call a special session, the Legislature may be recalled from joint recess and reconvene in regular session by any of the following means:

(a) It may be recalled by joint proclamation, which shall be entered in the Journal, of the Senate Committee on Rules and the Speaker of the Assembly or, in his or her absence from the state, the Assembly Committee on Rules.

(b) Ten or more Members of the Legislature may present a request for recall from joint recess to the Chief Clerk of the Assembly and the Secretary of the Senate. The request shall immediately be printed in the Journal. Within 10 days thereafter, the Speaker of the Assembly, or if the Speaker is absent from the state, the Assembly Committee on Rules, and the Senate Committee on Rules shall act upon the request. If they concur in desiring to recall the Legislature from joint recess, they shall issue their joint proclamation entered in the Journal no later than 20 days after publication of the request in the Journal.

(c) If either or both of the parties specified in subdivision (b) does not concur, 10 or more Members of the Legislature may request the Chief Clerk of the Assembly or the Secretary of the Senate to petition

the membership of the respective house. The petition shall be entered in the Journal and shall contain a specified reconvening date commencing not later than 20 days after the date of the petition. If two-thirds of the members of the house or each of the two houses concur, the Legislature shall reconvene on the date specified. The necessary concurrences must be received at least 10 days prior to date specified for reconvening.

Procedure on Suspending Rules by Single House

53. Whenever these rules authorize suspension of the Joint Rules as to a particular bill by action of a single house after approval by the Committee on Rules of that house, the following procedure shall be followed:

(a) A written request to suspend the joint rule shall be filed with the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, and shall be transmitted to the Committee on Rules of the appropriate house.

(b) The Assembly Committee on Rules or the Senate Committee on Rules, as the case may be, shall determine whether there exists an urgent need for the suspension of the joint rule with regard to the bill.

(c) If the appropriate Rules Committee recommends that the suspension be permitted, the member may offer a resolution, without further reference thereof to committee, granting permission to suspend the joint rule. The adoption of the resolution granting such permission shall require an affirmative recorded vote of the elected members of the house in which the request is made.

Introduction of Bills

54. (a) No bill may be introduced in the first year of the regular session after March 5 and no bill may be introduced in the second year of the regular session after February 25. These deadlines shall not apply to constitutional amendments, committee bills introduced pursuant to Assembly Rule 47 or Senate Rule 23, bills introduced in the Assembly with the permission of the Speaker of the Assembly, or bills introduced in the Senate with the permission of the Senate Committee on Rules. Subject to these deadlines, bills may be introduced at any time except when the houses are in joint summer, interim, or final recess. Each house may provide for introduction of bills during a recess other than a joint recess. Bills shall be numbered consecutively during the regular session.

(b) The desks of the Senate and Assembly shall remain open, during a joint recess, other than a joint Easter, summer, interim, or final recess, for introduction of bills, during business hours on Monday through Friday, inclusive, except holidays. Bills received at the Senate Desk during such periods shall be numbered and printed. After printing, such bills shall be delivered to the Secretary of the Senate and shall be referred by the Senate Committee on Rules to a standing committee. Bills received at the Assembly Desk during such periods shall be numbered, printed, and referred to a committee by the Assembly Committee on Rules. After printing, such bills shall be delivered to the Chief Clerk of the Assembly. On the reconvening of each house, the bills shall be read the first time, and shall be delivered to the committee to which they were referred.

(c) A member may not author a bill during a session that would have substantially the same effect as a bill he or she had previously introduced during that session. This restriction shall not apply in cases where a previously introduced bill has been vetoed by the Governor or has had its provisions "chaptered out" by a later chaptered bill pursuant to Section 9605 of the Government Code. An objection may be raised only while the bill is being considered by the house in which it is introduced. In such case the objection shall be referred to the Committee on Rules of the house for a determination. The bill shall remain on file or with a committee, as the case may be, until such determination is made. If upon consideration of the objection the Committee on Rules determines that the bill objected to would have substantially the same effect as another bill previously introduced during the session by the author, the bill objected to shall be stricken from the file or returned to the desk by the committee, as the case may be, and shall not be acted upon during the remainder of the session. If the Committee on Rules determines that the bill objected to would not have substantially the same effect as a bill previously introduced during the session by the author, the bill may thereafter be acted upon by the committee or the house, as the case may be. The Committee on Rules may obtain such assistance as it may desire from the Legislative Counsel as to the similarity of a bill or amendments to a prior bill.

This joint rule may be suspended by approval of the Committee on Rules and three-fourths vote of the membership of the house.

(d) During a joint recess, the Chief Clerk of the Assembly or Secretary of the Senate shall order the preparation of preprint bills when so ordered by any of the following:

- (1) The Speaker of the Assembly.
- (2) The Committee on Rules of the respective houses.
- (3) A committee with respect to bills within the subject matter jurisdiction of the committee.

Preprint bills shall be designated as such and shall be printed in the order received and numbered in the order printed. To facilitate subsequent amendment, preprint bills shall be so prepared that when introduced as a bill, the page and the line numbers will not change. The Chief Clerk of the Assembly and Secretary of the Senate shall publish a list periodically of such preprint bills showing the preprint bill number, the title, and the Legislative Counsel's Digest. The Speaker of the Assembly and Senate Committee on Rules may refer all preprint bills to committee for study.

30-Day Waiting Period

55. No bill other than the Budget Bill may be heard or acted upon by committee or either house until the bill has been in print for 30 days. The date a bill is returned from the printer shall be entered in the History. This rule may be suspended concurrently with the suspension of the requirement of Section 8 of Article IV of the Constitution or if such period has expired, this rule may be suspended by approval of the Committee on Rules and two-thirds vote of the house in which the bill is being considered.

Return of Bills

56. Bills introduced in the first year of the regular session and passed by the house of origin on or before the January 31st constitutional deadline are “carryover bills.” Immediately after January 31, bills introduced in the first year of the regular session that do not become “carryover bills” shall be returned to the Chief Clerk of the Assembly or Secretary of the Senate, respectively. Notwithstanding Rule 4, as used in this rule, “bills” does not include constitutional amendments.

Appropriation Bills

57. Appropriation bills that may not be sent to the Governor shall be held, after enrollment, by the Chief Clerk of the Assembly or Secretary of the Senate, respectively. The bills shall be sent to the Governor immediately after the Budget Bill has been enacted.

Urgency Clauses

58. An amendment to add a section to a bill to provide that the act shall take effect immediately as an urgency statute shall not be adopted unless the author of the amendment has first secured the approval of the Committee on Rules of the house in which the amendments are offered.

Vetoes

58.5. The Legislature may consider a Governor’s Veto for only 60 days, not counting days when the Legislature is in joint recess.

Publications

59. During periods of joint recess, weekly, if necessary, the following documents shall be published: Files, Histories, and Journals.

Hearings in Sacramento

60. (a) No standing committee or subcommittee thereof may take action on a bill at any hearing held outside of Sacramento.

(b) A committee may hear the subject matter of a bill during a period of recess. Four days’ notice in the daily file is required prior to the hearing.

(c) No bill may be acted upon by a committee during a joint recess.

*** Deadlines**

61. The following deadlines shall be observed by the Senate and Assembly. After each deadline, the Secretary of the Senate and the Chief Clerk of the Assembly shall not accept committee reports from their respective committees except as otherwise provided in this rule:

(a) Odd-numbered year:

(1) Feb. 24—Last day for bills to be introduced.

(2) April 21—Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house.

(3) May 12—Last day for policy committees to hear and report to the floor nonfiscal bills introduced in their house.

- (4) May 19—Last day for policy committees to meet prior to June 5.
 - (5) May 26—Last day for fiscal committees to hear and report to the floor bills introduced in their house.
 - (6) May 26—Last day for fiscal committees to meet prior to June 5.
 - (7) June 2—Last day for each house to pass bills introduced in their house.
 - (8) June 5—Committee meetings may resume.
 - (9) July 14—Last day for policy committees to meet and report bills.
 - (10) Sept. 1—Last day for fiscal committees to meet and report bills.
 - (11) Sept. 5 through Sept. 15—Floor session only. No committee may meet for any purpose.
 - (12) Sept. 15—Last day for each house to pass bills.
- (b) Even-numbered year:
- (1) Jan. 12—Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house in the odd-numbered year.
 - (2) Jan. 19—Last day for any committee to hear and report to the floor bills introduced in their house in the odd-numbered year.
 - (3) Jan. 31—Last day for each house to pass bills introduced in their house in the odd-numbered year.
 - (4) Feb. 23—Last day for bills to be introduced.
 - (5) April 19—Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house.
 - (6) May 10—Last day for policy committees to hear and report to the floor nonfiscal bills introduced in their house.
 - (7) May 17—Last day for policy committees to meet prior to June 3.
 - (8) May 24—Last day for fiscal committees to hear and report to the floor bills introduced in their house.
 - (9) May 24—Last day for fiscal committees to meet prior to June 3.
 - (10) May 31—Last day for each house to pass bills introduced in their house.
 - (11) June 3—Committee meetings may resume.
 - (12) July 5—Last day for policy committees to meet and report bills.
 - (13) Aug. 16—Last day for fiscal committees to meet and report bills.

- (14) Aug. 19 through Aug. 31—Floor session only. No committee may meet for any purpose.
- (15) Aug. 31—Last day for each house to pass bills.

(* Note: Dates are based on 1995–96 Legislative Calendar, usage and custom.)

(c) If a bill is acted upon in committee before the relevant deadline and the committee votes to report the bill out with amendments that have not at the time of the vote been prepared by the Legislative Counsel, the Secretary of the Senate and the Chief Clerk of the Assembly may subsequently receive a report recommending the bill for passage or for re-referral together with the amendments at any time within two legislative days after the deadline or, if the Legislature has recessed for the Summer Recess, within seven calendar days after the deadline.

(d) Notwithstanding subdivisions (a) and (b), a policy committee may report a bill to a fiscal committee on or before the relevant deadline for reporting nonfiscal bills to the floor, if, after the policy committee deadline for reporting the bill to fiscal committee, the Legislative Counsel's Digest is changed to indicate reference to fiscal committee.

(e) Bills in the house of origin not acted upon during the odd-numbered year as a result of the deadlines imposed in subdivision (a) may be acted upon when the Legislature reconvenes after the interim study joint recess, or at any time the Legislature is recalled from the interim study joint recess.

(f) The deadlines imposed by this rule shall not apply to the rules committees of the respective houses.

(g) The deadlines imposed by this rule shall not apply in instances where a bill is referred to committee under Rule 26.5.

(h) (1) Notwithstanding subdivisions (a) and (b), a policy committee or fiscal committee may meet for the purpose of hearing and reporting a constitutional amendment, or a bill which would go into immediate effect pursuant to subdivision (c) of Section 8 of Article IV of the Constitution of California, at any time other than those periods when no committee may meet for any purpose.

(2) Notwithstanding subdivisions (a) and (b), either house may meet for the purpose of considering and passing a constitutional amendment, or a bill which would go into immediate effect pursuant to subdivision (c) of Section 8 of Article IV of the Constitution of California, at any time during the session.

(i) This rule may be suspended as to any particular bill by approval of the Committee on Rules and two-thirds vote of the membership of the house.

Committee Procedure

62. (a) Notice of a hearing on a bill by the committee of first reference in each house shall be published in the file at least four days prior to the hearing. Otherwise, notice shall be published in the file two days prior to the hearing. Such notice may be waived by a majority vote of the house in which the bill is being considered. A bill may be set for hearing in a committee only three times. A bill is "set" for purposes of this subdivision whenever notice of the hearing has been published in the file for one or more days. If a bill is set for hearing, and the committee, on its own initiation and not the

author's, postpones the hearing on the bill or adjourns the hearing while testimony is being taken, such hearing shall not be counted as one of the three times a bill may be set. After hearing the bill, the committee may vote on the bill. If the hearing notice in the file specifically indicates that "testimony only" will be taken, such hearing shall not be counted as one of the three times a bill may be set. A committee may not vote on a bill so noticed until it has been heard in accordance with this rule. After a committee has voted on a bill, reconsideration may be granted only one time. Reconsideration may be granted within 15 legislative days or prior to the interim study joint recess, whichever first occurs. A vote on reconsideration cannot be taken without the same notice required to set a bill unless such vote is taken at the same meeting at which the vote to be reconsidered was taken and the author is present. When a bill fails to get the necessary votes to pass it out of committee or upon failure to receive reconsideration, it shall be returned to the Chief Clerk of the Assembly or Secretary of the Senate of the house of the committee and may not be considered further during the session.

This subdivision may be suspended with respect to a particular bill by approval of the Committee on Rules and two-thirds vote of the members of the house.

(b) If the committee adopts amendments other than those offered by the author and orders the bill reprinted prior to its further consideration, the hearing shall not be the final time a bill may be set under subdivision (a) of this rule.

(c) When a standing committee takes action on a bill, the vote shall be by rollcall vote only. All rollcall votes taken by a standing committee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly and the Secretary of the Senate. The chairman or chairwoman of each standing committee shall promptly transmit a copy of the record of the rollcall votes to the Chief Clerk of the Assembly or the Secretary of the Senate, respectively, who shall cause the votes to be published as prescribed by each house.

The provisions of this subdivision shall also apply to action of a committee on a subcommittee report. The rules of each house shall prescribe the procedure as to rollcall votes on amendments.

Any committee may, with the unanimous consent of the members present, substitute a roll call from a prior bill, provided that the members whose votes are substituted are present at the time of the substitution.

At no time shall a bill be passed out by a committee without a quorum being present.

The provisions of this subdivision shall not apply to:

- (1) Procedural motions which do not have the effect of disposing of a bill.
- (2) Withdrawal of a bill from a committee calendar at the request of an author.
- (3) Return of bills to the house where the bills have not been voted on by the committee.
- (4) The assignment of bills to committee.

(d) The chairman or chairwoman of the committee hearing a bill, may, at any time, order a call of the committee. Upon a request by any member of a committee or the author in person, the chairman or chairwoman shall order the call.

In the absence of a quorum, a majority of the members present may order a quorum call of the committee and compel the attendance of absentees. The chairman or chairwoman shall send the Sergeant at Arms for those members who are absent and not excused by their respective house.

When a call of a committee is ordered by the chairman or chairwoman with respect to a particular bill, he or she shall send the Sergeant at Arms or any other person to be appointed for that purpose for those members who have not voted on that particular bill and are not excused.

A quorum call or a call of the committee with respect to a particular bill may be dispensed with by the chairman or chairwoman without objection by any member of the committee, or by a majority of the members present.

If a motion is adopted to adjourn the committee while the committee is operating under a call, the call shall be dispensed with and any pending vote announced.

The committee secretary shall record the votes of members answering a call. The rules of each house may prescribe additional procedures for a call of a committee.

Redistricting Bills

62.5. This rule applies only to bills affecting the boundaries of legislative, congressional, or State Board of Equalization districts.

(a) Except as specifically provided in this rule, Rules 28, 28.1, 29, 29.5, 30, 30.5, 30.7, 61 (except for paragraph (12) of subdivision (a) and paragraph (15) of subdivision (b) of Rule 61), and 62 shall not apply to bills affecting the boundaries of legislative, congressional, or State Board of Equalization districts.

(b) If the Senate (in the case of a Senate bill) or the Assembly (in the case of an Assembly bill) refuses to concur in amendments to a bill made by the other house, a committee on conference shall be appointed. The Speaker of the Assembly and the Senate Committee on Rules shall each appoint a committee on conference of three members, consisting of two members of the majority party and one member not of the majority party. The Secretary of the Senate and the Chief Clerk of the Assembly shall immediately notify the other house of the action taken.

(c) When a bill affecting the boundaries of legislative, congressional, or State Board of Equalization districts has been referred to a committee on conference, the chair of the committee on conference shall immediately request the Senate Committee on Elections and Reapportionment and the Assembly Committee on Elections, Reapportionment, and Constitutional Amendments to hold a public hearing on the bill. The committee on conference shall also hold a public hearing on the bill. The hearings of the policy committees and the committee on conference may be noticed and held concurrently.

(d) If either or both of the policy committees hold a public hearing on a bill pursuant to the request of the chair of the

committee on conference, the policy committees may consider amendments to the bill, and may make recommendations on amendments to the committee on conference. A policy committee recommendation for an amendment may only be adopted by a rollcall vote of the members of the policy committee.

(e) All proposed reports of a committee on conference, all proposed amendments to a proposed report of a committee on conference, and all proposed amendments presented to a policy committee shall be accompanied by appropriate maps, and no committee vote shall be taken on any proposed report of a committee on conference, any proposed amendment to a proposed report of a committee on conference, or any proposed amendment presented to a policy committee unless the proposed report or proposed amendment, with accompanying maps, has been available to the public for at least 24 hours. District boundaries contained in any proposed report or any proposed amendment shall not be required to be prepared or approved as to form by Legislative Counsel if the accompanying maps adequately reflect the district boundaries.

(f) All hearings of the policy committees and the committee on conference shall be open and readily accessible to the public, and shall be noticed in the Daily File for not less than two calendar days.

(g) The provisions of subdivision (e) prohibiting a committee vote on any proposed report of a committee on conference, any proposed amendment to a proposed report of a committee on conference, or any proposed amendment presented to a policy committee unless the amendment, accompanied by appropriate maps, has been available to the public for at least 24 hours shall not apply in any of the following situations:

(1) The amendment proposed to a policy committee or the committee on conference does not change any district boundaries.

(2) The amendment proposed to a policy committee or the committee on conference is required to correct a technical error in the bill, and the proposed amendment would shift no more than 1 percent of the population of any district to any other district or districts.

(3) The amendment is a policy committee or committee on conference amendment that is proposed in response to amendments that have been proposed to the committee.

(h) Except as provided in subdivision (i), no vote may be taken in either house on any bill or any report of the committee on conference on that bill unless the bill or the report has been in print in Legislative Counsel form and available to the public, accompanied by appropriate maps, for at least 24 hours.

(i) If either house refuses to adopt the report of the committee on conference, the bill may be returned to the committee on conference for further consideration. If the bill is returned to the committee on conference for an amendment described in paragraph (1) or (2) of subdivision (g), the notice requirements of subdivisions (1) and (h) shall not apply.

(j) Notwithstanding any other rule to the contrary, this rule may be suspended upon a majority vote of the membership of each house.

Uniform Rules

63. No standing committee of either house shall adopt or apply any rule or procedure governing the voting upon bills which is not equally applicable to the bills of both houses.

Votes on Bills

64. Every meeting of each house and standing committee or subcommittee thereof where a vote is to be taken on a bill, or amendments to a bill, shall be public.

Conflicting Rules

65. The provisions of Rule 50 and following of these rules prevail over any conflicting joint rule with a lesser number.

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California State Assembly



Appendix No. 2
to
Assembly Journal

Standing Rules of the Assembly,
1995–96 Regular Session

Standing Rules of the Senate,
1995–96 Regular Session

Temporary Joint Rules of the Senate and Assembly
1995–96

Assembly Chamber
May 1996

(Please direct inquiries or requests for additional copies to the Office of the Chief Clerk at 445-3614.)

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STANDING RULES OF THE ASSEMBLY

1995–96 Regular Session

House Resolution No. 36 (Thompson) (Assembly Journal, p. 5396), as amended by
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STANDING RULES OF THE ASSEMBLY

1995-96 REGULAR SESSION

I. LEGISLATIVE ORGANIZATION

Assembly General Officers

1. (a) The general officers of the Assembly are the following:

Speaker
 Speaker pro Tempore
 Majority Floor Leader
 Minority Floor Leader
 Chief Clerk
 Sergeant at Arms
 Chaplain

(b) Except for the Majority Floor Leader and the Minority Floor Leader, each officer listed in subdivision (a) shall be elected by a majority vote of the duly elected and qualified Members. The adoption of these rules shall not in and of itself create a vacancy in any of the offices listed in subdivision (a), so that any individual who holds an office listed in subdivision (a) before the time when these rules are adopted shall continue to hold that office upon the adoption of these rules.

(c) The Chief Clerk, subject to the approval of the Committee on Rules, shall determine the names and titles that shall appear on the frontispiece of all publications.

Hours of Meeting

2. The the Speaker or, in his or her absence, the Speaker pro Tempore, shall determine the time for convening the session, unless otherwise ordered by a majority vote of the Members present and voting.

Speaker to Call Assembly to Order

3. The Speaker, or in his or her absence, the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order.

Roll Call and Quorum

4. Before proceeding with the business of the Assembly, both of the following shall be completed:

(1) The roll of the Members shall be called, and the names of those present shall be entered in the Journal. Forty-one Members constitute a quorum.

(2) The presiding officer shall announce the names of all Members who will be absent from that day's session and the reason for their absence.

Assignment of Desks to Members

5. Members shall be assigned to desks by the Committee on Rules.

*Standing Rules of the Assembly***Organization of Assembly**

5.5. For the purposes of the organization of any regular session of the Assembly pursuant to Section 9023 of the Government Code, the Speaker from the previous regular session at the time when the session adjourned sine die, if he or she is reelected to the Assembly, shall be deemed to be the senior member elect.

II. RULES**Adoption of Standing Rules**

6. The adoption of the Standing Rules shall require an affirmative recorded vote of a majority of the duly elected and qualified Members. When once adopted, the Standing Rules shall remain in effect, unless suspended or amended as provided in these rules.

Suspension of Rules

7. Any standing rule of the Assembly, except Rule 8, may be suspended temporarily by a vote of two-thirds of the Members present and voting; provided, that the temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

Amending Standing Rules

8. No standing rule of the Assembly shall be amended except by a resolution adopted by an affirmative recorded vote of a majority of the duly elected and qualified Members.

Mason's Manual

10. In all cases not provided for by the California Constitution, by the Assembly Rules, by the Joint Rules of the Senate and Assembly, or by statute, the authority shall be the latest edition of Mason's Manual.

III. ORGANIZATION OF COMMITTEES**Standing Committees**

11. (a) Twenty-six standing committees of the Assembly are hereby created, upon the several subjects, and titled respectively, as follows:

- Agriculture
- Appropriations
- Banking and Finance
- Budget
- Consumer Protection, Governmental Efficiency and Economic Development
- Education
- Elections, Reapportionment and Constitutional Amendments
- Environmental Safety and Toxic Materials
- Governmental Organization
- Health
- Higher Education
- Housing and Community Development
- Human Services
- Insurance
- Judiciary
- Labor and Employment
- Local Government

Natural Resources
Public Employees, Retirement and Social Security
Public Safety
Revenue and Taxation
Rules
Televising the Assembly and Information Technology
Transportation
Utilities and Commerce
Water, Parks and Wildlife

(b) The Committee on Rules may organize additional committees pursuant to the procedure in Rule 12.

Open Meetings

11.3. (a) Except as otherwise provided in this rule, all meetings of the Assembly or a committee thereof shall be open and public, and all persons shall be permitted to attend the meetings. As used in this rule, “meeting” means a gathering of a quorum of the Members of the Assembly or a committee in one place for the purpose of discussing legislative or other official matters within the jurisdiction of the Assembly or committee. As used in this rule, “committee” includes a standing committee, joint committee, conference committee, subcommittee, select committee, special committee, research committee, or any similar body.

(b) Any meeting that is required to be open and public pursuant to this rule, including any closed session held pursuant to subdivision (c), shall be held only after full and timely notice to the public as provided by the Joint Rules of the Assembly and Senate.

(c) The Assembly or a committee thereof may hold a closed session solely for any of the following purposes:

(1) To consider the appointment, employment, evaluation of performance, or dismissal of a public officer or employee, to consider or hear complaints or charges brought against a Member of the Legislature or other public officer or employee, or to establish the classification or compensation of an employee of the Assembly.

(2) To consider matters affecting the safety and security of Members of the Legislature or its employees or the safety and security of any buildings and grounds used by the Legislature.

(3) To confer with, or receive advice from, its legal counsel regarding pending or reasonably anticipated, or whether to initiate, litigation when discussion in open session would not protect the interests of the Assembly or committee regarding the litigation.

(d) A caucus of the Members of the Assembly which is composed of members of the same political party may meet in closed session.

(e) A closed session may be held pursuant to paragraph (3) of subdivision (c) under any of the following circumstances:

(1) An adjudicatory proceeding before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator, to which the Assembly or a committee, Member, or employee thereof is a party, has been initiated formally.

(2) Based on existing facts and circumstances, a point has been reached where, in the opinion of the Assembly or a committee thereof, on the advice of its legal counsel, litigation against the Assembly or a committee, Member, or employee thereof is reasonably anticipated.

(3) Based on existing facts and circumstances, the Assembly or a committee thereof has decided to initiate or is deciding whether to initiate litigation.

(4) To confer with, or receive advice from, its legal counsel and negotiator prior to the purchase, sale, exchange, or lease of real property by or for the Assembly or a committee regarding the price and terms of payment for the purchase, sale, exchange, or lease.

(f) Prior to holding a closed session pursuant to paragraph (3) of subdivision (c), the presiding officer of the Assembly or the chair of the committee shall state publicly which paragraph of subdivision (c) is applicable. If the closed session is held pursuant to paragraph (1) of subdivision (e), the presiding officer or chair shall state the title of or otherwise specifically identify the litigation to be discussed, unless the presiding officer or chair states that to do so would jeopardize the ability to effectuate service of process upon one or more unserved parties, or that to do so would jeopardize the ability of the Assembly or the committee to conclude existing settlement negotiations to its advantage. If the closed session is held pursuant to paragraph (4) of subdivision (e), the notice of the closed session shall identify the real property which the negotiations may concern and the person with whom the negotiations may take place.

(g) The legal counsel for the Assembly or the committee shall prepare and submit to the Assembly or the committee a memorandum stating the specific reasons and legal authority for the closed session. If the closed session is held pursuant to paragraph (1) of subdivision (e), the memorandum shall include the title of or other identification of the litigation. If the closed session is held pursuant to paragraph (2), (3), or (4) of subdivision (e), the memorandum shall set forth the existing facts and circumstances on which the closed session is based. The legal counsel shall submit the memorandum to the Assembly or the committee prior to the closed session, if feasible, or, in any case, not later than one week after the closed session. The memorandum shall be exempt from disclosure under the Legislative Open Records Act contained in Article 3.5 (commencing with Section 9070) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of the Government Code.

(h) For purposes of paragraph (3) of subdivision (c), "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

(i) For purposes of this rule, all expressions of the lawyer-client privilege other than those provided in this section are hereby abrogated. This section is the exclusive expression of the lawyer-client privilege for the purposes of conducting closed-session meetings pursuant to this rule.

(j) Disclosure of a memorandum required under this section shall not be deemed a waiver of the lawyer-client privilege provided for under Article 3 (commencing with Section 950) of Chapter 4 of Division 8 of the Evidence Code.

Conference Committee Meetings

11.4. No Member may participate in a meeting of a conference committee considering any bill that is not open to the public.

Assembly Investigating Committees

11.5. (a) The standing committees of the Assembly created pursuant to Rule 11, with the exception of the Committee on Rules, are hereby constituted Assembly investigating committees and are authorized and directed to ascertain, study, and analyze all facts relating to any subjects or matters which the Committee on Rules shall assign to them upon request of the Assembly or upon its own initiative.

(b) Each of the Assembly investigating committees shall consist of the members of the standing committee on the same subject as most recently constituted. The chairperson and vice chairperson shall be the chairperson and vice chairperson of the standing committee. Vacancies occurring in the membership of the committee shall be filled by the Committee on Rules.

(c) Each committee and any subcommittee, and its members, shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by law and by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the committee or subcommittee and their members.

(d) In order to prevent duplication and overlapping of studies between the various investigating committees herein created, no committee shall commence the study of any subject or matter not specifically authorized herein or assigned to it unless and until prior written approval thereof has been obtained from the Committee on Rules.

(e) The Committee on Rules shall provide for the expenses of the above committees and their members and for any charges, expenses, or claims they may incur under this resolution, to be paid from the Assembly Operating Fund and disbursed, after certification by the Chairperson of the Committee on Rules or his or her authorized representative, upon warrants drawn by the Controller upon the State Treasury.

Membership of Standing Committees

12. (a) All standing committees or subcommittees, except the Committee on Rules and its subcommittees, shall be organized and the size and jurisdiction thereof established by a majority of the membership of the Committee on Rules.

The Committee on Rules, by a majority of its membership, shall appoint the membership, and the chairperson and vice chairperson, of all standing committees and subcommittees, except the Committee on Rules and its subcommittees.

(b) The Committee on Rules shall provide for the necessary and reasonable expenses of all committees.

Committee on Rules

13. There is a Committee on Rules, which shall act as the executive committee of the Assembly. The committee shall consist of twelve members, seven, including the chairperson of the committee, to be elected by the political party having the largest number of Members in the Assembly, and five, including the vice chairperson of the committee, to be elected by the political party having the second

largest number of Members. One alternate member of the Committee on Rules shall each be selected by the majority and minority caucuses. Members so elected shall remain in office until their successors are elected as provided for in these rules.

An alternate member may serve when a committee member of the same political party is absent.

No member of the Committee on Rules may simultaneously serve as a chairperson of any standing committee.

All meetings of the Committee on Rules that are required to be open and public shall be held in a room of appropriate size, and audio or video transmission of those meetings shall be provided.

Organization of Party Caucuses

13.1. Within two days after the general election held in November of each even-numbered year, the minority and majority caucuses shall meet for the purposes of electing their officers and members of the Committee on Rules for the next regular session. The rules and procedures of each caucus shall be determined by each caucus, but in no way shall they be inconsistent with these rules.

Powers of the Committee on Rules

14. (a) The Committee on Rules shall have the following powers:

(1) To organize standing committees and subcommittees and to establish a schedule of the time and place for meetings of committees and subcommittees.

(2) To refer each bill and house resolution to a committee.

(3) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by Members as private offices.

(4) To choose one Chief Administrative Officer.

(5) To allocate all funds, staffing, and other resources necessary for the effective operation of the Assembly.

(6) To appoint all employees of the Assembly not otherwise provided for by statute. It shall have authority to terminate, discipline, establish and modify the terms and conditions of employment of, or suspend, with or without pay, any employee of the Assembly.

(7) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of these rules.

(8) To adopt additional policies or requirements regarding the use of cameras and other recording equipment at committee hearings or Assembly floor sessions.

(b) The Committee on Rules may delegate powers to the Speaker by a majority vote of the membership of the committee.

Subcommittee on Sexual Harassment Prevention and Response

14.5. (a) The Subcommittee on Sexual Harassment Prevention and Response is hereby created as a subcommittee of the Committee on Rules. The subcommittee shall be composed of a total of six members, with the following four members appointed by the Chairperson of the Committee on Rules: two members of the Committee on Rules from the political party having the largest number of Members in the Assembly and two members of the

Committee on Rules from the political party having the second largest number of Members. The two members from the political party having the second largest number of Members shall be appointed from a list of nominees that the vice chairperson of the committee provides to the chairperson. The co-chairs of the Assembly Legislative Ethics Committee shall also be members of the subcommittee. The Chairperson of the Committee on Rules shall designate one of the members of the subcommittee to serve as chair of the subcommittee.

(b) The subcommittee shall formulate and recommend to the Committee on Rules procedures for the handling of any complaint of sexual harassment lodged against a Member of the Assembly or an Assembly employee. Those recommendations shall be submitted to the Committee on Rules no later than 30 days following the adoption of this rule.

(c) Following the submission of the recommendations pursuant to subdivision (b), the chair of the subcommittee may cause the subcommittee to convene to review and recommend further changes as subsequent events may require.

Committee on Rules

15. The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular session and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction, the committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

Operating Fund Report

15.5. The Committee on Rules shall annually prepare a report to the public of expenditures as required by Section 9131 of the Government Code.

Independent Audit of Operating Funds

15.6. The Committee on Rules shall annually contract for an independent audit of the revenues and expenditures, for each fiscal year, from the Assembly Operating Fund. The organization performing the audit shall be selected by a majority of the membership of the Committee on Rules. The contract for the audit shall be awarded through a competitive bidding procedure. The audit shall be prepared in a manner and form to be determined by the organization performing the audit and consistent with generally accepted accounting principles.

The audit shall be completed and made available to the public within 180 calendar days following the completion of the fiscal year for which the audit is performed.

Performance Audit

15.7. The Committee on Rules shall annually contract for a comprehensive performance audit of all Assembly finances and operations. The organization performing the audit shall be selected

by a majority of the membership of the Committee on Rules. The contract for the audit shall be awarded through a competitive bidding procedure. The audit shall be prepared in a manner and form to be determined by the organization performing the audit and consistent with generally accepted accounting principles.

All findings and recommendations reported by the auditing firm shall be made available to Members and to the public.

Rules Committee Resolutions

16. The Committee on Rules, acting unanimously by appropriate resolution, on behalf of and in the name of the Assembly, may extend congratulations, commendations, sympathy, or regret to any person, group, or organization, and may authorize the presentation of suitably prepared copies of these resolutions to the persons concerned and to their relatives.

Assembly Operating Fund

17. The Committee on Rules is the committee provided for in Section 9127 of the Government Code. The balance of all money in the Assembly Operating Fund, including money now or hereafter appropriated, except the sums that are specifically made available for the expense of designated committees or for other purposes, is hereby made available to the Committee on Rules for any charges or claims it may incur in carrying out the duties imposed upon it by these rules or by Assembly or concurrent resolution. The money made available by this rule includes the unencumbered balances of all sums heretofore made available to any Assembly or joint committee by the Assembly, upon the expiration of the committee, and shall be expended as provided in these rules.

Expenditures

18. No Member or committee shall be permitted to incur any expense except as authorized pursuant to these rules or the Joint Rules of the Senate and Assembly, or as authorized by the Assembly or the Committee on Rules.

The Committee on Rules shall provide, by rules and regulations, for the manner of authorizing expenditures by Members, committees, and officers and employees of the Assembly, not otherwise authorized by law, these rules, or the Joint Rules of the Senate and Assembly. These rules and regulations shall incorporate a provision whereby construction, alteration, improvement, repair, or maintenance of real or personal property, and the purchase of supplies and equipment, shall be governed by competitive bidding. Further, the rules and regulations shall provide for the payment of expenditures, authorized by these rules and regulations, from the Assembly Operating Fund upon certification of claims therefor to the Controller by the Committee on Rules or its authorized representative.

No Member may be reimbursed for travel outside the State of California without prior approval of the Speaker or the Committee on Rules.

Rules and Regulations Governing Committees

20. All claims for expenses incurred by investigating committees of the Assembly shall be approved by the Committee on Rules, or its authorized representative, before the claims are presented to the Controller.

All proposed expenditures, other than expenditures of the funds of an investigating committee, shall be approved by the Committee on Rules or its authorized representative before the expenses are incurred, unless the expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with the provisions of this rule.

The Committee on Rules shall adopt rules and regulations governing the awarding of any contract by an investigating committee and shall also adopt rules and regulations limiting the amount, time, and place of expenses and allowances to be paid to employees of Assembly investigating committees or other Assembly committees.

These rules may provide for allowances to committee employees in lieu of actual expenses.

Mileage is an allowance to a committee employee in lieu of actual expenses of travel. When travel is by private conveyance, mileage shall be allowed only to the operator of, and not to passengers in, a private vehicle. Claims for mileage by private conveyance must be accompanied by the license number of the vehicle and the names of state officers and employees riding as passengers.

Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairperson of every investigating committee and of any other Assembly committee that has employees.

Fees for Witnesses

21. Each witness summoned to appear before the Assembly or any of its committees shall be reimbursed at a rate set by the Committee on Rules.

Assembly General Research Committee

22. (a) The Assembly General Research Committee is hereby continued as a permanent factfinding committee pursuant to Section 11 of Article IV of the California Constitution. The committee is allocated all subjects within the scope of legislative regulation and control but shall not undertake any investigation which another committee has been specifically requested or directed to undertake. The Assembly General Research Committee may act through subcommittees appointed by the Committee on Rules and these subcommittees may act only on the particular study or investigation assigned by the Committee on Rules to the subcommittees. Each subcommittee shall be known and designated as a select committee. The Speaker is the Chairperson of the Assembly General Research Committee and may be a voting member of any subcommittee. Each member of the Assembly General Research Committee is authorized and directed to receive and investigate requests for legislative action made by individuals or groups and to report thereon to the full

committee. The Committee on Rules is authorized to allocate to any subcommittee from the Assembly Operating Fund those sums that the Committee on Rules deems necessary to complete the investigation or study conferred upon that subcommittee. The Committee on Rules shall further allocate, from time to time, to the Assembly General Research Committee from the Assembly Operating Fund those sums as are necessary to permit the Assembly General Research Committee and the members thereof to carry out the duties imposed on them. The committee has continuous existence until the time that its existence is terminated by a resolution adopted by the Assembly, and the committee is authorized to act both during and between sessions of the Legislature, including any recess.

(b) The committee and its members shall have and exercise all the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to the committee and its members.

(c) The committee has the following additional powers and duties:

(1) To contract with other agencies, public or private, that it deems necessary for the rendition and affording of services, facilities, studies, and reports to the committee as will best assist it to carry out the purposes, for which it is created.

(2) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(3) To report its findings and recommendations to the Legislature and to the people from time to time and at any time.

(4) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

Assembly Legislative Ethics Committee

22.5. (a) The Assembly Legislative Ethics Committee is hereby created. The committee shall consist of six Members of the Assembly, appointed by the Speaker. Notwithstanding any other rule of the Assembly, three members of the committee shall be from the political party having the largest number of Members in the Assembly and three members shall be from the political party having the second largest number of Members. Any temporary or permanent vacancy on the committee shall be filled by a member from the same political party within 10 days. All appointments, including appointments to fill permanent or temporary vacancies, of members from the political party having the second largest number of Members shall be made from a list of nominees that the Minority Floor Leader provides to the Speaker. The Speaker shall designate one member of the committee from the political party having the largest number of Members in the Assembly and one member of the committee from the political party having the second largest number

of Members to serve as co-chairs of the committee. The Speaker shall designate one of the co-chairs to serve as the presiding officer at any meeting or hearing conducted by the committee.

If a verified complaint is filed against a member of the committee, the Speaker shall temporarily replace the member with a Member from the same political party, who shall serve until the complaint is dismissed or the Assembly takes final action on the complaint, whichever occurs first.

(b) The provisions of this rule, and of Rule 11.5 related to investigating committees, shall apply to the committee and shall govern its proceedings.

Prior to the issuance of any subpoena by the committee with respect to any matter before the committee, it shall, by a resolution adopted by the committee pursuant to a vote in accordance with subdivision (n), define the nature and scope of its investigation in the matter before it.

(c) Funds for the support of the committee shall be provided from the Assembly Operating Fund in the same manner that those funds are made available to other committees of the Assembly.

(d) (1) The committee shall have the power, pursuant to this rule and Article 3 (commencing with Section 8940) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, to investigate and make findings and recommendations concerning violations by Members of the Assembly of any provision of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code or of any other provision of law or legislative rule that governs the conduct of Members of the Assembly, hereafter collectively referred to as "standards of conduct."

(2) The committee may, on its own action pursuant to a vote in accordance with subdivision (n), initiate an investigation of a Member of the Assembly.

(e) Any person may file with the committee a verified complaint in writing which shall state the name of the Member of the Assembly alleged to have violated any standard of conduct, and which shall set forth the particulars thereof with sufficient clarity and detail to enable the committee to make a determination. The person filing the complaint thereafter shall be designated the complainant.

If a verified complaint is filed with the committee, the committee promptly shall send a copy of the complaint to the Member of the Assembly alleged to have committed the violation complained of, who thereafter shall be designated the respondent.

No complaint may be filed with the committee after the expiration of 12 months from the date the alleged violation is discovered or three years from the date of the alleged violation, whichever occurs first.

(f) (1) If the committee determines that the verified complaint does not allege facts, directly or upon information and belief, sufficient to constitute a violation of any standard of conduct, it shall dismiss the complaint and so notify the complainant and respondent.

(2) (i) If the committee determines that the verified complaint does allege facts, directly or upon information and belief, sufficient to constitute a violation of any standard of conduct, the committee promptly shall investigate the alleged violation and if, after this preliminary investigation, the committee finds that reasonable cause

exists for believing the allegations of the complaint, it shall fix a time for a hearing in the matter, which shall be not more than 30 days after that finding. The committee may, however, seek an extension of this period, not to exceed an additional 30 days, which may be granted by a majority vote of the Committee on Rules.

(ii) If, after preliminary investigation, the committee does not find that reasonable cause exists for believing the allegations of the complaint, the committee shall dismiss the complaint. In either event, the committee shall notify the complainant and the respondent of its determination.

(3) The committee shall make its determination under paragraph (1) or (2) of this subdivision, pursuant to a vote in accordance with subdivision (n), not later than 90 days after first receiving a complaint that satisfies subdivision (e). The committee may, however, seek an extension, not to exceed 30 days, which may be granted by a majority vote of the membership of the Committee on Rules. If the committee has requested a law enforcement agency to investigate the complaint or if the committee knows the complaint is being investigated by a law enforcement agency, the time limits set forth in this subdivision shall be tolled until the investigation is completed.

(4) The committee's determination under paragraph (1) or (2) of this subdivision shall be stated in writing, with reasons given therefor, and shall be provided to the Assembly, and, in cases concerning alleged violations of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall be provided to the Attorney General, the Fair Political Practices Commission, and the district attorney of the county in which the violation allegedly occurred. This written determination is a public record and is open to public inspection.

(5) Any deliberations of the committee from the time of receipt of a complaint until it decides to dismiss the complaint or to set a hearing shall not be open to the public unless the respondent requests a public meeting.

(g) After the complaint has been filed, the respondent shall be entitled to examine and make copies of all evidence in the possession of the committee relating to the complaint.

(h) If a hearing is held pursuant to subdivision (f), the committee, before the hearing has commenced, shall issue subpoenas and subpoenas duces tecum at the request of any party in accordance with Chapter 4 (commencing with Section 9400) of Part 1 of Division 2 of Title 2 of the Government Code. All of the provisions of that chapter, except Section 9410 of the Government Code, shall apply to the committee and the witnesses before it.

(i) At any hearing held by the committee:

(1) Oral evidence shall be taken on oath or affirmation.

(2) Each party shall have these rights: to be represented by legal counsel; to call and examine witnesses; to introduce exhibits; and to cross-examine opposing witnesses.

(3) The hearing shall be open to the public.

(j) Any official or other person whose name is mentioned at any investigation or hearing of the committee, and who believes that testimony has been given that adversely affects him or her, shall have

the right to testify or, at the discretion of the committee, to testify under oath relating solely to the material relevant to the testimony of which he or she complains.

(k) The committee shall have 15 days following the hearing within which to deliberate and reach its final determination on the matter as follows:

(1) If the committee finds that the respondent has not violated any standard of conduct, it shall order the action dismissed, shall notify the respondent and complainant thereof, and, in cases concerning alleged violations of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall transmit a copy of the complaint and the fact of dismissal to the Attorney General, the Fair Political Practices Commission, and to the district attorney of the appropriate county. The complaint and the fact of dismissal transmitted pursuant to this paragraph are public record and open to public inspection.

(2) If the committee finds that the respondent has violated any standard of conduct, it shall state its findings of fact and submit a report thereon to the Assembly. This report shall be accompanied by a House Resolution, authored by the committee, which shall be introduced at the Chief Clerk's desk and then referred by the Committee on Rules to the Ethics Committee. The House Resolution shall include a statement of the committee's findings and the committee's recommendation for disciplinary action. Within seven days, the committee shall adopt the final form of the House Resolution and report it to the Assembly for placement on the Daily File. The committee also shall send a copy of those findings and report to the complainant and respondent, and, in cases concerning alleged violations of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall report thereon to the Attorney General, the Fair Political Practices Commission, and to the district attorney of the appropriate county. The report submitted pursuant to this paragraph is a public record and open to public inspection.

After the receipt of a copy of the committee's final report and House Resolution, the Assembly expeditiously shall take appropriate action with respect to the respondent.

(l) The filing of a complaint with the committee pursuant to this rule suspends the running of the statute of limitations applicable to any violation of any standard of conduct alleged in the substance of that complaint while the complaint is pending.

(m) The committee shall maintain a record of its investigations, inquiries, and proceedings. All records, complaints, documents, reports filed with or submitted to or made by the committee, and all records and transcripts of any investigations, inquiries, or hearings of the committee under this rule shall be deemed confidential and shall not be open to inspection, without the express permission of the committee, by any person other than a member of the committee, or an employee of the committee or other state employee designated to assist the committee, except as otherwise specifically provided in this rule. The committee may, by adoption of a resolution, authorize the release to the Attorney General or a district attorney of the appropriate county of any information, records, complaints, documents, reports, and transcripts in its possession that are material

to any matter pending before the Attorney General or that district attorney. All matters presented at a public hearing of the committee and all reports of the committee stating a final finding of fact pursuant to subdivision (k) shall be public records and open to public inspection. Any employee of the committee who divulges any matter that is deemed to be confidential by this subdivision shall be subject to discipline by the Committee on Rules.

(n) The committee may take any action authorized by this rule only upon the vote of not less than two members from the registered political party having the largest number of Members in the Assembly and two members from the registered political party having the second largest number of Members. Any vacancy on the committee shall not reduce the votes required to take action.

(o) The committee may render advisory opinions to Members of the Assembly with respect to the standards of conduct and their application and construction. The committee may secure an opinion from the Legislative Counsel for this purpose or issue its own opinion. Any committee advisory opinion shall be prepared by committee members or staff and shall be adopted by the committee pursuant to subdivision (n).

(p) The committee shall conduct, at least semiannually, an orientation course on the relevant statutes and regulations governing official conduct. The curriculum and presentation of the course shall be established by the Committee on Rules.

The committee, in consultation with the Fair Political Practices Commission, shall conduct, at least annually, an orientation course on the relevant ethical issues and laws relating to lobbying. The committee shall impose fees on lobbyists for attending this course at an amount that will enable lobbyists' participation to the fullest extent possible.

At least once each biennial session, each Member of the Assembly and each designated employee of the Assembly shall attend one of these courses.

Printing of Committee Reports

23. All requests for the printing of reports of Assembly committees shall be referred to the Committee on Rules. The Committee on Rules shall determine the number of copies needed and whether or not the report shall be printed in the Journal. In no event shall more than 1,000 copies of any committee report be authorized by the Committee on Rules on the first printing, exclusive of the Journal copies, if the report is to be printed therein, unless the Committee on Rules finds and determines that there is a special need for that report in greater numbers.

Upon determination by the Committee on Rules that additional copies of an Assembly committee report are required at any time following the first printing of the authorized number of copies, the Committee on Rules may authorize one or more additional printings in the numbers found by it to be necessary and may make funds available therefor.

No Assembly committee report shall contain more than 100 pages, including the front and back cover thereof and any appendix, unless a greater number of pages has been approved and authorized by the Committee on Rules.

Assembly Employees

24. Every employee who works for a committee of the Assembly or a subcommittee of a committee, for a Member of the Assembly, for the Chief Clerk's office, or for the Sergeant at Arms, is an employee of the Assembly. All employees of the Assembly serve at the pleasure of the Assembly and the terms and conditions of their employment may be modified, or their employment may be terminated at will, at any time and without notice, by the Committee on Rules.

Every applicant for employment by the Assembly shall prepare a formal application for employment on forms prescribed by the Committee on Rules. The application shall include a statement of his or her present employment, his or her employment during the preceding two years, and other pertinent information that the Committee on Rules may require. The application shall be certified under penalty of perjury, and any willful false statement or omission of a material fact shall be punishable as perjury. If the application discloses any fact that indicates that the applicant has a personal interest that would conflict with the faithful performance of his or her duties, the applicant shall not be employed. All applications shall be retained in the records of the committee.

Every employee shall complete the Assembly ethics course in the first six months of his or her employment. Thereafter, every employee shall take the course in the first six months of every legislative session.

No employee shall engage in any outside business activity or outside employment that is inconsistent, incompatible, or in conflict with his or her functions or responsibilities as an employee of the Assembly. Any employee who engages in any outside business activity or employment that is in any way related to his or her functions or responsibilities as an employee shall promptly notify the Committee on Rules of that business activity or employment.

Assembly Proceedings

25. Accredited press representatives may not be excluded from any public legislative meeting or hearing and may not be prohibited from taking photographs, televising, or recording the committee or house hearings, subject to the following conditions:

- (1) This rule shall extend to all public legislative meetings.
- (2) Lights shall be used only when cameras are filming, and, when possible, proceedings in hearing rooms and the Chamber will be filmed without lights.
- (3) Every effort should be made to set up filming equipment before hearings or sessions begin, whenever possible.
- (4) The committee chairperson or Speaker of the Assembly shall be notified, as far in advance of the proceedings as possible, that recordings and television cameras will be present and filming.
- (5) To the extent practical, flash cameras shall not be used.
- (6) Photographs shall be taken in an orderly and expeditious manner so as to cause the least possible inconvenience to the committee or to the Members in the Chamber.

IV. ASSEMBLY FUNCTIONS**A. Duties of Assembly Officers****Duties of the Speaker**

26. (a) The Speaker is responsible for the efficient conduct of the legislative and administrative affairs of the Assembly, so as to carry out the decisions and directives of the Committee on Rules.

(b) The Speaker shall possess the powers and perform the duties prescribed as follows:

(1) To preserve order and decorum; he or she may speak to points of order in preference to the other Members, rising from his or her chair for that purpose.

(2) To decide all questions of order subject to appeal to the Assembly by any Member. On every appeal, he or she shall have the right to assign his or her reason for his or her decision.

(3) To name any Member to perform the duties of the Speaker, but those substitutions shall not extend beyond adjournment.

(4) To approve special meetings of standing committees or subcommittees at a time different from the schedule established by the Committee on Rules.

(5) To have general control and direction over the Journals, papers, and bills of the Assembly.

(6) To act as Chairperson of the Committee of the Whole.

(7) To order the Lobby and Gallery cleared whenever he or she shall deem it necessary.

(8) To authenticate by his or her signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpoenas issued by order of the Assembly.

(9) The Speaker shall be ex officio member of all Assembly and joint committees with all of the rights and privileges of that membership, except the right to vote. In counting a quorum of any of those committees, the Speaker shall not be counted as a member.

(10) The Speaker shall, at each regular session, appoint a Member of the Assembly to serve on the Judicial Council pursuant to Section 6 of Article VI of the California Constitution.

Funerals and Other Ceremonies and Events

27. The Speaker may designate any one or more of the Members of the Assembly as the representatives of the Assembly to attend funerals and other ceremonies and events in appropriate circumstances. The Members so designated shall receive their expenses as provided in Joint Rule 35.

Duties of the Speaker pro Tempore

28. The Speaker pro Tempore shall perform those duties assigned by the Speaker, including the responsibility of presiding over sessions of the Assembly and advising the Members on parliamentary procedures of the house.

Majority Floor Leader

29. The Majority Floor Leader shall be elected by the caucus of the political party having the largest number of Members in the Assembly.

It shall be his or her duty to make those appropriate motions, points of order, or other arrangements that may be necessary to

expedite the proceedings of the Assembly and he or she 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.

Minority Floor Leader

30. The Minority Floor Leader shall be elected by the caucus of the political party having the second largest number of Members in the Assembly.

Caucus Chairpersons

31. The chairperson of the caucus of the majority party and the chairperson of the caucus of the minority party shall perform those duties that are prescribed by their respective party caucuses.

Chief Clerk

32. The Chief Clerk of the Assembly shall have the following duties, powers, and responsibilities:

(a) To be charged with the responsibility of the keeping of the bills, papers, and records of the proceedings and actions of the Assembly and to have charge of the publication and distribution of those publications related thereto.

(b) To supervise Assembly employees engaged in duties related to subdivision (a) above.

(c) To act as Parliamentarian of the Assembly and to advise the officers of the Assembly and the Committee on Rules on parliamentary procedure and the Rules of the Assembly when called upon to do so.

(d) To prepare all bills, resolutions, histories, journals, and related publications for printing.

(e) To refuse to permit any bills, papers, or records to be removed from his or her office or out of his or her custody, except upon duly signed receipts from persons authorized.

(f) To mail, before the commencement of each regular session of the Legislature, to each Member a blank form on which the Member may indicate his or her committee preferences. Accompanying the blank form shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning the form. After their receipt, all those communications shall be held by the Chief Clerk of the Assembly and the information contained in the forms shall be forwarded to the Committee on Rules.

(g) To perform those other duties that are prescribed by law or the Committee on Rules.

(h) To make technical changes in measures and amendments pending before the Assembly. The Chief Clerk shall notify the speaker and the author of the measure of any such change.

(i) To compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, to see that the engrossed bill is a true copy of the original, with those amendments that may have been made thereto; and to see that all engrossed bills are reported back in the order in which they were ordered engrossed.

(j) To assist the Committee on Rules, upon its request, in recommending the reference of bills to the appropriate standing committee.

The Assistant Chief Clerk shall have the powers and perform the duties of the Chief Clerk during his or her absence.

Sergeant at Arms

33. The Sergeant at Arms shall have the following duties, powers, and responsibilities:

(a) To attend the Assembly during its session, preserve order, announce all official messengers, and serve all process issued by authority of the Assembly and directed by the Speaker; he or she shall receive his or her actual expenses for himself or herself or for an assistant when executing any process.

(b) To see that no person is admitted to the Assembly Chamber except in accordance with the provisions of these rules.

(c) To have general supervision over the Assistant Sergeants at Arms and be responsible for their official acts and their performance of and regular attendance upon their duties.

(d) To execute all commands of the Speaker.

(e) To perform all other duties pertaining to his or her office as prescribed by law or Assembly rule.

The Chief Assistant Sergeant at Arms shall have the powers and perform the duties of the Sergeant at Arms during his or her absence.

Filling Interim Vacancies—Assembly Elected Officers

34. In the event a vacancy in any office, except Speaker, elected by the membership of the Assembly occurs during joint recesses, the Committee on Rules shall fill the office until the session reconvenes. If a vacancy occurs in the office of the Speaker during a joint recess, the Committee on Rules shall notify the membership within 15 days from the time the vacancy occurs and shall call a caucus of the membership of the Assembly for the purpose of filling the vacancy. This caucus shall be held at the State Capitol within 30 days from the time the vacancy occurs. Notice of the caucus shall be in writing and shall be mailed not less than 10 days prior to the meeting of the caucus. If the Committee on Rules fails to act within 15 days from the time the vacancy in the office of Speaker occurs, the Chief Clerk of the Assembly shall act in its place following the procedure set forth in this rule. Any person selected to fill any vacancy pursuant to this rule shall hold the office until the session reconvenes.

An affirmative recorded vote of a majority of the duly elected and qualified Members shall be required for the selection by the Assembly caucus of a person to fill a vacancy pursuant to this rule. The procedure for selecting the Speaker at the caucus shall be the same as the procedure required for the election of the Speaker at a session.

B. Printing

Authority for Printing

35. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly. All invoices for printing furnished to the Assembly shall be itemized and rendered by the State Printer within 30 days after completion of the printing. When necessary, the Chief Clerk of the Assembly or the Chief

Administrative Officer of the Assembly may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

Ordering of Printing

36. The Chief Clerk is authorized and shall have the responsibility for ordering printing of bills, resolutions, journals, daily files, histories, and related documents.

The Chief Clerk of the Assembly, or the Chief Administrative Officer of the Assembly, shall order other printing as directed or authorized by the Committee on Rules, and the written order for that printing shall be countersigned by the Speaker or a person designated by the Speaker. The Chief Clerk of the Assembly or the Chief Administrative Officer of the Assembly shall also order other printing as directed or authorized by resolution or motion of the Assembly.

Printing Assembly History and Legislative Handbook

37. During the session, the Chief Clerk shall cause to be printed and placed upon each Member's desk prior to convening on Monday of each week a complete history showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of the Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

The Chief Clerk of the Assembly shall, as soon as practicable, in each even-numbered year, commence to compile a legislative manual or handbook, pursuant to Section 9740 of the Government Code.

V. LEGISLATIVE PROCEDURE

Order of Business

40. The order of business of the Assembly shall be as follows:
 1. Roll Call
 2. Prayer by the Chaplain
 3. Reading of the Previous Day's Journal
 4. Presentation of Petitions
 5. Introduction and Reference of Bills
 6. Reports of Committees
 7. Messages From the Governor
 8. Messages From the Senate
 9. Motions and Resolutions
 10. Business on the Daily File
 11. Announcements
 12. Adjournment

Pledging of Allegiance to the Flag

41. At each session, following the prayer by the Chaplain, the Members of the Assembly and its officers and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America. The Speaker shall invite guests present in the Assembly Chamber to join in the pledge of allegiance to the Flag of the United States of America.

Reading and Correcting Journals

42. (a) The reading of the Journal of the previous day may be dispensed with on motion by a majority vote of the Members present and voting.

(b) All journals of the Assembly shall be corrected by the Minute Clerk and delivered to the Chief Clerk.

(c) A motion to correct any day's Journal or to print a letter in the Journal shall always be in order and shall require a majority vote of the Members present and voting.

Presentation of Petitions

43. Whenever petitions, memorials, or other papers are presented by a Member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or be referred to a committee as the Speaker shall determine. Receipt of that presentation and its disposition shall be noted in the Journal.

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer the petition to committee.

Messages From the Governor

44. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by an affirmative recorded vote of 54 or more Members.

Messages From the Senate

45. Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal. The Committee on Rules shall refer each bill to a committee, unless upon a motion the Assembly by an affirmative recorded vote of 41 or more Members shall refer it to some other committee. The action to refer a bill shall not be debatable. The reference shall be entered in the Journal. Assembly bills that have been passed without amendment by the Senate shall be ordered to enrollment.

An Assembly bill amended by the Senate shall be placed upon the unfinished business file but shall not be eligible to be acted upon until it is on the unfinished business file for one legislative day, except that when the Assembly bill is placed upon the unfinished business file during the last two legislative days preceding (1) the January 31 bill passage deadline as specified by Section 10 of Article IV of the California Constitution, (2) the scheduled commencement of the interim study recess, or (3) the scheduled commencement of the final recess as specified by the joint rules, it may be acted upon immediately.

Guests of the Assembly

45.5. Nothing in these rules shall prevent the Speaker or Speaker pro Tempore from permitting the introduction of a special guest or guests.

A. Bills and Resolutions

Bills Defined

46. (a) Whenever the word “bill” is used in these rules, it includes a constitutional amendment, a concurrent resolution, and a joint resolution, except as otherwise specifically provided.

(b) A concurrent resolution and a joint resolution, other than a resolution ratifying proposed amendments to the United States Constitution and a resolution calling for a constitutional convention, shall be treated in all respects as a bill except as follows:

(1) It shall be given only one formal reading.

(2) It shall not be deemed a bill within the meaning of subdivision (a) of Section 8 of Article IV of the California Constitution.

Introduction and Reference of Bills

47. Each bill shall be signed by each Member who is an author or coauthor of the bill before it is introduced. If any bill is introduced which does not contain the signature of its author or coauthor, the same, on motion of the Member whose name appears thereon without that signature, shall be stricken from the file by an affirmative recorded vote of 41 or more Members. In each legislative session, on the first day when bills are introduced under “Introduction and Reference of Bills,” the roll shall be called from A to Z, and as each Member’s name is called, the Member may introduce one bill, constitutional amendment, concurrent or joint resolution. After this roll call, the preprint bills shall be introduced in numerical order.

After the introduction of preprinted bills, and subject to the provisions of the Joint Rules, any Member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Chief Clerk’s desk.

When received at the Chief Clerk’s desk it shall, under the proper order of business, be numbered, read the first time, be printed, referred to a standing committee, and a copy placed upon the desk of each Member before final passage.

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

Any committee may introduce a bill germane to any subject within the proper consideration of the committee in the same manner as any Member. No committee bill may be introduced unless it contains the signatures of a majority of all the members, including the chairperson, of the committee. If all the members of a committee sign the bill, at the option of the committee chairperson, the committee members’ names need not appear as authors in the heading of the printed bill.

Limitation on the Introduction of Bills

49. (a) A Member may introduce not more than 30 bills in the regular session.

(b) This rule shall not apply to a constitutional amendment, any type of resolution, or a bill introduced by a committee pursuant to Rule 47.

(c) This rule may be suspended with respect to a particular bill by approval of the Committee on Rules.

Reference of Bills to Committee

51. Except as otherwise provided in this rule, the Committee on Rules shall refer each bill to a committee by a majority vote of the membership of the committee, unless upon a motion the Assembly by an affirmative recorded vote of 41 or more Members shall refer it to some other committee. A motion to refer a bill shall not be debatable, except as to the propriety of the motion, and it shall not open the main question to debate.

The Committee on Rules may require that, if a bill is reported out of the committee to which it has been referred, it shall be re-referred to another committee that shares jurisdiction of the subject matter of the bill.

Spot Bills

51.5. A bill which upon introduction makes no substantive change in or addition to existing law and which would not otherwise affect the ongoing operations of state and local government, except a bill stating legislative intent to make necessary statutory changes to implement the Budget Bill, may not be referred to a committee by the Committee on Rules. If the author subsequently proposes to the Committee on Rules to make substantive changes in the bill as introduced, the Committee on Rules may refer the bill to a committee, together with the proposed changes for consideration as author's amendments. A vote on passage of the bill may not be taken, however, until the bill with its amendments, if adopted, has been in print for at least 15 days.

Delivery of Bills to State Printer

52. After introduction and first reading, all bills shall be delivered to the State Printer.

Introduction of House Resolutions

53. All house resolutions shall be numbered and shall be referred to the appropriate committee by the Committee on Rules.

Each house resolution shall be signed by each Member who is an author or coauthor of the house resolution before it is introduced.

Resolutions by Member

54. A concurrent resolution or a house resolution may be introduced relating to a present or former state or federal elected official or a member of their immediate families. Other resolutions for the purpose of commendation or congratulation of any person, group, or organization, or for the purpose of expressing sympathy, regret, or sorrow on the death of any person, shall be prepared as a Rules Committee Resolution and presented to the committee for appropriate action.

The Committee on Rules may approve exceptions to this rule for house resolutions. The Chief Clerk shall not accept for introduction any house resolution that is contrary to this rule unless it is accompanied by the approval of the Committee on Rules.

B. Standing Committee Functions

Standing Committee Rules

55. Subject to the Joint Rules of the Senate and Assembly, the Rules of the Assembly shall govern the conduct of all committee and subcommittee meetings.

Meetings of Standing Committees and Subcommittees

56. All standing committees and subcommittees shall meet at the hour and place provided by the schedule established by the Committee on Rules, unless permission for a different hearing time is granted by the Speaker. No committee or subcommittee shall meet during any session of the Assembly, nor shall any Member of the Assembly attend a conference committee meeting on any bill during any session of the Assembly, without first obtaining permission from the Assembly.

When an unscheduled meeting of a standing committee or subcommittee has been so ordered, the meeting shall convene in an area which is readily accessible to the public and the Assembly shall take care that every effort is made to inform the public that a meeting has been called. An unscheduled meeting of a committee or subcommittee shall not be held in the Assembly Chamber.

No bills shall be set for hearing nor shall any notice thereof be published by any Assembly committee or subcommittee until that bill has been referred to the committee or subcommittee. Nothing in this paragraph shall prevent a committee or subcommittee from acting with regard to a bill referred to it where the only action taken is to cause the bill to be reported to the Assembly with the recommendation that amendments be adopted and the bill be reprinted as amended and re-referred to the committee or subcommittee.

The several standing committees and subcommittees and their chairpersons are directed to adopt a procedure which assures that no committee or subcommittee shall commence the hearing of any bill after the hour of six o'clock p.m. at an afternoon meeting of the committee or subcommittee or after the hour of 11 o'clock p.m. at an evening meeting, but the hearings on a bill commenced prior thereto may be continued thereafter for that period of time that the committee or subcommittee deems necessary.

The several standing committees and subcommittees and their chairpersons may adopt a procedure under which bills are scheduled for hearing on the basis of like subject matter groupings.

Committee Analyses

56.5. Except as otherwise provided in this rule, each standing committee and subcommittee shall prepare an analysis of every bill it has set for hearing, which shall be available to the public in the office of the committee or subcommittee one working day prior to the date on which the hearing is to be held. In the case of special meetings, or in the case of meetings of the Committee on Appropriations or the Committee on Budget, or their subcommittees, the analysis shall be available to the public at the beginning of the hearing. No question concerning a committee's compliance with this rule with regard to any bill shall be in order

following a vote on passage of the bill in that committee. As used in this rule, a "working day" is any day on which a house file is published.

A copy of each committee analysis shall be transmitted by the committee secretary to the Assembly Floor Analysis Unit at the same time it is made available to the public.

Committee Consultants: Floor Analyses

56.6. Except as otherwise provided in this rule, the consultants of a standing committee or subcommittee are responsible for monitoring bills assigned to their respective committee or subcommittee throughout the entire legislative process. Except for resolutions and bills on the Consent Calendar, a consultant of the appropriate standing committee shall prepare, in a timely fashion, an analysis of every bill on third reading or the unfinished business file, and of any amendment to a bill that is on the Assembly Floor, as directed by the Assembly Floor Analysis Unit.

The committee consultant who prepares the analysis shall transmit a copy of the completed analysis to the Assembly Floor Analysis Unit. The Assembly Floor Analysis Unit is responsible for final editing for grammar and format of all floor analyses.

Consent Calendar

56.7. If the chairperson of a committee or subcommittee, in advance of a hearing, proposes to recommend any bills for consideration on the Consent Calendar without hearing testimony on those bills in committee, a list of those bills shall be made available to the public at the same time as the committee analysis required under Rule 56.5.

Committee Quorum

57. Except as otherwise provided in this rule, a majority of the membership of any standing committee shall constitute a quorum for the transaction of its business, including the decision to recommend the adoption of any amendments to any bill. A majority of the membership of the committee, or a subcommittee thereof, shall be required to report a bill out of the committee or subcommittee, respectively. Any vacancy on a standing committee shall not reduce the votes required to take action on a bill in that committee.

Whenever a member is disqualified pursuant to the provisions of Joint Rule 44 or the Political Reform Act of 1974, contained in Title 9 (commencing with Section 81000) of the Government Code, from voting or taking any other action related to the passage, defeat, or amendment of a bill in committee, that disqualification shall be treated the same as a vacancy. The member shall advise the chairperson of a disqualification and the chairperson shall announce which members are so disqualified at the commencement of the hearing on the bill.

Reconsideration

57.1. After a committee has voted on a bill, reconsideration may be granted only one time. Pursuant to subdivision (a) of Joint Rule 62, reconsideration may be granted within 15 legislative days or prior to the interim study joint recess, whichever occurs first. A vote on reconsideration may not be taken without the same notice required

to set a bill for hearing unless that vote is taken at the same meeting at which the vote to be reconsidered was taken and the author is present. No action taken by a committee may be reconsidered except by a majority vote of the membership of the committee.

Bills Reported Back to Assembly

58. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairperson of each committee is charged with the observance of this rule. The chairperson of each committee shall, insofar as practicable, report back bills in the same order as they were acted upon by the committee.

Appropriations Suspense File

58.2. The Committee on Appropriations may maintain a suspense file, to which bills may be referred by vote of a majority of the members of the committee present and voting, pending further consideration by the committee. A bill may be taken off the suspense file and heard, upon two days' notice published in the file, by a vote of a majority of the members of the committee present and voting. A bill removed from the suspense file for the purpose of amendment only, pursuant to Rule 68, shall be re-referred to the committee and shall be placed on the suspense file pending further consideration by the committee.

Voting in Committee

58.5. When a standing committee or subcommittee takes action on a bill, including reconsideration, the vote shall be by roll call vote only. All roll call votes taken in a standing committee or subcommittee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly. The record of a roll call vote shall show for each proposal voted upon: all votes for and against, all members absent, and all members not voting. The chairperson of each standing committee or subcommittee shall promptly transmit a copy of the record of the roll call votes to the Chief Clerk of the Assembly, who shall cause the votes to be published in an appendix to the Journal on a monthly basis.

The committee secretary of each standing committee or subcommittee shall promptly transmit a copy of the record of the roll call votes to the Assembly Floor Analysis Unit.

A member may submit a written explanation of his or her vote, absence, or failure to vote on any bill or resolution, and shall have that explanation printed in the appendix to the Journal in the appropriate place, provided that explanation shall not exceed 50 words in length.

At the request of the author or any member of the committee, the committee shall hold the roll open on any Assembly bill until the adjournment of the committee meeting. At no time shall a bill be passed out by a committee without a quorum being present.

The provisions of this rule shall not apply to any of the following:

- (a) Adoption of author's amendments to a bill.
- (b) Withdrawal of a bill from a committee calendar at the request of an author.
- (c) Return of bills to the house where the bills have not been voted on by the committee.

(d) Votes of subcommittees of the Committee on Budget when considering the Budget Bill.

(e) Votes of the Committee on Rules when referring bills to committees.

Subject Matter of Bill Recommended for Interim Study

59. Whenever it is the decision of a standing committee that a bill referred to that committee shall not be given a do-pass recommendation but that the subject matter of the bill should be referred for study, that standing committee shall retain the bill in its possession and report its recommendation to the Assembly that the subject matter of the bill be referred to the Committee on Rules for assignment by it of the subject matter to an appropriate committee.

Nothing in this rule shall be construed to prohibit a committee from subsequently reporting the bill to the Assembly with a do-pass or do-pass as amended recommendation or from reporting it out of committee without further action on the final day of the session.

Committee Chairperson as Author

60. No chairperson of a standing committee shall preside at a committee hearing to consider a bill of which he or she is the sole author or the lead author, except that the Chairperson of the Committee on Budget may preside at the hearing of the Budget Bill by the Committee on Budget.

Reports of Committees

61. Specially prepared reports of standing and special committees shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by the Speaker or a majority vote of the Members present and voting.

When a report of a joint legislative committee is delivered to the Assembly Desk, the Speaker shall refer it to a standing committee for review and appropriate action.

Constitutional Amendments

62.5. All constitutional amendments shall be referred to the policy standing committee having jurisdiction of that subject matter and, upon being reported out of that committee, shall be re-referred to the committee having constitutional amendments within its jurisdiction.

C. Passage of Bills

Daily File

63. There shall be printed an Assembly Daily File for each legislative day. The following listing shall constitute the order of business on the Daily File:

1. Special Orders of the Day
2. Second Reading, Assembly Bills
3. Second Reading, Senate Bills
4. Unfinished Business
5. Third Reading, Assembly Bills
6. Third Reading, Senate Bills

All bills on the Daily File shall be called for consideration, provided compliance has been had with Rule 58 in the order of their listing,

unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the Members present. All scheduled committee hearings, together with the list of bills to be heard, shall be published in the Daily File.

Copies of Bills for Action Upon Bill on Floor

64. No bill may be considered or acted upon on the floor of the Assembly unless and until a copy of the printed bill as introduced and a printed copy of each amended form of the bill have been placed upon the desks of the Members.

Second Reading of Bills

66. All bills shall be read by title the second time in the order of their appearance upon the second reading file. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading. All bills reported out of committee shall be placed on the second reading file for the next legislative day and shall not be read a second time until the next legislative day under that order of business. As used in this rule, "bill" does not include joint or concurrent resolutions, but does include constitutional amendments.

Bills Requiring General Fund Appropriation

66.6. Until the Budget Bill has been enacted, the Assembly shall not send to the Governor for consideration any bill appropriating funds for expenditure during the fiscal year for which the Budget bill is to be enacted, except emergency bills recommended by the Governor or appropriations for the salaries and expenses of the Legislature.

Passage of Budget Bill

66.7. The Committee on Budget shall set spending limits for each subcommittee prior to subcommittee hearings.

Between the date upon which a committee on conference of the Budget Bill is appointed and the date the Assembly adopts the report of the conference committee, the chairperson of the Committee on Budget shall provide regular written reports to the Members on the progress of the conference committee deliberations.

No Budget Bill shall be considered or acted upon on the floor of the Assembly unless it does all of the following:

- (1) Balances expenditures with anticipated revenues.
- (2) Provides for a reserve of not less than 3 percent of the total of all expenditures for which appropriations are made in the Budget Bill for the fiscal year, or provides for a reserve of not less than 1 percent and a specific plan to phase in a reserve of at least 3 percent within three years.
- (3) Is based upon no external borrowing by the state other than borrowing that the Budget Bill or another statute would require to be repaid during that fiscal year.

Committee Amendments

67. Committee amendments reported with bills shall be considered upon their second reading and the amendments may be adopted by majority vote of the Members present and voting. Assembly and Senate bills amended on second reading, whether by committee amendment or amendment from the floor, shall be

ordered reprinted and returned to the second reading file. Assembly bills so amended shall be engrossed after printing.

Committee amendments reported with bills shall be prepared by, or approved as to form by, the Legislative Counsel. Five copies of the committee amendments to Assembly bills and five copies of the committee amendments to Senate bills must be delivered to the Chief Clerk's desk.

The Chief Clerk shall cause to be transmitted to the Assembly Floor Analysis Unit a copy of each committee report and committee amendment, unless the committee report or committee amendment is relative to a joint, concurrent, or house resolution.

Adoption of amendments to any bill in the Assembly prior to third reading, other than by a roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of those amendments, or any part thereof, by the Assembly.

Author's Amendments

68. Upon request of the author of a bill, the chairperson of the committee to which the bill has been referred may, by his or her individual action taken independently of any committee meeting, cause the bill to be reported to the Assembly with the recommendation that amendments submitted by the author be adopted and the bill be reprinted as amended and re-referred to the committee.

Notwithstanding the provisions of any other rule, that bill shall not be placed on the second reading file for the adoption of those amendments.

Vote on Passage of Bill as Amended

68.5. Except as otherwise provided in this rule, a vote on passage of any bill in a standing committee or subcommittee shall be taken only when the bill is in print, including any previously adopted amendments which may have been made to it. A vote on passage of an amended bill when the amended form of the bill is not in print may be taken only if the sole effect of the amendment is to add coauthors to the bill or if the committee determines that the amendment is of such a nature that its effect upon the bill can be readily understood by all the members and audience present at the hearing. In that circumstance, any member may require that the amendments be in writing at the time of their adoption.

Bill Analysis Prior to Third Reading

68.6. No bill may be considered on third reading unless and until an analysis of the measure has been distributed by the Assembly Floor Analysis Unit and placed upon the desks of the Members, unless otherwise ordered by the Speaker.

As used in this rule, "bill" does not include joint or concurrent resolutions, but does include constitutional amendments.

Analysis of Conference Committee Amendments

68.7. No report of a conference committee on any bill, other than the Budget Bill, that recommends the substantive amendment of a bill may be considered unless and until an analysis of the proposed

amendment has been distributed by the Assembly Floor Analysis Unit and placed upon the desks of the Members, unless otherwise ordered by the Speaker.

Printing of Conference Committee Reports

68.8. No conference report may be heard by the Assembly until it has been in print for two days prior to being taken up by the house.

Conference Committee: Substantial Policy Change

68.9. (a) No conference committee on any bill, other than the Budget Bill and the budget implementation bills, shall approve any substantial policy change in any bill if that substantial policy change has been defeated in a policy committee of the Assembly within the current legislative session. For purposes of this rule, the most recent action of a policy committee with regard to a substantial policy change shall be deemed the only action taken when the policy committee has taken inconsistent actions with respect to a substantial policy change.

(b) For purposes of subdivision (d) of Joint Rule 29.5, the term “heard” means that a printed bill with substantially similar language was before the appropriate committee and taken up at a regular or special hearing of the committee during the current legislative session; or that an amendment, which was drafted and given a request number or approved as to form by the Legislative Counsel, was before the committee and taken up at a regular or special hearing of the committee.

Amendments From the Floor

69. (a) Any Member may move to amend a bill during its second or third reading and that motion to amend may be adopted by a majority vote of the Members present and voting.

No amendments to a bill offered from the floor, except committee amendments reported with bills, amendments offered with a motion to amend and re-refer a bill to committee, amendments deleting any number of words, amendments adding a total of not more than 25 words, or amendments previously printed in the Journal, shall be in order unless and until a copy of the proposed amendments has been placed upon the desks of the Members. If a copy of amendments adding a total of 25 words or less is not placed on the desks of Members, it shall be made available to the author of the bill, and the amendments shall be read in their entirety by the Chief Clerk prior to debate.

Amendments offered from the floor during a bill’s second or third reading shall be prepared by, or approved as to form by, the Legislative Counsel.

Before debate five copies of the proposed amendment to Assembly bills, and five copies of the proposed amendments to Senate bills, must be delivered to the Chief Clerk’s desk. One copy of the proposed amendment shall be transmitted by the Chief Clerk to the Assembly Floor Analysis Unit. Bills so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed as many copies of all amended bills as he or she may determine to be necessary.

(b) (1) Amendments from the floor during a bill’s second or third reading that would make a substantive change in the bill shall be

submitted to the Chief Clerk's desk prior to the scheduled start of session on that legislative day.

(2) Upon receipt of the proposed amendments by the Chief Clerk, an analysis shall be prepared by the committee of origin in conjunction with the Assembly Floor Analysis Unit and a copy of that analysis shall be distributed to each Member's desk prior to the beginning of debate on adoption of the proposed amendments, unless otherwise ordered by the Speaker.

(3) As used in this subdivision, "bill" does not include joint or concurrent resolutions, but does include constitutional amendments.

(c) Paragraph (1) of subdivision (b) does not apply to (1) amendments to a bill taken up without reference to file, (2) amendments to a bill to add or delete an urgency clause, (3) amendments to a bill that are identical to other amendments submitted to the Chief Clerk's desk in accordance with the requirements of this subdivision, (4) amendments to a bill made by a motion to amend or a motion to substitute pursuant to Rule 91 as long as the amendments do not add more than a total of 25 words to, or do not delete more than a total of 25 words from the pending amendments, (5) amendments to a bill that is making statutory changes to implement the Budget Bill, or (6) amendments to a bill to make the bill contingent upon the enactment of another bill, or to incorporate one or more statutory amendments proposed in another bill to avoid superseding those amendments.

(d) Any bill amended on the second or third reading file shall be ordered reprinted and returned to the third reading file, and shall not be acted on by the Assembly until the bill, as amended, has been on the Daily File for one calendar day. This subdivision shall not apply to a bill that is amended to add or delete an urgency clause or to a bill that is amended to make statutory changes to implement the Budget Bill.

(e) No motion to amend a bill on the second or third reading file, other than committee amendments reported pursuant to Rule 57, shall be in order on the last two legislative days preceding (1) the January 31 bill passage deadline as specified by Section 10 of Article IV of the California Constitution, (2) the scheduled commencement of the interim study recess, or (3) the scheduled commencement of the final recess as specified by the joint rules.

Consideration of Political Reform Act Bills

69.1. Pursuant to Section 81012 of the Government Code, any bill that would amend the Political Reform Act of 1974 contained in Title 9 (commencing with Section 81000) of the Government Code may not be passed until, 12 days prior to being considered for passage, the bill in its final form has been delivered by the Chief Clerk to the Fair Political Practices Commission for distribution to the news media and to every person who has requested the commission to send copies of such bills to him or her.

Electronic Distribution of Bills, Conference Reports, Amendments, and Analyses

69.5. Subject to the provisions of subdivision (b) of Section 8 of Article IV of the California Constitution, any requirement that bills, conference reports, amendments, or an analysis be placed on the desks of the Members shall also include electronic distribution of the

same information to the desk of the Members through the Assembly Floor System, unless otherwise ordered by the Speaker.

Consideration of Bills Re-referred to Committee

70. Whenever a bill which has been amended and re-referred to committee is reported out by that committee, it shall be placed on the second reading file and shall not be transferred therefrom to the third reading file until the following day.

Uncontested Bills

71. No bill shall be placed on the Assembly Consent Calendar unless it has met the requirements of Joint Rule 22.1 with respect to each Assembly standing committee to which the bill has been referred.

Consideration of Concurrent and Joint Resolutions

73. Concurrent resolutions and joint resolutions may be amended by a majority vote of the Members present and voting. The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those authorizing expenditures of money, unless regularly demanded, or required by statute, or required by the California Constitution.

Adoption of Resolutions

74. Any resolution upon which a roll call vote is demanded shall require an affirmative recorded vote of 41 or more Members for adoption.

The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of 41 or more Members.

Printing of Resolutions

75. When any previously printed house resolution is before the Assembly for adoption it shall be printed in the Assembly Daily Journal only if amendments to it have been adopted, in which case it shall be printed as amended. In the absence of those amendments, house resolutions before the Assembly for adoption shall be referred to by day and page of the Journal as printed upon introduction. For the purposes of this rule, the adding of a coauthor shall not be deemed an amendment.

Concurrence in Senate Amendments

77. It shall require the same affirmative recorded vote to concur in any Senate amendment to an Assembly bill as the vote required by the California Constitution for the passage of the bill. A vote on concurrence may not be taken until the bill as been on the unfinished business file for one calendar day, except that when the bill is placed upon the unfinished business file during the last two legislative days preceding (1) the January 31 bill passage deadline as specified by Section 10 of Article IV of the California Constitution, (2) the scheduled commencement of the interim study recess, or (3) the scheduled commencement of the final recess as specified by the joint rules, it may be acted upon immediately. The vote on concurrence shall be deemed the vote upon final passage of the bill.

Senate amendments to Assembly bills may not be concurred in unless and until an analysis of the measure has been distributed the

Assembly Floor Analysis Unit and a copy placed upon the desks of the Members, unless otherwise ordered by the Speaker. As used in this rule, "bill" does not include joint or concurrent resolutions, but does include constitutional amendments.

Digest of Bills Amended in Senate

77.1. Whenever the Senate amends and passes an Assembly bill, the Legislative Counsel shall, within one day after the bill is passed by the Senate, prepare and transmit to the Chief Clerk and the Speaker, a brief digest summarizing the effect of the Senate amendment. Upon receipt from the Legislative Counsel, the Chief Clerk shall cause the digest to be printed in the Daily File immediately following any reference in the file to the bill covered by the digest.

Substantially Amended Bills

77.2. If the analysis of an amendment adopted on the floor discloses that the amendment makes a substantial substantive change to a bill as passed by the last committee of reference, the bill, as amended, may be referred by the Speaker to the appropriate committee.

A bill that was previously reported from a policy or fiscal committee of reference in compliance with Joint Rule 61 shall not be subject to the deadlines in Joint Rule 61 if the bill is subsequently referred to a policy or fiscal committee pursuant to this rule.

If the digest to an Assembly Bill that has been returned to the Assembly by the Senate for concurrence in Senate amendments discloses that the Senate has made a substantial substantive change in the bill as first passed by the Assembly, the bill may be referred by the Speaker to the appropriate committee.

Inactive File

78. Whenever a bill has been passed twice on third reading file, it shall forthwith be placed upon a special file to be known as the inactive file. A bill may also be placed on the inactive file at the request of the author. When a bill has been placed on the inactive file, it may be returned to the third reading file by a request of the author. Notice of the request to return the bill to the third reading file shall be published one day in advance in the Assembly File. The bill, when returned to the third reading file, shall then be placed at the foot of the third reading file.

When a bill, placed on the inactive file from the second reading file or the unfinished business file, is removed from the inactive file, it shall be returned to the foot of the second reading file or unfinished business file respectively, in the next published Daily File.

Engrossing and Enrolling Bills

79. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his or her hands for that purpose, in compliance with the provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in Sections 9508 and 9509 of the Government

Code. The Chief Clerk shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal.

VI. PARLIAMENTARY PROCEDURE

A. Motions and Questions

Precedence of Motions During Debate

80. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

- First—To adjourn;
- Second—To recess to a time certain;
- Third—To lay on the table;
- Fourth—For the previous question;
- Fifth—To set as a special order;
- Sixth—To postpone indefinitely;
- Seventh—To refer to or to re-refer;
- Eighth—To amend.

Questions of Order Decided Without Debate

81. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 80 and pending that motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal From Decision of the Speaker

82. Any Member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another Member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken. Upon the appeal being seconded, the Speaker may give his or her reasons for the decision, and the Member making the appeal may give his or her reasons for the appeal, and the Speaker shall forthwith put one of the following questions to the Assembly:

- (1) "Shall the decision of the Speaker be sustained?"
- (2) "Shall the decision of the Speaker be overruled?"

An appeal cannot be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, that action shall have no effect on the pending question.

An appeal cannot be debated when relating to indecorum, transgression of rules, or priority of business. A majority vote of the Members present and voting shall decide any appeal. In the event of a tie vote, the appeal is lost.

Speaker Explains Order of Business

83. The Speaker may, on his or her own motion or upon the motion of any Member, explain the order of business when the motion pending before the Assembly is not debatable. That explanation shall not consume more than two minutes.

To Adjourn

84. A motion to adjourn is not debatable and cannot be amended, and is always in order, except: (a) when another Member has the floor; (b) when the Assembly is voting; or (c) during a call of the Assembly. The name of any Member moving an adjournment and also the hour at which the motion was made and adjournment taken shall be entered in the Journal. A motion to adjourn must be adopted by a majority vote of the Members present and voting.

When a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any Member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. That statement shall not occupy more than two minutes and shall not be debatable.

An affirmative recorded vote of 41 or more Members is required to adjourn any session of the Assembly sine die.

To Recess to a Time Certain

85. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that the motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

To Lay on the Table

86. A motion to lay on the table is not debatable and cannot be amended.

A motion to table a bill, constitutional amendment, or concurrent or joint resolution requires an affirmative recorded vote of 41 or more Members.

Any motion to lay on the table, if carried by 41 or more votes, carries with it the main question and everything that adheres to it; provided, however, that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, or concurrent, joint, or house resolution.

A motion to lay an amendment on the table may be adopted by a majority vote of the Members present and voting.

A motion to lay on the table cannot be applied with respect to reconsideration.

The Previous Question

87. The previous question shall be put only when demanded by five Members and its effect, when sustained by a majority vote of the Members present and voting, shall be to put an end to all debate and bring the Assembly to a vote only on the question then pending; except that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

Motion to Set Special Order

88. A motion to set any matter before the Assembly as a special order of business must be adopted by an affirmative recorded vote of 54 or more Members. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

Motion to Postpone to a Time Certain

89. A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

Motion to Postpone Indefinitely

90. When a motion is made to postpone indefinitely any bill, motion, or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by an affirmative recorded vote of 41 or more Members, the main question shall not be acted upon again during the session.

Motion to Amend

91. A motion to amend may itself be amended, but no "amendment to an amendment" may be amended. A motion to substitute shall be deemed to be a motion to amend and shall be considered the same as an amendment.

Only one substitute is in order when an amendment is pending. A motion to amend or to substitute is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the Members present and voting.

A motion to amend having been decided in the negative shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule and the provisions of Rule 69, a motion to amend is in order during the second or third reading of any bill.

Amendment To Be Germane

92. No amendment to any bill, other than a bill stating legislative intent to make necessary statutory changes to implement the Budget Bill, whether reported by a committee or offered by a Member, shall be in order when the amendment relates to a different subject than, or is intended to accomplish a different purpose than, or requires a title essentially different than, the original bill.

No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

No amendment shall be in order that changes the original number of any bill.

No Member shall be added or deleted as an author or coauthor of a bill or resolution without his or her consent.

Consideration of Motions

93. No motion, whether oral or written, shall be adopted until it is seconded and distinctly stated to the Assembly by the Speaker.

Motions in Writing

94. Upon request of the Speaker, all motions shall be reduced to writing and shall be read to the Assembly by the Speaker before being acted upon.

Withdrawal of Motions

95. After a motion is stated by the Speaker, or a bill, resolution, or petition is read by the Chief Clerk, it is in the possession of the Assembly.

Motion to Withdraw or Re-refer Bills

96. A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee, may be made during the regular order of business. A motion to re-refer shall only be debated as to the propriety of the reference, and shall require an affirmative recorded vote of 41 or more Members.

No bill or resolution shall be withdrawn from committee and placed upon the file, except upon two days' notice thereof and except by an affirmative recorded vote of 41 or more Members.

A motion to continue a motion to withdraw a bill or resolution from committee shall require a majority of those members present and voting.

Re-reference of Measures on File

97. A motion to re-refer a bill or resolution that is on the Assembly Daily File to committee may be made during the regular order of business. The motion shall only be debatable as to the propriety of that reference and shall require an affirmative recorded vote of 41 or more Members.

Bills Stricken From File

98. A motion to strike from the file any bill or resolution requires an affirmative recorded vote of 41 or more Members. That bill or resolution shall not be acted upon again during the session.

Motion to Rescind Action or Expunge Record

99. Previous to the approval of the Journal by the Assembly any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take that action originally; except that no action shall be rescinded and the record expunged by a vote less than an affirmative recorded vote of 41 or more Members. No motion to rescind the action and expunge the record shall be made twice on the same proposition.

A motion to rescind is not in order on any matter upon which a vote to reconsider has previously been taken in the Assembly.

Whenever any action of the Assembly is rescinded and its record ordered expunged, the record of the action expunged shall not appear in any form whatsoever, but the record of the proceedings on the motion to rescind and expunge shall appear in the Assembly Journal as and when printed.

Reconsideration of Vote

100. (a) A motion to reconsider a vote on the next legislative day must be made on the same day the vote to be reconsidered was taken. No motion to reconsider shall be adopted unless it receives an affirmative recorded vote of 41 or more Members, except that it shall require a vote of 54 or more Members or 60 or more Members, respectively, to reconsider the vote on any matter originally

requiring 54 or more votes or 60 or more votes, as the case may be. A motion to reconsider may be voted on without a second.

A motion to reconsider a vote must be made by a Member voting on the question, and shall take precedence over all motions, except a motion to adjourn. Upon that motion being made, the matter to be reconsidered shall forthwith be placed upon the unfinished business file, and no further action shall be taken prior to the next legislative day. When a motion to reconsider has once been made, the same is the property of the Assembly. When reconsideration is granted, the matter to be reconsidered shall be before the Assembly in the same status as it was prior to the vote being reconsidered.

(b) (1) Interim Study Recess:

No motion to reconsider the vote whereby amendments are concurred in on Assembly bills, the vote whereby a Senate bill is passed and returned to the Senate or the vote whereby a conference committee report is adopted shall be in order on the last two legislative days preceding the interim study recess.

A motion to reconsider the vote whereby amendments are refused concurrence on Assembly bills, the vote whereby Senate bills are refused passage, or the vote whereby a conference committee report is refused adoption shall be in order on the last legislative day preceding the interim study recess.

The motion may be taken up before the end of that legislative day.

As used in this paragraph, "bill" does not include joint or concurrent resolutions.

(2) January 31—Even-numbered Year:

No motion to reconsider the vote whereby an Assembly bill is passed to the Senate shall be in order on the last two legislative days preceding January 31 of the even-numbered year.

A motion to reconsider the vote whereby an Assembly bill is refused passage on its third reading shall be in order on the last legislative day preceding January 31 of the even-numbered year.

The motion shall be taken up before the end of that legislative day.

As used in this paragraph, "bill" does not include Senate bills, constitutional amendments, or joint or concurrent resolutions.

(3) Easter or Summer Recess:

No motion to reconsider the vote whereby a bill is passed shall be in order on the last two legislative days preceding the Easter or Summer Recess as established by the Joint Rules of the Senate and Assembly.

(4) Final Recess:

No motion to reconsider the vote whereby a bill is passed shall be in order on the last two legislative days preceding the final recess.

A motion to reconsider the vote whereby a bill is defeated shall be in order on the day of the final recess.

The motion shall be taken up before the end of that legislative day.

(c) Any Member voting on any matter may move to take up on the same day the motion to reconsider the vote thereon, previously made by another Member. A motion to take up on the same day a motion to reconsider the vote on a bill shall require an affirmative recorded vote of two-thirds of the Members present and voting. A motion to take up on the same day a motion to reconsider the vote on any motion, amendment, Assembly resolution, or proposition other than a bill shall require an affirmative vote of a majority vote of the

Members present and voting. The motion to take up the reconsideration on the same day shall take precedence over the motion to reconsider and upon demand of any Member the motion to take up the reconsideration on the same day shall be put to an immediate vote. If the motion to take up the reconsideration on the same day is adopted, the motion to reconsider shall be the next order of business before the Assembly.

(d) A second motion to reconsider the same question shall not be in order nor is a motion to reconsider reconsideration in order.

(e) A motion to continue a motion to reconsider shall require a majority vote of those Members present and voting.

Call of Assembly

101. After the roll has been called, and prior to the announcement of the vote, any Member may move a call of the Assembly. The Members present may order a call of the Assembly by a majority vote of the Members present and voting, and the Speaker shall immediately order the Sergeant at Arms to lock all doors and shall direct the Chief Clerk to prepare a list of absentees as disclosed by the last roll call. The list of absentees shall be furnished to the Sergeant at Arms. Thereupon no Members shall be permitted to leave the Assembly Chamber except by written permission of the Speaker. No person shall be permitted to enter except Members, Senators, or officers, or employees of the Legislature in the official performance of their duties.

Those Members who are found to be absent, and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant at Arms or his or her assistants or any person designated by the Sergeant at Arms, including members of the California Highway Patrol, and sheriffs or their deputies, and brought to the Assembly Chamber.

No recess or adjournment shall be taken during a call of the Assembly. Additional business may be conducted and calls placed regardless of the number of calls in effect. A call of the Assembly may be dispensed with at any time upon a majority vote of the Members present, that action to become effective upon the completion of the roll call and the announcement of the vote upon the matter for which the call was ordered, unless prior to the announcement of the vote, the call is continued by a majority vote of the Members present.

Division of Question

102. Any Member may call for a division of the question, and the Speaker shall order the question divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Assembly. This rule shall not be applicable to an individual bill or resolution.

B. Voting

Members Voting

104. Every Member in the Assembly Chamber when a roll call is required shall record his or her vote openly and without debate, unless the Assembly shall, by a majority vote of the Members present and voting, excuse him or her.

No Member shall operate the voting switch of any other Member; except that a Member presiding at the time of a roll call, who is not

the Speaker or the Speaker pro Tempore, may direct another Member on the floor to operate the presiding Member's voting switch, and any Member so presiding, including the Speaker and the Speaker pro Tempore, may also operate the voting switches at the rostrum, of the Speaker and the Speaker pro Tempore, at their direction.

The name of any Member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal of the Assembly, together with a statement that he or she was present and did so refuse to vote. Any Member who refuses so to vote may, if he or she so desires, and immediately after the announcement of the vote, submit a written explanation of the failure to vote and have the explanation printed in the Journal, provided no explanation shall exceed 50 words in length.

In addition to the entry of his or her name in the Journal, any Member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, at the discretion of the Speaker or upon demand of any Member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any Member designated by the Speaker. Censure of a Member as provided by this rule shall not constitute a bar to proceedings for his or her expulsion from the Assembly pursuant to Section 5 of Article IV of the California Constitution.

A Member may submit a written explanation of his or her vote on any bill or house resolution, and have the explanation printed in the Journal immediately following the vote, provided no explanation shall exceed 50 words in length.

A Member, prior to adjournment on the same legislative day, in the absence of any objection, may instruct the Chief Clerk to add his or her vote to any previously announced vote which had been taken during his or her absence, as long as the outcome of the vote is not changed. The Chief Clerk shall record any vote additions.

Ayes and Noes

105. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, when an affirmative recorded vote of 41 Members or any vote above that number is required, when demanded by three Members, or when ordered by the Speaker. The names of the Members so voting shall be entered in the Journal.

Voting and Vote Changes

106. When once begun, voting shall not be interrupted, except that before the vote is announced, any Member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of the vote, the presiding officer will instruct the Chief Clerk to record verbal votes from Members not at their desks. Any Member may move a call of the Assembly after the completion of the roll. A Member, prior to adjournment on the same legislative day, in the absence of any objection, may instruct the Chief Clerk to change his or her recorded vote after the vote is announced, as long as the outcome of the vote is not changed. The Chief Clerk shall record any vote change only after the Member making the change has announced it to the Assembly.

Tie Vote

107. In case of an equal division, or tie vote, the question shall be lost.

VII. MEMBERS' DECORUM AND PRIVILEGES**Order in Speaking to Questions**

108. When a Member desires to address the Assembly, the Member shall rise from his or her seat and respectfully address himself or herself to "Mr. Speaker" or "Madame Speaker." Upon being recognized, the Member may speak, confining himself or herself to the question under consideration. When two or more Members rise at the same time, the Speaker shall designate the Member who is entitled to the floor.

No Member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question shall have the right to open and close the debate thereon. No Member shall be allowed to speak more than five minutes to open and five minutes to close the debate on any question, including amendments, and no Member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon. No Member shall yield to any other Member the time for which he or she is entitled to speak on any matter.

Motions

109. When a Member desires to make a motion, the Member shall obtain recognition as provided in Rule 108. Upon being recognized, the Member shall open by stating his or her motion, except in the case of a nomination, and in any other case shall not speak to the merits of the motion at that time and shall confine his or her remarks to those necessary to explain the motion. If the motion is in order and is seconded, it shall be stated to the Assembly by the Speaker. If the motion is debated, the Member who made it shall then be entitled to recognition to open the debate thereon.

When a Member obtains the floor during debate upon any question that is pending before the Assembly and addresses the Assembly regarding the merits of the pending question, the Member shall not be permitted to conclude his or her debate by making any motion or by demanding the previous question.

Leave of Absence

110. No Member shall absent himself or herself from attendance at any session of the Assembly without leave of the Assembly. No Member shall obtain that leave of absence or be excused for nonattendance except by a vote of 54 or more Members or by unanimous consent. A Member who obtains a leave of absence for personal business or is excused for nonattendance for personal business shall waive his or her per diem allowance for attendance upon any session of the Legislature for which he or she secures that leave of absence or excuse. A Member may not obtain a leave of absence for legislative business or be excused for nonattendance for legislative business unless the Member has filed with the Speaker a statement of the legislative business for which he or she seeks that leave of absence or excuse. That statement shall be printed in the Journal.

If a Member is not recorded on the attendance roll within one-half hour after the scheduled start of the session, the Member shall stand up before the Assembly and explain the reason he or she is late before he or she is recorded on the roll call for any votes. If a Member does not explain his or her reason for being late, any other Member may raise a point of order and the tardy Member's vote shall not be recorded until an explanation is made.

Personal Privilege

111. Any Member may rise to explain a matter of personal privilege. A matter of personal privilege is a matter involving the Member's integrity, dignity, or honor. Upon rising to explain such a matter, the Member shall forthwith be recognized by the Speaker, but shall not discuss a question in that explanation. Those matters of personal privilege yield only to a motion to recess or adjournment.

Objection to Reading of Any Paper

112. Any Member, upon recognition by the Speaker, may object to the reading of any paper before the Assembly. After that objection, the question of reading shall be determined without debate by a majority vote of the Members present and voting, upon a brief statement of its substance by the Speaker.

Members at Chief Clerk's Desk

113. No Member or other person shall be allowed at the Chief Clerk's desk while the ayes and noes are being recorded or the votes counted.

Members Called to Order for Transgressing Rules

114. If any Member transgresses the Rules of the Assembly, the Speaker shall, or any Member may, call the offending Member to order. The Member so called to order shall immediately take his or her seat, until the Speaker, without debate, shall have determined whether the Member is in order or not. That decision by the Speaker shall be subject to an appeal to the Assembly.

If any Member is called to order for offensive words spoken in debate, the person calling him or her to order shall state to the Assembly the words to which exception is taken. No Member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business has been transacted by the Assembly prior to exception being taken to the words spoken.

VIII. MISCELLANEOUS

Committee of the Whole

115. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the Members present and voting. While sitting as that committee, persons other than Members may address the committee. The Speaker of the Assembly, or any Member named by the Speaker, shall preside as Chairperson of the Committee of the Whole.

A motion that the Committee of the Whole "do now rise and report back to the Assembly," shall always be in order and shall be decided without debate. All actions of the Committee of the Whole

shall be reported to the Assembly by the chairperson, but shall not be entered in the Journal except upon motion and a majority vote of the Members present and voting.

Use of Assembly Chamber

116. The Assembly Chamber shall not be used for any public or private business, other than legislative matters during the sessions or joint recesses of the Legislature, except by consent of 41 or more Members or, during a joint recess, the Committee on Rules.

Use of Assembly Facilities: Smoking

117. Smoking of tobacco products is prohibited within any building or portion of a building occupied or used by Assembly Members or employees if the building or portion of the building is under the jurisdiction or control of the Assembly. The smoking prohibition shall apply to any outdoor area within five feet of an entrance or exit to any building or portion of a building subject to this rule. This smoking prohibition shall apply to the Assembly Chamber, Assembly hearing rooms, and Assembly offices, and to hallways, stairways, and bathrooms within any building or portion of a building subject to this rule.

Floor of the Assembly: Telephones

117.5. No cellular telephone may be used on the floor of the Assembly during any session of the Assembly.

Meeting of the Assembly: Firearms

117.7. No person except a peace officer acting within the scope of his or her employment, may carry or possess a firearm on the floor of the Assembly during any session of the Assembly or in a committee hearing room during any meeting of a committee or subcommittee.

Persons Admitted to Floor of the Assembly

118. No person other than Members of the Legislature, officers, employees of the Legislature, accredited members of the press, and guests shall be admitted to the floor of the Assembly during any session of the Assembly. A guest of any Member shall be admitted only upon presentation of a guest card of the Member countersigned by the Speaker. A guest card is valid only on the legislative day for which it is issued. No lobbyist, as defined by Section 82039 of the Government Code, shall, under any circumstances, be admitted to the Assembly Chamber while the Assembly is in session.

Persons admitted to the Assembly Chamber, other than Members, shall not be permitted to stand in the lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

All guests shall be seated only in the chairs in the back of the rail in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the Members. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the balcony may be reserved for those holding guest cards. Neither any person mentioned in this rule nor any other person, except Members of the Legislature, shall engage in influencing the passage or defeat of legislation in the Assembly Chamber.

No person other than a Member of the Legislature, the Sergeant at Arms or his or her assistants, the Chief Clerk or his or her assistants, or the Legislative Counsel or his or her representatives, shall be permitted in the area of the floor of the chamber which is occupied by the desks of the Members.

Qualifications and Elections of Members

119. An affirmative vote of 41 or more Members shall be required to determine the qualifications and election of any Member pursuant to Section 5 of Article IV of the California Constitution. No motion to disqualify a Member shall be in order at the convening of a legislative session until a Speaker has been elected in accordance with Section 9023 of the Government Code.

Compensation and Expenses of Member Convicted of Felony

120. If a Member of the Assembly is convicted of a felony by a superior court, his or her right to further compensation or expenses is thereupon suspended and his or her membership on any committee is suspended. If the conviction becomes final, the right of the Member to further compensation or expenses shall terminate and any compensation or expenses withheld shall be forfeited to the state. If the conviction is reversed by an appellate court or a motion for a new trial is granted and the Member is thereafter found not guilty or the charges against him or her are dismissed, the amounts of the withheld compensation or expenses shall be paid to the Member and the suspension of his or her committee membership shall terminate.

Whenever a Member is convicted of a felony in the superior court, the Committee on Rules shall give written notice to the Controller, directing him or her to discontinue any further payments to the Member unless and until the Committee on Rules notifies the Controller that the Member has been found not guilty or that the charges against him or her are dismissed. The Controller shall not draw any warrant payable to that Member except as provided in this rule.

The Seal of the Assembly

121. The Seal of the Assembly shall be used only by or on behalf of a Member of the Assembly or when specifically authorized by the Committee on Rules.

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STANDING RULES OF THE SENATE

1995-96

(SR 4 (Senate Journal, p.5), as amended by
SR 33 (Senate Journal, p. 3252))

STANDING RULES OF THE SENATE

CONVENING AND SESSIONS

Hours of Meeting

1. The Senate shall meet at 9:30 a.m., daily, except Sundays, unless otherwise ordered by the Senate.

Calling to Order

2. The President, President pro Tempore, Vice Chairman of the Committee on Rules, or senior member present, shall call the Senate to order at the hour stated, and if a quorum is present shall proceed with the order of business.

Attendance of Members

3. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A lesser number than a quorum of the Senate is hereby authorized to send the Sergeant at Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Senate Operating Fund. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directly to the Sergeant at Arms, or to any other person to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant at Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the state.

Order of Business

4. The order of business shall be as follows:
 1. Rollcall.
 2. Prayer by the Chaplain.
 3. Privileges of the Floor.
 4. Communications and Petitions.
 5. Messages from the Governor.
 6. Messages from the Assembly.
 7. Reports of Committees.
 8. Motions, Resolutions and Notices.
 9. Introduction and First Reading of Bills.
 10. Consideration of Daily File:
 - a. Second Reading.
 - b. Special Orders.
 - c. Unfinished Business.
 - d. Third Reading.
 11. Announcement of Committee Meetings.
 12. Continuation of Privileges of the Floor.
 13. Leaves of Absence.
 14. Adjournment.

Executive Sessions

5. When a motion is adopted to close the doors of the Senate, on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant at Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters, and proceedings concerning which secrecy shall be enjoined by order of the Senate.

OFFICERS OF THE SENATE**The President**

6. The President shall maintain order in the Senate chamber and in case of a disturbance or disorderly conduct outside the bar, or in the gallery, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

The President pro Tempore

7. The President pro Tempore shall, in the absence of the President, take the Chair and call the Senate to order, at the hour of the meetings of the Senate, and shall have the same powers as the President.

It shall be the particular responsibility of the President pro Tempore to secure the prompt and businesslike disposition of bills and other business before the Senate.

The President pro Tempore shall serve ex officio as a member of all Senate and joint committees of which he or she is not a regular member with all of the rights and privileges of that membership, except the right to vote. In counting a quorum of any of these committees, the President pro Tempore shall not be counted as a member.

The Vice Chairman of the Committee on Rules shall, in the absence of the President pro Tempore, perform the duties, and have all powers and authority of the President pro Tempore.

Presiding by Senators

8. The President pro Tempore of the Senate may name any Senator to perform the duties of the Chair in the absence of the President or President pro Tempore. The Senator so named shall be vested, during such time, with all the powers of the President, and the Senator who performs these duties shall be known as the Presiding Officer.

Secretary of the Senate

9. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

He shall superintend all printing to be done for the Senate and shall have supervision over all attachés of the Senate. He shall assign, reassign or transfer all attachés to their respective duties.

He shall certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

He shall also keep a correct Journal of the proceedings of the Senate, and shall notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

The Secretary of the Senate shall have custody of all bills, documents, papers and records of the Senate and shall not permit any such bills, documents, records or papers to be taken from the desk or out of his custody by any person, except in the regular course of the business of the Senate.

Sergeant at Arms of the Senate

10. The Sergeant at Arms shall attend the Senate during all of its sittings, execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant at Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation or otherwise making a noise to the disturbance of the Senate. The actual expenses for the Sergeant at Arms for every arrest, for each day's custody and releasement, and the traveling expenses for himself and special messenger going and returning shall be paid out of the Senate Operating Fund.

The Sergeant at Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, Journals, Histories and Files, when printed, on the desks of Senators, at least one hour previous to the opening of the session.

Elected and Appointed Officers

10.5. On the first day of each session, the President pro Tempore, members of the Committee on Rules, Secretary of the Senate, and Sergeant at Arms shall be elected by a majority vote of the duly elected and qualified Members of the Senate and shall serve until their successors are elected and qualify. The Committee on Rules shall appoint an Assistant Secretary, a Minute Clerk, a Chaplain, and such other employees with such duties as the committee requires.

Officers and Employees Compensation: Approval

10.6. The Controller is hereby authorized and directed to draw his warrants in favor of officers and employees who render services to the Senate as certified by the Committee on Rules or by its authorized representative, from the fund set aside for the pay of officers and employees of the Senate at the rate of compensation certified by the committee or its representative, and the Treasurer is hereby directed to pay the same.

COMMITTEES OF THE SENATE

Appointment of Committees

11. The Committee on Rules shall consist of the President pro Tempore of the Senate, who shall be the chairman of the committee, and four other Members of the Senate to be elected by the Senate. There is a vacancy on the committee in the event a Member ceases to be a Member of the Senate or resigns from the Committee on Rules. Any such vacancy occurring during a summer, interim study, or final recess, except in the case of the President pro Tempore, shall

be filled by the remaining Members of the Committee on Rules. A vacancy occurring at any other time shall be filled by election by the Senate.

The Committee on Rules shall appoint all other committees of the Senate unless otherwise directed by the Senate and shall designate a chairman of each committee so appointed and a vice chairman of each standing committee.

In making committee appointments, the Committee on Rules shall give consideration to seniority, preference and experience; provided, however, that in making committee appointments, the Committee on Rules shall, as far as practicable, give equal representation to all parts of the state.

Standing Committees

12. The standing committees of the Senate, the number of members, and subjects to be referred to each are set out below. The provisions set forth below as to the assignment of bills are intended as a guide to the Rules Committee, but are not binding upon the committee.

1. Agriculture and Water Resources, 11 members. Bills relating to agriculture and water.

2. Appropriations, 13 members. Bills which are subject to Joint Rule 10.5 and which are not referred to the Budget and Fiscal Review Committee. Bills which constitute a state-mandated local program.

3. Budget and Fiscal Review, 13 members. The Budget Bill and bills implementing the Budget. Bills which directly affect the State Budget, including deficiencies and reappropriations.

4. Business and Professions, 9 members. Bills relating to business and professional practices and regulations other than horseracing, alcoholic beverages, oil, mining, geothermal, and forestry industries. Bills relating to health and dance studios.

5. Constitutional Amendments, 5 members. Bills relating to constitutional amendments and constitutional amendments favorably reported out of the standing committee having jurisdiction of the subject matter.

6. Criminal Procedure, 7 members. Bills amending the following:

(a) Evidence Code, relating to criminal procedure.

(b) Penal Code.

(c) Statutes of a penal nature not related closely to a subject included in another subdivision of this rule.

(d) Bills relating to the Youth and Adult Corrections Agency.

7. Education, 9 members. Bills relating to education, higher education, and educational personnel other than noncertificated employees.

8. Elections and Reapportionment, 5 members. Bills relating to elections and reapportionment.

9. Energy, Utilities, and Communications, 9 members. Bills relating to public utilities and carriers, energy conservation and development of alternate sources, entertainment technology and multimedia, and energy production related to utility generation; except legislation permitting the use of state-controlled lands. Bills relating to community antenna television.

10. Finance, Investment and International Trade, 9 members. Bills relating to financial institutions, commerce, international trade, retail credit interest rates, and corporations.

11. Governmental Organization, 11 members. Bills relating to state government organization, horseracing, public gaming, the National Guard, alcoholic beverages, integrated waste management, and legislation permitting the use of state-controlled lands. Bills that have been considered by other committees having jurisdiction of the appropriate subject, for consideration of any question relating to state government.

12. Health and Human Services, 9 members. Bills relating to public health, welfare, the blind and disabled, alcohol and drug abuse, mental health, and institutions related thereto.

13. Housing and Land Use, 7 members. Bills relating to housing and land use.

14. Industrial Relations, 7 members. Bills relating to labor, industrial safety, unemployment, worker's compensation and insurance, and noncertificated public school employees.

15. Insurance, 9 members. Bills relating to insurance, indemnity, surety, warranty agreements, liens, claims, unclaimed property, collections, and franchises.

16. Judiciary, 9 members. Bills amending the following:

a. Civil Code, except measures related to retail credit interest rates.

b. Code of Civil Procedure.

c. Evidence Code, except matters relating to criminal procedure.

d. Family Code.

e. Probate Code.

f. Bills relating to municipal and state court judgeships, court attachés, and personnel.

17. Local Government, 7 members. Bills relating to local governmental procedure and organization. Bills that have been considered by other committees having jurisdiction of the appropriate subject, for consideration of any questions relating to local government administration.

18. Natural Resources and Wildlife, 11 members. Bills relating to conservation and the management of public resources, fish and wildlife, regulation of oil, mining, geothermal development, acid deposition, wetlands and lakes, global atmospheric effects, ocean and bay pollution, forestry practices, recreation, parks, and historical resources, beverage container recycling, except bills affecting the California Integrated Waste Management Act of 1989, and legislation affecting the Department of Boating and Waterways.

19. Public Employment and Retirement, 5 members. Bills relating to state and local nonschool public employees and public employee retirement.

20. Revenue and Taxation, 9 members. Bills relating to state and local revenues and taxation, except bills described in subdivision (a) of Rule 28.9.

21. Rules, 5 members. Proposed amendments to the rules and other matters relating to the business of the Legislature.

22. Toxics and Public Safety Management, 7 members. Bills relating to hazardous and toxic substances, siting of facilities managing hazardous materials, emergency planning responses, and

household hazardous waste, except bills affecting the California Integrated Waste Management Act of 1989. Bills relating to natural disasters.

23. Transportation, 9 members. Bills relating to the operation, safety, equipment, transfer of ownership, licensing, and registration of vehicles, aircraft, and vessels. Legislation affecting the Department of Transportation and the Department of Motor Vehicles. Bills relating to waterways, harbors, highways, public transportation systems, and airports.

24. Veterans Affairs, 5 members. Bills relating to veterans and armories. Bills amending the Military and Veterans Code.

The standing committees of any regular session shall be the standing committees of concurrent special or extraordinary sessions unless otherwise ordered by the Senate.

Committee on Legislative Ethics

12.3. (a) (1) The Committee on Legislative Ethics is hereby created. The committee shall be appointed by the Committee on Rules and shall consist of six Senators, at least two of whom are members of the political party having the largest number of members in the Senate and at least two of whom are members of the political party having the second largest number of members in the Senate. The members of the committee shall serve two-year terms. The President pro Tempore and the Minority Floor Leader shall serve as ex officio, nonvoting, members of the committee.

(2) The Committee on Rules shall select a Chair and a Vice Chair who shall not be members of the same political party. The Chair shall not serve more than two consecutive two-year terms, and the Committee on Rules shall select a successor who is not a member of the same political party as the immediately previous Chair.

(3) Vacancies in the committee shall be filled within 30 calendar days by the Committee on Rules for the remainder of a term.

(4) If a complaint is filed against a member of the committee, the Committee on Rules shall temporarily replace the member with a Senator of the same political party who shall serve until the complaint is dismissed by the committee or until the Senate takes such action as it deems appropriate, whichever is earlier.

(5) The Committee on Rules, upon the recommendation of the Committee on Legislative Ethics, shall appoint a Chief Counsel to assist the committee in carrying out its functions. The staff of the committee shall be considered permanent and professional and shall perform their duties in a nonpartisan manner. No staff of the committee may engage in partisan activities regarding a Senate election campaign. The committee may retain independent counsel when necessary for specific investigations.

(b) The committee shall do all of the following:

(1) The committee shall formulate and recommend, for adoption by the Senate, standards of conduct for Senators and officers and employees of the Senate in the performance of their legislative responsibilities. The Ethics Manual for Members, Officers, and Employees of the United States House of Representatives, as prepared by the Staff of the Committee on Standards of Official Conduct, 100th Congress First Session (United States Government Printing Office, Washington, 1987), the Code of Ethics (Article 2

(commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of the Government Code), and Joint Rule 44 shall serve as guides in the formulation of the standards of conduct.

(2) At the request of any Senator or officer or employee of the Senate, the committee shall provide an advisory opinion with respect to the standards of conduct of the Senate on the general propriety of past, current, or anticipated conduct of that Senator, officer, or employee. The opinion shall be rendered within 21 legislative days unless the Chair and Vice Chair agree otherwise. The committee may, with appropriate deletions to ensure the privacy of the individuals concerned, publish the advisory opinions for the guidance of other Senators, officers, or employees.

(3) The committee shall develop, issue, and annually update a clear, informative, and usable manual for the Senate based on the standards of conduct adopted by the Senate, including any advisory opinions published pursuant to paragraph (2).

(4) The committee shall conduct periodic workshops, at least once each calendar year, for Senators and officers and employees of the Senate, including workshops specifically designed for newly elected Senators and newly appointed officers and employees. At least once in each biennial session, each Senator and each officer and employee of the Senate who is a designated employee under the Senate Conflict of Interest Code shall attend one of these workshops. The workshops shall include, but not be limited to, a comprehensive review of all applicable statutes and Senate rules.

(5) After adoption by the Senate of the standards of conduct, the committee shall receive and review complaints alleging violations of the standards of conduct by Senators and officers and employees of the Senate in accordance with the procedures specified in subdivisions (c) to (s), inclusive.

(6) The committee shall maintain a record of its investigations, hearings, and other proceedings. All records, complaints, documents, and reports filed with, submitted to, or made by the committee, and all records and transcripts of any investigations or hearings of the committee shall be confidential and shall not be open to inspection by any person other than a member of the committee or the staff of the committee, except as otherwise specifically provided for in this rule. Any member of the committee or any person on the staff of the committee who discloses any record, complaint, document, report, or transcript that is confidential shall be subject to discipline. The committee may, by a majority vote of the membership of the committee, authorize the release of any records, complaints, documents, reports, and transcripts in its possession to the appropriate enforcement agency if the committee determines that there is probable cause to believe that the violation or violations alleged in the complaint would constitute a felony or if the committee determines that the information is material to any matter pending before the enforcement agency.

(c) (1) Any person may file a complaint with the committee that alleges a violation of the standards of conduct.

(2) Except as provided in paragraphs (3) and (4), no complaint may be filed more than 18 months after the date that the alleged violation occurred.

(3) If the committee determines that the person filing the complaint did not know, or through the exercise of reasonable diligence could not have known, of the alleged violation within 18 months after the date that the alleged violation occurred, the complaint may be filed within three years after the date that the alleged violation occurred.

(4) If a complaint is filed within 60 days prior to an election at which a Senator or officer or employee is a candidate for elective office, the complaint shall be returned to the person filing the complaint, and the person shall be informed that the complaint may be filed with an appropriate enforcement agency and may be refiled with the committee after the election. The period of time for filing the complaint shall be extended for 60 days.

(5) No complaint may be filed if it alleges a violation that occurred prior to the adoption of the standards of conduct.

(d) A complaint shall satisfy all of the following requirements:

(1) It shall be in writing.

(2) It shall state the name of the person filing the complaint.

(3) It shall state the name of Senator or the name and position or title of the officer or employee of the Senate who is alleged to have committed a violation of the standards of conduct.

(4) It shall set forth allegations that, if true, would constitute a violation of the standards of conduct. The allegations shall be stated with sufficient clarity and detail to enable the committee to make a finding pursuant to subdivision (h).

(5) It shall state the date of the alleged violation.

(6) It shall include a statement that the allegations are true of the person's own knowledge or that the person believes them to be true, and shall be signed by the person under penalty of perjury.

(e) The committee, on its own motion, two-thirds of the membership concurring, may initiate a proceeding by filing a complaint that complies with paragraphs (1) to (5), inclusive, of subdivision (d).

(f) The committee shall promptly send a copy of a complaint to the Senator or officer or employee alleged to have committed the violation, who shall thereafter be designated as the respondent.

(g) If a complaint is filed by a person other than the committee, the Chair and Vice Chair of the committee shall examine the complaint to determine whether it was filed in accordance with this rule and any rules of the committee. Within 15 calendar days after the complaint is filed, the Chair and Vice Chair shall provide to the committee a copy of the complaint and their opinion whether the allegations in the complaint, if true, would constitute a violation of the standards of conduct. If the committee, by a two-thirds vote of its membership, finds that the allegations, if true, would constitute a violation of the standards of conduct, it shall hold a hearing within 30 calendar days to conduct a preliminary inquiry. If two-thirds of the membership of the committee fails to find that the allegations, if true, would constitute a violation of the standards of conduct, it shall dismiss the complaint and so notify the person who filed the complaint and the respondent, and the complaint shall not be made public.

(h) At the preliminary inquiry, the respondent may respond to the allegations in the complaint by written statement or oral

testimony. If two-thirds of the membership of the committee finds that probable cause exists for believing that the respondent committed a violation of the standards of conduct, the committee shall issue a count-by-count statement of alleged violations. If two-thirds of the membership of the committee fails to find that probable cause exists, it shall dismiss the complaint. In either event, the committee shall immediately notify the respondent and the person who filed the complaint of its action. If the committee finds that probable cause exists, the statement of alleged violations shall be made public within seven days.

(i) Within 21 calendar days after the issuance of the statement of alleged violations, the respondent may file an answer that admits or denies each count. Upon request of the respondent, the committee may grant the respondent an additional 21 calendar days to respond.

(j) Within 60 days after the issuance of the statement of alleged violations, the committee shall hold a disciplinary hearing. If a majority of the membership of each party on the committee fails to find that the respondent committed a violation of the standards of conduct, it shall dismiss the complaint. If a majority of the membership of each party on the committee finds by clear and convincing evidence that the respondent committed a violation of the standards of conduct it shall take the following action:

(1) If the respondent is a Senator, it shall hold a hearing to determine an appropriate sanction.

(2) If the respondent is an officer or employee, it shall transmit its findings to the Committee on Rules for appropriate action.

(k) (1) At the hearing to determine an appropriate sanction, two-thirds of the membership committee shall determine whether the violation is serious or minor.

(2) If the committee determines that a violation is minor or fails to determine that a violation is serious, two-thirds of the membership of the committee (A) shall, if it determines that the violation bears upon the exercise of a right or privilege, recommend that the Committee on Rules deny or limit that right or privilege and shall transmit its findings and recommendation to the Committee on Rules or (B) shall impose any lesser sanction. Within 15 days after the imposition of a lesser sanction, the respondent may appeal the sanction imposed to the Committee on Rules.

(3) If the committee determines that a violation is serious, two-thirds of the membership of the committee shall recommend that the Senate take one or more of the following actions and shall transmit its findings and recommendation to the Senate:

(A) The denial or limitation of any right or privilege if the violation bears upon the exercise of that right or privilege.

(B) A reprimand for a serious violation.

(C) A censure for a more serious violation.

(D) An expulsion for a most serious violation.

(l) The Senate shall, within 15 legislative days after receiving the findings and recommendation, vote on the recommendation of the committee. The Senate, by 21 votes, may deny or limit any right or privilege of, reprimand, or censure the Senator or, by 27 votes, may expel the Senator.

(m) The committee or Senate may defer any action required by this rule if other proceedings have been commenced on the same matter.

(n) (1) At all hearings, the Chief Counsel of the committee shall present the case. All relevant and probative evidence shall be admissible unless it is privileged. Witnesses may be called and cross-examined by the committee and the respondent, and exhibits and other documents may be entered into the record. The respondent shall have the right to be represented by legal counsel or any other person of his or her choosing.

(2) If the committee receives, at any time, any exculpatory information relating to the alleged violation, the committee shall make the information available to the respondent.

(o) If the committee determines that the complaint was filed with malicious intent, it may request that the Committee on Rules reimburse the expenses incurred by the respondent.

(p) At any time during the proceedings, the respondent may admit that he or she committed a violation of the standards of conduct. If the respondent admits some but not all of the violations alleged in the complaint or the counts set forth in the statement of alleged violations, the committee shall find that the admitted violations constituted a violation of the standards of conduct and may continue the proceedings to determine whether the other alleged violations constituted violations of the standards of conduct. If the respondent admits to all alleged violations, the committee shall find that the admitted violations constituted a violation of the standards of conduct, shall terminate the preliminary inquiry or disciplinary hearing, and take the action required by paragraph (1) or (2) of subdivision (j).

(q) Meetings of the committee shall not be open to the public until the committee finds that probable cause exists for believing that the respondent committed a violation of the standards of conduct. Subsequent meetings of the committee or Senate shall be public, and notice of any meeting shall be published in the Senate File for four calendar days prior to the meeting.

(r) If the committee finds that probable cause exists for believing that the respondent committed a violation of the standards of conduct, the transcript of any testimony given, or any documents admitted into evidence, at a public hearing and any report prepared by the committee subsequent to that finding that states a final finding or recommendation shall be open to public inspection.

(s) Upon request of the respondent, the committee may permit the respondent to inspect, copy, or photograph books, papers, documents, photographs, or other tangible objects that relate to the allegations in the complaint. If the committee finds that probable cause exists for believing that the respondent committed a violation of the standards of conduct, the committee shall permit the respondent to inspect, copy, or photograph books, papers, documents, photographs, or other tangible objects that relate to the statement of alleged violations.

(t) (1) No Senator or officer or employee of the Senate shall directly or indirectly use or attempt to use his or her official authority or influence to intimidate, threaten, coerce, command, or attempt to intimidate, threaten, coerce, or command any person for the purpose

of interfering with the right of that person to file a complaint with the committee, or testify before, or in any way cooperate with, the committee or any panel.

(2) For the purpose of paragraph (1), “use of official authority or influence” includes promising to confer, or conferring, any benefit; effecting, or threatening to effect, any reprisal; or taking, or directing others to take, or recommending, processing, or approving, any personnel action, including, but not limited to, appointment, promotion, transfer, assignment, performance evaluation, suspension, or other disciplinary action.

(3) Nothing in this subdivision shall be construed to authorize any person to disclose information the disclosure of which is otherwise prohibited by law.

(u) The committee may adopt rules governing its proceedings not inconsistent with this rule. The provisions of Joint Rule 36 relating to investigating committees shall apply to the committee to the extent those provisions are consistent with this rule.

(v) The powers and procedures set forth in subdivisions (b) to (u), inclusive, confer independent authority and shall not be limited or altered by Joint Rule 45.

General Research Committee

12.5. The General Research Committee is hereby created pursuant to Section 11 of Article IV of the California Constitution, which relates to legislative committees. The committee consists of the 40 members, and the President pro Tempore is its chairman. The committee is allocated all subjects within the scope of legislative regulation and control, but shall not undertake any investigation which another committee has been specifically requested or directed to undertake. The General Research Committee may act through subcommittees appointed by the Senate Committee on Rules and such subcommittees may act only on the particular study or investigation assigned by the Committee on Rules to such subcommittees. Each member of the General Research Committee is authorized and directed to receive and investigate requests for legislative action made by individuals or groups and to report thereon to the full committee.

The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Senate Rules and the Joint Rules of the Senate and Assembly. However, neither the committee nor its members may issue a subpoena without the prior approval of the Committee on Rules. The committee has the following additional powers and duties:

- (a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies, and reports to the committee as will best assist it to carry out the purposes for which it is created.
- (b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this

rule and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

- (c) To meet and act at any place within the State of California and, when authorized to do so in writing by the Committee on Rules, to meet and act outside the state carrying out its duties.
- (d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time.
- (e) To act during sessions of the Legislature, including any recess.
- (f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

The Committee on Rules may allocate, from time to time, to the General Research Committee from the Senate Operating Fund such sums as are necessary to permit the General Research Committee and the members thereof to carry out the duties imposed on them. In addition, the Committee on Rules may allocate to any such subcommittee from the Senate Operating Fund such sums as the Committee on Rules deems necessary to complete the investigation or study conferred upon that subcommittee.

Additional Committee on Rules Powers

12.7. In addition to other rights, duties and powers vested in the Committee on Rules, the committee and the members thereof shall have and exercise all the rights, duties and powers of the General Research Committee and the members thereof, as provided in Rule 12.5, with authority to act on any subject allocated by Rule 12.5 to the General Research Committee.

Committee on Rules

13. The Committee on Rules is charged with the general responsibility for the administrative functioning of the Senate. The committee shall have general charge of the books, documents and other papers and property of the Senate and shall see that the same are properly kept, cared for, filed or otherwise disposed of in accordance with law and the rules applicable thereto. The committee shall also have the duty of making studies and recommendations designed to promote, improve, and expedite the business and procedure of the Senate and of the committees thereof, including investigating committees consisting wholly or in part of Members of the Senate, and of proposing any amendments to the rules deemed necessary to accomplish such purposes.

The Committee on Rules shall continue in existence during any recess of the Legislature until the convening of the next regular session and shall have the same powers and duties as while the Senate is in session. The committee shall have the authority to fill vacancies in any Senate committee or in the Senate membership of any joint committee.

In dealing with any matter within its jurisdiction, the committee and its members shall have and exercise all of the rights, duties, and

powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

The committee may make available to any Senate or joint committee or any Member of the Senate such assistance in connection with the duties of the committee or other legislative matters as the personnel under the direction of the committee or its other facilities permit.

The committee shall make available to and shall furnish to the Senate investigating committees created at this regular session and to each of the members thereof such secretarial and stenographic help as may be reasonably necessary for such committees and each of the members thereof to make and carry on the studies and investigations required by or of them by the resolutions creating such committees, and for such purpose, in addition to any other power or authority, the Committee on Rules may employ such additional stenographic and secretarial assistants as may be necessary, assign and reassign such assistants, prescribe the amounts, times, and methods of payment of their compensation, and provide for the auditing of any and all records and accounts in respect thereto. The Committee on Rules shall have general supervision over all clerks, attachés and employees of the Senate and shall have the powers and duties to suspend, discipline or discharge any attachés or employees when necessary.

All employees on the payroll of the Senate are employees of the Senate and not of individual members and they are under the direct control of the Committee on Rules. Any insubordination or inefficiency on the part of any employees shall be reported to the Committee on Rules.

The Committee on Rules shall constitute the Committee on Introduction of Bills and shall have charge of engrossment and enrollment of bills, contingent expenses of the Senate, and legislative printing, except insofar as these functions are delegated to the Secretary of the Senate.

The rooms, passages, and buildings set apart for the use of the Senate shall be under the direction of the Committee on Rules and the committee may assign the press desks in the Senate Chamber to accredited newspaper representatives.

Executive communication of nominations sent by the Governor to the Senate for confirmation shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, without debate.

The Committee on Rules shall, at each regular session, appoint a Member of the Senate to serve on the Judicial Council and shall have the authority during any joint recess to fill any vacancy in such position that occurs during such recess.

When a report of a joint legislative committee is delivered to the Senate desk, the Committee on Rules shall refer it to a standing committee for review and appropriate action.

Expenses of Senate Committees

13.1. All claims for expenses incurred by investigating committees of the Senate, the Secretary of the Senate, and the Sergeant at Arms shall be approved by the Committee on Rules or its authorized representative, before such claims are presented to the Controller.

All proposed expenditures, including furniture, equipment and other property but not including stationery supplies, shall be approved by the Committee on Rules or its authorized representatives before such expenses are incurred, unless such expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with the provisions of this rule.

The Committee on Rules may adopt rules and regulations limiting the amount, time, and place of expenses and allowances to be paid to employees of Senate investigating committees and regulating the terms and conditions of employment of such employees. Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairman of every such investigating committee.

Alteration, Repair, Improvement to Senate

13.2. Pursuant to the powers vested in the Committee on Rules, the committee is authorized and directed to incur and pay such expenses of the Senate not otherwise provided for as the committee determines are reasonably necessary, including the repair, alteration, improvement and equipping of the Senate Chamber and the offices provided for the Senate in the State Capitol.

In order to avoid unanticipated reversions of appropriations for contingent expenses, the Committee on Rules may designate the appropriation from which payment shall be made pursuant to allocations to committees or for other purposes. If there should be insufficient money available in any such appropriation to pay all claims pursuant to allocations charged against it, the committee shall designate another appropriation from which such allocations shall be paid.

Rooms and Property of Senate

13.3. The Committee on Rules is responsible for the safekeeping of Senate property. The Chief of the Bureau of Buildings and Grounds is directed to leave the Senate Chamber and all the committee rooms and other rooms used by the Senators and officers of the Senate in such condition that they will be available for the use of the Senate at any time; and it is further directed that no persons other than the members, officers and attachés of the Senate be permitted to occupy or use the offices, committee rooms and other rooms now occupied by the Senate without permission as hereinafter provided, and that the desks, furniture, and other equipment of the Senate be at the disposal of the Committee on Rules, and that no person except Members of the Senate be permitted to occupy any of the Senate's offices or make use of Senate equipment without permission of the committee or its authorized representative.

Inventory of Senate Property

13.4. The Committee on Rules is authorized and directed, through its authorized representative, to make and maintain a complete inventory of all property of the Senate, including all such property in the possession or control of any Senate committee. The Committee on Rules shall have custody and control of all such property of the Senate and shall adopt such rules or orders as it may determine are necessary relating to the purchase, care, custody and use or disposal thereof.

Status of Standing Rules for Preceding Regular Session

13.5. The adoption of the Standing Rules for any special session shall not be construed as modifying or rescinding the Standing Rules of the Senate for a regular session.

Operating Expense Fund

13.6. The Committee on Rules is the committee provided for in Section 9126 of the Government Code. The balance of all money in the Senate Operating Fund, including money now or hereafter appropriated by the Legislature, except such sums as are specifically made available for purposes other than the expenses of designated committees, is hereby made available to the Committee on Rules for any charges or claims it may incur in carrying out the duties imposed upon it by these rules or by Senate or concurrent resolution.

Rules Committee Appointees

13.8. The Committee on Rules shall review its nonlegislator appointees every two years. Such review shall be completed not later than the 120th calendar day of the regular session in which such review is undertaken.

Appointees to the Regents of the University of California

13.9. No vote to confirm an appointment by the Governor to the Regents of the University of California shall be in order unless the Committee on Rules determines that the Governor has convened and consulted the advisory committee specified in subdivision (e) of Section 9 of Article IX of the California Constitution and that the advisory committee has held at least one public meeting.

Schedule of Committee Meetings

14. The Committee on Rules shall propose to the Senate such schedules for regular meetings of the standing committees as will permit a full attendance of their members without conflict of committee engagements.

The committee may also propose such special committee meetings or special schedules of committee meetings as will facilitate the business of the Senate. Such schedules may provide a special schedule of committee meetings or upon certain days of the week or to meet any special condition which may arise.

Powers of Standing Committees

16. Each standing committee of the Senate to which a proposed law or bill is assigned shall have full power and authority during the session of the Legislature or any recess thereof, to make such investigation and study of and concerning any such proposed law or

bill as such committee shall determine necessary to enable it to properly act thereon.

In the exercise of the power granted by this rule, each committee may appoint a secretary and employ such clerical, legal and technical assistants as may appear necessary when money has been made available therefor by the Senate.

Each standing committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary. However, no committee may issue a subpoena without the prior approval of the Committee on Rules.

The members of such committees are, and each of them is, authorized and empowered to administer oaths, and all of the provisions of Chapter 4 (commencing with Section 9400) of Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant at Arms, or other person designated by the Sergeant at Arms or by the committee, shall serve any and all subpoenas, orders and other process that may be issued by the committee, when directed to do so upon a vote of the majority of the membership of the committee.

All officers of this state, including the heads of each department, agency and subdivision thereof, and all employees of such departments, agencies and subdivisions, the Legislative Counsel, and all other persons whether connected with the State Government or not, shall give and furnish to these committees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each standing committee was created.

Each standing committee may meet at the State Capitol and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it and may expend such money as may be made available by the Senate for such purpose; but no committee shall incur any indebtedness unless money shall have been first made available therefor.

Funerals

17.5. The chairman or vice chairman of the Committee on Rules may designate any one or more of the Members of the Senate as a Senate committee to attend funerals in appropriate circumstances. The members so designated shall receive expenses as provided in Joint Rule 35.

The chairman or vice chairman of the Committee on Rules or any Member of the Senate designated by either of said officers may incur such expense as may be necessary for the purchase on behalf of the Senate of suitable floral pieces for any such funeral.

All expenses incurred pursuant to this rule are hereby ordered to be paid out of the money allocated from the Senate Operating Fund to the Committee on Rules and disbursed, after certification by the chairman or vice chairman of the committee or by the committee's

disbursing officer appointed and designated therefor by the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Expenditures

18. No member of any committee shall be permitted to incur any expense chargeable to the Senate unless authorized by resolution of the Senate.

The Committee on Rules shall provide, by rules and regulations, for the manner of authorizing expenditures by members, committees, and officers and employees of the Senate, not otherwise authorized by law, these rules, or the Joint Rules of the Senate and Assembly, and for the payment of such expenditures from the Senate Operating Fund upon certification of claims therefor to the Controller by the Committee on Rules or its authorized representative.

Printing of Reports

18.5. All requests for the printing of reports of Senate committees shall be made to the Committee on Rules.

The Committee on Rules shall determine if the report is to be printed and the number of copies needed; and whether or not the report shall be printed in the Journal.

If the report is to be printed by the State Printer, he shall hold the type for each Senate committee report for a period of 90 days from the date of the first printing or for such time as the Committee on Rules deems necessary.

PROCEDURES AND RULES

**Joint and Concurrent Resolutions and
Constitutional Amendments**

19. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills under these rules; except, that they shall have but one official reading, which reading shall occur after they have been reported by committee.

Parliamentary Rules

20. In all cases not provided for by the Constitution, these rules, or by the Joint Rules of the Senate and Assembly, or by statute, the authority shall be Mason's Manual (1979 edition).

Suspension or Amendment of Rules

21. No standing rule of the Senate may be repealed or amended except upon an affirmative vote of a majority of the Members of the Senate, one day's notice being given, but any rule not requiring more than a majority vote may be temporarily suspended by a vote of a majority of the Members of the Senate. A rule requiring a two-thirds vote on any question may be amended only by a two-thirds vote on one day's notice, and a rule requiring a two-thirds vote may be temporarily suspended only by a two-thirds vote.

All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

Suspension of the Joint Rules

21.1. Pursuant to Joint Rule 33, no joint rule may be suspended by the Senate except with the concurrence of 27 members unless a lower vote is prescribed by these rules or the Joint Rules of the Senate and the Assembly.

Permission of Committee on Rules

21.2. (a) Except as provided in subdivision (b), notwithstanding Rule 21 or 21.1 no Senate or Joint Rule may be suspended unless the Committee on Rules determines that an extraordinary circumstance exists which justifies the suspension.

(b) Notwithstanding Rule 21, Rule 38.5 may not be suspended unless the Committee on Rules determines that an extraordinary circumstance and overwhelming compelling public interest exist which justify the suspension.

Rules Governing Standing Committees

21.5. Except as otherwise provided in these rules, standing committees of the Senate will be governed as follows:

a. The Officers of each Senate committee shall be a Chairman, Vice Chairman, and Secretary.

b. The chairman shall preside at meetings when present except when the committee is considering a bill of which he is the sole author or the lead author. Whenever the chairman is not presiding, the vice chairman shall assume the duties of the chairman. In the absence of both, a member designated by the chairman shall preside.

c. The secretary shall keep a complete record of the meetings and actions taken by the committee. Bills favorably acted upon shall be reported to the Senate as expeditiously as the reports can be prepared.

d. The committee shall meet in regular session on the day and hour designated by the Committee on Rules. Adjourned meetings or special meetings shall be held at the time fixed in the adjourning motion, or on the call of the chairman for the special meeting.

e. Special meetings may be called by the chairman, with the approval of the Committee on Rules, by giving reasonable notice to all members of the committee either in writing or by telephone, specifying the purpose of the meeting, the time and place thereof, and the matters to be considered at such special meeting. Notice of hearing of bills as provided by Joint Rule 62(a) shall also be given in the Daily File. No matter shall be considered at such special meeting other than that specified in the notice.

Such special meeting shall be scheduled so as to permit a full attendance of the members without conflict with other scheduled committee meetings.

This subdivision may not be suspended by the committee.

f. A majority of the members of the committee shall constitute a quorum. A majority vote of the committee shall be required to table a bill, remove it from the table and reconsider a vote on a bill.

g. No action shall be taken on any measure outside of a duly constituted committee meeting.

h. The chairman shall set the hearings of bills and arrange the calendar for committee hearings. Notice of hearing of bills shall be given the author and such other persons requiring notice. Bills will

not be considered in the absence of the author without his consent; however, bills may be presented by the author's representative authorized in writing.

i. Committees or subcommittees, by a majority vote of such committee, may meet in executive session only as provided in Section 9029 of the Government Code. Otherwise, all meetings shall be open and public.

j. The chairman shall direct the order of presentation of the arguments for and against matters for consideration by the committee, and shall permit questions to be asked by the various members of the committee in an orderly fashion and in keeping with proper decorum.

k. Further consideration of a bill which has been voted out of a committee or defeated, shall be by reconsideration only as follows:

1. A motion to reconsider a vote by which a bill is voted out shall be in order and shall be voted upon at the same meeting. If such a motion is carried by a vote of a majority of the committee, the bill may be considered at that meeting, provided the author is present, or at a subsequent meeting.

2. The procedure for reconsideration of a bill which has been defeated shall conform to the requirements of Joint Rule 62(a). Any bill, reconsideration of which has been granted pursuant to this paragraph, shall not be heard again until a subsequent meeting of the committee after being calendared in the Daily File.

l. Any bill which has been laid on the table and which is removed from the table at a later meeting shall not be heard again until a subsequent meeting of the committee after being calendared in the Daily File and after notice.

m. When a committee adopts proposed amendments to a bill, the bill may be taken up for vote at that meeting, or if the committee or author requests, sent out to print before final action. If the amendments are not in proper form, they shall be prepared and submitted to the chairman for approval, before being reported to the Desk. Amendments submitted by the author which in the opinion of the committee chairman are major or substantial shall be submitted to the committee at least two legislative days before the bill is scheduled for hearing.

n. No bill shall be set for hearing, nor shall any notice thereof be published, by a Senate committee until the bill has been referred to the committee by the Committee on Rules.

o. The chairman may appoint from the members of the committee, subcommittees of one or more members to consider and recommend to the full committee action on such matters as may be assigned to the subcommittee for consideration from time to time by the chairman. The chairman may assign and reassign members of, and matters to, the various subcommittees. The recommendation of a subcommittee may be accepted by the affirmative vote of a majority of the members of the committee.

p. Except as otherwise provided in the rules, any provision of this rule may be suspended by a majority vote of the full committee.

q. In all cases not provided for by this rule, the Senate Rules, or the Joint Rules, or by statute, the authority shall be Mason's Manual (1979 edition).

Additional Rules

21.6. Committees may adopt additional rules, not in conflict with Rule 21.5 or other rules.

Reporting Bills Out of Committee

21.7. At least a majority of all members constituting a standing committee shall be required to report a bill out of committee.

Press Participation

21.8. Accredited press representatives may not be excluded from any public legislative meeting or hearing and may not be prohibited from taking photographs, televising, or recording the committee or house hearings, subject to the following conditions:

- (1) This rule shall extend to all public legislative meetings.
- (2) Lights shall be used only when cameras are filming, and, when possible, proceedings in hearing rooms and the chamber will be filmed without lights.
- (3) Every effort should be made to set up filming equipment before hearings or sessions begin, whenever possible.
- (4) The committee chairman or Committee on Rules shall be notified, as far in advance of the proceedings as possible, that recordings and television cameras will be present and filming.
- (5) To the extent practical, flash cameras shall not be used.
- (6) Photographs shall be taken in an orderly and expeditious manner so as to cause the least possible inconvenience to the committee or to the members in the chamber.

However, the chairman of a committee may request any person to relocate or remove any object, or discontinue the use of any equipment, which is situated or used in such a manner as to disrupt the proceedings or to create a potential danger to, or substantially obstruct the view of, members of the committee or the public.

In case any person fails to respond to such a request of the chairman to relocate, remove, or discontinue the use of such objects or equipment, the committee may, by majority vote, require it.

INTRODUCTION AND REFERENCE OF BILLS**Introduction, First Reading, and Reference of Bills**

22. Any Senator desiring to introduce a bill shall send it to the Senate Desk.

When received at the Secretary's desk, it shall, under the proper order of business, be numbered, read the first time, and be referred by the Committee on Rules to a standing committee and be printed. The Committee on Rules shall check all Assembly Bills before reference to committee and shall designate the committee to which they shall be referred.

All joint resolutions, concurrent resolutions, and Senate resolutions shall be automatically referred to the Committee on Rules upon introduction and may be re-referred to any other standing committee upon the vote of a majority of the members of the Committee on Rules.

Unless otherwise ordered by the Senate without debate the assignment of the bill shall then be complete and after printing the Secretary shall deliver the bills to the committee designated by the Committee on Rules.

Under the order of Messages from the Assembly the Secretary shall read each Assembly bill the first time, shall read the name of the committee to which the bill has been assigned by the Committee on Rules, and unless otherwise ordered by the Senate without debate the assignment of the bill shall then be complete and the Secretary shall deliver the bill to the committee so designated.

Bill Introduction Limitation

22.5. (a) A Member of the Senate may introduce not more than 65 bills in the regular session.

(b) This rule may be suspended with respect to a particular bill by approval of the Senate Committee on Rules.

(c) This rule shall not apply to a constitutional amendment, any type of resolution, or a bill introduced by a committee with the signatures of a majority of its members, including its chair.

(d) This rule shall apply only to the 1995–96 Regular Session.

Introduction of Bills by a Committee

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee in the same manner as any member.

Bill Introduction Deadline

23.5. The Senate Desk shall remain open for the introduction of bills from 9:00 a.m. to 5:00 p.m. on the days designated in subdivision (a) of Joint Rule 54 as the deadlines for the introduction of bills in the first and second years of the regular session.

Introduction of Bills at Special Sessions

24. Whenever at any special session a bill is received at the desk, under the order of Introduction of Bills, it shall be referred to the Committee on Rules which shall decide whether or not such bill can properly be considered at the session. If in the judgment of the Committee on Rules such bill can be considered it shall report it back and designate the committee to which it shall be assigned. Thereafter it shall be assigned a number by the Secretary, be read first time, and referred to the committee recommended by the Committee on Rules unless otherwise referred on motion without debate.

Resolutions

24.5. A Senate concurrent resolution or Senate resolution may be introduced relating to a present or former state or federal elected official or a member of their immediate families. Other resolutions for the purpose of commendation or congratulation of any person, group or organization, or for the purpose of expressing sympathy, regret or sorrow on the death of any person, shall be prepared as Rules Committee resolutions and presented to the Committee on Rules for appropriate action.

The Committee on Rules may approve exceptions to this rule for Senate resolutions. The Secretary shall not accept for introduction any Senate resolution that is contrary to this rule unless it is accompanied by the approval of the Committee on Rules.

Senate Resolutions

25. All Senate resolutions eligible to be introduced under the rules, upon being presented, shall be given a number by the Secretary. Such resolution shall be printed, and indexed in the History and Journal.

BILLS IN COMMITTEE**Substitute Committee Bills**

27. A committee may amend into one bill related provisions germane to the subject and embraced within the title; and with the consent of the author the committee may constitute such bill a committee bill by striking out of the heading of the bill the line "Introduced by" and the name of the author and substituting therefor "Substitute committee bill of the Committee on" and the name of the committee.

Author's Amendments

27.5. Upon request of the author of a bill, the chairman of the committee to which the bill has been referred may, by his individual action taken independently of any committee meeting, cause the bill to be reported to the Senate with the recommendation that amendments submitted by the author be adopted and the bill be reprinted as amended and re-referred to the committee.

Withdrawing a Bill From Committee

28. No bill or resolution shall be withdrawn from committee except upon written notice being first given to the Committee on Rules and by 21 votes of the Senate.

Consent Calendar

28.3. (a) If a Senate bill or Assembly bill is amended in the Senate to create a new bill or to rewrite the bill, a standing committee shall not place the bill on its consent calendar, and shall not report the bill out of committee with the recommendation that it be placed on the consent calendar on the floor.

(b) For purposes of this rule, an amendment creates a new bill or rewrites the bill if the amendment (1) changes the subject of the bill to a new or different subject, or (2) adds a new subject to the bill that is different from, and not related to, the contents of the bill.

**Consideration of Constitutional Amendments,
Bills, and Resolutions**

28.5. Each constitutional amendment, bill, or resolution shall be authored by a Member or committee of the Legislature before it is considered or voted on by a committee or the Senate. Each amendment to a constitutional amendment, bill, or resolution shall be signed by a Member or committee of the Legislature prior to adoption by the Senate.

This rule shall apply only to the 1995–96 Regular Session.

Vote in Committee

28.7. Voting on the disposition of bills by committees shall be by rollcall vote only. A rollcall vote shall only be taken if requested by any member of the committee, or the author of the measure, on any motion to amend. All rollcall votes taken in committees shall be promptly transmitted by their respective chairmen to the Secretary

of the Senate who shall cause a record of such rollcall votes to be printed in the Journal, together with the text of amendments voted upon where the rollcall has been recorded and the amendments adopted.

“Bill” as used in this rule shall include constitutional amendments but shall not include resolutions, except those relating to voting procedures on the floor or in committee, resolutions ratifying proposed amendments to the United States Constitution, and resolutions calling for constitutional conventions.

The provisions of this rule shall not apply to:

(a) Procedural motions which do not have the effect of disposing of a bill.

(b) Withdrawal of a bill from a committee calendar at the request of an author.

(c) Return of bills to the Senate, where the bills have not been voted on by the committee.

(d) The assignment of bills to committee.

On a legislative day when the President pro Tempore or Minority Floor Leader is in attendance, he or she, in the absence of any objection, may instruct the committee secretary of a committee of which he or she is a member to add his or her vote to any previously announced vote which had been taken while he or she was performing the responsibilities of the office of President pro Tempore or Minority Floor Leader, provided the outcome of the vote is not changed. This provision may not extend to any rollcall beyond adjournment of the legislative day during which the rollcall in question was taken. The intent of this paragraph is to allow the President pro Tempore and the Minority Floor Leader to carry out the unique and special duties of their offices without losing the opportunity to vote on matters before the committees of which they are members.

Appropriations Committee

28.8. Any bill referred to the Appropriations Committee pursuant to Joint Rule 10.5 which does not appropriate money shall not be set for hearing and shall, along with any nonsubstantive amendments, promptly be reported to the Senate with the recommendation it be placed on second reading if the chairman of the committee determines that (a) any additional state costs are not significant and do not and will not require the appropriation of additional state funds, and (b) the bill will cause no significant reduction in revenues.

State-Mandated Local Program Bills

28.9. (a) Any bill having a digest which, pursuant to Section 17575 of the Government Code, indicates that the bill requires state reimbursement to local agencies or school districts for costs mandated by the state shall be rereferred to the Committee on Appropriations. No such bill shall be rereferred to the Committee on Revenue and Taxation.

(b) Any bill re-referred to the Committee on Appropriations pursuant to this rule which does not appropriate money and which does not contain a complete disclaimer of all of the provisions of Section 905.2 of, and Part 7 (commencing with Section 17500) of Division 4 of Title 2 of, the Government Code, need not be set for

hearing and may, along with any nonsubstantive amendments, be reported to the Senate with the recommendation that it be placed on second reading if the chairman of the committee determines, after consideration of the analyses of local costs prepared by the Legislative Analyst and the Department of Finance, that (1) any additional local costs are not significant and (2) the bill will cause no significant reduction in local revenues.

For the purposes of this rule, "complete disclaimer" means a provision in a bill which prohibits local agencies and school districts from filing claims with the State Board of Control for reimbursement for the costs of unfunded mandated programs or services.

(c) Whenever the Assembly amends and passes a Senate bill and the Senate must concur in such amendments, upon the request of any Senator, such bill shall be rereferred to the Committee on Appropriations if, based upon the Legislative Counsel's Digest of the Assembly amendments, such bill (1) imposes state-mandated local costs without providing adequate reimbursement, or (2) contains a complete disclaimer. The Committee on Appropriations shall make a recommendation to the Senate regarding whether the Senate should concur in such Assembly amendments.

(d) Any bill referred to the Committee on Appropriations solely pursuant to this rule, and which otherwise would not be rereferred to such committee pursuant to Joint Rule 10.5, shall not be subject to subparagraph (a) (2), (a) (9), (b) (5), or (b) (12) of Joint Rule 61 or subparagraph (a) (2), (a) (9), (b) (1), (b) (5), or (b) (12) of Senate Rule 29.4, whichever rule is last adopted.

CONSIDERATION OF BILLS

Order of Making Files

29. When bills are reported from committee they shall be placed upon the Daily File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committee shall be placed at the foot of the Second Reading Senate or Assembly File, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the Senate or Assembly Third Reading File, in the order of reading. Unless otherwise ordered by the Senate the File shall be taken up in the following order: Senate Second Reading File, Assembly Second Reading File, Special Orders, Unfinished Business, and Senate Third Reading File, Assembly Third Reading File. The bills upon the third reading shall be considered in the order in which they appear upon the File, unless otherwise ordered by the Senate.

Senate bills returned from the Assembly for concurrence in Assembly amendments shall not be considered until they appear under Unfinished Business on the Daily File pursuant to Joint Rule 26.5 and an analysis is provided to each Senator pursuant to Senate Rule 29.8.

An Inactive File shall be kept to which bills and resolutions may be transferred at the request of the author, or on motion, and they shall be so transferred when they have been passed on Third Reading File without action three successive times.

Bills and resolutions may be transferred from the Inactive File to the Second Reading File on motion, and after being read the second time such bills will take their place regularly on Third Reading File and be available for consideration and passage.

Bills, resolutions, and other questions may be transferred from the Unfinished Business File to the Inactive File upon request or motion and may be returned to the Unfinished Business File by request or on motion.

Placement of any question on the Inactive File shall not prejudice such question.

Committee Reports

29.1. If a bill is acted upon in committee before the relevant deadline specified in Joint Rule 61 and the committee votes to report the bill out with amendments that have not at the time of the vote been prepared by the Legislative Counsel, the Secretary of the Senate may subsequently receive a report recommending the bill for passage or for rereferral together with the amendments at any time within two legislative days after the deadline or, if the Legislature has recessed for the Summer Recess, within seven calendar days after the deadline.

Strike From File

29.2. A motion to strike any bill, resolution, or other question from the file shall require 21 votes. Such bill, resolution, or other question shall not be acted upon again during the session.

Bills Amended From the Floor

29.3. The consideration of a bill that has been amended by amendments offered from the floor, except committee amendments reported with bills or amendments offered with a motion to amend and rerefer a bill to committee, shall not be in order until the amended bill has been in print for not less than one legislative day. Any bill so amended shall be placed on the Second Reading File.

Amended Forms of Bills

29.5. No bill shall be considered for passage unless and until a copy of the bill as introduced and of each amended form of the bill is on the desk of each member.

Conference Reports

29.6. (a) No conference committee on any bill, other than the budget bill and the budget implementation bills, shall approve any substantial policy change in any bill if that substantial policy change has been defeated in a policy committee of the Senate within the current legislative session.

(b) For purposes of subdivision (d) of Joint Rule 29.5, the term "heard" shall mean that a printed bill with substantially similar language was before the appropriate committee and taken up at a regular or special hearing of the committee during the current legislative session; or that an amendment, which was drafted and given a request number or approved as to form by Legislative Counsel, was before the committee and taken up at a regular or special hearing of the committee.

Conference Committee Meetings

29.7. Before the adoption of a conference report by the Senate, any Senator may raise a point of order and put the following question to the chairman or chairwoman of the Committee on Conference from the Senate: "Did the Committee on Conference meet at a public meeting attended by at least two of the Assembly Members and two of the Senate Members of the Committee on Conference and adopt the conference report by an affirmative rollcall vote of not less than two of the Assembly Members and two of the Senate Members constituting the Committee on Conference?" If the chairman or chairwoman answers this question in the negative, the conference report shall be returned to the Committee on Conference and shall not be further considered by the Senate until the Committee on Conference has met at a public meeting attended by at least two of the Assembly Members and two of the Senate Members of the Committee on Conference and has adopted the conference report by an affirmative rollcall vote of not less than two of the Assembly Members and two of the Senate Members constituting the Committee on Conference.

Analysis of Bills, Conference Reports, and Floor Amendments

29.8. (a) With the exception of the Budget Bill and the Budget Implementation Bill, no bill, unfinished business item, *or* report of a conference committee may be considered unless and until an analysis of each has been prepared by the Office of Senate Floor Analyses and placed upon the desks of the Senators, unless otherwise ordered by the President pro Tempore.

(b) No amendment from the floor shall be in order unless and until the amendment has been reviewed by the Office of Senate Floor Analyses. Upon a request by the Chairman or Vice Chairman of the Committee on Rules or by the lead author of the measure to which a substantive amendment is proposed from the floor, an analysis thereof shall be prepared by the Office of Senate Floor Analyses and placed upon the desks of the Senators.

Consideration of Conference Reports

29.9. No conference report may be adopted by the Senate until it has been in print for two days prior to being taken up by the Senate.

Referral of Bills

29.10. (a) If the analysis, prepared in accordance with subdivision (b) of Rule 29.8, of proposed floor amendments to a bill, other than the Budget Bill, discloses that the amendments create a new bill or rewrite the current form of the bill, the amendments shall, prior to consideration of the amendments by the Senate, be referred to the Committee on Rules. If the amendments to the bill are proposed by any Senator other than the author of the bill or the Senator presenting the Assembly bill on the floor, action on the bill shall be deferred until after the Committee on Rules acts upon the amendments. Upon receipt of the amendments, the Committee on Rules by a majority vote of its membership may either (1) refer the amendments to an appropriate standing committee or (2) return the amendments to the Senate Floor for consideration.

If the amendments are referred to a standing committee, the committee shall meet and act upon the amendments no later than the next scheduled hearing of the committee. If the amendments are referred to a standing committee during a time when standing committees are not meeting, the standing committee shall meet and act upon the amendments as directed by the Committee on Rules and, in any event, within two legislative days of receipt of the amendments. Upon receipt of the amendments, the committee by a majority vote of the membership may do any of the following: (1) hold the amendments, (2) return the amendments to the Senate Floor for consideration, or (3) return amendments as approved by the committee to the Senate Floor.

If the amendments are referred to a standing committee during the time when no committee may meet, the Committee on Rules shall grant permission to suspend the joint rule to allow the committee to meet as directed by the Committee on Rules.

If the amendments are referred to the Committee on Rules on the last legislative day preceding a joint recess, the Committee on Rules and, if the amendments are referred to a standing committee, the standing committee, shall meet and act upon the amendments before adjourning for the recess. If the amendments are referred to the Committee on Rules on any of the three legislative days preceding January 31 or September 1 of an even-numbered year, the Committee on Rules and, if the amendments are referred to a standing committee, the standing committee, shall meet and act upon the amendments on the same legislative day.

(b) If the analysis, prepared in accordance with subdivision (a) of Rule 29.8, of a bill, other than the Budget Bill, that is returned to the Senate for a vote on concurrence discloses that the Assembly amendments create a new bill or rewrite the bill as passed by the Senate, action on the bill shall be deferred until the Committee on Rules acts upon the bill. The Committee on Rules by a majority vote of its membership may either (1) refer the bill to an appropriate standing committee or (2) recommend that the bill be taken up for consideration of the Assembly amendments.

If the bill is referred to a standing committee, the committee shall meet and act upon the bill no later than the next scheduled hearing of the committee. If the bill is referred to a standing committee during a time when standing committees are not meeting, the standing committee shall meet and act upon the bill as directed by the Committee on Rules and, in any event, within two legislative days of receipt of the bill. Upon receipt of the bill, the committee by a majority vote of the membership may either (1) hold the bill or (2) return the bill to the Senate Floor for consideration of the Assembly amendments.

If the bill is referred to a standing committee during the time when no committee may meet, the Committee on Rules shall grant permission to suspend the joint rule to allow the committee to meet as directed by the Committee on Rules.

If the bill is referred to the Committee on Rules on the last legislative day preceding a joint recess, the Committee on Rules and, if the bill is referred to a standing committee, the standing committee, shall meet and act upon the bill before adjourning for the recess. If the bill is referred to the Committee on Rules on any of the

three legislative days preceding January 31 or September 1 of an even-numbered year, the Committee on Rules and, if the bill is referred to a standing committee, the standing committee, shall meet and act upon the bill on the same legislative day.

(c) An amendment creates a new bill or rewrites the bill if the amendment (1) changes the subject of the bill to a new or different subject, or (2) adds a new subject to the bill that is different from, and not related to, the contents of the bill.

This rule shall apply only to the 1995–96 Regular Session.

Special Order

30. Any measure or subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

Messages From the Governor or Assembly

31. Messages from the Governor or from the Assembly may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, or while a Senator is addressing the Senate.

Messages from the Governor or from the Assembly may be considered when indicated in the order of business or at any other time by unanimous consent or upon motion.

Engrossing Bills

32. All Senate bills, constitutional amendments, and joint and concurrent resolutions shall be engrossed after each amendment and before final action is taken on them in the Senate. Engrossment shall consist of comparing the printed engrossed bill with the original bill introduced and any amendments adopted to ascertain that it is correct. When a bill is reported correctly engrossed it shall be substituted for the original bill.

Enrolling Bills

33. All Senate bills shall be enrolled immediately following their final passage and receipt from the Assembly. An enrolled copy of every such bill, amendment or resolution shall be printed and examined to ascertain that it is a true and accurate copy of the measure as it was passed. It shall then be authenticated by the signature of the Secretary or an Assistant Secretary of the Senate and by the Chief Clerk or an Assistant Clerk of the Assembly, and transmitted to the Governor.

DEBATE

Statement of Motion

34. No motion shall be debated until the same be distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

Regulations as to Speaking

35. (a) When a Senator desires to address the Senate, he shall rise in his place, address the President, and when recognized he shall proceed to speak through the public address system.

- (b) No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.
- (c) When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.
- (d) No Senator shall be interrupted when speaking, and no question shall be asked him except through the presiding officer.
- (e) The author of a bill, motion, or resolution shall have the privilege of closing the debate.

Order in Debate

36. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

Right to Address the Senate

37. No person other than a Member of the Senate or the President thereof, shall address the Senate while it is in session, but the Senate may resolve itself into a Committee of the Whole and while sitting as such committee may be addressed by persons other than members.

QUESTIONS AND MOTIONS

Amendments to Bills

38. When amendments to a bill are reported by a committee or offered from the floor, such amendments shall be submitted in quintuplicate.

Adoption of amendments to any bill in the Senate prior to third reading, other than by rollcall, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments or any part thereof by the Senate.

Amendments to Be Germane

38.5. Every amendment proposed must be germane. In order to be germane, an amendment must relate to the same subject as the original bill, resolution, or other question under consideration.

A point of order may be raised that the proposed amendment or an amendment now in the bill, resolution, or other question under consideration is not germane, so long as the question is within control of the body. In that case the President pro Tempore shall decide whether the point of order is well taken. In the absence of the President pro Tempore, the Vice Chairman of the Committee on Rules shall decide whether the point of order is well taken. If in the opinion of the President pro Tempore or the Vice Chairman of the Committee on Rules the point of order is well taken, the question of germaneness shall on his or her motion be referred to the Rules Committee for determination. The Committee on Rules shall make its determination by the following legislative day. If the point of

order and referral is made on the last legislative day preceding a joint recess, the Committee on Rules shall make its determination before adjourning for the recess.

The proposition shall remain on File until the determination is made. If upon consideration of the matter the Committee on Rules determines that the amendment is not germane, the bill, resolution, or other question shall be stricken from the File and shall not be acted upon during the remainder of the session; provided that the author of a bill, resolution, or other question, shall be given the opportunity to amend the bill, resolution, or other question to delete the portions that are not germane, in which case the bill, resolution, or other question may continue to be acted upon. If the Committee on Rules determines that the amendment is germane, the bill, resolution, or other question may thereafter be acted upon by the house.

Amendments From the Floor

38.6. No amendments to a bill offered from the floor, except committee amendments reported with bills or amendments offered with a motion to amend and rerefer a bill to committee, shall be in order unless and until a copy of the proposed amendments provided by the author has been placed upon the desks of the members.

Motion to Lay on the Table

39. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

Division of a Question

40. If a question in debate contains more than one distinct proposition, any Senator may have the same divided.

The Previous Question

41. The previous question shall be put in the following form: "Shall the question be now put?" It shall require a majority vote of the Senators present; and its effect shall be to put an end to all the debate except that the author of the bill or the amendment shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote.

Call of the Senate

42. Upon a motion being carried for a call of the Senate, the President shall immediately order the doors to be closed, and shall direct the Secretary to call the names of the absentees as disclosed by the last previous rollcall. Thereupon, no members shall be permitted to leave the Senate Chamber except by written permission of the President pro Tempore or in his absence of the Vice Chairman of the Committee on Rules or, in the absence of both, of another member of the Committee on Rules designated for that purpose by the President pro Tempore or the Vice Chairman of the Committee on Rules. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant at Arms whenever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order

a rollcall of the Senate and compel the attendance of absentees in the manner above provided.

A call of the Senate may be ordered after the roll has been called and prior to the announcement of the vote. A call of the Senate may be dispensed with at any time upon a majority vote of the Senators present, such action to become effective upon completion of the rollcall and the announcement of the vote upon the matter for which the call was ordered.

No recess can be taken during a call of the Senate. During any call such call may be made to apply also to other items of business by a motion made and adopted by a majority vote of the members present. Under such circumstances, when the call of the Senate is dispensed with as to any item of business, the call shall be deemed to be continued in effect until such other items of business as have been made subject to the call by a majority of the members present, shall have been acted upon. When a call of the Senate is ordered, pending the announcement of the vote upon the completion of a rollcall, the pending rollcall shall become unfinished business, the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

A motion to adjourn is not in order during a call of the Senate.

Reconsideration

43. On the day on which a vote has been taken on any question a motion to reconsider the vote may be made by any member.

The motion may be considered on the day made or on the succeeding legislative day but may not be further postponed without the concurrence of 30 members.

No vote by which a bill was passed may be reconsidered on the last legislative day preceding the interim study joint recess or the final recess, and no vote by which the bill was passed may be reconsidered on a Senate bill introduced during the first year of the biennium of the legislative session on January 31, or on the last legislative day immediately preceding January 31, of an even-numbered year.

When reconsideration of the vote by which any bill has passed has been demanded the Secretary shall not transmit it to the Assembly until the demand has been disposed of or the time for reconsideration has expired, but if the bill has already been transmitted to the Assembly the demand for reconsideration shall be preceded by a motion to request the Assembly to return the bill. The motion shall be put to a vote immediately without debate and if not adopted shall preclude a demand for reconsideration.

A demand to reconsider the vote on any debatable question opens the main question to debate and the vote on the reconsideration shall be on the merits of such main question.

VOTING BY SENATE

Rescinding

43.5. No action whereby a bill has been passed or defeated may be rescinded without the concurrence of 27 members.

Voting on Rollcall

44. Whenever a rollcall is required by the Constitution or rules, or is ordered by the Senate or demanded by three members, every member within the Senate shall without debate answer “Aye” or “No” when his or her name is called.

The names of members shall be called alphabetically.

No Senator shall be permitted to vote or change his or her vote after the announcement of the vote by the presiding officer.

On a legislative day when the President pro Tempore or Minority Floor Leader is in attendance throughout a session, he or she, in the absence of any objection, may instruct the Secretary of the Senate to add his or her vote to any previously announced vote which had been taken while he or she was performing the responsibilities of the office of President pro Tempore or Minority Floor Leader, provided the outcome of the vote is not changed. This provision may not extend to any rollcall beyond adjournment of the legislative day during which the rollcall in question was taken. The intent of this paragraph is to allow the President pro Tempore and the Minority Floor Leader to carry out the unique and special duties of their offices without losing the opportunity to vote on matters before the Senate.

Excused From Voting

45. When a Senator declines or fails to vote on call of his name he may, after completion of the rollcall, and before the announcement of the vote be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: “Shall the Senator, for the reasons assigned by him, be excused from voting?” which question shall be decided without debate. Unless the Senator is excused from voting he shall be required to vote.

Voting by Presiding Senator

46. When the President pro Tempore or any other Member of the Senate is presiding over the Senate he shall vote on rollcall the same as though he were not presiding.

Vote Required

47. Unless otherwise required by the Constitution, the Joint Rules of the Senate and Assembly or by these rules, any action which can be taken by the Senate requires only a majority vote of the Senate, a quorum being present.

The following actions require 30 votes:

1. To dispense with constitutional provision requiring 30 calendar day delay after introduction before a bill may be heard by any committee or acted upon by either house— (Constitution, Art. IV, Sec. 8(a)).
2. To postpone the reconsideration of a vote beyond the first legislative day succeeding the day the motion was made.

The following actions require 27 votes:

3. To pass urgency statutes— (Constitution, Art. IV, Sec. 8(d)).
4. To suspend constitutional provisions requiring reading bills on three several days— (Constitution, Art. IV, Sec. 8(b)).
5. To pass bills over the Governor’s veto— (Constitution, Art. IV, Sec. 10).

6. To prescribe compensation and reimbursement for travel and living expenses of the Members of the Legislature—(Constitution, Art. IV, Sec. 4).
7. To propose constitutional amendments or revision of the Constitution—(Constitution, Art. XVIII, Secs. 1, 2).
8. To amend or withdraw proposed legislative constitutional amendment or revision—(Constitution, Art. XVIII, Sec. 1).
9. To classify or exempt personal property for property taxation purposes—(Constitution, Art. XIII, Sec. 2).
10. To permit exemption of real property from taxation—(Constitution, Art. XIII, Sec. 7).
11. To remove a member of the Public Utilities Commission—(Constitution, Art. XII, Sec. 1).
12. To reconsider the vote by which a concurrent resolution proposing a constitutional amendment is defeated.
13. To rescind the action whereby a bill has been passed or defeated.
14. To suspend the rule against lobbying in the Senate Chamber.
15. To concur in Assembly amendments to or adopt a report of a Committee on Conference concerning constitutional amendments or bills which require 27 votes for passage.
16. To concur in any Assembly amendments to, or any conference report affecting, any Senate bill which contains an item or items of appropriation subject to Section 12(d) of Article IV of the Constitution.

The following actions require 21 votes:

17. To amend or suspend the rules, except as provided in Rule 21.
18. To pass bills, unless under some other rules a larger vote is required—(Constitution, Art. IV, Sec. 8(b)).
19. To adopt joint and concurrent resolutions.
20. To reconsider bills, joint and concurrent resolutions.
21. To confirm appointments by the Governor, unless a higher vote is required by statute, or to reconsider the same.
22. To recall a bill from committee.
23. To concur in Assembly amendments to or adopt a report of a Committee on Conference concerning concurrent or joint resolutions or bills which require 21 votes for passage.
24. To change rate of bank and corporation taxation, or tax on insurers, for state purposes—(Constitution, Art. XIII, Secs. 27, 28).
25. To strike from file.

Actions requiring 14 votes:

26. To reconsider a vote by which a concurrent resolution proposing a constitutional amendment was adopted.

Vote Required for Amendments

48. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

CONTENTS OF SENATE JOURNAL**Proceedings to Be Printed**

49. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

The Journal shall state the name of the Senator presenting each Assembly bill, concurrent or joint resolution or constitutional amendment to the Senate for final action.

Every vote of the Senate shall be recorded in the Journal.

Titles of Bills to Be Printed

50. The titles of all bills, joint and concurrent resolutions, and constitutional amendments when introduced and when acted upon by the Senate, and a brief statement of the contents of each petition, memorial or paper presented to the Senate shall be printed in the Journal.

Other Matters to Be Printed

51. Messages from the Governor (other than annual messages and inaugural addresses) shall be printed in the Journal, unless otherwise ordered by the Senate.

Letters of transmittal presenting reports of committees and reports of such state departments and agencies as shall be made to the Senate pursuant to law or resolution adopted by the Senate, shall be printed in the Journal, but the reports shall be printed in the Appendix to Journals unless otherwise directed by the Senate.

Duty of Secretary to Order Printing

52. It shall be the duty of the Secretary of the Senate and he is hereby directed to order for the Senate the necessary printing including stationery for the members and to audit and approve all bills for printing to be charged to the Senate. The Secretary shall order from the State Printer such number of copies of bills, Journals, Histories, Files, forms and other printing as shall be necessary.

It shall further be the duty of the Secretary to order bills and other legislative publications for which there is a demand printed before the supply of same shall become exhausted.

Printing Only on Written Orders: Rush Orders

53. The State Printer shall not charge any printing or other work to the Senate except as required by law unless he or she has a written order from the Secretary of the Senate prior to the beginning of the printing or other work. All printing orders by the Secretary shall be delivered as directed by him. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under specially prepared written order, to be known as a "Rush Order."

THE SENATE CHAMBER

Admission To The Senate Chamber

55. (a) Persons not Members, officers or employes of the Senate, shall be admitted to the Senate Chamber only as follows:

1. The Members, Officers, and assistant clerks of the Assembly.
2. The Legislative Counsel or his representatives.
3. The accredited press, radio and television representatives.
4. Former State Senators and Assemblymen.
5. Visitors in the chairs reserved for that purpose on invitation of the President or a Senator or on presentation of a pass.

(b) While the Senate is in session no person, except Members of the Legislature, shall engage in influencing the passage or defeat of legislation in any way in the Senate Chamber.

(c) No person described as a lobbyist in Section 82039 of the Government Code shall be admitted to the Senate Chamber while the Senate is in session.

(d) Only Members and Officers of the Senate and Assembly, former Members of the Senate, assistant clerks of the Senate and the Assembly, the Legislative Counsel or his representatives, Senate employes for the purpose of delivering messages and when so directed by a Member of the Senate, and members of the press who have seats assigned to them, shall be permitted on the Floor of the Senate.

(e) The Senate Chamber is the Senate Chamber proper, the adjoining hallway, Rooms 3046, 3189, 3191, 3195, and 3196 of the Capitol Annex, and Room 215 of the Capitol.

(f) The Floor of the Senate is all of the Senate Chamber except the adjoining hallway and the rooms listed in subdivision (e), the visitors seating area, and the western portion of Room 3191.

(g) Notwithstanding any other provision of this rule, any person may be admitted to the western portion of Room 3191 to attend a meeting of a Senate, Assembly, Joint or Conference Committee.

(h) Notwithstanding any other provision of this rule, no person shall be permitted on the Floor of the Senate while it is in session unless the person is wearing appropriate attire. Appropriate attire must include coats and ties for men. Accredited camerapersons, sound technicians, and photographers are excepted from this requirement. Floor of the Senate has the same meaning as defined in subdivision (f).

(i) This rule may be suspended by a vote of two-thirds of the Members of the Senate.

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**STANDARDS OF CONDUCT
OF THE SENATE**

(adopted by the Senate May 4, 1992)

**Standards of Conduct
of the Senate
(adopted by the Senate May 4, 1992)**

The Standards of Conduct of the Senate are as follows:

First—That each Senator and each officer and employee of the Senate has an obligation to exercise his or her independent judgment on behalf of the people of California, rather than for any personal gain or private benefit.

(a) No Senator or officer or employee of the Senate should accept anything from anyone that would interfere with the exercise of his or her independent judgment.

(b) No Senator or officer or employee of the Senate should accept outside employment that is inconsistent with the conscientious performance of his or her duties.

(c) No Senator should use the prestige of his or her office, and no Senate officer or employee of the Senate should use the status of his or her position for material or financial gain or private benefit.

Second—That each Senator has an obligation to provide energetic and diligent representation, and each officer and employee of the Senate has an obligation to provide energetic and diligent service on behalf of the Senate, with due consideration for the interests of all of the people of California.

(a) Each Senator and each officer and employee of the Senate has an obligation to be informed and prepared, recognizing all sides of an issue.

(b) Each Senator and each officer and employee of the Senate, when intervening on behalf of a constituent with any governmental agency should make every effort to ensure that decisions affecting any constituent are made on their merits and in a fair and equitable manner.

(c) Each Senator should be accessible to all constituents, making a special effort to attend to the concerns of those who might not otherwise be heard.

(d) Each Senator should fairly characterize the issues confronting the Legislature and accurately inform the public regarding the conduct of his or her office.

Third—That each Senator and each officer and employee of the Senate has an obligation to the public and to his or her colleagues to be informed about, and abide by, the rules that govern the proceedings of the Senate and the Legislature.

(a) Each Senator should perform his or her duties with courtesy and respect for both colleagues and those who may appear before them.

(b) In exercising the power of confirmation, each Senator should act with due regard for the general welfare of the people of California.

(c) Each Senator and each officer and employee of the Senate, when exercising oversight functions with respect to any governmental agency, should act in an informed fashion, with attention to the underlying policies being implemented and with due respect for the independence of the agency.

Fourth—Each Senator, when acting in a position of leadership, should exercise his or her power and carry out his or her responsibility so as to enhance reasoned and visible decisionmaking by the Senate.

Fifth—Each Senator has an obligation to treat every officer and employee of the Senate with fairness and without discrimination, and to ensure that each officer and employee performs only those tasks for which there is a legislative or governmental purpose.

Sixth—Each officer and employee of the Senate has an obligation to perform his or her properly assigned duties using his or her best judgment with diligence and a duty of loyalty to the Senate as an institution.

Seventh—Each Senator and each officer and employee of the Senate has an obligation to make proper use of public funds.

(a) No Senator and no officer or employee of the Senate may use state resources for personal or campaign purposes.

(b) Each officer and employee of the Senate is free to volunteer for, and participate in, campaign activities on his or her own time, but no officer or employee of the Senate may be intimidated, coerced, or compelled, as a condition of continued appointment or employment, to either volunteer time or contribute money to a candidate or campaign.

Eighth—Each Senator and each officer and employee of the Senate shall uphold the Constitution of California and the Constitution of the United States, and shall adhere to the spirit and the letter of the laws, rules, and regulations governing officeholder conduct.

Ninth—Each Senator and each officer and employee of the Senate shall conduct himself or herself in the performance of his or her duties in a manner that each does not discredit the Senate.

Tenth—Each Senator and each officer and employee of the Senate, is encouraged to report to the proper authority any apparent and substantial violation of these standards, or related statutes, regulations, and rules, and to consult with the Senate Committee on Legislative Ethics, or any other appropriate governmental agency, regarding the propriety of any conduct.

TEMPORARY JOINT RULES
OF THE
SENATE AND ASSEMBLY

1995-96

(SCR No. 1, Resolution Chapter 14, Statutes of 1996,
1995-96 Regular Session, Assembly Journal, p. 5668)

**TEMPORARY JOINT RULES OF THE
SENATE AND ASSEMBLY**

Standing Committees

1. Each house shall appoint such standing committees as the business of the house may require, the committees, the number of members, and the manner of selection to be determined by the rules of each house.

Joint Meeting of Committees

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen or chairwomen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

Effect of Adoption of Joint Rules

3.5. The adoption of the Joint Rules for any extraordinary session shall not be construed as modifying or rescinding the Joint Rules of the Senate and Assembly for any previous session, nor as affecting in any way the status or powers of the committees created by those rules.

Definition of Word "Bill"

4. Whenever the word "bill" is used in these rules, it shall include constitutional amendments, resolutions ratifying proposed amendments to the United States Constitution, and resolutions calling for constitutional conventions.

Concurrent and Joint Resolutions

5. Concurrent resolutions relate to matters to be treated by both houses of the Legislature.

Joint resolutions are those which relate to matters connected with the federal government.

Resolutions Treated as Bills

6. Concurrent and joint resolutions, other than resolutions ratifying proposed amendments to the United States Constitution and resolutions calling for constitutional conventions, shall be treated in all respects as bills except as follows:

(a) They shall be given only one formal reading in each house.

(b) They shall not be deemed bills within the meaning of subdivision (a) of Section 8 of Article IV of the California Constitution.

(c) They shall not be deemed bills for the purposes of Rules 10.8, 53, 55, 56, and 61, and subdivisions (a) and (c) of Rule 54 and subdivisions (a) and (b) of Rule 62.

(d) They shall not, except for those relating to voting procedures on the floor or in committee, be deemed bills for the purposes of subdivision (c) of Rule 62.

PREPARATION AND INTRODUCTION OF BILLS**Title of Bill**

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

Division of Bill Into Sections

8. A bill amending more than one section of an existing law shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

Digest of Bills Introduced

8.5. No bill shall be introduced unless it is contained in a cover attached by the Legislative Counsel and unless it is accompanied by a digest, prepared and attached to the bill by the Legislative Counsel, showing the changes in the existing law which are proposed by the bill. No bill shall be printed where the body of the bill or the Legislative Counsel's Digest has been altered, unless the alteration has been approved by the Legislative Counsel. If any bill is presented to the Secretary of the Senate or Chief Clerk of the Assembly for introduction, which does not comply with the foregoing requirements of this rule, the Secretary or Chief Clerk shall return it to the member who presented it. The digest shall be printed on the bill as introduced, commencing on the first page thereof.

Digest of Bills Amended

8.6. Whenever a bill is amended in either house, the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be, shall request the Legislative Counsel to prepare an amended digest and cause it to be printed on the first page of the bill as amended. The digest shall be amended to show changes in the existing law which are proposed by the bill as amended with any material changes in the digest indicated by the use of appropriate type.

Errors in Digest

8.7. If a material error in a printed digest referred to in Rule 8.5 or 8.6 is brought to the attention of the Legislative Counsel, he or she shall prepare a corrected digest which shall show the changes made in the digest as provided in Rule 10 for amendments to bills. He or she shall deliver the corrected digest to the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be. If the correction warrants it in the opinion of the President pro Tempore of the Senate or the Speaker of the Assembly, a corrected print of the bill as introduced shall be ordered with the corrected digest printed thereon.

Bills Amending Title 9 of the Government Code

8.8. A member who is the first-named author of a bill which would amend, add, or repeal any provision of Title 9 (commencing with Section 81000) of the Government Code, upon introduction or amendment of such bill in either house shall notify the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, of the nature of such bill. Thereafter, the Chief Clerk of the Assembly or the Secretary of the Senate shall deliver a copy of such bill as introduced or amended to the Fair Political Practices Commission pursuant to Section 81012 of the Government Code.

Restrictions as to Amendments

9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment, or resolution under consideration. No amendment shall be in order when all that would be done to the bill is the addition of a coauthor or coauthors, unless the Rules Committee of the house in which such an amendment is to be offered grants prior approval.

Changes in Existing Law to Be Marked by Author

10. In a bill amending or repealing a code section or a general law, any new matter shall be underlined and any matter to be omitted shall be in type bearing a horizontal line through the center and commonly known as "strikeout" type. When printed the new matter shall be printed in italics, and the matter to be omitted shall be printed in "strikeout" type.

In any amendment to a bill which sets out for the first time a section being amended or repealed, any new matter to be added and any matter to be omitted shall be indicated by the author and shall be printed in the same manner as though the section as amended or repealed were a part of the original bill and was being printed for the first time.

When an entire code is repealed as part of a codification or recodification or when an entire title, part, division, chapter, or article of a code is repealed, the sections comprising such code, title, part, division, chapter, or article shall not be set forth in the bill or amendment in strikeout type.

Rereferral to Fiscal and Rules Committees

10.5. Bills shall be rereferred to the fiscal committee of each house when they would do any of the following:

- (1) Appropriate money.
- (2) Result in substantial expenditure of state money by: (a) imposing new responsibilities on the state or (b) imposing new or additional duties on a state agency or (c) liberalizing any state program, function, or responsibility.
- (3) Result in a substantial loss of revenue to the state.
- (4) Result in substantial reduction of expenditures of state money by reducing, transferring, or eliminating any existing responsibilities of any state agency, program, or function.

Concurrent and joint resolutions shall be rereferred to the fiscal committee of each house when they contemplate any action which would involve any of the following:

- (1) Any substantial expenditure of state money.
- (2) Any substantial loss of revenue to the state.

The above requirements do not apply to bills or concurrent resolutions which contemplate the expenditure or allocation of operating funds.

A bill which assigns a study to the Joint Legislative Budget Committee or to the Legislative Analyst shall be rereferred to the respective rules committees. Before the committee shall act upon such bill, it shall obtain from the Joint Legislative Budget Committee an estimate of the amount required to be expended to make the study.

This rule may be suspended in either house as to any particular bill by approval of the Committee on Rules of the house and two-thirds vote of the membership of the house.

Heading of Bills

10.7. No bill shall indicate in its heading or elsewhere that it was introduced at the request of a state agency or officer or any other person. No bill shall contain the words "By request" or words of similar import.

Consideration of Bills

10.8. The limitation contained in subdivision (a) of Section 8 of Article IV of the Constitution may be dispensed with as follows:

(a) A written request for such dispensation entitled "Request to Consider and Act on Bill Within 30 Calendar Days" shall be filed with the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, and transmitted to the Committee on Rules of the appropriate house.

(b) The Committee on Rules of the Assembly or Senate, as the case may be, shall determine whether there exists an urgent need for dispensing with the 30-calendar-day waiting period following the bill's introduction.

(c) If the Committee on Rules recommends that the waiting period be dispensed with, the member may offer a resolution, without further reference thereof to committee, authorizing hearing and action upon the bill before the 30 calendar days have elapsed. The adoption of the resolution shall require an affirmative recorded vote of three-fourths of the elected members of the house in which the resolution is presented.

Printing of Amendments

11. (a) All bills amended by either house shall be immediately reprinted. Except as otherwise provided in subdivision (b), if new matter is added by the amendment, the new matter shall be printed in italics in the printed bill; if matter is omitted, the matter to be omitted shall be printed in strikeout type. When a bill is amended in either house, the first or previous markings shall be omitted.

(b) If amendments to a bill, including the report of a committee on conference, are adopted that omit the entire contents of the bill, the matter omitted need not be reprinted in the amended version of the bill. Instead, the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be, may select any such amended bill and cause to be printed a brief statement to appear after the last line of the amended bill identifying which previously printed version of the bill contains the complete text of the omitted matter.

Manner of Printing Bills

12. The State Printer shall observe the directions of the Joint Rules Committee in printing all bills, constitutional amendments, and concurrent and joint resolutions.

Distribution of Legislative Publications

13. The Secretary of the Senate and the Chief Clerk of the Assembly shall order a sufficient number of bills and legislative publications as may be necessary for legislative requirements.

No complete list of bills shall be delivered except upon payment therefor of such sum as may be fixed by the Joint Rules Committee for any regular or extraordinary session. No more than one copy of any bill or other legislative publication, nor more than a total of 100 bills or other legislative publications during a session, shall be distributed free to any person, office, or organization. The limitations imposed by this paragraph do not apply to Members of the Legislature, the President of the Senate, the Secretary of the Senate and the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; Attorney General's office; Secretary of State's office; Controller's office; Governor's office; the Clerk of the Supreme Court; the clerk of the court of appeal for each district; the Judicial Council; the California Law Revision Commission; the State Library; the Library of Congress; the libraries of the University of California at Berkeley and at Los Angeles; and accredited members of the press. The State Printer shall fix the cost of such bills and publications, including postage, and such moneys as may be received by him or her shall, after deducting the cost of handling and mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing. Legislative publications heretofore distributed through the Bureau of Documents shall be distributed through the Bill Room. Unless otherwise provided for, the total number of each bill to be printed shall not be more than 2,500.

Legislative Index

13.1. The Legislative Counsel shall provide for the periodic publication of a cumulative Legislative Index which shall include tables of sections affected by pending legislation. The State Printer shall print the Legislative Index in such quantities, and at such times, as are determined by the Secretary of the Senate and the Chief Clerk of the Assembly. The costs of such printing shall be paid from the legislative printing appropriation.

Summary Digest

13.3. The Legislative Counsel shall compile and prepare for publication a summary digest of legislation passed at each regular and extraordinary session, which digest shall be prepared in a form suitable for inclusion in the publication of statutes. The digest shall be printed as a separate legislative publication on the order of the Joint Rules Committee and may be made available to the public in such quantities and at such prices as the Joint Rules Committee may determine.

Statutory Record

13.5. The Legislative Counsel shall prepare for publication from time to time a cumulative statutory record. The statutory record shall be printed as a legislative publication on the order of the Secretary of the Senate or the Chief Clerk of the Assembly.

OTHER LEGISLATIVE PRINTING**Printing of the Daily Journal**

14. The State Printer shall print in such quantity as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, copies of the journal of each day's proceedings of each house. At the end of the session he or she shall also print, as directed by the Secretary of the Senate and the Chief Clerk of the Assembly a sufficient number of copies properly paged after being corrected and indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, to bind in book form as the journal of the respective houses of the Legislature.

What Shall Be Printed in the Journal

15. The following shall be printed in the journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions, and constitutional amendments when introduced in, offered to, or acted upon by the house.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial, or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

Printing of the Daily File

16. A daily file of bills ready for consideration shall be printed each day for each house when the Legislature is not in joint recess except days when a house does not meet.

Printing of History

17. Each house shall cause to be printed, once each week, a complete history of all bills; constitutional amendments; and concurrent, joint, and house resolutions originating in, considered, or acted upon by the respective houses and committees thereof. A regular form shall be prescribed by the Secretary of the Senate and the Chief Clerk of the Assembly. Such history shall show the action taken upon each measure up to and including the legislative day preceding its issuance. Except for periods when the houses are in joint recess, for each day intervening there shall be printed a daily history showing the consideration given to or action taken upon any measure since the issuance of the complete history.

Authority for Printing Orders

18. The State Printer shall not print for use of either house nor charge to legislative printing any matter other than provided by law or by the rules, except upon a written order signed by the Secretary of the Senate, on behalf of the Senate, or the Chief Clerk of the Assembly or other person authorized by the Assembly, on behalf of

the Assembly. Persons authorized to order printing under this rule may, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

The Secretary of the Senate, on behalf of the Senate, and the Chief Clerk of the Assembly or other person authorized by the Assembly, on behalf of the Assembly, are hereby authorized and directed to order and distribute for the members stationery and legislative publications for which there is a demand, and, subject to the rules of their respective houses, to approve the bills covering such orders. All bills for printing must be presented by the State Printer within 30 days after the completion of the printing.

RECORD OF BILLS

Secretary and Chief Clerk to Keep Records

19. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a complete and accurate record of every action taken by the Senate and Assembly on every bill.

Secretary and Chief Clerk Shall Endorse Bills

20. The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original or engrossed bill a statement of any action taken by the Senate or Assembly concerning such bill.

ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER

After a Bill Has Been Passed by the Senate or Assembly

21. When a bill has been passed by either house it shall be transmitted promptly to the other unless a motion to reconsider or a notice of motion to reconsider has been made or it is held pursuant to some rule or order of the house.

The procedure of referring bills to committees shall be determined by the respective houses.

Messages to Be in Writing Under Proper Signatures

22. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the Assembly from which such message is to be conveyed. A receipt shall be taken from the officer to whom such message is delivered.

Uncontested Bills

22.1. Each standing committee may report an uncontested bill out of committee with the recommendation that it be placed on the consent calendar. The Secretary of the Senate and the Chief Clerk of the Assembly shall provide to each committee chairman or chairwoman appropriate forms for such report. As used in this rule, "uncontested bill" means a bill, except a revenue measure or a measure as to which the 30-day limitation prescribed by subdivision (a) of Section 8 of Article IV of the California Constitution has been dispensed with, which: (a) receives a do-pass or do-pass-as-amended recommendation from the committee to which it is referred, by unanimous vote of the members present provided a quorum is present; and (b) has no opposition expressed by any person present at the committee meeting with respect to the final version of the bill

as approved by the committee; and (c) prior to final action by the committee, has been requested by the author to be placed on the consent calendar.

Consent Calendar

22.2. Following their second reading and the adoption of any committee amendments thereto, all bills certified by the committee chairman or chairwoman as uncontested bills shall be placed by the Secretary of the Senate or the Chief Clerk of the Assembly on the consent calendar, and shall be known as "consent calendar bills." Any consent calendar bill which is amended from the floor shall cease to be a consent calendar bill and shall be replaced on the third reading file. Upon objection of any member to the placement or retention of any bill on the consent calendar, such bill shall cease to be a consent calendar bill and shall be replaced on the third reading file. No consent calendar bill shall be considered for adoption until the second legislative day following the day of its placement on the consent calendar.

Consideration of Bills on Consent Calendar

22.3. Bills on the consent calendar are not debatable, except that the President of the Senate or the Speaker of the Assembly shall allow a reasonable time for questions from the floor and shall permit the proponents of such bills to answer such questions. Immediately prior to voting on the first bill on the consent calendar, the President of the Senate or the Speaker of the Assembly shall call to the attention of the members the fact that the next roll call will be the roll call on the first bill on the consent calendar.

The consent calendar shall be considered as the last order of business on the daily file.

PASSAGE AND ENROLLING OF BILLS

Procedure on Defeat of More Than Majority Bill

23.5. Whenever a bill containing a section or sections requiring for passage an affirmative recorded vote of more than 21 votes in the Senate and more than 41 votes in the Assembly is being considered for passage and the urgency clause, if the bill is an urgency bill, or the bill, in any case, fails to receive the necessary votes to make all sections effective, no further action may be taken on the bill; provided that an amendment to remove all sections requiring the higher vote for passage from the bill shall be in order prior to consideration of further business. If the amendment is adopted, the bill shall be reprinted to reflect such amendment. When the bill is reprinted, it shall be returned to the same place on the file as when it failed to receive the necessary votes.

Enrollment of Bill After Passage

24. After a bill has passed both houses it shall be printed in enrolled form, omitting symbols indicating amendments, and shall be compared by the Engrossing and Enrolling Clerk and the proper committee of the house where it originated to determine that it is in the form approved by the houses. The enrolled bill shall thereupon be signed by the Secretary of the Senate and Chief Clerk of the Assembly and, except as otherwise provided by these rules, presented without delay to the Governor. The committee shall

report the time of presentation of the bill to the Governor to the house and the record shall be entered in the journal. After enrollment and signature by the officers of the Legislature, constitutional amendments, and concurrent and joint resolutions shall be filed without delay in the office of the Secretary of State and the time of filing shall be reported to the house and the record entered in the journal.

AMENDMENTS AND CONFERENCES

Amendments to Amended Bills Must Be Attached

25. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments. One copy of such amendment or amendments shall be attached to the bill or resolution so amended, and endorsed "adopted" and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be endorsed "concurred in," and such endorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly, as the case may be; provided, however, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

Amendments to Concurrent and Joint Resolutions

25.5. When a concurrent or joint resolution is amended, and the only effect of the amendments is to add coauthors, the joint or concurrent resolution shall not be reprinted unless specifically requested by one of the added coauthors, but a list of the coauthors shall appear in the journal and history.

To Concur or Refuse to Concur in Amendments

26. In case the Senate amends and passes an Assembly bill, or the Assembly amends and passes a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments. If the Senate concurs (if it be a Senate bill), or the Assembly concurs (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

Reference to Committee

26.5. Pursuant to Rule 26, whenever a bill is returned to its house of origin for a vote on concurrence in an amendment made in the other house, the Legislative Counsel shall promptly prepare and transmit to the Chief Clerk of the Assembly and the Speaker of the Assembly in the case of an Assembly bill, or to the Secretary of the Senate and Chairman of the Senate Committee on Rules in the case of a Senate bill, a brief digest summarizing the effect of the amendment made in the other house. The Secretary or Chief Clerk shall, upon receipt from the Legislative Counsel, cause the digest to be printed in the Daily File immediately following any reference to the bill covered by the digest. A motion to concur or refuse to concur in the amendment shall not be in order until such time as the Legislative Counsel's Digest has appeared in the file or an analysis of

the bill has been prepared and distributed pursuant to Senate Rule 29.8 or Assembly Rule 77.

If the digest discloses that the amendment of the other house has made a substantial substantive change in the bill as first passed by the house of origin, the bill shall on motion of the Chairman of the Senate Committee on Rules, if it be a Senate bill, be referred to the Senate Committee on Rules for reference to an appropriate standing committee. If the bill is an Assembly bill it shall be referred by the Speaker to the appropriate committee.

Upon receipt of such a bill, the committee may vote to recommend concurrence or nonconcurrence in the amendment or the committee may hold the bill. The committee shall be subject to all the requirements for procedure provided under Rule 62 for committees other than for committees of first referral, and such other requirements for normal committee procedure as the Assembly or Senate may separately provide in the standing rules of their respective houses.

Any of the provisions of this rule may be dispensed with regard to a particular bill in its house of origin upon an affirmative vote of a majority of the members of that house.

**Concurring in Amendments
Adding Urgency Section**

27. When a bill which has been passed in one house is amended in the other by the addition of a section providing that the act shall take effect immediately as an urgency statute and is returned to the house in which it originated for concurrence in the amendment or amendments thereto, the procedure and vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the membership of the house vote in the affirmative, the presiding officer shall then direct that the question of whether the house shall concur in the amendment or amendments shall be put to a vote. If two-thirds of the membership of the house vote in the affirmative, concurrence in the amendments shall be effective.

If the affirmative vote on either of such questions is less than two-thirds of the membership of the house, the effect is a refusal to concur in the amendment or amendments, and the procedure thereupon shall be as provided in Rule 28.

When Senate or Assembly Refuse to Concur

28. If the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) refuses to concur in amendments to the bill made by the other house, and when the other house has been notified of such refusal to concur, a conference committee shall be appointed for each house in the manner prescribed by these rules. The Committee on Rules in the case of the Senate and the Speaker of the Assembly in the case of the Assembly shall each appoint a committee of three on conference, and the Secretary of the Senate or the Chief Clerk of the Assembly shall immediately notify the other house of the action taken.

Committee on Conference

28.1. (a) The Senate Committee on Rules and the Speaker of the Assembly, in appointing a committee on conference, shall each select two members from those voting with the majority on the point about which the difference has arisen, and the other member from the minority, in the event there is a minority vote.

Whether a member has voted with the majority or minority on the point about which the difference has arisen is determined by his or her vote on the appropriate roll call, as follows:

(1) In the Assembly—

(A) The roll call on the question of final passage of a Senate bill amended in the Assembly when the Senate has refused to concur with the Assembly amendments.

(B) The roll call on the question of concurrence with Senate amendments to an Assembly bill.

(2) In the Senate—

(A) The roll call on the question of final passage of an Assembly bill amended in the Senate when the Assembly has refused to concur with the Senate amendments.

(B) The roll call on the question of concurrence with Assembly amendments to a Senate bill.

(b) Either house may suspend this rule by a two-thirds vote of the membership of the house.

Meetings and Reports of Committees on Conference

29. The first Senator named on the conference committee shall act as chairman or chairwoman of the committee from the Senate, and the first Member of the Assembly named on such committee shall act as chairman or chairwoman of the committee from the Assembly. The chairman or chairwoman of the committee on conference for the house of origin of the bill shall arrange the time and place of meeting of the conference committee and shall prepare or direct the preparation of reports. It shall require an affirmative vote of not less than two of the Assembly Members and two of the Senate Members constituting the committee on conference to agree upon a report, and the report shall be submitted to both the Senate and the Assembly. The committee on conference shall report to both the Senate and the Assembly. Such report is not subject to amendment, and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed; provided, however, that no more than three different conference committees shall be appointed on any one bill. No member who has served on a committee on conference shall be appointed a member of another committee on conference on the same bill. It shall require the same affirmative recorded vote to adopt any conference report as required by the California Constitution upon the final passage of the bill affected by such report. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of each house to adopt any conference report affecting any bill which contains an item or items of appropriation which are subject to subdivision (d) of Section 12 of Article IV of the California Constitution. The report of a conference committee shall be in writing, and shall have affixed thereto the signatures of each Senator and each Member of the Assembly consenting to the report. Space shall also be provided

where a member of a conference committee may indicate his or her dissent in the committee's findings. Any dissenting member may have attached to a conference committee report a dissenting report which shall not exceed, in length, the majority committee report. A copy of any amendments proposed in the majority report shall be placed on the desk of each member of the house before it is acted upon by the house.

The vote on concurrence or upon the adoption of such conference report shall be deemed the vote upon final passage of such bill.

Conference Committees

29.5. (a) All meetings of any conference committee on the Budget Bill shall be open and readily accessible to the public.

No conference committee on any bill may meet, consider, or act on the subject matter of the bill except in a meeting that is open and readily accessible to the public; unless the action is on a report determined by the Legislative Counsel to be nonsubstantive. The Legislative Counsel shall examine each proposed report and shall note upon the face of the report that the amendments proposed are "substantive" or "nonsubstantive" as the case may be.

The chairman or chairwoman of the conference committee of each house shall give notice to the file clerk of their respective houses of the time and place of such meeting. Notice of each public meeting shall be published in the file of each house one calendar day prior to the meeting, except that such notice shall not be required for a meeting of a conference committee on the Budget Bill. When the provisions of this subdivision are waived with respect to a meeting of any public conference committee, and when there is a meeting of a conference committee on the Budget Bill, every effort shall be made to inform the public that such a meeting has been called. When the provisions of this subdivision have been waived with respect to the meeting of any public conference committee, the chairman or chairwoman of the conference committee of each house shall immediately notify the chairman or chairwoman of the policy committee of their respective houses that considered the bill in question of the waiver, and of the time and place of the meeting.

(b) The first committee on conference of the Budget Bill, if such a committee is appointed, shall submit its report to each house no later than 15 days after the Budget Bill has been passed by both houses. If such report is not submitted by such date, the conference committee shall be deemed to have reached no agreement and shall so inform each house pursuant to Rule 30.7.

(c) A committee on conference of the Budget Bill shall only consider differences between the Assembly version of the Budget Bill as passed by the Assembly and the Senate version of the Budget Bill as passed by the Senate and shall not approve any item of expenditure nor control which exceeds that contained in one of the two versions before the conference committee.

(d) No conference committee on any bill, other than the Budget Bill, shall approve any substantial financial provision in any bill if such financial provision has not been heard by the fiscal committee of each house, nor shall any such conference committee approve substantial policy changes which have not been heard by the policy committee of each house.

(e) No waiver of the one calendar day file notice requirement of subdivision (a) shall be effective for longer than three calendar days.

Conference Committee Reports

30. Upon submission of the report of a committee on conference, if the report recommends that the bill be further amended, the bill shall be reprinted incorporating the amendments recommended by the conference committee. The consideration of the report of a committee on conference shall not be in order until the bill in the form recommended by the report of the committee on conference has both been in print and been noticed in the Daily File for not less than one legislative day.

If the conference committee's report recommends only that the amendments of the Senate or the Assembly "be concurred in," consideration of the report shall be in order at any time, and reprinting of the bill shall not be required, but notice shall appear in the Daily File for not less than one legislative day.

No conference committee report shall be in order unless it has been received by the Secretary of the Senate and the Chief Clerk of the Assembly at least three calendar days preceding the scheduled commencement of the summer, interim, or final recesses of the Legislature.

The provisions of this rule may be suspended as to any particular conference committee report by a two-thirds vote of the membership of either house.

This rule shall not apply to a report of a committee on conference on the Budget Bill.

Conference Committee Reports on Urgency Statutes

30.5. When the report of a committee on conference recommends the amendment of a bill by the addition of a section providing that the act shall take effect immediately as an urgency statute, the procedure and the vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members elected to the house vote in the affirmative, the presiding officer shall then direct that the question of whether the house shall adopt the report of the committee on conference shall be put to a vote. If two-thirds of the members elected to the house vote in the affirmative, the adoption of the report and the amendments proposed thereby shall be effective.

If the affirmative vote on either of such questions is less than two-thirds of the members elected to such house, the effect is a refusal to adopt the report of the committee on conference.

Failure to Agree on Report

30.7. A conference committee may find and determine that it is unable to submit a report to the respective houses, upon the affirmative vote to that effect of not less than two of the Assembly Members and not less than two of the Senate Members constituting the committee. Such finding may be submitted to the Chief Clerk of the Assembly and the Secretary of the Senate in the form of a letter from the chairman or chairwoman of the committee on conference for the house of origin of the bill, containing the signatures of the members of the committee consenting to the finding and determination that the committee is unable to submit a report. The

Chief Clerk of the Assembly and the Secretary of the Senate, upon being notified that a conference committee is unable to submit a report, shall so inform each house, whereupon the conferees shall be discharged and other conferees appointed, in accordance with the provisions of Rule 29.

MISCELLANEOUS PROVISIONS

Authority When Rules Do Not Govern

31. All relations between the houses which are not covered by these rules shall be governed by Mason's Manual.

Press Rules

32. (a) Persons desiring privileges of accredited press representatives shall make application to the Joint Rules Committee. Such application shall constitute compliance with any provisions of the rules of the Assembly or the Senate with respect to registration of news correspondents. Applications shall state in writing the names of the daily newspapers, periodic publications, news associations, or radio or television stations by which the press representatives are employed, and what other occupations or employment they may have, if any, and the press representatives shall further declare that they are not employed, directly or indirectly, to assist in the prosecution of the legislative business of any person, corporation, or association, and will not become so employed while retaining the privilege of accredited press representatives.

(b) The applications required by subdivision (a) of this rule shall be authenticated in a manner that shall be satisfactory to the Standing Committee of the Capitol Correspondents Association which shall see that occupation of seats and desks in the Senate and the Assembly Chambers is confined to bona fide correspondents of reputable standing in their business, who represent daily newspapers requiring a daily file of legislative news, qualified periodic publications, or news associations requiring daily telegraphic or radio or television service on legislative news. It shall be the duty of the standing committee, at its discretion, to report violation of accredited press privileges to the Speaker of the Assembly, or to the Senate Committee on Rules, and pending action thereon the offending correspondent may be suspended by the standing committee.

(c) Except as otherwise provided in this subdivision, persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to news associations requiring telegraphic or radio or television service shall not be entitled to the privileges accorded accredited press representatives; and the press list in the Handbook of the California Legislature and the Senate and Assembly Histories shall be a list only of persons authenticated by the standing committee of correspondents. Accreditation may be granted to bona fide correspondents of reputable standing employed by periodic publications of general circulation, providing that the applicants are employed on a full-time basis in the capitol area preparing articles dealing with state government and politics, and that their publications are not organs or organizations involved in legislative advocacy.

(d) The press seats and desks in the Senate and Assembly Chambers shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the Assembly and the Senate Committee on Rules. Press cards shall be issued by the President of the Senate and the Speaker of the Assembly only to correspondents properly accredited in accordance with the provisions of this rule.

(e) One or more rooms shall be assigned for the exclusive use of correspondents during the legislative session, which rooms shall be known as the Press Room. The Press Room shall be under the control of the Chief of the Office of Buildings and Grounds; provided, that all rules and regulations shall be approved by the Senate Committee on Rules and the Speaker of the Assembly.

(f) No accredited member of the Capitol Correspondents Association shall, for compensation, perform any service for state constitutional officers or members of their staffs, for state agencies, for the Legislature, for candidates for state office, or for a state officeholder, or for any person registered or performing as a legislative advocate.

(g) An accredited member of the association who violates subdivision (a) or (f) of this rule shall be subject to the following penalties:

(1) For the first offense, the Standing Committee of the Capitol Correspondents Association shall send a letter of admonition to the offending member, his or her employer, and the Joint Rules Committee. The letter shall state the nature of the member's rule violation and shall warn of an additional penalty for a second offense.

(2) For a second offense, the Standing Committee of the Capitol Correspondents Association shall recommend to the Joint Rules Committee that the member's accreditation be suspended or revoked and that he or she lose all rights and privileges attached thereto. The Standing Committee of the Capitol Correspondents Association shall also dismiss the member from the association.

Any member of the Standing Committee of the Capitol Correspondents Association may propose that the committee make an inquiry to determine if an association member has violated subdivision (a) or (f) of this rule. Upon a majority vote of the Standing Committee of the Capitol Correspondents Association, an inquiry shall be made.

Upon receipt of a signed, written notice from any association member of his or her belief that another association member may have violated subdivision (a) or (f) of this rule, the Standing Committee of the Capitol Correspondents Association shall commence an inquiry into the possible violation.

If the Standing Committee of the Capitol Correspondents Association determines by majority vote that an association member has broken an association rule, it shall inform the member of its finding. Within two weeks of notification, the member may request a meeting of the membership. If the member makes such a request, the Standing Committee of the Capitol Correspondents Association shall promptly schedule a meeting at the earliest possible time. After hearing the member and the committee review the circumstances of the alleged violation, the membership may, by majority vote, nullify the finding of the Standing Committee of the Capitol

Correspondents Association. If nullification does not occur, the Standing Committee of the Capitol Correspondents Association shall impose immediately the appropriate penalty.

Dispensing With Joint Rules

33. No joint rule shall be dispensed with except by a vote of two-thirds of each house, except as otherwise provided in these rules. If either house shall violate a joint rule, a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the rules of such house; and if it shall be decided that the joint rules have been violated, the bill involving such violations shall be returned to the house in which it originated, and such disputed matter be considered in like manner as in conference committee.

Dispensing with Joint Rules: Unanimous Consent

33.1. Notwithstanding any other rule to the contrary, a joint rule that may be dispensed with by one house may be done so by unanimous consent if the rules committee of that house has approved.

Opinions of Legislative Counsel

34. Whenever the Legislative Counsel issues an opinion to any person other than the first-named author analyzing the constitutionality, operation, or effect of a bill or other legislative measure which is then pending before the Legislature or of any amendment made or proposed to be made to such bill or measure, he or she is authorized and instructed to deliver two copies of the opinion to the first-named author as promptly as feasible after the delivery of the original opinion and also to deliver a copy to any other author of the bill or measure who so requests. A copy of any letter prepared by the Legislative Counsel for the sole purpose of advising a member of a conflict between two or more bills as to the sections of law being amended, repealed, or added shall be submitted to the chairman or chairwoman of the committee to which each such bill has been referred.

Resolutions Prepared by Legislative Counsel

34.1. Whenever the Legislative Counsel has been requested to draft a resolution commemorating or taking note of any event, or a resolution congratulating or expressing sympathy toward any person, and subsequently receives a similar request from another Member of the Legislature, he or she shall inform that requester and each subsequent requester that such a resolution is being, or has been, prepared, and he or she shall inform them of the name of the member for whom the resolution was, or is being, prepared.

Resolutions

34.2. A concurrent resolution, Senate resolution, or House resolution may be introduced to memorialize the death of a present or former state or federal elected official or a member of their immediate families. In all other instances, a resolution other than a concurrent resolution, as specified by the Committee on Rules of each house, or as provided by the Joint Rules Committee in those cases which require that such resolution should emanate from both houses, shall be used for the purpose of commendation,

congratulation, sympathy, or regret with respect to any person, group, or organization.

No concurrent resolution requesting the Governor to issue a proclamation shall be introduced without the prior approval of the Committee on Rules of the house in which the resolution is to be introduced.

Identical Drafting Requests

34.5. Whenever it shall come to the attention of the Legislative Counsel that a member has requested the drafting of a bill which will be substantially identical to one already introduced, he or she shall inform such member of that fact.

Expense of Members

35. As provided in Section 8902 of the Government Code, each Member of the Legislature is entitled to reimbursement for living expenses while required to be in Sacramento to attend a session of the Legislature, or while traveling to and from or in attendance at a committee meeting, or while attending to any legislative function or responsibility as authorized or directed by legislative rules or the Committee on Rules of the house of which he or she is a member at the same rate as may be established by the State Board of Control for other elected state officers. Each member shall be reimbursed for travel expenses incurred in traveling to and from a session of the Legislature, or when traveling to and from a meeting of a committee of which he or she is a member, or when traveling pursuant to any other legislative function or responsibility as authorized or directed by legislative rules or the Committee on Rules of the house of which he or she is a member at the rate prescribed by Section 8903 of the Government Code.

Expense allowances for Members of the Senate and Assembly shall be approved and certified to the Controller by the Secretary of the Senate, on behalf of the Senate, and the Chief Clerk of the Assembly or other person authorized by the Assembly Committee on Rules, on behalf of the Assembly, weekly or as otherwise directed by either house, and upon such certification the Controller shall draw his or her warrants in payment of the allowances to the respective members.

Investigating Committees

36. In order to expedite the work of the Legislature either house, or both houses jointly, may by resolution or statute provide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control.

The resolution providing for the appointment of a committee shall state the purpose of the committee, and the scope of the subject concerning which it is to act and may authorize it to act either during sessions of the Legislature or, when such authorization may lawfully be made, after final adjournment.

In the exercise of the power granted by this rule, each committee may employ such clerical, legal, and technical assistants as may be authorized by: (a) the Joint Committee on Rules in the case of a joint

committee, (b) the Senate Committee on Rules in the case of a Senate committee, or (c) the Assembly Committee on Rules in the case of an Assembly committee.

Except as otherwise provided herein for joint committees or by the rules of the Senate or the Assembly for single house committees, each committee may adopt and amend such rules governing its procedure as may appear necessary and proper to carry out the powers granted and duties imposed under this rule. Such rules may include provisions fixing the quorum of the committee and the number of votes necessary to take action on any matter. With respect to all joint committees, a majority of the membership from each house constitutes a quorum and an affirmative vote of a majority of the membership from each house is necessary for the committee to take action.

Each such committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, records, and papers of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

Each member of such committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4 (commencing with Section 9400), Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant at Arms of the Senate or Assembly, or such other person as may be designated by the chairman or chairwoman of the committee, shall serve any and all subpoenas, orders, and other process that may be issued by the committee, when directed to do so by the chairman or chairwoman, or by a majority of the membership of the committee.

Every department, commission, board, agency, officer, and employee of the state government, including the Legislative Counsel and the Attorney General and their subordinates, and of every political subdivision, county, city, or public district of or in this state, shall give and furnish to these committees and to their subcommittees upon request such information, records, and documents as the committees deem necessary or proper for the achievement of the purposes for which each such committee was created.

Each committee or subcommittee of either house in accordance with the rules of that respective house and each joint committee or subcommittee thereof, may meet at any time during the period in which it is authorized to act, either at the State Capitol, or at any other place in the State of California, in public or executive session, and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it or accomplish the objects and purposes of the resolution creating it with the following exceptions:

(a) When the Legislature is in session:

(1) No committee or subcommittee of either house shall meet outside the State Capitol without the prior approval of the Senate Committee on Rules with respect to Senate committees and

subcommittees and the Speaker of the Assembly with respect to Assembly committees and subcommittees.

(2) No committee or subcommittee of either house, other than a standing committee or subcommittee thereof, shall meet unless notice of such meeting has been printed in the daily file for four days prior thereto. This requirement may be waived by a majority vote of either house with respect to a particular bill.

(3) No joint committee or subcommittee thereof, other than the Joint Committees on Legislative Audit, Legislative Budget, and Rules, shall meet outside the State Capitol without the prior approval of the Joint Rules Committee.

(4) No joint committee or subcommittee thereof, other than the Joint Committees on Legislative Audit, Legislative Budget, and Rules, shall meet unless notice of such meeting has been printed in the daily file for four days prior thereto.

(b) When the Legislature is in joint recess each joint committee or subcommittee, other than the Joint Committees on Legislative Audit, Legislative Budget, and Rules, shall notify the Joint Rules Committee at least two weeks prior to any such meeting.

(c) The requirements placed upon joint committees by subdivisions (a) and (b) of this rule may be waived where it is deemed necessary by the Joint Rules Committee.

Each such committee may expend such money as may be made available to it for such purpose but no committee shall incur any indebtedness unless money shall have been first made available therefor.

No living expenses shall be allowed in connection with legislative business for a day on which the member receives reimbursement for expenses while required to be in Sacramento to attend a session of the Legislature. The chairman or chairwoman of each committee shall audit and approve the expense claims of the members of the committee, including claims for mileage in connection with attendance on committee business, or in connection with specific assignments by the committee chairman or chairwoman, but excluding other types of mileage, and shall certify the amount approved to the Controller, and the Controller shall draw his or her warrants upon the certification of the chairman or chairwoman.

Subject to the rules of each house for the respective committees of each house, and subject to the joint rules for any joint committee, the chairman or chairwoman of any such committee may appoint subcommittees and chairmen or chairwomen thereof for the purpose of more expeditiously handling and considering matters referred to it, and such subcommittees and the chairmen or chairwomen thereof shall have all the powers and authority herein conferred upon the committee and its chairman or chairwoman. The chairman or chairwoman of such subcommittee shall audit the expense claims of the members of such subcommittees and other claims, and the expenses incurred by it and shall certify the amount thereof to the chairman or chairwoman of the committee who shall, if he or she approves the same, certify the amount thereof to the Controller, and the Controller shall draw his or her warrant therefor upon such certification, and the Treasurer shall pay the same. Whenever such committee or any subcommittee thereof is authorized to leave the State of California in the performance of its duties, then such

committee or subcommittee shall, while out of the state, have the same authority as if it were acting and functioning within the state, and the members thereof shall be reimbursed for expenses.

Notwithstanding any provision of this rule, if the standing rules of either house require that expense claims of committees for goods or services or pursuant to contracts or for expenses of employees or members of committees be audited or approved, after approval of the committee chairman or chairwoman, by another agency of either house, the Controller shall draw his warrants only upon the certification of such other agency. All expense claims approved by the chairman or chairwoman of any joint committee, other than the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, shall be approved by the Joint Rules Committee and the Controller shall draw his or her warrants only upon the certification of the Joint Rules Committee.

Except salary claims of employees clearly subject to federal withholding taxes and the requirement as to loyalty oaths, claims presented for services or pursuant to contract shall refer to the agreement, the terms of which shall be made available to the Controller.

Expenses of Committee Employees

36.1. Unless otherwise provided by respective house or committee rule or resolution, employees of legislative committees shall, when entitled to traveling expenses, be entitled to allowances in lieu of actual expenses for hotel accommodations, breakfast, lunch, and dinner, at the rates fixed by the State Board of Control from time to time in limitation of reimbursement of expenses of state employees generally; provided, that if an allowance for hotel accommodations, breakfast, lunch, and dinner is made by a committee at a rate in excess of those fixed by the State Board of Control the chairman or chairwoman of the committee shall notify the Controller of that fact in writing.

Appointment of Committees

36.5. The provisions of this rule shall apply whenever a joint committee is created by a statute or resolution which either provides that appointments be made and vacancies be filled in the manner provided for in the Joint Rules, or which makes no provision for the appointment of members or the filling of vacancies.

The Senate members of the committee shall be appointed by the Senate Committee on Rules; the Assembly members of the committee shall be appointed by the Speaker of the Assembly; and vacancies occurring in the membership of the committee shall be filled by the respective appointing powers. The members appointed shall hold over until their successors are regularly selected.

Appointment of Joint Committee Chairmen or Chairwomen

36.7. The chairman or chairwoman of each joint committee heretofore or hereafter created, except the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, shall be appointed by the Joint Rules Committee from a member or members recommended by the Senate Committee on Rules and the Speaker of the Assembly.

Joint Committee Funds

36.8. Each joint committee, heretofore or hereafter created, except the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, shall expend the funds heretofore or hereafter made available to it in compliance with the policies set forth by the Joint Rules Committee with respect to personnel, salaries, purchasing, office space assignment, contractual services, rental or lease agreements, travel, and any and all other matters relating to the management and administration of committee affairs.

Joint Legislative Budget Committee

37. In addition to any other committee provided for by these rules, there shall be a joint committee to be known and called the Joint Legislative Budget Committee, which is hereby declared to be a continuing body.

It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the state Budget, the revenues and expenditures of the state, and the organization and functions of the state, its departments, subdivisions and agencies, with a view of reducing the cost of the state government and securing greater efficiency and economy.

The committee shall consist of eight Members of the Senate and eight Members of the Assembly. The Senate members of the committee shall consist of eight Members of the Senate appointed by the Senate Committee on Rules. The Assembly members of the committee shall consist of eight Members of the Assembly appointed by the Speaker of the Assembly. The committee shall select its own chairman or chairwoman.

Any vacancies occurring between regular sessions in the Senate membership of the Joint Legislative Budget Committee shall be filled by the Senate Committee on Rules, and the Senators appointed shall hold over until their successors are regularly selected. For the purposes of this rule, a vacancy shall be deemed to exist as to a Senator whose term is expiring whenever he or she is not reelected at the general election.

Any vacancies occurring between regular sessions in the Assembly membership of the Joint Legislative Budget Committee shall be filled by the Speaker of the Assembly, and the Members of the Assembly appointed shall hold over until their successors are regularly selected. For the purposes of this rule, a vacancy shall be deemed to exist as to a Member of the Assembly whose term is expiring whenever he or she is not reelected at the general election.

Any vacancy occurring at any time in the Assembly membership of the committee shall be filled by appointment by the Speaker. The committee shall have the authority to make rules to govern its own proceedings and its employees. It may also create subcommittees from its membership, assigning to its subcommittees any study, inquiry, investigation, or hearing that the committee itself has authority to undertake or hold and the subcommittee for the purpose of this assignment shall have and may exercise all the powers conferred upon the committee, limited only by the express terms of

any rule or resolution of the committee defining the powers and duties of the subcommittee. Those powers may be withdrawn or terminated at any time by the committee.

The Joint Legislative Budget Committee may render services to any investigating committee of the Legislature pursuant to contract between the Joint Legislative Budget Committee and the committee for which the services are to be performed. The contract may provide for payment to the Joint Legislative Budget Committee of the cost of the services from the funds appropriated to the contracting investigating committee. All legislative investigating committees are authorized to enter into those contracts with the Joint Legislative Budget Committee. Money received by the Joint Legislative Budget Committee pursuant to any such agreement shall be in augmentation of the current appropriation for the support of the Joint Legislative Budget Committee.

The provisions of Rule 36 shall apply to the Joint Legislative Budget Committee, and it shall have all the authority provided in such rule or pursuant to Section 11 of Article IV of the Constitution.

The committee shall have authority to appoint a Legislative Analyst, to fix his or her compensation and to prescribe his or her duties, and to appoint any other clerical and technical employees as may appear necessary. The duties of the Legislative Analyst shall be as follows:

(1) To ascertain the facts and make recommendations to the Joint Legislative Budget Committee and under its direction to the committees of the Legislature concerning:

- (a) The state Budget.
- (b) The revenues and expenditures of the state.
- (c) The organization and functions of the state, its departments, subdivisions, and agencies.

(2) To assist the Senate Budget and Fiscal Review Committee and the Assembly Committees on Appropriations and Budget in consideration of the Budget and all bills carrying express or implied appropriations and all legislation affecting state departments and their efficiency; to appear before any other legislative committee; and to assist any other legislative committee upon instruction by the Joint Legislative Budget Committee.

(3) To provide all legislative committees and Members of the Legislature with information obtained under the direction of the Joint Legislative Budget Committee.

(4) To maintain a record of all work performed by the Legislative Analyst under the direction of the Joint Legislative Budget Committee and to keep and make available all documents, data, and reports submitted to him or her by any Senate, Assembly, or joint committee. The committee may meet either during sessions of the Legislature, any recess thereof, or after final adjournment, and may meet or conduct, business at any place within the State of California.

The chairman or chairwoman of the committee or, in the event of that person's inability to act, the vice chairman or vice chairwoman, shall audit and approve the expenses of members of the committee or salaries of the employees, and all other expenses incurred in connection with the performance of its duties by the committee, and the chairman or chairwoman shall certify the amount approved to the Controller, and the Controller shall draw his or her warrants

upon the certification of the chairman or chairwoman, and the Treasurer shall pay the same to the chairman or chairwoman of the committee to be disbursed by the chairman or chairwoman.

On and after the commencement of a succeeding regular session those members of the committee who continue to be Members of the Senate and Assembly, respectively, continue as members of the committee until their successors are appointed, and the committee continues with all its powers, duties, authority, records, papers, personnel, and staff, and all funds theretofore made available for its use.

Upon the conclusion of its work, any Assembly, Senate, or joint committee (other than a standing committee) shall deliver to the Legislative Analyst for use and custody all documents, data, reports, and other materials that have come into the possession of the committee and that are not included within the final report of the committee to the Assembly, Senate, or the Legislature, as the case may be. The documents, data, reports, and other materials shall be available to Members of the Legislature, the Senate Office of Research, and the Assembly Office of Research, upon request.

The Legislative Analyst with the consent of the committee shall make available to any Member or committee of the Legislature any other reports, records, documents, or other data under his or her control, except that reports prepared by the Legislative Analyst in response to a request from a Member or committee of the Legislature shall only be made available with the written permission of the member or committee who made the request.

The Legislative Analyst, upon the receipt of a request from any committee or Member of the Legislature to conduct a study or provide information that falls within the scope of his or her responsibilities and that concerns the administration of the government of the State of California, shall at once advise the Joint Legislative Budget Committee of the nature of the request without disclosing the name of the Member or committee making the request.

The Legislative Analyst shall immediately undertake to provide the requesting committee or legislator with the service or information requested, and shall inform the committee or legislator of the approximate date when this information will be available. Should there be any material delay, he or she shall subsequently communicate this fact to the requester.

Neither the Committee on Rules of either house nor the Joint Rules Committee shall assign any matter for study to the Joint Legislative Budget Committee or the Legislative Analyst without first obtaining from the Joint Legislative Budget Committee an estimate of the amount required to be expended by it to make the study.

Any concurrent, joint, Senate, or House resolution assigning a study to the Joint Legislative Budget Committee or to the Legislative Analyst shall be referred to the respective rules committees. Before the committees shall act upon or assign the resolution, they shall obtain an estimate from the Joint Legislative Budget Committee of the amount required to be expended to make the study.

Citizen Cost Impact Report

37.1. Any Member or committee of the Legislature may recommend that the Legislative Analyst prepare a citizen cost impact analysis on proposed legislation. However, such a recommendation shall first be reviewed by the Committee on Rules of the house where the recommendation originated, and this committee shall make the final determination as to which bills shall be assigned for preparation of an impact analysis.

In selecting specific bills for assignment to the Legislative Analyst for preparation of citizen cost impact analyses, the Committee on Rules shall request the Legislative Analyst to present an estimate of his or her time and prospective costs for preparing the analyses. Only those bills which have a potential significant cost impact shall be assigned. Where necessary, the Committee on Rules shall provide funds to offset added costs incurred by the Legislative Analyst.

The citizen cost impact analyses shall include those economic effects which the Legislative Analyst deems significant and which he or she believes will result directly from the proposed legislation. Insofar as feasible, the Legislative Analyst shall consider, but not be limited to consideration of, the following:

- (a) The economic effect on the public generally.
- (b) Any specific economic effect on persons or businesses in the case of legislation which is regulatory.

The Legislative Analyst shall submit the citizen cost impact analyses when completed to the committee or committees and at the time or times designated by the Committee on Rules.

The Legislative Analyst shall submit from time to time, but at least once a year, a report to the Legislature on the trends and directions of the state's economy, and shall list the alternatives and make recommendations as to legislative actions which, in his or her judgment, will insure a sound and stable state economy.

Joint Legislative Audit Committee

37.3. The Joint Legislative Audit Committee is created pursuant to the Legislature's rulemaking authority and specific constitutional authority by Chapter 4 (commencing with Section 10500), Part 2, Division 2, Title 2 of the Government Code. The committee shall consist of seven Members of the Senate and seven Members of the Assembly who shall be selected in the manner provided for in these rules, of which one shall be the chairman or chairwoman of the fiscal committee for the Senate and one shall be the chairman or chairwoman of the fiscal committee for the Assembly. Notwithstanding anything to the contrary in these rules, four members from each house constitute a quorum and the number of votes necessary to take action on any matter. The Chairman or Chairwoman of the Joint Legislative Audit Committee, upon receiving a request by any Member of the Legislature or committee thereof for a copy of a report prepared or being prepared by the Bureau of State Audits, shall provide the member or committee with a copy of such report when it is, or has been, submitted by the Bureau of State Audits to the Joint Legislative Audit Committee.

Study or Audits

37.4. (a) Notwithstanding any other provision of law to the contrary, the Joint Legislative Audit Committee shall establish priorities and assign all work to be done by the Bureau of State Audits.

(b) Any bill requiring action by the Bureau of State Audits shall contain an appropriation for the cost of any study or audit.

(c) Any bill or concurrent, joint, Senate, or House resolution assigning a study to the Joint Legislative Audit Committee or to the Bureau of State Audits shall be referred to the respective rules committees. Before the committees shall act upon or assign the bill or resolution, they shall obtain an estimate from the Joint Legislative Audit Committee of the amount required to be expended to make the study.

Waiver

37.5. The provisions of subdivision (b) of Rule 37.4 may be waived by the Joint Legislative Audit Committee. The chairman or chairwoman of the committee shall notify the Secretary of the Senate, the Chief Clerk of the Assembly, and the Legislative Counsel in writing when the provisions of subdivision (b) of Rule 37.4 have been waived. If the cost of a study or audit is less than one hundred thousand dollars (\$100,000), the chairman or chairwoman of the committee may exercise the committee's authority to waive the provisions of subdivision (b) of Rule 37.4.

Administrative Regulations

37.7. (a) Any Member of the Senate may request the Senate Committee on Rules, and any Member of the Assembly may request the Speaker of the Assembly, to direct a standing committee or the Office of Research of their respective house to study any proposed or existing regulation or group of related regulations. Upon receipt of such a request, the Senate Committee on Rules or the Speaker of the Assembly shall, after review, determine whether such a study shall be made. In reviewing the request, the Senate Committee on Rules or the Speaker of the Assembly shall determine:

- (1) The cost of making such a study.
- (2) The potential public benefit to be derived from such a study.
- (3) The scope of the study.

(b) The study may consider, among other relevant issues, whether the proposed or existing regulation:

- (1) Exceeds the agency's statutory authority.
- (2) Fails to conform to the legislative intent of the enabling statute.
- (3) Contradicts or duplicates other regulations adopted by federal, state, or local agencies.
- (4) Involves an overdelegation of regulatory authority to a particular state agency.
- (5) Unfairly burdens particular elements of the public.
- (6) Imposes social or economic costs which outweigh its intended benefits to the public.
- (7) Imposes unreasonable penalties for violation.

The respective reviewing unit shall in a timely manner transmit its concerns, if any, to the Senate Committee on Rules or the Speaker of the Assembly, and the promulgating agency.

In the event that a state agency takes a regulatory action which the reviewing unit finds unacceptable, the unit shall file a report for publication in the daily journal of its respective house indicating the specific reasons why the regulatory action should not have been taken. The report may include a recommendation that the Legislature adopt a concurrent resolution requesting the state agency to reconsider its action or that the Legislature enact a statute to restrict the regulatory powers of the state agency taking the action.

Joint Rules Committee

40. The Joint Rules Committee is hereby created. The committee has a continuing existence and may meet, act, and conduct its business during sessions of the Legislature or any recess thereof.

The committee shall consist of the members of the Assembly Committee on Rules, the Assembly Majority Floor Leader, the Assembly Minority Floor Leader, the Speaker of the Assembly, and four members of the Senate Committee on Rules, and as many Members of the Senate as may be required to maintain equality in the number of Assembly Members and Senators on the committee, to be appointed by the Senate Committee on Rules. Vacancies occurring in the membership shall be filled by the appointing power.

The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

The committee shall ascertain facts and make recommendations to the Legislature and to the houses thereof concerning:

(a) The relationship between the two houses and procedures calculated to expedite the affairs of the Legislature by improving that relationship.

(b) The legislative branch of the state government and any defects or deficiencies in the law governing that branch.

(c) Methods whereby legislation is proposed, considered, and acted upon.

(d) The operation of the Legislature, and the committees thereof, and the means of coordinating the work thereof and avoiding duplication of effort.

(e) Aids to the Legislature.

(f) Information and statistics for the use of the Legislature, and respective houses thereof, and the members.

Any matter of business of either house, the transaction of which would affect the interests of the other house, may be referred to the committee for action if the Legislature is not in recess, and shall be referred to the committee for action if the Legislature is in recess.

The committee has the following additional powers and duties:

(a) To select a chairman or chairwoman from its membership. The vice chairman or vice chairwoman of the committee shall be one of the Senate members of the committee, to be selected by the Senate Committee on Rules.

(b) To allocate space in the State Capitol Building and all annexes and additions thereto as provided by law.

(c) To approve, as provided by law, the appearance of the Legislative Counsel in litigation.

(d) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies, and reports to the committee as will best assist it to carry out the purposes for which it is created.

(e) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this rule and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(f) To report its findings and recommendations, including recommendations for the needed revision of any and all laws and constitutional provisions relating to the Legislature, to the Legislature and to the people from time to time and at any time.

(g) The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the state in the performance of its duties.

(h) To expend such funds as may be made available to it to carry out the functions and activities related to the legislative affairs of the Senate and Assembly.

(i) To appoint a chief administrative officer of the committee, who shall have such duties relating to the administrative, fiscal, and business affairs of the committee as the committee shall prescribe. The committee may terminate the services of the chief administrative officer at any time.

(j) To employ such persons as may be necessary to assist all other joint committees, except the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, in the exercise of their powers and performance of their duties. In accordance with Rule 36.8, the committee shall govern and administer the expenditure of funds by such other joint committees, requiring that the claims of such joint committees be approved by the Joint Rules Committee or its designee. All expenses of the committee as well as expenses of all other joint committees may be paid from the Operating Funds of the Assembly and Senate.

(k) To appoint the chairmen or chairwomen of joint committees, as authorized by Rule 36.7.

(l) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

The members of the Joint Rules Committee from the Senate may meet separately as a unit, and the members of the Joint Rules Committee from the Assembly may meet separately as a unit, and consider any action which is required to be taken by the Joint Rules Committee. If the majority of members of the Joint Rules Committee of each house at the separate meetings vote in favor of such action, the action shall be deemed to be action taken by the Joint Rules Committee.

The Joint Rules Committee shall meet not less than biweekly during a session of the Legislature, other than during a joint recess, at a regularly scheduled time and place. If the full committee fails to so meet, the members of the committee from the Senate shall meet

separately as a unit and the members of the committee from the Assembly shall meet separately as a unit within five days of the regularly scheduled meeting date.

The committee shall succeed to, and is vested with, all of the powers and duties of the Joint Committee on Legislative Organization, State Capitol Committee, the Joint Committee on Interhouse Cooperation, the Joint Legislative Committee for School Visitations, and the Joint Standing Committee on the Joint Rules of the Senate and the Assembly.

Review of Administrative Regulations

40.1. The Joint Rules Committee, with regard to joint committees, and the respective rules committee of each house, with regard to standing and select committees of the house, shall approve any request for a priority review made by a committee pursuant to Section 11349.7 of the Government Code and shall submit approved requests to the Office of Administrative Law. The Joint Rules Committee or the respective rules committee, and the committee initiating the request, shall each receive a copy of the priority review.

Subcommittee on Legislative Space and Facilities

40.3. (a) A subcommittee of the Joint Rules Committee is hereby created to be known as the Subcommittee on Legislative Space and Facilities. The subcommittee shall consist of three Members of the Senate and three Members of the Assembly, appointed by the Chairman or Chairwoman of the Joint Rules Committee, and the chairman or chairwoman of the fiscal committee of each house who shall have full voting rights on the subcommittee. The chairman or chairwoman of the subcommittee shall be appointed by the members thereof. For purposes of this subcommittee, the chairmen or chairwomen of the fiscal committees shall be ex officio members of the Joint Rules Committee, but shall not have voting rights on that committee, nor shall they be counted in determining a quorum. The subcommittee shall consider the housing of the Legislature and legislative facilities.

(b) The subcommittee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this subcommittee and its members.

(c) The subcommittee has the following additional powers and duties:

(1) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies, and reports to the subcommittee as will best assist it to carry out the purposes for which it is created.

(2) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this rule and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the subcommittee.

(3) To report its findings and recommendations to the Legislature and to the people from time to time and at any time.

(4) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

(d) The subcommittee is authorized to leave the State of California in the performance of its duties.

Claims for Workers' Compensation

41. The Chairman or Chairwoman of the Committee on Rules of each house, or a designated representative, shall sign any required worker's compensation report regarding injuries or death arising out of and within the course of employment suffered by any member, officer, or employee of the house, or any employee of a standing or investigating committee thereof. In the case of a joint committee, the Chairman or Chairwoman of the Committee on Rules of either house, or a designated representative, may sign any such report with respect to a member or employee of such joint committee.

Information Concerning Committees

42. The Committee on Rules of each house shall provide for a continuous cumulation of information concerning the membership, organization, meetings, and studies of legislative investigating committees. Each Committee on Rules shall be responsible for information concerning the investigating committees of its own house and concerning joint investigating committees under the chairmanship of a member of that house. To the extent possible, each Committee on Rules shall seek to insure that the investigating committees for which it has responsibility under this rule have organized, including the organization of any subcommittees, and have had all topics for study assigned to them within a reasonable period of time.

The information thus cumulated shall be made available to the public by the Committee on Rules of each house and shall be published periodically under their joint direction.

Joint Committees

43. Concurrent resolutions creating joint committees of the Legislature and concurrent resolutions allocating moneys from the Operating Funds of the Assembly and Senate to such committees shall be referred to the Committee on Rules of the respective houses.

Conflict of Interest

44. (a) No Member of the Legislature shall, while serving as such, have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state.

(b) No Member of the Legislature shall, during the term for which he or she was elected:

(1) Accept other employment which he or she has reason to believe will either impair his or her independence of judgment as to his or her official duties or require him or her, or induce him or her, to disclose confidential information acquired by him or her in the course of and by reason of his or her official duties.

(2) Willfully and knowingly disclose, for pecuniary gain, to any other person, confidential information acquired by him or her in the course of and by reason of his or her official duties or use any such information for the purpose of pecuniary gain.

(3) Accept or agree to accept, or be in partnership with any person who accepts or agrees to accept, any employment, fee, or other thing of value, or portion thereof, in consideration of his or her appearance, agreeing to appear, or taking any other action on behalf of another person regarding a licensing or regulatory matter, before any state board or agency which is established by law for the primary purpose of licensing or regulating the professional activity of persons licensed, pursuant to state law; provided, that this rule shall not be construed to prohibit a member who is an attorney at law from practicing in such capacity before the Workers' Compensation Appeals Board or the Commissioner of Corporations, and receiving compensation therefor, or from practicing for compensation before any state board or agency in connection with, or in any matter related to, any case, action, or proceeding filed and pending in any state or federal court; and provided that this rule shall not act to prohibit a member from making inquiry for information on behalf of a constituent before a state board or agency, if no fee or reward is given or promised in consequence thereof, and provided that the prohibition contained in this rule shall not apply to a partnership in which the Member of the Legislature is a member if the Member of the Legislature does not share directly or indirectly in the fee resulting from the transaction; and provided that the prohibition contained in this rule shall not apply in connection with any matter pending before any state board or agency on the operative date of this rule if the affected Member of the Legislature is attorney of record or representative in the matter prior to such operative date.

(4) Receive or agree to receive, directly or indirectly, any compensation, reward, or gift from any source except the State of California for any service, advice, assistance, or other matter related to the legislative process, except fees for speeches or published works on legislative subjects and except, in connection therewith, reimbursement of expenses for actual expenditures for travel and reasonable subsistence for which no payment or reimbursement is made by the State of California.

(5) Participate, by voting or any other action, on the floor of either house, or in committee or elsewhere, in the enactment or defeat of legislation in which he or she has a personal interest, except as follows:

(i) If, on the vote for final passage by the house of which he or she is a member, of the legislation in which he or she has a personal interest, he or she first files a statement (which shall be entered verbatim on the journal) stating in substance that he or she has a personal interest in the legislation to be voted on and notwithstanding such interest, he or she is able to cast a fair and objective vote on such legislation, he or she may cast his or her vote without violating any provision of this rule;

(ii) If the member believes that, because of his or her personal interest, he or she should abstain from participating in the vote on the legislation, he or she shall so advise the presiding officer prior to the commencement of the vote and shall be excused from voting on

the legislation without any entry on the journal of the fact of his or her personal interest. In the event a rule of the house, requiring that each member who is present vote aye or nay is invoked, the presiding officer shall order the member excused from compliance and shall order entered on the journal a simple statement that the member was excused from voting on the legislation pursuant to law.

(c) A person subject to this rule has an interest which is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed in the laws of this state or a personal interest, arising from any situation, within the scope of this rule, if he or she has reason to believe or expect that he or she will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his or her official activity. He or she does not have an interest which is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state or a personal interest, arising from any situation, within the scope of this rule, if any benefit or detriment accrues to him or her as a member of a business, profession, occupation, or group to no greater extent than any other member of such business, profession, occupation, or group.

(d) A person subject to the provisions of this rule shall not be deemed to be engaged in any activity which is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state, arising from any situation, or to have a personal interest, arising from any situation, within the scope of this rule, solely by reason of any of the following:

(1) His or her relationship to any potential beneficiary of any situation is one which is defined as a remote interest by Section 1091 of the Government Code or is otherwise not deemed to be a prohibited interest by Section 1091.1 or 1091.5 of the Government Code.

(2) Receipt of a campaign contribution regulated, received, reported, and accounted for pursuant to Chapter 4 (commencing with Section 84100) of Title 9 of the Government Code, so long as the contribution is not made on the understanding or agreement, in violation of law, that the person's vote, opinion, judgment, or action will be influenced thereby.

(e) The enumeration in this rule of specific situations or conditions which are deemed not to result in substantial conflicts with the proper discharge of the duties and responsibilities of a legislator or legislative employee or in a personal interest shall not be construed as exclusive.

The Legislature in adopting this rule recognizes that Members of the Legislature and legislative employees may need to engage in employment, professional, or business activities other than legislative activities, in order to maintain a continuity of professional or business activity, or may need to maintain investments, which activities or investments do not conflict with the specific provisions of this rule. However, in construing and administering the provisions of the rule, weight should be given to any coincidence of income, employment, investment, or other profit from sources which may be identified with the interests represented by those sources which are seeking

action of any character on matters then pending before the Legislature.

(f) No employee of either house of the Legislature shall, during the time he or she is so employed, commit any act or engage in any activity prohibited by any part of this rule.

(g) No person shall induce or seek to induce any Member of the Legislature to violate any part of this rule.

(h) Violations of any part of this rule are punishable as provided in Section 8926 of the Government Code.

Ethics Committees

45. The Senate Committee on Legislative Ethics and the Assembly Legislative Ethics Committee, respectively, shall receive complaints concerning members of their house and shall have the power to investigate and make findings and recommendations concerning violations by members of their house of the provisions of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code. Each house shall adopt rules governing the establishment and procedures of the committee in its house.

Designating Legislative Sessions

50. Regular sessions shall be identified with the odd-numbered year subsequent to each general election, followed by a hyphen, and then the last two digits of the following even-numbered year. For example: 1973–74 Regular Session.

Designating Extraordinary Sessions

50.3. All extraordinary sessions shall be designated in numerical order by the session in which convened.

Days and Dates

50.5. (a) As used in these rules, “day” means a calendar day, unless otherwise specified.

(b) When the date of a deadline, recess requirement, or circumstance falls on a Saturday, Sunday, or Monday that is a holiday, the date shall be deemed to refer to the preceding Friday. When the date falls on a holiday on a weekday other than a Monday, the date shall be deemed to refer to the preceding day.

Legislative Calendar

51. (a) The Legislature shall observe the following calendar during the first year of the regular session:

(1) **Organizational Recess**—The Legislature shall meet on the first Monday in December following the general election to organize. Thereafter, each house shall be in recess from such time as it determines until the first Monday in January, except when the first Monday is January 1 or January 1 is a Sunday, in which case, the following Wednesday.

(2) **Easter Recess**—The Legislature shall be in recess from the 10th day prior to Easter until the Monday after Easter.

(3) **Summer Recess**—The Legislature shall be in recess from July 14 until August 21. This recess shall not commence until the Budget Bill is enacted.

(4) **Interim Study Recess**—The Legislature shall be in recess from September 15 until the first Monday in January, except when the first

Monday is January 1 or January 1 is a Sunday, in which case, the following Wednesday.

(b) The Legislature shall observe the following calendar for the remainder of the legislative session:

(1) **Easter Recess**—The Legislature shall be in recess from the 10th day prior to Easter until the Monday after Easter.

(2) **Summer Recess**—The Legislature shall be in recess from July 5 until August 5. This recess shall not commence until the Budget Bill is enacted.

(3) **Final Recess**—The Legislature shall be in recess on September 1 until adjournment sine die on November 30.

(c) Recesses shall be from the hour of adjournment on the day specified to reconvene at the time designated by the respective houses.

(d) The recesses specified by this rule shall be designated as joint recesses.

Recall From Recess

52. Notwithstanding the power of the Governor to call a special session, the Legislature may be recalled from joint recess and reconvene in regular session by any of the following means:

(a) It may be recalled by joint proclamation, which shall be entered in the journal, of the Senate Committee on Rules and the Speaker of the Assembly or, in his or her absence from the state, the Assembly Committee on Rules.

(b) Ten or more Members of the Legislature may present a request for recall from joint recess to the Chief Clerk of the Assembly and the Secretary of the Senate. The request shall immediately be printed in the journal. Within 10 days thereafter, the Speaker of the Assembly, or if the Speaker is absent from the state, the Assembly Committee on Rules, and the Senate Committee on Rules shall act upon the request. If they concur in desiring to recall the Legislature from joint recess, they shall issue their joint proclamation entered in the journal no later than 20 days after publication of the request in the journal.

(c) If either or both of the parties specified in subdivision (b) does not concur, 10 or more Members of the Legislature may request the Chief Clerk of the Assembly or the Secretary of the Senate to petition the membership of the respective house. The petition shall be entered in the journal and shall contain a specified reconvening date commencing not later than 20 days after the date of the petition. If two-thirds of the members of the house or each of the two houses concur, the Legislature shall reconvene on the date specified. The necessary concurrences must be received at least 10 days prior to date specified for reconvening.

Procedure on Suspending Rules by Single House

53. Whenever these rules authorize suspension of the Joint Rules as to a particular bill by action of a single house after approval by the Committee on Rules of that house, the following procedure shall be followed:

(a) A written request to suspend the joint rule shall be filed with the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, and shall be transmitted to the Committee on Rules of the appropriate house.

(b) The Assembly Committee on Rules or the Senate Committee on Rules, as the case may be, shall determine whether there exists an urgent need for the suspension of the joint rule with regard to the bill.

(c) If the appropriate rules committee recommends that the suspension be permitted, the member may offer a resolution, without further reference thereof to committee, granting permission to suspend the joint rule. The adoption of the resolution granting such permission shall require an affirmative recorded vote of the elected members of the house in which the request is made.

Introduction of Bills

54. (a) No bill may be introduced in the first year of the regular session after February 24 and no bill may be introduced in the second year of the regular session after February 23. These deadlines shall not apply to constitutional amendments, committee bills introduced pursuant to Assembly Rule 47 or Senate Rule 23, bills introduced in the Assembly with the permission of the Speaker of the Assembly, or bills introduced in the Senate with the permission of the Senate Committee on Rules. Subject to these deadlines, bills may be introduced at any time except when the houses are in joint summer, interim, or final recess. Each house may provide for introduction of bills during a recess other than a joint recess. Bills shall be numbered consecutively during the regular session.

(b) The Desks of the Senate and Assembly shall remain open, during a joint recess, other than a joint Easter, summer, interim, or final recess, for introduction of bills, during business hours on Monday through Friday, inclusive, except holidays. Bills received at the Senate Desk during such periods shall be numbered and printed. After printing, such bills shall be delivered to the Secretary of the Senate and shall be referred by the Senate Committee on Rules to a standing committee. Bills received at the Assembly Desk during such periods shall be numbered, printed, and referred to a committee by the Assembly Committee on Rules. After printing, such bills shall be delivered to the Chief Clerk of the Assembly. On the reconvening of each house, the bills shall be read the first time, and shall be delivered to the committee to which they were referred.

(c) A member may not author a bill during a session that would have substantially the same effect as a bill he or she had previously introduced during that session. This restriction shall not apply in cases where a previously introduced bill has been vetoed by the Governor or has had its provisions "chaptered out" by a later chaptered bill pursuant to Section 9605 of the Government Code. An objection may be raised only while the bill is being considered by the house in which it is introduced. In such case the objection shall be referred to the Committee on Rules of the house for a determination. The bill shall remain on file or with a committee, as the case may be, until such determination is made. If upon consideration of the objection the Committee on Rules determines that the bill objected to would have substantially the same effect as another bill previously introduced during the session by the author, the bill objected to shall be stricken from the file or returned to the desk by the committee, as the case may be, and shall not be acted upon during the remainder of the session. If the Committee on Rules determines that the bill

objected to would not have substantially the same effect as a bill previously introduced during the session by the author, the bill may thereafter be acted upon by the committee or the house, as the case may be. The Committee on Rules may obtain such assistance as it may desire from the Legislative Counsel as to the similarity of a bill or amendments to a prior bill.

This joint rule may be suspended by approval of the Committee on Rules and three-fourths vote of the membership of the house.

(d) During a joint recess, the Chief Clerk of the Assembly or Secretary of the Senate shall order the preparation of preprint bills when so ordered by any of the following:

- (1) The Speaker of the Assembly.
- (2) The Committee on Rules of the respective houses.
- (3) A committee with respect to bills within the subject matter jurisdiction of the committee.

Preprint bills shall be designated as such and shall be printed in the order received and numbered in the order printed. To facilitate subsequent amendment, preprint bills shall be so prepared that when introduced as a bill, the page and the line numbers will not change. The Chief Clerk of the Assembly and Secretary of the Senate shall publish a list periodically of such preprint bills showing the preprint bill number, the title, and the Legislative Counsel's Digest. The Speaker of the Assembly and Senate Committee on Rules may refer all preprint bills to committee for study.

30-Day Waiting Period

55. No bill other than the Budget Bill may be heard or acted upon by committee or either house until the bill has been in print for 30 days. The date a bill is returned from the printer shall be entered in the history. This rule may be suspended concurrently with the suspension of the requirement of Section 8 of Article IV of the Constitution or if such period has expired, this rule may be suspended by approval of the Committee on Rules and two-thirds vote of the house in which the bill is being considered.

Return of Bills

56. Bills introduced in the first year of the regular session and passed by the house of origin on or before the January 31st constitutional deadline are "carryover bills." Immediately after January 31, bills introduced in the first year of the regular session that do not become "carryover bills" shall be returned to the Chief Clerk of the Assembly or Secretary of the Senate, respectively. Notwithstanding Rule 4, as used in this rule, "bills" does not include constitutional amendments.

Appropriation Bills

57. Appropriation bills that may not be sent to the Governor shall be held, after enrollment, by the Chief Clerk of the Assembly or Secretary of the Senate, respectively. The bills shall be sent to the Governor immediately after the Budget Bill has been enacted.

Urgency Clauses

58. An amendment to add a section to a bill to provide that the act shall take effect immediately as an urgency statute shall not be adopted unless the author of the amendment has first secured the approval of the Committee on Rules of the house in which the amendments are offered.

Veto

58.5. The Legislature may consider a Governor's veto for only 60 days, not counting days when the Legislature is in joint recess.

Publications

59. During periods of joint recess, weekly, if necessary, the following documents shall be published: files, histories, and journals.

Committee Hearings

60. (a) No standing committee or subcommittee thereof may take action on a bill at any hearing held outside of Sacramento.

(b) A committee may hear the subject matter of a bill or convene for an informational hearing during a period of recess. Four days' notice in the daily file is required prior to the hearing.

(c) No bill may be acted upon by a committee during a joint recess.

Deadlines

61. The following deadlines shall be observed by the Senate and Assembly. After each deadline, the Secretary of the Senate and the Chief Clerk of the Assembly shall not accept committee reports from their respective committees except as otherwise provided in this rule:

(a) Odd-numbered year:

- (1) Feb. 24—Last day for bills to be introduced.
- (2) April 21—Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house.
- (3) May 12—Last day for policy committees to hear and report to the floor nonfiscal bills introduced in their house.
- (4) May 19—Last day for policy committees to meet prior to June 5.
- (5) May 26—Last day for fiscal committees to hear and report to the floor bills introduced in their house.
- (6) May 26—Last day for fiscal committees to meet prior to June 5.
- (7) June 2—Last day for each house to pass bills introduced in their house.
- (8) June 5—Committee meetings may resume.
- (9) July 14—Last day for policy committees to meet and report bills.
- (10) Sept. 1—Last day for fiscal committees to meet and report bills.
- (11) Sept. 5 through Sept. 15—Floor session only. No committee may meet for any purpose.
- (12) Sept. 15—Last day for each house to pass bills.

(b) Even-numbered year:

- (1) Jan. 19—Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house in the odd-numbered year.
- (2) Jan. 26—Last day for any committee to hear and report to the floor bills introduced in their house in the odd-numbered year.
- (3) Jan. 31—Last day for each house to pass bills introduced in their house in the odd-numbered year.
- (4) Feb. 23—Last day for bills to be introduced.
- (5) April 26—Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house.
- (6) May 10—Last day for policy committees to hear and report to the floor nonfiscal bills introduced in their house.
- (7) May 17—Last day for policy committees to meet prior to June 3.
- (8) May 24—Last day for fiscal committees to hear and report to the floor bills introduced in their house.
- (9) May 24—Last day for fiscal committees to meet prior to June 3.
- (10) May 31—Last day for each house to pass bills introduced in their house.
- (11) June 3—Committee meetings may resume.
- (12) July 5—Last day for policy committees to meet and report bills.
- (13) Aug. 16—Last day for fiscal committees to meet and report bills.
- (14) Aug. 19 through Aug. 30—Floor session only. No committee may meet for any purpose.
- (15) Aug. 30—Last day for each house to pass bills.

(c) If a bill is acted upon in committee before the relevant deadline and the committee votes to report the bill out with amendments that have not at the time of the vote been prepared by the Legislative Counsel, the Secretary of the Senate and the Chief Clerk of the Assembly may subsequently receive a report recommending the bill for passage or for rereferral together with the amendments at any time within two legislative days after the deadline or, if the Legislature has recessed for the Summer Recess within seven calendar days after the deadline.

(d) Notwithstanding subdivisions (a) and (b), a policy committee may report a bill to a fiscal committee on or before the relevant deadline for reporting nonfiscal bills to the floor, if, after the policy committee deadline for reporting the bill to fiscal committee, the Legislative Counsel's Digest is changed to indicate reference to fiscal committee.

(e) Bills in the house of origin not acted upon during the odd-numbered year as a result of the deadlines imposed in subdivision (a) may be acted upon when the Legislature reconvenes after the interim study joint recess, or at any time the Legislature is recalled from the interim study joint recess.

(f) The deadlines imposed by this rule shall not apply to the rules committees of the respective houses.

(g) The deadlines imposed by this rule shall not apply in instances where a bill is referred to committee under Rule 26.5.

(h) The deadlines imposed by this rule shall not apply in instances where a bill is referred to a committee under Assembly Rule 77.2

(i) (1) Notwithstanding subdivisions (a) and (b), a policy committee or fiscal committee may meet for the purpose of hearing and reporting a constitutional amendment, or a bill that would go into immediate effect pursuant to subdivision (c) of Section 8 of Article IV of the Constitution of California, at any time other than those periods when no committee may meet for any purpose.

(2) Notwithstanding subdivisions (a) and (b) either house may meet for the purpose of considering and passing a constitutional amendment, or a bill that would go into immediate effect pursuant to subdivision (c) of Section 8 of Article IV of the Constitution of California, at any time during the session.

(j) This rule may be suspended as to any particular bill by approval of the Committee on Rules and two-thirds vote of the membership of the house.

Committee Procedure

62. (a) Notice of a hearing on a bill by the committee of first reference in each house or notice of an informational hearing shall be published in the file at least four days prior to the hearing. Otherwise, notice shall be published in the file two days prior to the hearing. Such notice may be waived by a majority vote of the house in which the bill is being considered. A bill may be set for hearing in a committee only three times. A bill is "set" for purposes of this subdivision whenever notice of the hearing has been published in the file for one or more days. If a bill is set for hearing, and the committee, on its own initiation and not the author's, postpones the hearing on the bill or adjourns the hearing while testimony is being taken, such hearing shall not be counted as one of the three times a bill may be set. After hearing the bill, the committee may vote on the bill. If the hearing notice in the file specifically indicates that "testimony only" will be taken, such hearing shall not be counted as one of the three times a bill may be set. A committee may not vote on a bill so noticed until it has been heard in accordance with this rule. After a committee has voted on a bill, reconsideration may be granted only one time. Reconsideration may be granted within 15 legislative days or prior to the interim study joint recess, whichever first occurs. A vote on reconsideration cannot be taken without the same notice required to set a bill unless such vote is taken at the same meeting at which the vote to be reconsidered was taken and the author is present. When a bill fails to get the necessary votes to pass it out of committee or upon failure to receive reconsideration, it shall be returned to the Chief Clerk of the Assembly or Secretary of the Senate of the house of the committee and may not be considered further during the session.

This subdivision may be suspended with respect to a particular bill by approval of the Committee on Rules and two-thirds vote of the members of the house.

(b) If the committee adopts amendments other than those offered by the author and orders the bill reprinted prior to its further consideration, the hearing shall not be the final time a bill may be set under subdivision (a) of this rule.

(c) When a standing committee takes action on a bill, the vote shall be by roll call vote only. All roll call votes taken by a standing committee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly and the Secretary of the Senate. The chairman or chairwoman of each standing committee shall promptly transmit a copy of the record of the roll call votes to the Chief Clerk of the Assembly or the Secretary of the Senate, respectively, who shall cause the votes to be published as prescribed by each house.

The provisions of this subdivision shall also apply to action of a committee on a subcommittee report. The rules of each house shall prescribe the procedure as to roll call votes on amendments.

Any committee may, with the unanimous consent of the members present, substitute a roll call from a prior bill, provided that the members whose votes are substituted are present at the time of the substitution.

At no time shall a bill be passed out by a committee without a quorum being present.

The provisions of this subdivision shall not apply to:

(1) Procedural motions which do not have the effect of disposing of a bill.

(2) Withdrawal of a bill from a committee calendar at the request of an author.

(3) Return of bills to the house where the bills have not been voted on by the committee.

(4) The assignment of bills to committee.

(d) The chairman or chairwoman of the committee hearing a bill, may, at any time, order a call of the committee. Upon a request by any member of a committee or the author in person, the chairman or chairwoman shall order the call.

In the absence of a quorum, a majority of the members present may order a quorum call of the committee and compel the attendance of absentees. The chairman or chairwoman shall send the Sergeant at Arms for those members who are absent and not excused by their respective house.

When a call of a committee is ordered by the chairman or chairwoman with respect to a particular bill, he or she shall send the Sergeant at Arms or any other person to be appointed for that purpose for those members who have not voted on that particular bill and are not excused.

A quorum call or a call of the committee with respect to a particular bill may be dispensed with by the chairman or chairwoman without objection by any member of the committee or by a majority of the members present.

If a motion is adopted to adjourn the committee while the committee is operating under a call, the call shall be dispensed with and any pending vote announced.

The committee secretary shall record the votes of members answering a call. The rules of each house may prescribe additional procedures for a call of a committee.

Redistricting Bills

62.5. This rule applies only to bills affecting the boundaries of legislative, congressional, or State Board of Equalization districts.

(a) Except as specifically provided in this rule, Rules 28, 28.1, 29, 29.5, 30, 30.5, 30.7, 61 (except for paragraph (12) of subdivision (a) and paragraph (15) of subdivision (b) of Rule 61), and 62 shall not apply to bills affecting the boundaries of legislative, congressional, or State Board of Equalization districts.

(b) If the Senate (in the case of a Senate bill) or the Assembly (in the case of an Assembly bill) refuses to concur in amendments to a bill made by the other house, a committee on conference shall be appointed. The Speaker of the Assembly and the Senate Committee on Rules shall each appoint a committee on conference of three members, consisting of two members of the majority party and one member not of the majority party. The Secretary of the Senate and the Chief Clerk of the Assembly shall immediately notify the other house of the action taken.

(c) When a bill affecting the boundaries of legislative, congressional, or State Board of Equalization districts has been referred to a committee on conference, the chair of the committee on conference shall immediately request the Senate Committee on Elections and Reapportionment and the Assembly Committee on Elections, Reapportionment, and Constitutional Amendments to hold a public hearing on the bill. The committee on conference shall also hold a public hearing on the bill. The hearings of the policy committees and the committee on conference may be noticed and held concurrently.

(d) If either or both of the policy committees hold a public hearing on a bill pursuant to the request of the chair of the committee on conference, the policy committees may consider amendments to the bill, and may make recommendations on amendments to the committee on conference. A policy committee recommendation for an amendment may only be adopted by a roll call vote of the members of the policy committee.

(e) All proposed reports of a committee on conference, all proposed amendments to a proposed report of a committee on conference, and all proposed amendments presented to a policy committee shall be accompanied by appropriate maps, and no committee vote shall be taken on any proposed report of a committee on conference, any proposed amendment to a proposed report of a committee on conference, or any proposed amendment presented to a policy committee unless the proposed report or proposed amendment, with accompanying maps, has been available to the public for at least 24 hours. District boundaries contained in any proposed report or any proposed amendment shall not be required to be prepared or approved as to form by Legislative Counsel if the accompanying maps adequately reflect the district boundaries.

(f) All hearings of the policy committees and the committee on conference shall be open and readily accessible to the public, and shall be noticed in the Daily File for not less than two calendar days.

(g) The provisions of subdivision (e) prohibiting a committee vote on any proposed report of a committee on conference, any proposed amendment to a proposed report of a committee on

conference, or any proposed amendment presented to a policy committee unless the amendment, accompanied by appropriate maps, has been available to the public for at least 24 hours shall not apply in any of the following situations:

(1) The amendment proposed to a policy committee or the committee on conference does not change any district boundaries.

(2) The amendment proposed to a policy committee or the committee on conference is required to correct a technical error in the bill, and the proposed amendment would shift no more than 1 percent of the population of any district to any other district or districts.

(3) The amendment is a policy committee or committee on conference amendment that is proposed in response to amendments that have been proposed to the committee.

(h) Except as provided in subdivision (i), no vote may be taken in either house on any bill or any report of the committee on conference on that bill unless the bill or the report has been in print in Legislative Counsel form and available to the public, accompanied by appropriate maps, for at least 24 hours.

(i) If either house refuses to adopt the report of the committee on conference, the bill may be returned to the committee on conference for further consideration. If the bill is returned to the committee on conference for an amendment described in paragraph (1) or (2) of subdivision (g), the notice requirements of subdivisions (e) and (h) shall not apply.

(j) Notwithstanding any other rule to the contrary, this rule may be suspended upon a majority vote of the membership of each house.

Uniform Rules

63. No standing committee of either house shall adopt or apply any rule or procedure governing the voting upon bills which is not equally applicable to the bills of both houses.

Votes on Bills

64. Every meeting of each house and standing committee or subcommittee thereof where a vote is to be taken on a bill, or amendments to a bill, shall be public.

Conflicting Rules

65. The provisions of Rule 50 and following of these rules prevail over any conflicting joint rule with a lesser number.

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California State Assembly



Proceedings
in
Joint Convention

STATE OF THE JUDICIARY

Address by

The Honorable Ronald M. George
Chief Justice of California

Assembly Chamber
May 15, 1996

ASSEMBLY JOURNAL

STATE OF THE JUDICIARY ADDRESS

by

RONALD M. GEORGE
CHIEF JUSTICE OF CALIFORNIA

JOINT CONVENTION OF THE LEGISLATURE

Sacramento, California

May 15, 1996

Mr. President pro Tem, Mr. Speaker, distinguished Legislators, Constitutional Officers, colleagues on the Supreme Court, fellow members of the Judicial Council, and special guests. On behalf of the Judicial Branch of Government it is a great pleasure to meet with you today to report on the state of California's Judiciary.

This is my first opportunity to address you as Chief Justice. In fact, this is my first major address since becoming Chief Justice just two weeks ago. Things have been moving so quickly that I am reminded of the story about Lord Rosebery who dreamt he was giving a speech to the House of Lords—and woke up to find out that he was. The invitation from Senator Lockyer and Speaker Pringle stated they anticipated this address would be the beginning of a tradition that will foster strong relations among California's three branches of government. My desire to take this opportunity so soon after assuming my new role is, I hope, a signal to you that I share this aspiration.

The message I will deliver today is one that focuses on our shared responsibilities as co-equal branches of government, and on the Judicial Branch's intention to responsibly and effectively fulfill its constitutional obligations. As we all are aware, the formal relationships among our three branches of government are governed by the California Constitution, which explicitly states that "The powers of state government are legislative, executive, and judicial. Persons charged with the exercise of one power may not exercise either of the others except as permitted by this Constitution." (Article 3, Section 3.) Thus, the judiciary functions not as one of the many departments of government, but as one of the three separate and co-equal branches of government.

The existence of three branches of government, each with different and defined roles and powers, is intended to ensure that no individual or group of individuals can dominate our governmental process. As so devised, our system of checks and balances protects citizens against the excesses of government power. It may not always seem the most efficient means of governing, and at times it can be downright frustrating. But to paraphrase Winston Churchill, democracy is the worst form of government, except for the alternatives. And I submit the same might be said of our doctrine of separation of powers.

A strong and independent Judiciary is the cornerstone of our society's commitment to the rule of law. But what does the term "independent" mean? Well, an independent Judiciary is one in which a judge rules on a matter based on the legal merits of the case and not on the popularity of a particular result or the ramifications of

a specific outcome. What the court cannot—indeed, must not—do is attempt to anticipate the popularity of its rulings, or seek to be responsive to one constituency before any other. Our strict charge, then is not to make or remake the law, but only to interpret and apply it fairly.

Alexander Hamilton described the Judiciary as the ‘weakest’ and “least dangerous” branch. (Federalist Paper No. 78.) I suspect some of you at times may not agree with the latter assessment. But in fact, courts operate under significant limitation. They may decide only issues that parties bring to them. And in reaching their decisions, they are bound by the Constitution, statutory law, and precedent. A court must render a decision based on the raw material of facts and law created by others. And once it does, it necessarily disappoints at least half the parties. As one experienced judge advised me when I first became a judge 24 years ago, “Every time you decide a case, you make one temporary friend and one permanent enemy.”

By ensuring the independence of our courts, we ensure that their decisions are based on the requirements of the law, not on who is most powerful or who is most popular. The role of the courts is of course different from the legislative and executive role. You, the legislative and executive branches, are of course responsible for the making and implementation of the law. You are the direct representatives of the people. Our system entrusts to you the enactment of the laws that govern the actions of our courts and the selection of the judges who preside over them.

Nevertheless, the phrases “independence of the judiciary” and “separation of powers” are not absolutes. They must also be viewed in the context of the judicial branch’s status as one of three co-equal, yet interdependent branches of government.

In 1952, United States Supreme Court Justice Robert H. Jackson wrote that “While the Constitution diffuses power the better to secure liberty, it also contemplates that practice will integrate the dispersed powers into a workable government. It enjoins upon its branches separateness but interdependence, autonomy but reciprocity.” (*Youngstown Sheet and Tube Company v. Sawyer.*)

The message I bring to you today, then, is, first, that the judicial branch stands firmly committed to the staunch defense of its independence in decision making. But with independence comes obligation. Our branch is equally committed to taking responsibility and accepting accountability for the administration and governance of its affairs as a branch of government—and to working with you on behalf of the people of our state.

In many ways, I know I am preaching to the choir. In my personal meetings, during the past few years, with many of you and your helpful staff members, as well as members of the executive branch, I have seen again and again evidence of your shared dedication to making government work for those we serve. I have learned a great deal about the legislative process through these meetings. I hope that through activities such as the Judicial Council’s annual educational legislative and executive open house, we are making the intricacies of our branch less mysterious to you as well.

Many of you have taken the time to participate in the “Day on the Bench” program, which brings legislators into the courts to see their day to day operations. And meetings such as one hosted last year by

Senator Calderon between the Senate Judiciary Committee and the Judicial Council can help lead to joint solutions to difficult issues. That occasion resulted in reaching consensus between the Judiciary and the Legislature on a previously intractable and complex issue involving appellate review of Public Utility Commission cases.

But none of us in government these days can comfortably sit back and bask in the glow of a populace radiating with unlimited confidence in our good intentions and hard work. Cynicism about the role of government and those who serve in it is all too prevalent. I have no simple answers to why it often seems that people today look so hard for the negative side. I doubt that there are any easy solutions to this predicament.

For many members of the public, their most personal and direct encounter with the government is through the courts. Whether it is a traffic ticket, a criminal or personal injury case, or a business dispute, the court is the place individuals go to resolve their claims. The critical and strategic position of our court system imposes upon all of us the responsibility to ensure that the Judicial Branch is capable of handling those demands. After all, the authority of the courts rests in large part on the existence of confidence and trust in those we serve.

We in the Judiciary have been very aware of the need to reach out to the public and to be responsive. It is fundamental that in order to fulfill their constitutional role, the courts must be accessible to the people. A judicial system that is—or even simply is perceived to be—distant, inaccessible and unresponsive, threatens the very foundations not only of the courts, but of our government. However, as the public's confidence in the courts increases, so too will confidence in government as a whole.

The problem of lack of confidence in government cannot be solved by the Judiciary alone. But it is a problem for which we all can work together to find solutions. Over the past few years we in the Judiciary have taken a number of steps in that direction—many of them with your assistance. For example, we have undertaken studies to evaluate problems of bias in the justice system based on gender, race, ethnicity or disability. This kind of self-examination sometimes is not the most pleasant exercise. But it offers courts a window into the perceptions and experiences of those who interact with us. Based on those studies we have adopted—and will continue to do so—Rules, educational programs and other strategies to help provide an environment in which all individuals can feel that they are playing on a level field.

We also have developed innovative strategies to bring all interested parties together to address solving specific programs. For example, two years ago, the Judicial Council's Family and Juvenile Law Committee sponsored a statewide conference on domestic violence. Teams with representatives from the courts, the entire justice system and the public were invited from each county to start developing county-specific response plans. Every single county sent a team, and each team developed a plan responsive to the concerns of its own locality. The results have taken many shapes.

That is just one instance of courts looking beyond the courtroom door to work with other facets of our justice system and our community to address difficult problems that transcend any one

segment of our system. These efforts recognize that conflicts do not bloom full grown on the steps to the courthouse. They have their roots in many causes. By working with other segments of the community and government, courts can better explain the scope and limits of their function while working to develop other effective options.

Other efforts, such as the program initiated right here in Sacramento by Judge Barry Loncke, have explored ways to make judges more available to citizens to answer questions and explain how our system works—and to learn from the public.

Judge Veronica McBeth of Los Angeles described to the Judicial Council in March her experiences with community outreach. She worked with a black women's forum to develop a day-long seminar for members of a largely minority community to explore the impact of three strikes legislation and crime in their community. Seven hundred persons attended and stayed for more than 6 hours. The success of programs such as these make it clear that the public is eager for information and for input about the quality of our justice system. By bringing the courts to the communities, we help ensure that they understand that the courts are there for them.

Other areas affecting access to the courts also require our creative attention. For example, over 60 percent of parties in family courts are not represented by counsel. I will be urging the Judicial Council to join with the State Bar in efforts to promote pro bono legal representation for civil litigants.

In addition to looking outward, we in the Judicial Branch have focused our scrutiny inward to find other improvements we can make in our practices and procedures. The need to do so has been heightened by a crisis in the ability of the courts at every level to meet demands. Last year, for example, California's courts saw in excess of 9 million filings.

The collision of inadequate resources and increasing demand has made reexamination of every aspect of court operations imperative. Funding shortfalls have had a wide ranging impact, which has fallen unevenly across the courts of our state. Dramatic increases in case filings and workload have affected every level of court. For example, court of appeal filings have increased 24 percent since 1987. In the Supreme Court, we had 6,300 matters filed in our court in 1995, compared to 3,700 just 20 years ago. Filings have jumped by 25 percent during the last 5 years alone. And yet, we still have just 7 justices handling the work as we did in 1975—and for that matter in 1879. It is only through the support of superb staff that our appellate courts have been able to cope.

Trial courts have, in many instances, suffered even greater consequences. Superior Court filings leapt 28 percent in the last decade. The rate at which criminal cases go all the way to trial rather than settling earlier has increased—following enactment of three strikes legislation—from 4 percent in non-strike cases to 45 percent in third strike cases. This has affected civil litigation in an unmistakable way. Notwithstanding very effective delay reduction programs in the late 1980's and early 1990's, the steady influx of criminal trials, which have priority, has pushed civil matters further and further back in line. Despite these developments, no new judgeships at any level have been created in California since 1987.

Thus, the improvements we have achieved too often have meant that we have only slowed the rate of rising back-logs rather than made positive inroads in correcting them.

That is one reason why I so strongly support the proposal before you to establish a three strikes relief team. It would allow us to send teams of experienced and specially-trained judges to heavily affected counties to conduct trials of second and third strike cases. It may require using existing facilities to hold court in the evenings or on weekends, but it is a practical, effective way to help all cases get to court in timely fashion.

Similarly, the pending proposals to add modest numbers of new trial and appellate jurists deserve your support as well.

Before going further, I would like to underscore our efforts to provide a statewide focus to finding solutions to some of the problems affecting the courts. The Judicial Council plays the key role in many of the projects already described—and in consistently advocating for the interests of our branch. The Council is the constitutionally created body with responsibility for coordinating the administration of our courts statewide. It has a variety of assigned responsibilities, including adoption of rules for court administration, practice, and procedure, and improving the administration of justice by presenting recommendations to this Body, the Governor, and the Courts.

A substantial part of my responsibility as Chief Justice of California flows from my constitutional responsibility to chair the Judicial Council. The Council includes jurists from every level of court, state bar members, 2 legislators, and various advisory members. Currently Senator Calderon and Assembly Member Morrow actively participate in Judicial Council work. Over 500 judges, court staff, lawyers, and citizens serve on a voluntary basis on the Council's standing committees.

The Council is staffed by the Administrative Office of the Courts, which provides a wide array of support to the Council directly, and to trial and appellate courts in areas such as technology, budget, and administrative services. Among its myriad projects, the Council has engaged in planning efforts for the courts, established requirements for court interpreters, and undertaken major initiatives to improve the juvenile court system, to name but a few areas.

The Council will be meeting on Friday in Chico and among the topics it will be taking up are reports from its special committees on cameras in the court room and on jury improvements. The Council also oversees the budget development and approval process for the budgets of the appellate and trial courts that are submitted to you each year.

One very basic area in which the Council has played a key role has been enhancing the coordination of administrative and judicial resources in the courts. Building on a 6 year process initially spurred by Assembly Member Isenberg, in January 1995, the Judicial Council adopted comprehensive coordination rules. They require superior and municipal courts to eliminate duplication in administrative support services and to develop integrated calendar management systems in order to fully utilize trial judges at each level. Coordination provides greater flexibility and increased efficiency in order to better serve the public. It promotes the establishment of

common procedures, integrated information systems, and uniform public responsiveness.

Let me give an example of the program in action. Last January, Bill Vickrey, our very able Administrative Director of the Courts, Senator Calderon, Assembly Member Ducheny, and I spent several hours visiting the coordinated Superior and Municipal Court located in the South Bay-San Diego. The two courts now share one administrator and one clerk's window for criminal cases and one for civil. Transcript costs have been reduced by 75 percent. Two management positions were eliminated. A single case number filing system was established. Court calendars are now managed in a way to make the best use of all judges. The result has been 90 percent more felony cases resolved before preliminary hearing, a substantial reduction in jail bed days, and the ability to keep cases moving even if the judge assigned to the case is unavailable.

The new structure is enthusiastically supported by prosecutors, defense attorneys, the sheriff's office, and the local Bar.

Following adoption of the Council rules that I have described, courts in Fresno, Marin, Butte, Solano, San Mateo, Sonoma, and Madera have also moved to fully coordinate their judicial and administrative functions. They are following pioneering efforts by Napa, Sacramento, Riverside, San Bernardino, Yolo, and other courts.

This movement has not been all sweetness and light. There has been resistance in some courts, and specific difficulties have arisen due to local culture and practices. Where we have seen the most success, we can trace it to strong, public spirited judicial leadership. There are further legislative proposals before you to facilitate additional progress. I hope you will give them careful consideration.

In a related vein, this year you have before you Senate Constitutional Amendment 4. It would permit unification of our trial courts into a single level system, similar to the structure of the federal courts. I had questions about a previous version which would have mandated immediate unification of all courts at the same time. This new version permits change to take place on a county by county basis, as courts and communities are prepared to make the change. This may be the next step in enhancing the success of the court coordination programs we have seen thus far. I will be requesting the Judicial Council to consider it carefully.

The support and direction provided by the other branches of government have been of essential assistance in moving coordination and many other of the Council initiatives forward. But all of these developments may well be meaningless if we do not come to grips with the fundamental issue of providing courts with a stable, adequate source of funding. In a 1970 address to the American Bar Association, Chief Justice Warren Burger of The United States Supreme Court expanded on a theme struck by Roscoe Pound in 1906. Pound had observed that the work of the courts in the 20th century could not be carried on using the tools of the 19th century. Chief Justice Burger noted that "We are still trying to operate the courts with fundamentally the same basic methods, the same procedures, and the same machinery . . . that [Dean Pound] said were not good enough in 1906. In the supermarket age, we are

trying to operate the courts with . . . corner grocer methods and equipment—vintage 1900.”

Well, as I have described, we have taken many strides to move ahead into the 21st century. But in one critical area, we are still caught in an anachronistic past.

Financial support for the trial courts of our states evolved at the local level, often in piecemeal, inconsistent fashion. The 1991 trial court realignment and efficiency act started the much needed move to a state funding system. But today, responsibility is bifurcated between county and state, leaving no source ultimately responsible. Access to justice—and the quality of justice—often differ significantly from court to court and county to county. Because of these fiscal constraints, the judicial branch is unable to hold its own segments accountable, nor can the Judiciary as a whole itself be held accountable, for the quality of the administration of justice in this state—even though this rightfully is a matter of statewide concern.

We have courts with staffing ratios 30 percent higher than other courts of similar size and filings. Hundreds of incompatible information systems operate in our courts. We are unable to provide you with accurate information on the number and types of cases filed.

These issues and many others cannot be addressed effectively until California is able to assure not only adequate funding for its courts, but a funding process that will enable us to thoughtfully plan for the future and wisely use resources to provide equal justice across our great state. Only then can courts properly govern their own affairs—and only then can you hold us, as a branch of government, appropriately accountable for our stewardship.

This month you responded by a unanimous vote of both Houses to a crisis in our trial courts. SB 99, authored by Senators Kopp, Alquist, and Calderon, and Assembly Members Bowen and Morrow and many others, provided emergency funding intended to ensure the maintenance of our basic public safety system and judicial processes. On behalf of the Judiciary, I want to thank you for your support.

Nevertheless, trial court funding has eroded over many years, and the lack of a stable, adequate statewide scheme has continued to constrict our ability to plan and enforce consistent standards.

This year, you have before you a proposal to consolidate funding for the trial courts at the state level. The counties and the courts are working together to ensure smooth implementation.

Although there are complex logistical issues to be resolved between the counties and the state, I am confident that answers can be found. There is some apprehension and disagreement about this court within the court community itself. I recognize that this shift is a major one that some find it difficult to contemplate.

Nevertheless, a trial court task force on court funding, with membership from across the state and from courts of different sizes and needs, unanimously recommended proposals to move forward with this initiative. Stable, adequate state funding is probably the most fundamental ingredient for courts to make a successful transition into the 21st century.

Other factors also stand out in terms of our ability to move forward. I want to turn now to another issue that causes anxiety for those concerned with preserving California's independent and

nonpolitical judiciary. It has to do with a disturbing tenor that has developed in regard to the electoral approval to which judges are subject. As you know, trial judges appear on the ballot if their position is contested. And appellate judges appear on the ballot for confirmation after initial appointment and for a new term.

I mention this because, as I noted earlier, public confidence in the courts is essential to their ability to function. That confidence can be maintained only if the public believes in the neutrality of judges. In the past few years, trends have developed in the electoral process that threaten to compromise the independence of judges and the public's perception of their neutrality. At the trial level, we have seen a marked increase in the injection of partisan politics into the process. The electoral system was designed to ensure accountability of judges in a manner consistent with their constitutional role and the standards of behavior provided for in the canons of ethics. No one appearing in court should fear that the judge hearing the case is concerned about partisan political ramifications rather than the law.

In the appellate area, in the 1994 election, we saw clearly demonstrated that mere wording of a ballot can dramatically affect election results—without any regard to the merits, qualifications, or performance of the individual jurist. Neither the vagaries of a ballot description nor controversy about the bottom line in one decision provides a proper basis for exercising the right to vote on a judge. That is not what our constitution contemplates. We rightfully want judges to decide cases based not on the judges' individual views but on the law. We therefore must not fault them for decisions that accord with the mandates of the law, even when we disagree with the particular result. The issue in evaluating a judge's performance is not the bottom line—it is, did the judge act judicially and judiciously in arriving there?

A thorough study of the entire judicial election process may be in order. As an initial step, I urge swift passage of AB 1936, dealing with ballot information, to provide interim reform. It responds to the public need for more information by providing relevant information on the background of judges.

Let me turn now to a subject that is particularly troubling to the Supreme Court. I speak of automatic appeals in death penalty cases. We are currently up-to-date in handling matters that have been briefed and are ready for oral argument. But delay in these cases causes confusion and frustration among Californians and is unfair to everyone—victims and their families, defendants, and the public at large.

Processing of these cases on appeal has been delayed for a number of reasons. One has been the time it takes to certify the record on appeal. Assembly Member Morrow has put a tremendous amount of time and thought into efforts to deal with this pressing problem and has introduced AB 195 with this objective in mind. He and Assembly Member Boland last fall presided over a very informative public hearing on the overall subject of capital case delay. A Judicial Council ad hoc committee has provided some suggestions for inclusion in the bill. This is another defined area in which the Legislature, the Executive, the Judicial Council, and the Supreme Court, working together, can have a beneficial effect on the administration of justice.

A more pressing problem arises from the fact that there are almost 130 defendants on death row awaiting appointment of counsel on appeal. There is presently an approximately three year delay in making such appointments because of the lack of counsel. There have been many efforts made to improve this situation. In 1992, the Supreme Court assumed direct responsibility for the recruitment process and appointed an automatic appeals monitor to actively recruit attorneys. The court has traditionally paid counsel an hourly rate for these cases. It adopted an alternative flat fee option to provide easier processing and predictability for counsel and the court. We have also accelerated payment processing and overseen the creation of a training videotape on death penalty appeal representation prepared by some of California's most knowledgeable and accomplished criminal appellate practitioners.

Last year, you provided the means for us to increase attorney compensation from \$75 to \$95 per hour in capital cases. That is still approximately \$30 less than the rate paid in the federal courts, and much less than the rate charged by private attorneys, but it is nonetheless a significant step in the right direction.

I urge your support for continued efforts to address these difficult problems, and I pledge the judicial branch's support in finding solutions.

As you have probably gleaned by now, there are many problems besetting our court system—and many efforts underway to address them. I could go on about the need to ensure compatible use of technology statewide, or the work of the Center for Judicial Education and Research in developing educational programs for judges in areas such as domestic violence, fairness, access, and establishing drug courts. I could discuss in depth my intention to ask the Judicial Council to authorize a study on the feasibility of removing minor traffic offenses from the jurisdiction of our trial courts. In the best of all possible worlds, such a proposal would not be an issue. But in times of limited financial resources, the question arises whether providing a judicial forum for these cases is the best allocation of the resources available to the judicial system. I hope a study will give us balanced and helpful information to decide this issue.

But rather than going on with more detail here, I hope I have whetted your appetite for continuing to join with the judicial branch in seeking reasoned, responsible solutions. The solutions we develop will serve not simply as answers to current problems; they can provide direction for tomorrow as well. I am very honored to have been selected as Chief Justice, and very excited by the tremendous reservoir of talent in the judges, administrators, and staff that make up our judicial branch. I have already begun seeking their assistance through outreach meetings that I intend to continue throughout my tenure as Chief Justice. I have begun by meeting with the different divisions of the Administrative Office of the Courts to get a better idea of their strengths, their challenges, and their place in the overall picture of the Council and its duties. I have started similar meetings with the justices of the Supreme Court and their staffs and our central staffs as well. In the near future, I intend to embark on visits

to courts in every one of California's 58 counties to listen to the participants in our justice system and to learn.

You in our sister branches time and again have demonstrated your commitment to assisting the courts in providing the highest quality administration of justice possible. Woodrow Wilson once said, "A nation is as great as its courts; no better or worse." Well, ours is a great state. I have described some of the challenges that confront us in the judicial branch. But we are fortunate because of our tremendous strengths. We already have the highest caliber people working within our court system. And in addition, we are the beneficiaries of the willingness of you in the legislative and executive branches, who stand ready to work with us to improve it.

I look forward to our continued cooperation and eagerly anticipate our successes. Together we can ensure a strong and independent judicial branch—one that stands ready to resolve cases for all who need our assistance, one that reaches its decisions without hint of prejudice or passion, and one that accepts responsibility for the management of its own affairs.

I thank you for the opportunity to address you today.

RONALD M. GEORGE

Volume 6

Journal of the Assembly

Legislature of the State of California

1995–96 First Extraordinary Session

January 19, 1995 to September 1, 1996



HON. CURT PRINGLE
Speaker

HON. FRED AGUIAR
Speaker pro Tempore

HON. JAMES E. ROGAN
Majority Floor Leader

HON. RICHARD KATZ
Minority Floor Leader

E. DOTSON WILSON
Chief Clerk of the Assembly

Volume 6

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CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 19, 1995

**FIRST SESSION DAY
FIRST CALENDAR DAY**

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 19, 1995

At 11:06 a.m., the Assembly met pursuant to the provisions of the Proclamation of the Honorable Pete Wilson, Governor of the State of California, dated January 13, 1995, convening the Legislature of the State of California on this day in extraordinary session.

In conformity with Government Code Section 9150, the following officers for the 1995-96 Regular Session were present and performing their respective duties: E. Dotson Wilson, Chief Clerk; Pam Cavileer, Minute Clerk; and Charles Bell, Sergeant at Arms.

Willie L. Brown, Jr., Senior Member of the Assembly, presiding.
Assistant Clerk Stephen J. Greene, Jr. reading.

ROLL CALL

The roll was called, and the following answered to their names—79:

Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Isenberg	Napolitano
Allen	Conroy	Johnson	Olberg
Alpert	Cortese	Kaloogian	Poochigian
Archie-Hudson	Cunneen	Katz	Pringle
Baca	Davis	Knight	Rainey
Baldwin	Ducheny	Knowles	Richter
Bates	Escutia	Knox	Rogan
Battin	Figueroa	Kuehl	Setencich
Boland	Firestone	Kuykendall	Sher
Bordonaro	Friedman	Lee	Speier
Bowen	Frusetta	Machado	Sweeney
Bowler	Gallegos	Martinez	Takasugi
Brewer	Goldsmith	Mazzoni	Thompson
Brown, Valerie	Hannigan	McDonald	Tucker
Brown, Willie	Harvey	McPherson	Vasconcellos
Brulte	Hauser	Morrissey	Villaraigosa
Burton	Hawkins	Morrow	Weggeland
Bustamante	Hoge	Mountjoy	Woods
Caldera	Horcher	Murray, Kevin	

Quorum present.

PRAYER

Upon invitation of Senior Member of the Assembly Willie Brown the following prayer was offered by Assembly Member Howard Kaloogian, of the 74th Assembly District:

Eternal Are Your Mercies, O Lord, Your grace sustains us throughout every difficulty and supplies our needy hearts with encouragement. Give us wisdom for the work that is before us. Calm our attitudes; bless us with strength to do the work of this new day.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Senior Member of the Assembly Willie Brown, Assembly Member Baca then led the Assembly in the pledge of allegiance to the Flag.

LEAVES OF ABSENCE FOR THE DAY

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

On personal business, and waiving per diem: Assembly Member Granlund.

PROCLAMATION OF THE GOVERNOR

Senior Member of the Assembly Willie Brown directed the Clerk to read the following Proclamation of the Governor convening the Legislature in extraordinary session:

A PROCLAMATION

by the

Governor of the 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, PETE WILSON, Governor of the State of California, by virtue of the power and authority vested in me by Section 3 (b) 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 19th day of January, 1995, at 1:30 p.m. of said day for the following purpose and to legislate upon the following subject:

To consider and act upon legislation relative to providing assistance to those persons and public entities that suffered losses as a result of the heavy rains and flooding in the counties for which I have proclaimed a State of Emergency.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 13th day of January 1995.

PETE WILSON
Governor of California

[SEAL]

ATTEST:
BILL JONES
Secretary of State

REQUEST FOR UNANIMOUS CONSENT TO SUSPEND THE RULES

Senior Member of the Assembly Willie Brown was granted unanimous consent to suspend the Rules to permit the introduction of bills on this day, in the order in which they are received at the Desk, rather than in alphabetical order, by Member.

RESOLUTIONS

The following resolution was offered:

House Resolution No. 1.

By Assembly Member Pringle.

Relative to the organization of the Assembly for the 1995-96 First Extraordinary Session.

Resolved by the Assembly of the State of California,

(a) That the Chief Clerk or the Sergeant at Arms is authorized to receipt to the Controller for all warrants for the payment of Members, Officers, and Attachés of the Assembly.

(b) That the Chief Clerk shall provide copies of the Assembly Weekly Histories to the Legislative Counsel, Governor, Attorney General, and accredited newspaper representatives.

Resolution read, and taken up on motion of Assembly Member Pringle.

Resolution adopted by the following vote:

AYES—74

Aguiar	Cannella	House	Olberg
Alby	Conroy	Isenberg	Poochigian
Allen	Cortese	Johnson	Pringle
Alpert	Cunneen	Kaloojian	Rainey
Archie-Hudson	Davis	Katz	Richter
Baca	Ducheny	Knight	Rogan
Baldwin	Escutia	Knowles	Setencich
Bates	Figueroa	Kuehl	Sher
Battin	Firestone	Kuykendall	Speier
Boland	Friedman	Lee	Sweeney
Bordonaro	Frusetta	Machado	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Hannigan	McPherson	Vasconcellos
Brown, Valerie	Harvey	Morrissey	Villaraigosa
Brown, Willie	Hauser	Morrow	Weggeland
Brulte	Hawkins	Mountjoy	Woods
Burton	Hoge	Murray, Kevin	
Caldera	Horcher	Napolitano	

NOES—None**INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1—Valerie Brown, Campbell, Hannigan, Hauser, Mazzoni, Willard Murray, Takasugi, and Vasconcellos, (Senator Marks, coauthor). An act to amend Sections 17207 and 24347.5 of, and to add Sections 196.91, 196.92, and 196.93 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2—Mazzoni, (Principal coauthors: Valerie Brown and Kuehl (Coauthor: Hauser)). An act to amend Section 8686 of the Government Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 3—Firestone (Principal coauthors: Alby and Bowler) Allen, Bordonaro, Conroy, Cunneen, Frusetta, Hawkins, Kuykendall, McPherson, Takasugi, and Woods. An act to amend Sections 17207 and 24347.5 of, and to add Sections 196.91, 196.92, and 196.93 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 4—Allen, Brewer, Conroy, and Morrissey. An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 5—Sher (Principal coauthor: Speier) Valerie Brown, and Mazzoni. An act to add Section 8326.5 to the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

RESOLUTIONS

The following resolutions were offered:

Resolutions to Dispense With Constitutional Provision

By Assembly Member Valerie Brown.

Resolved, That Assembly Bill No. 1 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

By Assembly Member Mazzoni.

Resolved, That Assembly Bill No. 2 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

By Assembly Member Firestone.

Resolved, That Assembly Bill No. 3 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

By Assembly Member Allen.

Resolved, That Assembly Bill No. 4 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

By Assembly Member Sher.

Resolved, That Assembly Bill No. 5 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolutions read, and adopted by the following vote:

AYES—72

Aguiar	Campbell	Isenberg	Murray, Kevin
Alby	Conroy	Johnson	Murray, Willard
Allen	Cunneen	Kaloogian	Napolitano
Alpert	Davis	Katz	Olberg
Archie-Hudson	Ducheny	Knight	Poochigian
Baca	Escutia	Knowles	Pringle
Bates	Figueroa	Knox	Rainey
Battin	Firestone	Kuehl	Rogan
Boland	Frusetta	Kuykendall	Setencich
Bordonaro	Gallegos	Lee	Sher
Bowen	Goldsmith	Machado	Speier
Bowler	Hannigan	Martinez	Sweeney
Brewer	Harvey	Mazzoni	Takasugi
Brown, Valerie	Hauser	McDonald	Thompson
Brown, Willie	Hawkins	McPherson	Vasconcellos
Brulte	Hoge	Morrissey	Villaraigosa
Burton	Horcher	Morrow	Weggeland
Caldera	House	Mountjoy	Woods

NOES—None

Article IV, Section 8(b) of the Constitution was declared dispensed with.

At 11:14 a.m., without objection, Hon. Tom Bates, 14th District, presiding

CONSIDERATION OF ASSEMBLY BILL NO. 1 BY UNANIMOUS CONSENT

Assembly Member Valerie Brown was granted unanimous consent to take up Assembly Bill No. 1, for purpose of consideration.

ASSEMBLY BILL NO. 1 (Valerie Brown)—An act to amend Sections 17207 and 24347.5 of, and to add Sections 196.91, 196.92, and 196.93 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time; bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—79

Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Isenberg	Napolitano
Allen	Conroy	Johnson	Olberg
Alpert	Cortese	Kaloogian	Poochigian
Archie-Hudson	Cunneen	Katz	Pringle
Baca	Davis	Knight	Rainey
Baldwin	Ducheny	Knowles	Richter
Bates	Escutia	Knox	Rogan
Battin	Figueroa	Kuehl	Setencich
Boland	Firestone	Kuykendall	Sher
Bordonaro	Friedman	Lee	Speier
Bowen	Frusetta	Machado	Sweeney
Bowler	Gallegos	Martinez	Takasugi
Brewer	Goldsmith	Mazzoni	Thompson
Brown, Valerie	Hannigan	McDonald	Tucker
Brown, Willie	Harvey	McPherson	Vasconcellos
Brulte	Hauser	Morrissey	Villaraigosa
Burton	Hawkins	Morrow	Weggeland
Bustamante	Hoge	Mountjoy	Woods
Caldera	Horcher	Murray, Kevin	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—79

Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Isenberg	Napolitano
Allen	Conroy	Johnson	Olberg
Alpert	Cortese	Kaloogian	Poochigian
Archie-Hudson	Cunneen	Katz	Pringle
Baca	Davis	Knight	Rainey
Baldwin	Ducheny	Knowles	Richter
Bates	Escutia	Knox	Rogan
Battin	Figueroa	Kuehl	Setencich
Boland	Firestone	Kuykendall	Sher
Bordonaro	Friedman	Lee	Speier
Bowen	Frusetta	Machado	Sweeney
Bowler	Gallegos	Martinez	Takasugi
Brewer	Goldsmith	Mazzoni	Thompson
Brown, Valerie	Hannigan	McDonald	Tucker
Brown, Willie	Harvey	McPherson	Vasconcellos
Brulte	Hauser	Morrissey	Villaraigosa
Burton	Hawkins	Morrow	Weggeland
Bustamante	Hoge	Mountjoy	Woods
Caldera	Horcher	Murray, Kevin	

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 2 BY UNANIMOUS CONSENT

Assembly Member Mazzoni was granted unanimous consent to take up Assembly Bill No. 2, for purpose of consideration.

ASSEMBLY BILL NO. 2 (Mazzoni)—An act to amend Section 8686 of the Government Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

Bill read second time; bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—72

Aguiar	Caldera	Horcher	Murray, Willard
Alby	Campbell	House	Napolitano
Allen	Cannella	Isenberg	Olberg
Alpert	Conroy	Johnson	Poochigian
Archie-Hudson	Cortese	Kaloogian	Pringle
Baca	Cunneen	Katz	Rainey
Bates	Davis	Knox	Richter
Battin	Ducheny	Kuehl	Rogan
Boland	Escutia	Kuykendall	Setencich
Bordonaro	Figueroa	Lee	Sher
Bowen	Firestone	Machado	Speier
Bowler	Friedman	Martinez	Sweeney
Brewer	Frusetta	Mazzoni	Takasugi
Brown, Valerie	Gallegos	McDonald	Tucker
Brown, Willie	Goldsmith	McPherson	Vasconcellos
Brulte	Hannigan	Morrissey	Villaraigosa
Burton	Hauser	Morrow	Weggeland
Bustamante	Hawkins	Murray, Kevin	Woods

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—72

Aguiar	Caldera	Horcher	Murray, Willard
Alby	Campbell	House	Napolitano
Allen	Cannella	Isenberg	Olberg
Alpert	Conroy	Johnson	Poochigian
Archie-Hudson	Cortese	Kaloogian	Pringle
Baca	Cunneen	Katz	Rainey
Bates	Davis	Knox	Richter
Battin	Ducheny	Kuehl	Rogan
Boland	Escutia	Kuykendall	Setencich
Bordonaro	Figueroa	Lee	Sher
Bowen	Firestone	Machado	Speier
Bowler	Friedman	Martinez	Sweeney
Brewer	Frusetta	Mazzoni	Takasugi
Brown, Valerie	Gallegos	McDonald	Tucker
Brown, Willie	Goldsmith	McPherson	Vasconcellos
Brulte	Hannigan	Morrissey	Villaraigosa
Burton	Hauser	Morrow	Weggeland
Bustamante	Hawkins	Murray, Kevin	Woods

NOES—None

Bill ordered transmitted to the Senate.

At 11:19 a.m., Senior Member of the Assembly, Willie L. Brown, Jr., 13th District, presiding

CONSIDERATION OF ASSEMBLY BILL NO. 3 BY UNANIMOUS CONSENT

Assembly Member Firestone was granted unanimous consent to take up Assembly Bill No. 3, for purpose of consideration.

ASSEMBLY BILL NO. 3 (Firestone)—An act to amend Sections 17207 and 24347.5 of, and to add Sections 196.91, 196.92, and 196.93 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time; bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—79

Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Isenberg	Napolitano
Allen	Conroy	Johnson	Olberg
Alpert	Cortese	Kaloogian	Poochigian
Archie-Hudson	Cunneen	Katz	Pringle
Baca	Davis	Knight	Rainey
Baldwin	Ducheny	Knowles	Richter
Bates	Escutia	Knox	Rogan
Battin	Figueroa	Kuehl	Setencich
Boland	Firestone	Kuykendall	Sher
Bordonaro	Friedman	Lee	Speier
Bowen	Frusetta	Machado	Sweeney
Bowler	Gallegos	Martinez	Takasugi
Brewer	Goldsmith	Mazzoni	Thompson
Brown, Valerie	Hannigan	McDonald	Tucker
Brown, Willie	Harvey	McPherson	Vasconcellos
Brulte	Hauser	Morrissey	Villaraigosa
Burton	Hawkins	Morrow	Weggeland
Bustamante	Hoge	Mountjoy	Woods
Caldera	Horcher	Murray, Kevin	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—79

Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Isenberg	Napolitano
Allen	Conroy	Johnson	Olberg
Alpert	Cortese	Kaloogian	Poochigian
Archie-Hudson	Cunneen	Katz	Pringle
Baca	Davis	Knight	Rainey
Baldwin	Ducheny	Knowles	Richter
Bates	Escutia	Knox	Rogan
Battin	Figueroa	Kuehl	Setencich
Boland	Firestone	Kuykendall	Sher
Bordonaro	Friedman	Lee	Speier
Bowen	Frusetta	Machado	Sweeney
Bowler	Gallegos	Martinez	Takasugi
Brewer	Goldsmith	Mazzoni	Thompson
Brown, Valerie	Hannigan	McDonald	Tucker
Brown, Willie	Harvey	McPherson	Vasconcellos
Brulte	Hauser	Morrissey	Villaraigosa
Burton	Hawkins	Morrow	Weggeland
Bustamante	Hoge	Mountjoy	Woods
Caldera	Horcher	Murray, Kevin	

NOES—None

Bill ordered transmitted to the Senate.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 6—Kuykendall. An act to repeal and add Sections 17207 and 24347.5 of, and to repeal Sections 17208, 17208.1, 17208.2, 17208.3, 24347.6, 24347.7, 24347.8, and 24347.9 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Kuykendall.

Resolved, That Assembly Bill No. 6 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read, and adopted by the following vote:

AYES—72

Aguiar	Campbell	Isenberg	Murray, Kevin
Alby	Conroy	Johnson	Murray, Willard
Allen	Cunneen	Kaloojian	Napolitano
Alpert	Davis	Katz	Olberg
Archie-Hudson	Ducheny	Knight	Poochigian
Baca	Escutia	Knowles	Pringle
Bates	Figueroa	Knox	Rainey
Battin	Firestone	Kuehl	Rogan
Boland	Frusetta	Kuykendall	Setenich
Bordonaro	Gallegos	Lee	Sher
Bowen	Goldsmith	Machado	Speier
Bowler	Hannigan	Martinez	Sweeney
Brewer	Harvey	Mazzoni	Takasugi
Brown, Valerie	Hauser	McDonald	Thompson
Brown, Willie	Hawkins	McPherson	Vasconcellos
Brulte	Hoge	Morrissey	Villaraigosa
Burton	Horcher	Morrow	Weggeland
Caldera	House	Mountjoy	Woods

NOES—None

Article IV, Section 8 (b) of the Constitution was declared dispensed with.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member McPherson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Donald R. Haile, of Santa Cruz.

Assembly Members Bowen and Takasugi were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of more than 3,000 victims of the recent earthquake in Kobe, Japan.

Moment of Silence Observed

At the request of Senior Member of the Assembly Willie Brown, the assemblage observed a moment of silence in memory of the victims of the recent earthquake in Kobe, Japan.

VOTE ADDS

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

House Resolution No. 1: Bowen, Davis, Knowles, Vasconcellos, and Weggeland—Aye.

Resolutions to Invoke Constitution: Hoge, Knowles, Knox, and Vasconcellos—Aye.

Assembly Bill No. 1 and Urgency: Knowles, Knox, and Vasconcellos—Aye.

Assembly Bill No. 2 and Urgency: Alby, Burton, Knox, Olberg, and Vasconcellos—Aye.

Assembly Bill No. 3 and Urgency: Baldwin, Knox, and Richter—Aye.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 2—Valerie Brown, Mazzoni, Bustamante, Conroy, Cortese, Hauser, Willard Murray, and Rogan. Relative to the National Guard.

MESSAGES FROM THE SENATE

Senate Chamber, January 19, 1995

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

Senate Concurrent Resolution No. 1

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 1—Relative to the Joint Rules for the 1995–96 First Extraordinary Session.

MOTION TO ADJOURN

At 11:34 a.m., Assembly Member Brulte moved that the Assembly do now adjourn.

Assembly Member Hannigan seconded the motion.

Motion carried.

ADJOURNMENT

At 3 p.m., on motion of Assembly Member Brulte, the Assembly adjourned until 11 a.m., Monday, January 23, 1995 or upon Call of Senior Member of the Assembly Willie Brown, out of respect to the memory of Donald R. Haile, on motion of Assembly Member McPherson; and out of respect to the memory of 3,000 Japanese earthquake victims, on motion of Assembly Members Bowen and Takasugi.

WILLIE L. BROWN, JR., Senior Member of the Assembly

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 23, 1995

SECOND SESSION DAY

FIFTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 23, 1995

The Assembly met at 11:04 a.m.

Hon. Willie L. Brown, Jr., Senior Member of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Stephen J. Greene, Jr. reading.

ROLL CALL

The roll was called, and the following answered to their names—80:

Aguiar	Campbell	Horcher	Murray, Kevin
Alby	Cannella	House	Murray, Willard
Allen	Conroy	Isenberg	Napolitano
Alpert	Cortese	Johnson	Olberg
Archie-Hudson	Cunneen	Kaloogian	Poochigian
Baca	Davis	Katz	Pringle
Baldwin	Ducheny	Knight	Rainey
Bates	Escutia	Knowles	Richter
Battin	Figueroa	Knox	Rogan
Boland	Firestone	Kuehl	Setencich
Bordonaro	Friedman	Kuykendall	Sher
Bowen	Frusetta	Lee	Speier
Bowler	Gallegos	Machado	Sweeney
Brewer	Goldsmith	Martinez	Takasugi
Brown, Valerie	Granlund	Mazzoni	Thompson
Brown, Willie	Hannigan	McDonald	Tucker
Brulte	Harvey	McPherson	Vasconcellos
Burton	Hauser	Morrissey	Villaraigosa
Bustamante	Hawkins	Morrow	Weggeland
Caldera	Hoge	Mountjoy	Woods

Quorum present.

PRAYER

Upon invitation of Senior Member of the Assembly Willie Brown, the following prayer was offered by Assembly Member Dede Alpert, of the 78th Assembly District:

God, Our Father, We all wish to be remembered. It is part of that mystery in us which is akin to immortality. Give us each day the moral courage to perform each task as if it were our last; the willingness to show each person encountered the kindness of a brother or sister; and the fortitude to avoid the things that make us less human. Perhaps then the good that we do will live after us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Senior Member of the Assembly Willie Brown, Assembly Member Sweeney then led the Assembly in the pledge of allegiance to the Flag.

CONSIDERATION OF ASSEMBLY BILL NO. 6 BY UNANIMOUS CONSENT

Assembly Member Kuykendall was granted unanimous consent to take up Assembly Bill No. 6, for purpose of amendment.

ASSEMBLY BILL NO. 6 (Kuykendall)—An act to repeal and add Sections 17207 and 24347.5 of, and to repeal Sections 17208, 17208.1, 17208.2, 17208.3, 24347.6, 24347.7, 24347.8, and 24347.9 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Motion to Amend

Assembly Member Kuykendall moved the adoption of amendments.

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

ASSEMBLY BILL NO. 5 TAKEN UP BY UNANIMOUS CONSENT FOR SECOND READING

Assembly Member Sher was granted unanimous consent to take up Assembly Bill No. 5, for the purpose of reading the bill a second time.

ASSEMBLY BILL NO. 5—An act to add Section 8326.5 to the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

CONSIDERATION OF ASSEMBLY BILL NO. 4 BY UNANIMOUS CONSENT

Assembly Member Allen was granted unanimous consent to take up Assembly Bill No. 4, for purpose of amendment.

ASSEMBLY BILL NO. 4 (Allen)—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Assembly Member Allen moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

Further Consideration of Assembly Bill No. 4 by Unanimous Consent

Assembly Member Allen was granted unanimous consent to take up Assembly Bill No. 4, as amended, for purpose of consideration at this time, and that the bill be considered engrossed.

ASSEMBLY BILL NO. 4 (Allen)—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Parliamentary Inquiry

Assembly Member Burton arose to the following parliamentary inquiry:

Is the subject matter of Assembly Bill No. 4 within the purview of the Call of the First Extraordinary Session as stated in the Governor's Proclamation?

Reply by Senior Member of the Assembly

Senior Member of the Assembly Willie Brown replied that the question may be determined by the Rules Committee, or in the absence of such, determined by the House.

The question being on the adoption of the urgency clause.

Urgency clause refused adoption by the following vote:

AYES—16

Allen	Frusetta	Johnson	Richter
Brewer	Granlund	Morrissey	Thompson
Brulte	Harvey	Morrow	Weggeland
Conroy	House	Pringle	Woods

NOES—46

Aguiar	Davis	Isenberg	Napolitano
Alpert	Ducheny	Kaloogian	Olberg
Archie-Hudson	Escutia	Katz	Poochigian
Baca	Figueroa	Knox	Rainey
Bordonaro	Firestone	Kuehl	Setencich
Bowen	Friedman	Lee	Sher
Brown, Valerie	Gallegos	Machado	Speier
Brown, Willie	Hannigan	Martinez	Sweeney
Caldera	Hauser	Mazzoni	Vasconcellos
Cannella	Hawkins	McPherson	Villaraigosa
Cortese	Hoge	Murray, Kevin	
Cunneen	Horcher	Murray, Willard	

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 1—Baca, Brulte, Aguiar, Granlund, and Olberg. Relative to flooding in California.

VOTE ADDS

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

Assembly Bill No. 4 and Urgency: Bowen, Katz, and Speier—No.

ADJOURNMENT

At 11:38 a.m., the Assembly adjourned until 9 a.m., Thursday, January 26, 1995.

WILLIE L. BROWN, JR., Senior Member of the Assembly

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 23, 1995**

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

Assembly Bills

4
6

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 26, 1995

THIRD SESSION DAY

EIGHTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 26, 1995

The Assembly met at 9:30 a.m.

*Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Stephen J. Greene, Jr. reading.

*(NOTE: For vote on Willie L. Brown, Jr. as Speaker of the Assembly, please see Assembly Journal for the Regular Session, page 137.)

ROLL CALL

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

Aguiar	Cannella	Horcher	Murray, Willard
Alby	Conroy	House	Napolitano
Allen	Cortese	Johnson	Olberg
Archie-Hudson	Cunneen	Kaloogian	Poochigian
Baca	Davis	Katz	Pringle
Baldwin	Ducheny	Knight	Rainey
Bates	Escutia	Knowles	Richter
Battin	Figueroa	Knox	Rogan
Boland	Firestone	Kuehl	Setencich
Bordonaro	Friedman	Kuykendall	Sher
Bowen	Frusetta	Lee	Speier
Bowler	Gallegos	Machado	Sweeney
Brewer	Goldsmith	Martinez	Takasugi
Brown, Valerie	Granlund	Mazzoni	Thompson
Brulte	Hannigan	McDonald	Tucker
Burton	Harvey	McPherson	Villaraigosa
Bustamante	Hauser	Morrissey	Weggeland
Caldera	Hawkins	Morrow	Woods
Campbell	Hoge	Murray, Kevin	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Assembly Member Joe Baca, of the 62nd Assembly District:

Lord and Giver of Life, Among Your many gifts You have given us this new day in which to serve You and Your loved ones. Grant us the light of wisdom in our deliberations, the courage of our convictions, and a deep sense of service to our constituents, to our state and nation, and to You, God. We ask this through Christ our Lord.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Kaloogian then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Alpert, Isenberg, and Vasconcellos.

(NOTE: For explanations of absences of Assembly Members Alpert and Vasconcellos on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day; for explanation of absence of Assembly Member Isenberg on this day, on legislative business, pursuant to the Rules, see Assembly Journal for the Regular Session for January 25, 1995.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 26, 1995

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

Assembly Bill No. 6

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, January 26, 1995

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

Assembly Bill No. 5

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

REFERENCE OF BILLS FROM FILE TO COMMITTEE

Speaker Brown was granted unanimous consent that Assembly Bill No. 6 be referred from the second reading file to the Committee on Rules; and that Assembly Bill No. 5 be referred from the third reading file to the Committee on Rules.

ADOPTION OF RULES

Speaker Brown was granted unanimous consent that the adoption of Rules for the 1995-96 First Extraordinary Session be the same as the Rules adopted in the 1995-96 Regular Session.

ANNOUNCEMENTS

Speaker Brown announced that Assembly Member Hannigan had been designated Democratic Floor Leader by the Democratic Caucus.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Brulte was granted unanimous consent that the following communications be printed in the Journal:

January 25, 1995

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

Dear Dotson: In accordance with existing provisions which requires the respective caucuses of the Assembly to organize within 48 hours of the November general election, I am writing to inform you that upon November 10, 1994 the Assembly Republican Caucus elected me as their Floor Leader.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

January 25, 1995

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

Dear Dotson: I would like to inform you that following members have been chosen to serve within the Assembly Republican Caucus' leadership:

Assistant Republican Leader—Assemblyman Jan Goldsmith
Republican Caucus Chair—Assemblyman Bruce Thompson
Republican Whip—Assemblyman Jim Battin
Republican Whip—Assemblyman Steve Kuykendall
Republican Whip—Assemblyman Brian Setencich

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

January 25, 1995

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

Dear Dotson: I would like to inform you that the following selections complete the Assembly Republican Caucus' leadership team for the 1995-96 legislative session:

Assistant Republican Leader—Assemblyman Fred Aguiar
Assistant Republican Leader—Assemblyman Curt Pringle

Assemblyman Pringle served as an Assistant Republican Leader last session and will do so again this session. Assemblyman Aguiar will serve as an Assistant Republican Leader in place of Assemblyman Knowles who is now the Chairman of the Insurance Committee.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

January 25, 1995

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

Dear Dotson: In accordance with the existing rules of the Assembly, I am writing to inform you that the Assembly Republican Caucus has designated the following members to represent them on the Assembly Rules Committee:

Assemblyman Ross Johnson—Vice-Chair
Assemblyman Fred Aguiar
Assemblywoman Barbara Alby
Assemblyman Jan Goldsmith
Assemblyman Pete Knight

Assemblyman Johnson will serve as both the Vice-Chairman and as my designee to the committee.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

January 25, 1995

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

Dear Dotson: In accordance with the existing rules of the Assembly, I am writing to inform you that the Assembly Republican Caucus has designated the following committee chairs and vice-chairs:

AGRICULTURE: Chair—Assemblyman Trice Harvey
 APPROPRIATIONS: Chair—Assemblyman Curt Pringle
 BANKING AND FINANCE: Chair—Assemblyman Ted Weggeland
 BUDGET: Vice Chair—Assemblyman Chuck Poochigian
 CONSUMER PROTECTION, GOVERNMENTAL EFFICIENCY AND ECONOMIC DEVELOPMENT: Vice Chair—Assemblyman Jim Morrissey
 EDUCATION: Vice Chair—Assemblyman Steve Baldwin
 ELECTIONS, REAPPORTIONMENT AND CONSTITUTIONAL AMENDMENTS: Chair—Assemblyman Bruce McPherson
 ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Chair—Assemblyman Bernie Richter
 GOVERNMENTAL ORGANIZATION: Vice Chair—Assemblyman Bill Hoge
 HEALTH: Chair—Assemblywoman Doris Allen
 HIGHER EDUCATION: Vice Chair—Assemblyman Brooks Firestone
 HOUSING AND COMMUNITY DEVELOPMENT: Vice Chair—Assemblyman Phil Hawkins
 HUMAN SERVICES: Chair—Assemblyman Brett Granlund
 INSURANCE: Chair—Assemblyman David Knowles
 JUDICIARY: Vice Chair—Assemblyman Bill Morrow
 LABOR AND EMPLOYMENT: Vice Chair—Assemblyman George House
 LOCAL GOVERNMENT: Chair—Assemblyman Richard Rainey
 NATURAL RESOURCES: Vice Chair—Assemblyman Keith Olberg
 PUBLIC EMPLOYEES, RETIREMENT, AND SOCIAL SECURITY: Chair—Assemblyman Howard Kaloogian
 PUBLIC SAFETY: Chair—Assemblywoman Paula Boland
 REVENUE AND TAXATION: Vice Chair—Assemblyman Nao Takasugi
 TELEVISIONING THE ASSEMBLY AND INFORMATION TECHNOLOGY: Chair—Assemblyman Tom Woods

TRANSPORTATION: Vice Chair—Assemblyman Larry Bowler
 UTILITIES AND COMMERCE: Chair—Assemblyman Mickey
 Conroy
 WATER, PARKS AND WILDLIFE: Vice Chair—Assemblyman
 Peter Frusetta

Should you have any questions regarding this matter, please do not
 hesitate to contact me.

Sincerely,

JAMES L. BRULTE
 Assembly Republican Leader

RECESS

By unanimous consent, at 9:32 a.m., Speaker Brown declared the
 Assembly recessed.

MESSAGES FROM THE SENATE

Senate Chamber, January 26, 1995

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

- Senate Bill No. 1
- Senate Bill No. 2

RICK ROLLENS, Secretary of the Senate
 By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 1—An act to amend Section 8686 of the Government Code,
 relating to disaster relief, and declaring the urgency thereof, to take effect
 immediately.

SENATE BILL NO. 2—An act to amend Sections 17207 and 24347.5 of, and to add
 Sections 196.91, 196.92, and 196.93 to, the Revenue and Taxation Code, relating to
 taxation, making an appropriation therefor, and declaring the urgency thereof, to take
 effect immediately.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 11 a.m., Monday,
 January 30, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 30, 1995

FOURTH SESSION DAY

TWELFTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 30, 1995

The Assembly met at 11:16 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Stephen J. Greene, Jr. reading.

ROLL CALL

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

Aguiar	Conroy	Isenberg	Olberg
Alby	Cortese	Johnson	Poochigian
Allen	Cunneen	Kaloogian	Pringle
Alpert	Davis	Katz	Rainey
Archie-Hudson	Ducheny	Knight	Richter
Baca	Escutia	Knowles	Rogan
Baldwin	Figueroa	Knox	Setencich
Bates	Firestone	Kuehl	Sher
Battin	Friedman	Kuykendall	Sweeney
Boland	Frusetta	Lee	Takasugi
Bordonaro	Callegos	Machado	Thompson
Bowler	Goldsmith	Martinez	Tucker
Brewer	Granlund	Mazzoni	Vasconcellos
Brown, Valerie	Hannigan	McDonald	Villaraigosa
Brulte	Harvey	McPherson	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker
Caldera	Hoge	Murray, Kevin	
Campbell	Horcher	Murray, Willard	
Cannella	House	Napolitano	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Assembly Member Marilyn Brewer, of the 70th Assembly District:

Father, In the chambers and halls of this Capitol Building, help us to respect and love those whose opinions we share and those whose opinions we reject. For both have labored in the search of truth and both have helped us in the finding of it. And may our constant search for truth and happiness always be rewarded by finding the hidden truth and goodness which is in the heart and soul of every person. May this discovery make us one and bring us peace.

Guide us in our pursuit of wisdom, righteousness, and justice.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Kuykendall then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Valerie Brown, seconded by Assembly Member Hannigan.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Member Speier.

Because of illness in her family: Assembly Member Bowen.

ANNOUNCEMENTS

Assembly Member Mazzoni announced that there would be a meeting of all authors of bills in the First Extraordinary Session; time and place to be further announced.

REFERENCE OF BILLS TO COMMITTEE

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

Senate

<i>Bill No.</i>	<i>Committee</i>
1 -----	L. Gov.
2 -----	Rev. & Tax.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: January 30, 1995

Mr. Speaker: Your Committee on Rules reports:

Assembly Bill No. 6

With the recommendation: That the bill be re-referred to the Committee on Revenue and Taxation.

BURTON, Chairman

Above bill re-referred to the Committee on Revenue and Taxation.

RECESS

By unanimous consent, at 11:17 a.m., Speaker Brown declared the Assembly recessed.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 7—Bordonaro. An act to add Section 133 to the Streets and Highways Code, relating to highways.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, February 2, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 2, 1995

FIFTH SESSION DAY

FIFTEENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 2, 1995

The Assembly met at 9:32 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Stephen J. Greene, Jr. reading.

ROLL CALL

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

Aguiar	Cannella	Johnson	Olberg
Alby	Cunneen	Kaloogian	Poochigian
Allen	Davis	Katz	Pringle
Alpert	Ducheny	Knight	Rainey
Archie-Hudson	Escutia	Knowles	Richter
Baca	Figueroa	Knox	Rogan
Baldwin	Firestone	Kuehl	Setencich
Bates	Friedman	Kuykendall	Sher
Battin	Frusetta	Lee	Sweeney
Boland	Gallegos	Machado	Takasugi
Bordonaro	Goldsmith	Martinez	Thompson
Bowler	Granlund	Mazzoni	Tucker
Brewer	Harvey	McDonald	Vasconcellos
Brown, Valerie	Hauser	McPherson	Villaraigosa
Brulte	Hawkins	Morrissey	Weggeland
Burton	Hoge	Morrow	Woods
Bustamante	Horcher	Murray, Kevin	Mr. Speaker
Caldera	House	Murray, Willard	
Campbell	Isenberg	Napolitano	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Assembly Member Cruz Bustamante, of the 31st Assembly District:

For Another Day We Thank You Father, Help us to find in this time of opportunity new ways of doing old things. Teach us to find new attitudes which attract people to the inspired way. Make us kind and considerate in all we attempt so that Your plan may not suffer. You have blessed us with so much and we have not always done our best. Give us now the courage to try again.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Baca then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Cortese, Hannigan, and Speier.

On personal business, and waiving per diem: Assembly Member Conroy.

Because of illness in her family: Assembly Member Bowen.

(NOTE: For explanations of absences of Assembly Members Cortese, Hannigan, and Speier on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

January 31, 1995

Mr. E. Dotson Wilson

Chief Clerk

California State Assembly

State Capitol, Room 3196

Sacramento, California

Dear Dotson: On behalf of the Democratic Caucus please list in the Journal the names of the following Chairs and Vice Chairs for the 1995-96 session:

Agriculture: Vice Chair—Mike Machado
 Appropriations: Vice Chair—Valerie Brown
 Banking and Finance: Vice Chair—Debra Bowen
 Budget: Chair—John Vasconcellos
 Consumer Protection, Governmental Efficiency and Economic Development: Chair—Jackie Speier
 Education: Chair—Dede Alpert
 Elections, Reapportionment and Constitutional Amendments: Vice Chair—Martin Gallegos
 Environmental Safety and Toxic Materials: Vice Chair—Liz Figueroa
 Governmental Organization: Chair—Paul Horcher
 Health: Vice Chair—Barbara Friedman
 Higher Education: Chair—Marguerite Archie-Hudson
 Housing and Community Development: Chair—Dan Hauser
 Human Services: Vice Chair—Tom Bates
 Insurance: Vice Chair—Curtis Tucker, Jr.
 Judiciary: Chair—Phil Isenberg
 Labor and Employment: Chair—Wally Knox
 Local Government: Vice Chair—Mike Sweeney
 Natural Resources: Chair—Byron Sher
 Public Employees, Retirement and Social Security: Vice Chair—Sal Cannella

Public Safety: Vice Chair—Kerry Mazzoni
 Revenue and Taxation: Chair—Juanita McDonald
 Rules: Chair—John Burton
 Televising the Assembly and Information Technology: Vice
 Chair—Debra Bowen
 Transportation: Chair—Richard Katz
 Utilities and Commerce: Vice Chair—Diane Martinez
 Water, Parks and Wildlife: Chair—Dom Cortese
 Thank you.

Sincerely,

WILLIE L. BROWN, JR.
 Speaker of the Assembly

January 31, 1995

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

Dear Dotson: On behalf of the Democratic Caucus please list in the Journal the names of the following committee assignments for the 1995–96 session:

Agriculture Committee (14)

Meets every 2nd and 4th Monday at 1:30 p.m.

Valerie Brown	Barbara Lee
Cruz Bustamante	Mike Machado, Vice Chair
Sal Cannella	John Vasconcellos
Barbara Friedman	

Appropriations Committee (18)

Meets every Wednesday at 9 a.m.

Paul Horcher	Barbara Lee
Valerie Brown, Vice Chair	Diane Martinez
John Burton	Curtis Tucker
Cruz Bustamante	Antonio Villaraigosa
Barbara Friedman	

Banking and Finance Committee (14)

Meets every 1st and 3rd Monday at 4 p.m.

Debra Bowen, Vice Chair	Phil Isenberg
Louis Caldera	Mike Machado
Martin Gallegos	Juanita McDonald
Tom Hannigan	

Budget Committee (18)

Meets every Wednesday at 9 a.m.

Tom Bates	Mike Machado
Louis Caldera	Willard Murray
Denise Ducheny	Grace Napolitano
Martha Escutia	John Vasconcellos, Chair
Tom Hannigan	

***Consumer Protection, Governmental Efficiency and
Economic Development Committee*** (12)

Meets every 1st and 3rd Tuesday at 9 a.m.

Tom Bates	Phil Isenberg
Valerie Brown	Mike Machado
Susan Davis	Jackie Speier, Chair

Education Committee (16)

Meets every 1st and 3rd Wednesday at 1:30 p.m.

Dede Alpert, Chair	Diane Martinez
Joe Baca	Kerry Mazzoni
Susan Davis	Willard Murray
Barbara Friedman	Mike Sweeney

***Elections, Reapportionment and Constitutional
Amendments Committee*** (6)

Meets every Monday at 4 p.m.

Cruz Bustamante
Martin Gallegos, Vice Chair
Jackie Speier

Environmental Safety and Toxic Materials Committee (12)

Meets 2nd and 4th Tuesday at 1:30 p.m.

Dede Alpert	Liz Figueroa, Vice Chair
Debra Bowen	Grace Napolitano
Denise Ducheny	Mike Sweeney

Governmental Organization Committee (16)

Meets every Tuesday at 9 a.m.

Paul Horcher, Chair	Dan Hauser
Joe Baca	Richard Katz
Cruz Bustamante	Diane Martinez
Dom Cortese	Curtis Tucker

Health Committee (18)

Meets every Tuesday at 1:30 p.m.

Barbara Friedman, Vice Chair	Martin Gallegos
Valerie Brown	Barbara Lee
John Burton	Jackie Speier
Susan Davis	Curtis Tucker
Martha Escutia	

Higher Education Committee (10)

Meets every 1st and 3rd Tuesday at 1:30 p.m.

Marguerite Archie-Hudson, Chair	Wally Knox
Joe Baca	John Vasconcellos
Louis Caldera	

Housing and Community Development Committee (10)

Meets every 2nd and 4th Wednesday at 9 a.m.

Dan Hauser, Chair	Denise Ducheny
Robert Campbell	Kerry Mazzoni
Susan Davis	

Human Services Committee (6)

Meets every 1st and 3rd Wednesday at 9 a.m.

Tom Bates, Vice Chair
Sheila Kuehl
Byron Sher***Insurance Committee*** (16)

Meets every Tuesday at 9 a.m.

Curtis Tucker, Vice Chair
Paul Horcher
Marguerite Archie-Hudson
Liz Figueroa
Barbara Lee
Juanita McDonald
Byron Sher
Antonio Villaraigosa***Judiciary Committee*** (14)

Meets every 2nd and 4th Wednesday at 9 a.m.

Phil Isenberg, Chair
Marguerite Archie-Hudson
Liz Figueroa
Wally Knox
Sheila Kuehl
Kevin Murray
Byron Sher***Labor and Employment Committee*** (8)

Meets every 1st and 3rd Wednesday at 1:30 p.m.

Wally Knox, Chair
Martin Gallegos
Paul Horcher
Antonio Villaraigosa***Local Government Committee*** (10)

Meets every 2nd and 4th Wednesday at 1:30 p.m.

Mike Sweeney, Vice Chair
Sal Cannella
Tom Hannigan
Willard Murray
Grace Napolitano***Natural Resources Committee*** (14)

Meets every Monday at 1:30 p.m.

Byron Sher, Chair
Paul Horcher
Tom Bates
Debra Bowen
Sheila Kuehl
Jackie Speier
Mike Sweeney***Public Employees, Retirement and Social Security Committee*** (10)

Meets every 1st and 3rd Wednesday at 9 a.m.

Sal Cannella, Vice Chair
Dede Alpert
Robert Campbell
Dom Cortese
Liz Figueroa***Public Safety Committee*** (8)

Meets every Tuesday at 9 a.m.

Kerry Mazzoni, Vice Chair
John Burton
Sheila Kuehl
Kevin Murray

Revenue and Taxation Committee (10)

Meets every Monday at 1:30 p.m.

Juanita McDonald, Chair
 Louis Caldera
 Tom Hannigan

Phil Isenberg
 Antonio Villaraigosa

Assembly Rules Committee (10)

Meets every Monday at 4 p.m.

John Burton, Chair
 Martha Escutia
 Sheila Kuehl

Barbara Lee
 Kevin Murray

Televising the Assembly and Information Technology Committee (4)

Meets every Monday at 4 p.m.

Debra Bowen, Vice Chair
 Richard Katz

Transportation Committee (16)

Meets every Monday at 1:30 p.m.

Richard Katz, Chair
 Robert Campbell
 Dom Cortese
 Susan Davis

Martha Escutia
 Dan Hauser
 Kerry Mazzoni
 Grace Napolitano

Utilities and Commerce Committee (16)

Meets every Monday at 1:30 p.m.

Dede Alpert
 Marguerite Archie-Hudson
 Joe Baca
 Wally Knox

Diane Martinez, Vice Chair
 Juanita McDonald
 Kevin Murray
 Willard Murray

Water, Parks and Wildlife Committee (14)

Meets every 2nd and 4th Tuesday at 9 a.m.

Dom Cortese, Chair
 Robert Campbell
 Sal Cannella
 Denise Ducheny

Dan Hauser
 Richard Katz
 Kevin Murray

Sincerely,

WILLIE L. BROWN, JR.
 Speaker of the Assembly

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

Assembly Republican Caucus

February 1, 1995

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

Dear Dotson: On behalf of the Republican Caucus, I would like to inform you that following members have been chosen for the following committee assignments for the 1995-96 legislative session:

Agriculture Committee

Jim Battin
Tom Bordonaro
Peter Frusetta
Trice Harvey, Chair

Bill Hoge
Bruce McPherson
Brian Setencich

Appropriations Committee

Fred Aguiar
Marilyn Brewer
Jan Goldsmith
Ross Johnson
Keith Olberg

Chuck Poochigian
Curt Pringle, Chair
Jim Rogan
Nao Takasugi

Banking and Finance Committee

Larry Bowler
Jim Cunneen
Brooks Firestone
Steve Kuykendall

Brian Setencich
Nao Takasugi
Ted Weggeland, Chair

Budget Committee

Barbara Alby
Jim Cunneen
Trice Harvey
Phil Hawkins
David Knowles

Bill Morrow
Chuck Poochigian, Vice-Chair
Curt Pringle
Bruce Thompson

***Consumer Protection, Governmental Efficiency and
Economic Development Committee***

Steve Baldwin
Brooks Firestone
Steve Kuykendall

Jim Morrissey, Vice-Chair
Bruce Thompson
Tom Woods

Education Committee

Doris Allen
Steve Baldwin, Vice-Chair
Paula Boland
Larry Bowler

Keith Olberg
Jim Rogan
Bruce Thompson
Tom Woods

***Elections, Reapportionment and Constitutional
Amendments Committee***

Bill Hoge
Ross Johnson
Bruce McPherson, Chair

Environmental Safety and Toxic Materials Committee

Barbara Alby	Jim Morrissey
Peter Frusetta	Richard Rainey
George House	Bernie Richter, Chair

Governmental Organization Committee

Tom Bordonaro	Howard Kaloogian
Trice Harvey	Pete Knight
Phil Hawkins	Bruce McPherson
Bill Hoge, Vice-Chair	Nao Takasugi

Health Committee

Fred Aguiar	Ross Johnson
Doris Allen, Chair	Jim Morrissey
Steve Baldwin	Bill Morrow
Jim Battin	Ted Weggeland
Brett Granlund	

Higher Education Committee

Tom Bordonaro	Bruce McPherson
Mickey Conroy	Brian Setencich
Brooks Firestone, Vice-Chair	

Housing and Community Development Committee

Doris Allen	Phil Hawkins, Vice-Chair
Paula Boland	Bernie Richter
Mickey Conroy	

Human Services Committee

Tom Bordonaro
Brett Granlund, Chair
Tom Woods

Insurance Committee

Fred Aguiar	Bill Hoge
Marilyn Brewer	Ross Johnson
Mickey Conroy	David Knowles, Chair
Jim Cunneen	Curt Pringle

Judiciary Committee

Barbara Alby	Pete Knight
Jim Battin	David Knowles
George House	Bill Morrow, Vice-Chair
Howard Kaloogian	

Labor and Employment Committee

Peter Frusetta	George House, Vice-Chair
Jan Goldsmith	Ted Weggeland

Local Government Committee

Marilyn Brewer	Steve Kuykendall
Jan Goldsmith	Richard Rainey, Chair
Brett Granlund	

Natural Resources Committee

Paula Boland	Jim Rogan
Keith Olberg, Vice-Chair	Bruce Thompson
Chuck Poochigian	Tom Woods
Bernie Richter	

Public Employees, Retirement and Social Security Committee

Trice Harvey	David Knowles
Howard Kaloogian, Chair	Bernie Richter
Pete Knight	

Public Safety Committee

Paula Boland, Chair	Richard Rainey
Larry Bowler	Jim Rogan

Revenue and Taxation Committee

Steve Baldwin	David Knowles
Jim Cunneen	Nao Takasugi, Vice-Chair
Howard Kaloogian	

Rules Committee

Fred Aguiar	Ross Johnson, Vice-Chair
Barbara Alby	Pete Knight
Jan Goldsmith	

Televising the Assembly and Information Technology Committee

Jim Battin
Tom Woods, Chair

Transportation Committee

Fred Aguiar	Jan Goldsmith
Larry Bowler, Vice-Chair	Brett Granlund
Marilyn Brewer	Pete Knight
Brooks Firestone	Bill Morrow

Utilities and Commerce Committee

Barbara Alby	Steve Kuykendall
Mickey Conroy, Chair	Jim Morrissey
Phil Hawkins	Richard Rainey
George House	Ted Weggeland

Water, Parks and Wildlife Committee

Doris Allen	Chuck Poochigian
Jim Battin	Brian Setencich
Peter Frusetta, Vice-Chair	Bruce Thompson
Keith Olberg	

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

RECESS

By unanimous consent, at 9:33 a.m., Speaker Brown declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 11 a.m., Monday, February 6, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, February 6, 1995

**SIXTH SESSION DAY
NINETEENTH CALENDAR DAY**

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, February 6, 1995

The Assembly met at 11:22 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Stephen J. Greene, Jr. reading.

ROLL CALL

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

Aguiar	Cannella	Isenberg	Olberg
Alby	Conroy	Johnson	Poochigian
Allen	Cortese	Kaloogian	Pringle
Alpert	Cunneen	Katz	Rainey
Archie-Hudson	Davis	Knight	Richter
Baca	Ducheny	Knowles	Rogan
Baldwin	Escutia	Knox	Setencich
Bates	Figueroa	Kuehl	Sher
Battin	Firestone	Kuykendall	Speier
Boland	Friedman	Lee	Sweeney
Bordonaro	Frusetta	Machado	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McDonald	Vasconcellos
Brown, Valerie	Hannigan	McPherson	Villaraigosa
Brulte	Hauser	Morrissey	Weggeland
Burton	Hawkins	Morrow	Woods
Bustamante	Hoge	Murray, Kevin	Mr. Speaker
Caldera	Horcher	Murray, Willard	
Campbell	House	Napolitano	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Assembly Member Jim Battin, of the 80th Assembly District:

Heavenly Father, Each of our days is filled with trifles. Help us to give to these only such attention as they deserve. Help us to be more concerned about each day's opportunities, to better ourselves, to serve others, and to be a source of happiness to all we encounter in each day.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Thompson then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On personal business, and waiving per diem: Assembly Member Harvey.

REFERENCE OF BILLS TO COMMITTEE

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

<i>Assembly</i>	
<i>Bill No.</i>	<i>Committee</i>
7-----	Trans.

RECESS

By unanimous consent, at 11:23 a.m., Speaker Brown declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Friday, February 10, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, February 10, 1995

SEVENTH SESSION DAY

TWENTY-THIRD CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, February 10, 1995

The Assembly met at 9:40 a.m.
Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Stephen J. Greene, Jr. reading.

ROLL CALL

The roll was called, and the following answered to their names—61:

Aguiar	Cortese	Kaloogian	Richter
Alby	Cunneen	Knight	Rogan
Alpert	Ducheny	Knowles	Setencich
Archie-Hudson	Figueroa	Kuehl	Speier
Baca	Firestone	Kuykendall	Sweeney
Baldwin	Friedman	Machado	Takasugi
Battin	Frusetta	Martinez	Thompson
Boland	Goldsmith	Mazzoni	Tucker
Bordonaro	Granlund	McPherson	Vasconcellos
Bowen	Hannigan	Morrissey	Villaraigosa
Brown, Valerie	Harvey	Morrow	Weggeland
Brulte	Hauser	Murray, Kevin	Woods
Bustamante	Hawkins	Murray, Willard	Mr. Speaker
Campbell	Hoge	Napolitano	
Cannella	Horcher	Olberg	
Conroy	House	Rainey	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Assembly Member Liz Figueroa of the 20th Assembly District:

Lord, As we convene again in this chamber, we turn to You to humbly ask that You help us to be more truly what we profess to be and more nobly what we are called to be. Let not the cares, the victories, or the defeats distract us from the tasks that lie before us. Help us all in a spirit of shared responsibility to give to this state and its people the very best we have.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Conroy then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Allen, Bates, Bowler, Brewer, Burton, Davis, Escutia, Gallegos, Katz, Knox, McDonald, Poochigian, Pringle, and Sher.

On legislative business, and waiving per diem: Assembly Member Isenberg.

On personal business, and waiving per diem: Assembly Members Johnson and Lee.

Because of illness in his family: Assembly Member Caldera.

(NOTE: For explanations of absences of Assembly Members Allen, Bates, Bowler, Brewer, Burton, Davis, Escutia, Katz, Knox, McDonald, Poochigian, Pringle, and Sher on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day; for explanations of absences of Assembly Members Gallegos and Isenberg on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for February 9, 1995.)

RECESS

By unanimous consent, at 9:41 a.m., Speaker Brown declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Friday, February 17, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, February 17, 1995

EIGHTH SESSION DAY

THIRTIETH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, February 17, 1995

The Assembly met at 9:10 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called, and the following answered to their names—68:

Aguiar	Conroy	Isenberg	Napolitano
Alby	Cunneen	Johnson	Poochigian
Allen	Davis	Katz	Pringle
Alpert	Ducheny	Knight	Rainey
Archie-Hudson	Figueroa	Knowles	Richter
Baca	Firestone	Knox	Rogan
Baldwin	Friedman	Kuehl	Setencich
Bates	Frusetta	Kuykendall	Sher
Boland	Gallegos	Lee	Sweeney
Bordonaro	Goldsmith	Machado	Takasugi
Bowler	Granlund	Martinez	Thompson
Brewer	Harvey	Mazzoni	Tucker
Brown, Valerie	Hauser	McPherson	Vasconcellos
Brulte	Hawkins	Morrissey	Villaraigosa
Bustamante	Hoge	Morrow	Weggeland
Campbell	Horcher	Murray, Kevin	Woods
Cannella	House	Murray, Willard	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Assembly Member Phil Hawkins, of the 56th Assembly District:

Lord God, Creator of the Universe, Bless the members of this chamber as we gather here today. Help us to wisely legislate for the people of California, as true representatives of fairness, integrity, and justice.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Aguiar then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Battin, Bowen, Burton, Caldera, Cortese, Escutia, Hannigan, Kaloogian, McDonald, Olberg, and Speier.

(NOTE: For explanations of absences of Assembly Members referenced above on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

February 17, 1995

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

Dear Dotson: Please be advised of the following:

Assemblymember Kerry Mazzoni is no longer on the Assembly Public Safety Committee and that Assemblymember Antonio Villaraigosa has been appointed to this committee.

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

REPORTS OF STANDING COMMITTEES**Committee on Local Government**

Date of Hearing: February 15, 1995

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1

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

RAINEY, Chairman

Above bill ordered to second reading.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 8—Escutia. An act to add Section 35298 to the Education Code, relating to schools.

RECESS

By unanimous consent, at 9:11 a.m., Speaker Brown declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, February 23, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 23, 1995

NINTH SESSION DAY

THIRTY-SIXTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 23, 1995

The Assembly met at 9:56 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called, and the following answered to their names—79:

Aguiar	Cannella	House	Napolitano
Alby	Conroy	Isenberg	Olberg
Allen	Cortese	Johnson	Poochigian
Alpert	Cunneen	Kaloogian	Pringle
Archie-Hudson	Davis	Katz	Rainey
Baca	Ducheny	Knight	Richter
Baldwin	Escutia	Knowles	Rogan
Bates	Figuroa	Knox	Setencich
Battin	Firestone	Kuehl	Sher
Boland	Friedman	Kuykendall	Speier
Bordonaro	Frusetta	Lee	Sweeney
Bowen	Callegos	Machado	Takasugi
Bowler	Goldsmith	Martinez	Thompson
Brewer	Granolund	Mazzoni	Tucker
Brown, Valerie	Hannigan	McDonald	Vasconcellos
Brulte	Harvey	McPherson	Villaraigosa
Burton	Hauser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mr. Speaker
Campbell	Horcher	Murray, Willard	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of St. Katherine Greek Orthodox Church:

O Lord Our God, You are holy. You are rich in grace and mercy. Teach us to ask You for proper blessings. Guide our life toward You. Let Your Spirit curb our wayward senses, and enable us to keep Your laws. In all our works forevermore, may we rejoice in Your glorious and gladdening Presence. For Yours is the glory and praise from all Your saints for ever and ever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Napolitano then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

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

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

SENATE BILL NO. 1—An act to amend Section 8686 of the Government Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

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

ELECTION OF SPEAKER AND SPEAKER PRO TEMPORE

Assembly Member Katz moved that Assembly Member Willie L. Brown, Jr. be elected Speaker of the Assembly and Assembly Member Joe Baca be elected Speaker pro Tempore of the Assembly for the 1995–96 First Extraordinary Session, consistent with their election in the Second Extraordinary Session.

Assembly Member Vasconcellos seconded the motion.

Motion carried by the following vote:

AYES—40

Alpert	Cannella	Horcher	Murray, Kevin
Archie-Hudson	Cortese	Isenberg	Murray, Willard
Baca	Davis	Katz	Napolitano
Bates	Ducheny	Knox	Sher
Bowen	Escutia	Kuehl	Speier
Brown, Valerie	Figueroa	Lee	Sweeney
Burton	Friedman	Machado	Tucker
Bustamante	Gallegos	Martinez	Vasconcellos
Caldera	Hannigan	Mazzoni	Villaraigosa
Campbell	Hauser	McDonald	Mr. Speaker

NOES—39

Aguiar	Conroy	Johnson	Pringle
Alby	Cunneen	Kaloogian	Rainey
Allen	Firestone	Knight	Richter
Baldwin	Frusetta	Knowles	Rogan
Battin	Goldsmith	Kuykendall	Setencich
Boland	Granlund	McPherson	Takasugi
Bordonaro	Harvey	Morrissey	Thompson
Bowler	Hawkins	Morrow	Weggeland
Brewer	Hoge	Olberg	Woods
Brulte	House	Poochigian	

Whereupon Speaker-elect Willie L. Brown, Jr. announced the vote as the Assembly's choice for Speaker and Speaker pro Tempore for the 1995–96 First Extraordinary Session of the Legislature.

Oaths of Office Administered

Speaker-elect Willie L. Brown, Jr. appeared at the bar of the Assembly and took and subscribed to the following oath of office administered by E. Dotson Wilson, Chief Clerk of the Assembly:

OATH*for the Office of Speaker of the Assembly*

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.

Speaker pro Tempore-elect Joe Baca appeared at the bar of the Assembly and took and subscribed to the following oath of office administered by E. Dotson Wilson, Chief Clerk of the Assembly:

OATH*for the Office of Speaker pro Tempore of the Assembly*

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.

RECESS

By unanimous consent, at 9:57 a.m., Speaker Brown declared the Assembly recessed.

COMMUNICATIONS

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

February 23, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Hannigan as Democratic Floor Leader for the First Extraordinary Session.

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 9—Sher. An act to amend Sections 2714 and 2776 of, and to add Article 4.5 (commencing with Section 2765) to Chapter 9 of Division 2 of, the Public Resources Code, relating to surface mining, and declaring the urgency thereof, to take effect immediately.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: February 23, 1995

Mr. Speaker: Your Committee on Rules reports:

Assembly Bill No. 5

With the recommendation: That the bill be re-referred to the Committee on Housing and Community Development.

BURTON, Chairman

Above bill re-referred to the Committee on Housing and Community Development.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 2, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 23, 1995**

The following measure was amended in the Assembly on this day:

Senate Bill

1

CALIFORNIA LEGISLATURE

1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 2, 1995

TENTH SESSION DAY

FORTY-THIRD CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 2, 1995

The Assembly met at 8:42 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Cortese	Johnson	Poochigian
Alby	Cunneen	Kaloogian	Pringle
Alpert	Davis	Katz	Rainey
Archie-Hudson	Ducheny	Knight	Richter
Baca	Escutia	Knowles	Rogan
Baldwin	Figueroa	Knox	Setencich
Bates	Firestone	Kuehl	Sher
Battin	Friedman	Kuykendall	Speier
Boland	Frusetta	Lee	Sweeney
Bordonaro	Gallegos	Machado	Takasugi
Bowen	Goldsmith	Martinez	Thompson
Bowler	Granlund	Mazzoni	Tucker
Brewer	Hannigan	McDonald	Vasconcellos
Brown, Valerie	Harvey	McPherson	Villaraigosa
Burton	Hauser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mr. Speaker
Campbell	Horcher	Murray, Willard	
Cannella	House	Napolitano	
Conroy	Isenberg	Olberg	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of St. Katherine Greek Orthodox Church:

O Lord our God, Save Your people and bless Your inheritance; protect all of us who pray to You; sanctify those who love the beauty of all You created and do not forsake us who hope in You. For Yours is the dominion, the power and glory forever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Bustamante then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Brulte.

Because of illness: Assembly Member Allen.

(NOTE: For explanation of absence of Assembly Member Brulte on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

REFERENCE OF BILLS TO COMMITTEE

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

<i>Assembly</i>	
<i>Bill No.</i>	<i>Committee</i>
8	-----Ed.

RECESS

By unanimous consent, at 8:42 a.m., Speaker Brown declared the Assembly recessed.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Date of Hearing: February 27, 1995

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Senate Bill No. 2

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

MCDONALD, Chairwoman

Above bill re-referred to the Committee on Appropriations.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Friday, March 10, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, March 10, 1995

ELEVENTH SESSION DAY

FIFTY-FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, March 10, 1995

The Assembly met at 8:50 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called, and the following answered to their names—64:

Aguiar	Campbell	Hawkins	McPherson
Alby	Cannella	Hoge	Morrow
Alpert	Conroy	Horcher	Murray, Kevin
Baca	Cortese	House	Napolitano
Baldwin	Davis	Kaloogian	Olberg
Bates	Ducheny	Katz	Pringle
Battin	Escutia	Knight	Rainey
Boland	Figueroa	Knowles	Richter
Bordonaro	Friedman	Knox	Rogan
Bowen	Frusetta	Kuehl	Setencich
Bowler	Gallegos	Kuykendall	Sweeney
Brewer	Goldsmith	Lee	Takasugi
Brown, Valerie	Granlund	Machado	Tucker
Brulte	Hannigan	Martinez	Weggeland
Bustamante	Harvey	Mazzoni	Woods
Caldera	Hauser	McDonald	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Baca, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Shine within our hearts, loving Master, the pure light of Your divine knowledge, and open the eyes of our minds that we may do Your will. Instill in us also, reverence for Your blessed commandments so that we may pursue a spiritual way of life, both thinking and doing only those things that are pleasing to You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Burton, Cunneen, Firestone, Isenberg, Morrissey, Willard Murray, Poochigian, Sher, Speier, Thompson, Vasconcellos, and Villaraigosa.

On personal business, and waiving per diem: Assembly Member Johnson.

Because of illness: Assembly Member Allen.

Because of illness in her family: Assembly Member Archie-Hudson.

(NOTE: For letters explaining the absences of Assembly Members Burton, Cunneen, Firestone, Isenberg, Morrissey, Willard Murray, Poochigian, Sher, Speier, Thompson, Vasconcellos, and Villaraigosa, on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

COMMUNICATIONS

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

March 2, 1995

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

Dear Dotson: Please be advised of the following leadership positions:

Cruz Bustamante, Democratic Caucus Chair
Marguerite Archie-Hudson, Democratic Whip
Antonio Villaraigosa, Democratic Whip

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

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

March 6, 1995

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

Dear Dotson: Recently, the number of members serving upon the Assembly Budget Committee was expanded by two members.

This action has resulted in the creation of a Republican vacancy to that committee. As such, I would like to inform you that I have appointed Assembly member James Rogan to fill this position.

Should you have any questions regarding this appointment, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

RECESS

By unanimous consent, at 8:50 a.m., Speaker pro Tempore Baca declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 16, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 16, 1995

TWELFTH SESSION DAY

FIFTY-SEVENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 16, 1995

The Assembly met at 8:55 a.m.
Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called, and the following answered to their names—73:

Aguiar	Cunneen	Kaloogian	Poochigian
Alby	Davis	Katz	Pringle
Allen	Ducheny	Knight	Rainey
Alpert	Escutia	Knowles	Richter
Baldwin	Figueroa	Knox	Rogan
Bates	Firestone	Kuehl	Setencich
Battin	Friedman	Kuykendall	Sher
Boland	Gallegos	Lee	Speier
Bowen	Goldsmith	Machado	Sweeney
Bowler	Granlund	Martinez	Takasugi
Brewer	Hannigan	Mazzoni	Thompson
Brown, Valerie	Harvey	McDonald	Tucker
Brulte	Hauser	McPherson	Villaraigosa
Burton	Hawkins	Morrissey	Weggeland
Bustamante	Hoge	Morrow	Woods
Caldera	Horcher	Murray, Kevin	Mr. Speaker
Campbell	House	Murray, Willard	
Conroy	Isenberg	Napolitano	
Cortese	Johnson	Olberg	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord our God, You alone have dominion over all things, in heaven and on earth. Do not turn Your face away from us or reject us from among Your children. Grant instead, O Lord, that our hearts may be made pure and that Your grace may be upon us, in everything we do.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Takasugi then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Valerie Brown, seconded by Assembly Member Pringle.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Archie-Hudson, Bordonaro, and Frusetta.

On personal business, and waiving per diem: Assembly Member Cannella.

Because of illness: Assembly Member Vasconcellos.

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

(NOTE: For explanations of absences of Assembly Members Archie-Hudson, Bordonaro, and Frusetta on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

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>
9	----- Nat. Res.

RECESS

By unanimous consent, at 8:56 a.m., Speaker Brown declared the Assembly recessed.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 10—Frusetta. An act to amend Section 8686 of the Government Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

AUTHOR'S AMENDMENTS

Committee on Revenue and Taxation

March 13, 1995

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 6

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

MCDONALD, Chairwoman

ASSEMBLY BILL NO. 6—An act to add Sections 17208 and 24347.6 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 23, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 16, 1995**

The following measure was amended in the Assembly on this day:

Assembly Bill

6

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 23, 1995
THIRTEENTH SESSION DAY
SIXTY-FOURTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 23, 1995

The Assembly met at 8:55 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Campbell	Horcher	Murray, Kevin
Alby	Cannella	House	Murray, Willard
Allen	Conroy	Isenberg	Napolitano
Alpert	Cunneen	Johnson	Olberg
Archie-Hudson	Davis	Kaloogian	Poochigian
Baca	Ducheny	Katz	Pringle
Baldwin	Escutia	Knight	Rainey
Bates	Figueroa	Knowles	Richter
Battin	Firestone	Knox	Rogan
Boland	Friedman	Kuehl	Setencich
Bordonaro	Frusetta	Kuykendall	Speier
Bowen	Gallegos	Lee	Sweeney
Bowler	Goldsmith	Machado	Takasugi
Brewer	Granlund	Martinez	Thompson
Brown, Valerie	Hannigan	Mazzoni	Tucker
Brulte	Harvey	McDonald	Villaraigosa
Burton	Hauser	McPherson	Weggeland
Bustamante	Hawkins	Morrissey	Woods
Caldera	Hoge	Morrow	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Baca, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord, God Almighty, You accept a sacrifice of praise from those who call upon You with their whole heart. Receive our prayer today. Make us worthy to find grace in Your presence so that Your good and gracious spirit may abide with us and with all Your people.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Cortese and Vasconcellos.

Because of illness: Assembly Member Sher.

(NOTE: For explanations of absences of Assembly Members Cortese and Vasconcellos on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

March 17, 1995

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

Dear Dotson: Please be advised of the following leadership position:

Louis Caldera
Assistant Democratic Floor Leader
Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 23, 1995

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 6
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

RECESS

By unanimous consent, at 8:56 a.m., Speaker pro Tempore Baca declared the Assembly recessed.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 11—McPherson. An act to amend Sections 17207 and 24347.5 of, and to add Sections 196.81, 196.82, and 196.83 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

REFERENCE OF BILLS TO COMMITTEE

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

<i>Assembly</i>	
<i>Bill No.</i>	<i>Committee</i>
10-----	G.O.

AUTHOR'S AMENDMENTS
Committee on Appropriations

March 23, 1995

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

Senate Bill No. 1

Senate Bill No. 2

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

PRINGLE, Chairman

SENATE BILL NO. 1—An act to amend Section 8686 of the Government Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

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

SENATE BILL NO. 2—An act to amend Sections 17207 and 24347.5 of, and to add Sections 196.91, 196.92, and 196.93 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 30, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 23, 1995**

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

Senate Bills

1
2

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 30, 1995
FOURTEENTH SESSION DAY
SEVENTY-FIRST CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 30, 1995

The Assembly met at 8:44 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Conroy	Isenberg	Poochigian
Alby	Cortese	Johnson	Pringle
Allen	Cunneen	Kaloogian	Rainey
Alpert	Davis	Katz	Richter
Archie-Hudson	Ducheney	Knight	Rogan
Baca	Escutia	Knowles	Setencich
Baldwin	Figueroa	Knox	Sher
Bates	Firestone	Kuehl	Speier
Battin	Friedman	Kuykendall	Sweeney
Boland	Frusetta	Lee	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McDonald	Vasconcellos
Brown, Valerie	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Morrissey	Weggeland
Burton	Hauser	Morrow	Woods
Bustamante	Hawkins	Murray, Kevin	Mr. Speaker
Caldera	Hoge	Murray, Willard	
Campbell	Horcher	Napolitano	
Cannella	House	Olberg	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord, Be mindful of those who bring forth fruit and do good works in this great land. Reward us with Your rich and heavenly blessings. In place of worldly gifts grant us heavenly ones; in place of transitory goods, eternal blessings; instead of the passing, the lasting.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Isenberg then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Bowen.

Because of illness: Assembly Member Machado.

(NOTE: For explanation of absence of Assembly Member Bowen on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

RECESS

By unanimous consent, at 8:45 a.m., Speaker Brown declared the Assembly recessed.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Date of Hearing: March 27, 1995

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 6

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

McDONALD, Chairwoman

Above bill re-referred to the Committee on Appropriations.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8 a.m., Thursday, April 6, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, April 6, 1995
FIFTEENTH SESSION DAY
SEVENTY-EIGHTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, April 6, 1995

The Assembly met at 8:38 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Assistant Chief Clerk Lawrence A. Murman at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called, and the following answered to their names—72:

Aguiar	Campbell	Horcher	Murray, Willard
Alby	Cannella	House	Napolitano
Allen	Cortese	Johnson	Olberg
Alpert	Cunneen	Kaloogian	Poochigian
Baca	Davis	Katz	Pringle
Baldwin	Ducheny	Knight	Rainey
Bates	Escutia	Knowles	Richter
Battin	Figueroa	Knox	Rogan
Boland	Firestone	Kuehl	Setencich
Bordonaro	Friedman	Kuykendall	Sher
Bowen	Frusetta	Lee	Sweeney
Bowler	Gallegos	Machado	Takasugi
Brewer	Goldsmith	Martinez	Thompson
Brown, Valerie	Granlund	Mazzoni	Tucker
Brulte	Hannigan	McPherson	Villaraigosa
Burton	Harvey	Morrissey	Weggeland
Bustamante	Hauser	Morrow	Woods
Caldera	Hawkins	Murray, Kevin	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O Lord, Be mindful of the people assembled here. Fill their households with every good thing. Look after all those who stand in need of Your boundless compassion, and lavish on all Your rich mercy.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Brulte then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Archie-Hudson, Conroy, and McDonald.

On personal business, and waiving per diem: Assembly Members Hoge, Isenberg, Speier, and Vasconcellos.

(NOTE: For explanations of absences of Assembly Members Archie-Hudson, Conroy, and McDonald on this day on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

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>
11 -----	Rev. & Tax.

RECESS

By unanimous consent, at 8:39 a.m., Speaker Brown declared the Assembly recessed.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: April 5, 1995

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1

With the recommendation: Do pass.

PRINGLE, Chairman

Above bill ordered to second reading.

ADJOURNMENT

At 3 p.m., pursuant to the provisions of Joint Rule 51, the Assembly adjourned for the 1995 Easter Recess until 8:30 a.m., Thursday, April 20, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, April 20, 1995
SIXTEENTH SESSION DAY
NINETY-SECOND CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, April 20, 1995

The Assembly met at 10:38 a.m.
Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.
Assistant Chief Clerk Lawrence A. Murman at the Desk.
Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Cannella	House	Murray, Willard
Alby	Conroy	Isenberg	Napolitano
Allen	Cortese	Johnson	Olberg
Alpert	Cunneen	Kaloogian	Poochigian
Archie-Hudson	Davis	Katz	Pringle
Baca	Ducheny	Knight	Rainey
Baldwin	Escutia	Knowles	Richter
Bates	Figuroa	Knox	Rogan
Battin	Firestone	Kuehl	Setencich
Boland	Friedman	Kuykendall	Speier
Bordonaro	Frusetta	Lee	Sweeney
Bowen	Callegos	Machado	Takasugi
Bowler	Goldsmith	Martinez	Thompson
Brewer	Granlund	Mazzoni	Tucker
Brown, Valerie	Hannigan	McDonald	Vasconcellos
Burton	Harvey	McPherson	Villaraigosa
Bustamante	Hauser	Morrissey	Weggeland
Caldera	Hawkins	Morrow	Woods
Campbell	Hoge	Murray, Kevin	Mr. Speaker

Quorum present.

PRAYER

Assembly Member Speier introduced Archbishop Vatché Hovsepien, Archbishop Datev Sarkissian, Pastor Der Raphael Minassian, Rev. Moushegh Mardrossian, and Rev. Yeghia Hayirabedian whereupon Archbishop Vatché Hovsepien was invited to offer the following prayer:

ARCHBISHOP VATCHÉ HOVSEPIAN, PRIMATE

Armenian Church Western Diocese:

Honorable Willie Brown, Speaker of the California State Assembly:

I am most appreciative of the kind invitation extended to us by the Speaker, the Honorable Willie Brown, a good friend of mine and of the Armenian Community.

As the spiritual and lay leaders, we bring greetings to you from the Armenian Communities living in the West coast. This year, once again, the over seven (7) million Armenians throughout the world, will gather in their respective communities to remember our

martyrs of 1915, on the occasion of the 80th Anniversary of the Armenian Genocide. The magnitude of the tragedy that befell our people was so extensive, that today, there scarcely exists an Armenian, whose family was not touched by this horrendous act of genocide. We are unable to forget these horrible events; which are indelible in our psyche.

In reality, to be victimized by genocide is tragedy enough, however, to have the Holocaust of 1915 ignored, and to have the perpetrators pronounce that it never happened, adds to our feelings of victimization and our communal sense of outrage.

In this century, . . . which is hailed as the most progressive in all of human existence, . . . we constantly observe 'the laws of the jungle,' we have moral responsibility to protest against acts of violence. The genocide of any people, no matter how small or how powerless, is an attack on all humanity. Each of us has a moral responsibility to protest against acts of brutality. It is tragedy that in the international politics there are no ethical and moral boundaries. Throughout history, it looks as though small nations are always being victimized and swallowed by the bigger powers. Let everyone know, . . . that in the sight of God, everyone is equal!

I have just returned from Armenia, a country who has risen from ashes, has survived atheistic persecutions and has now declared independence, and now is in the process of building our ancestral homeland. The entire Armenian nation, with jubilation, witnessed the enthronement of the new spiritual leader of the Armenian Church and the Armenian people, His Holiness Karekin I, Supreme Patriarch and Catholicos of All Armenians, on April 9, 1995.

For Armenia, and Armenians, these are the days of resurrection and hope for a bright future, because we are the followers of the eternal message given by our Lord, Jesus Christ:

"Blessed are those who hunger and thirst for righteousness,
for they shall be satisfied.

Blessed are those who are persecuted for righteousness, for
theirs is the Kingdom of heaven."

We can accept the natural disasters; however, we should never accept the genocide of the Armenians; the Holocaust of the Jewish people and the destruction of the African and Asian nations, and presently, the Kurdish people.

My advice to you is to stand steadfast for justice, truth and beauty and be courageous to repel the evil principalities of the world. Remember that living, by the fear of God, and the Love of God, will truly make this world a better place to live for all mankind.

Now, let us bow our heads for a moment of meditation:

"O'Beneficent, merciful and omnipotent God, with Thy unforgettable knowledge and infinite love of man, We beseech Thee to bestow Thy divine wisdom and grace upon the leaders of the United States, in particular, the members of this Assembly. May they realize, that Thou art the righteous Judge and pure wisdom and Thy divinely instituted laws and commandments are above all the laws of the world."

As we relive with humility and respect the memories of millions Armenians and martyrs of other nations, let us harken unto the voice of God revealed through the prophet Ezekial. (37: 1-6)

“The hand of the Lord was upon me, and He brought me out by the spirit of the Lord and set me down in the midst of the valley, it was full of bones. And he led me round among them: and behold there were very many upon the valley, and lo, they were dry. And He said to me, “Son of Man, can these bones live?” And I answered, “O’Lord, God, Thou knowest,” again he said to me, “Prophecy to these bones and say to them, O’dry bones, hear the word of the Lord. Thus says the Lord God to these bones: Behold, I will cause breath to enter you, and you shall live. And, I will lay sinews upon you, and will cause flesh to come upon you, and cover you with skin, and put breath in you, and you shall live; and you shall know that I am the Lord.”

We pray Thee, O’Lord, to receive the souls for all the martyrs, in particular the souls of millions of Armenians, who became victims of the Turkish atrocities and place them in the abode of just. Bestow Thy divine grace upon us all to live in love, in peace and with one another, and glorify Thy immutable dominion now and forever and unto the ages of ages.”—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Brulte, Horcher, and Sher.

(NOTE: For explanations of absences of Assembly Members Brulte, Horcher, and Sher on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

April 17, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember John Burton is no longer on the Assembly Public Safety Committee.

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: April 5, 1995

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 2

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

PRINGLE, Chairman

Above bill ordered to second reading.

CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS

SENATE BILL NO. 1—An act to amend Section 8686 of the Government Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

RECESS

By unanimous consent, at 10:39 a.m., Speaker Brown declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Tuesday, April 25, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, April 25, 1995

SEVENTEENTH SESSION DAY

NINETY-SEVENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, April 25, 1995

The Assembly met at 7 a.m.

Hon. Howard Kaloogian, Assembly Member, 74th District,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—77:

Aguiar	Conroy	Isenberg	Poochigian
Alby	Cortese	Johnson	Pringle
Allen	Cunneen	Kaloogian	Rainey
Alpert	Davis	Katz	Richter
Archie-Hudson	Ducheny	Knight	Rogan
Baca	Escutia	Knowles	Setencich
Baldwin	Figueroa	Knox	Sher
Bates	Firestone	Kuehl	Speier
Battin	Friedman	Kuykendall	Sweeney
Boland	Frusetta	Machado	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Tucker
Bowler	Granlund	McDonald	Vasconcellos
Brewer	Hannigan	McPherson	Villaraigosa
Brown, Valerie	Harvey	Morrissey	Weggeland
Brulte	Hauser	Morrow	Woods
Burton	Hawkins	Murray, Kevin	Mr. Speaker
Bustamante	Hoge	Murray, Willard	
Caldera	Horcher	Napolitano	
Campbell	House	Olberg	

Quorum present.

At 12:03 p.m., Hon. Dan Hauser, 1st District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Members Cannella and Lee.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

SENATE BILL NO. 2—An act to amend Sections 17207 and 24347.5 of, and to add Sections 196.91, 196.92, and 196.93 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, April 26, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON APRIL 25, 1995**

The following measure was amended in the Assembly on this day:

Senate Bill

2

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, April 26, 1995

EIGHTEENTH SESSION DAY

NINETY-EIGHTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, April 26, 1995

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Aguiar	Conroy	House	Napolitano
Alby	Cortese	Isenberg	Olberg
Alpert	Cunneen	Johnson	Poochigian
Archie-Hudson	Davis	Kaloogian	Pringle
Baca	Ducheny	Katz	Rainey
Baldwin	Escutia	Knight	Richter
Bates	Figueroa	Knowles	Rogan
Battin	Firestone	Knox	Setencich
Boland	Friedman	Kuehl	Sher
Bordonaro	Frusetta	Kuykendall	Sweeney
Bowen	Gallegos	Machado	Takasugi
Bowler	Goldsmith	Martinez	Thompson
Brewer	Granlund	Mazzoni	Tucker
Brown, Valerie	Hannigan	McDonald	Vasconcellos
Brulte	Harvey	McPherson	Villaraigosa
Burton	Hauser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mr. Speaker
Campbell	Horcher	Murray, Willard	

Quorum present.

At 11:45 a.m., Hon. Paula L. Boland, 38th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Speier.

On personal business, and waiving per diem: Assembly Members Cannella and Lee.

Because of illness: Assembly Member Allen.

(NOTE: For explanation of absence of Assembly Member Speier on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**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. 2, ordered to third reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, April 27, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, April 27, 1995
NINETEENTH SESSION DAY
NINETY-NINTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

①

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, April 27, 1995

The Assembly met at 10:05 a.m.
Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Campbell	House	Napolitano
Alby	Conroy	Isenberg	Olberg
Allen	Cortese	Johnson	Poochigian
Alpert	Cunneen	Kaloogian	Pringle
Archie-Hudson	Davis	Katz	Rainey
Baca	Ducheny	Knight	Richter
Baldwin	Escutia	Knowles	Rogan
Bates	Figueroa	Knox	Setencich
Battin	Firestone	Kuehl	Sher
Boland	Friedman	Lee	Speier
Bordonaro	Frusetta	Machado	Sweeney
Bowen	Gallegos	Martinez	Takasugi
Bowler	Goldsmith	Mazzoni	Thompson
Brewer	Granolund	McDonald	Tucker
Brown, Valerie	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Morrissey	Weggeland
Burton	Hauser	Morrow	Woods
Bustamante	Hoge	Murray, Kevin	Mr. Speaker
Caldera	Horcher	Murray, Willard	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of Saint Katherine Church:

Lord, We commit ourselves to You, both to will and to work according to Your good pleasure, for our benefit and the benefit of this beautiful state. Fill our hearts with Your grace that we may act with faith, honesty and courage in all that we do. Guide us that we may abound in every good work to Your praise and glory.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Baca then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Hawkins, Kuykendall, and Vasconcellos.

On personal business, and waiving per diem: Assembly Member Cannella.

(NOTE: For explanations of absences of Assembly Members Hawkins, Kuykendall, and Vasconcellos on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS**

SENATE BILL NO. 1 (O'Connell)—An act to amend Section 8686 of the Government Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

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.

RECESS

By unanimous consent, at 10:06 a.m., Speaker Brown declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8 a.m., Thursday, May 4, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON APRIL 27, 1995**

The following measure was amended in the Assembly on this day:

Senate Bill

1

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, May 4, 1995
TWENTIETH SESSION DAY
ONE HUNDRED SIXTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, May 4, 1995

The Assembly met at 9:25 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Campbell	Hoge	Murray, Kevin
Alby	Cannella	Horcher	Murray, Willard
Allen	Conroy	House	Napolitano
Alpert	Cortese	Isenberg	Olberg
Archie-Hudson	Cunneen	Kaloogian	Poochigian
Baca	Davis	Katz	Pringle
Baldwin	Ducheny	Knight	Rainey
Bates	Escutia	Knowles	Richter
Battin	Figueroa	Knox	Setencich
Boland	Firestone	Kuehl	Sher
Bordonaro	Friedman	Kuykendall	Sweeney
Bowen	Frusetta	Lee	Takasugi
Bowler	Gallegos	Machado	Thompson
Brewer	Goldsmith	Martinez	Tucker
Brown, Valerie	Granlund	Mazzoni	Vasconcellos
Brulte	Hannigan	McDonald	Villaraigosa
Burton	Harvey	McPherson	Weggeland
Bustamante	Hauser	Morrissey	Woods
Caldera	Hawkins	Morrow	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

We gather today on this National Day of Prayer to reflect on the importance of prayer in our daily lives and in the life of our great nation. The theme for this year's National Day of Prayer, "Seek His Face," is taken from the prophecy of Jeremiah, Chapter 29, verses eleven through thirteen which reads:

I alone know My purpose for you, says the Lord: prosperity and not misfortune, and a long line of children after you. If you invoke Me and pray to Me, I will listen to you: when you seek Me, you shall find Me, if you search with all your heart. (NEB)

Having heard then these words from Scripture, let us pray:

Lord, grant us to greet the coming day in peace. Help us in all things to rely upon Your holy will. In every hour of the day reveal Your will to us. Bless our dealings with all who surround us. Teach us to treat all that comes to us throughout the day with peace of soul, and with firm conviction that Your will governs all. In all our deeds and words guide our thoughts and feelings. In unforeseen events let us not forget that all are sent by You. Teach us to act firmly and wisely, without embittering and embarrassing others. Give us strength to bear the fatigue of the coming day with all that it shall bring. Direct our will and teach us to pray.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Johnson, Rogan, and Speier.

(NOTE: For explanations of absences of Assembly Members Johnson, Rogan, and Speier on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS**

SENATE BILL NO. 1 (O'Connell)—An act to amend Section 8686 of the Government Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—68

Aguiar	Caldera	Hauser	Morrow
Allen	Campbell	Hawkins	Murray, Kevin
Alpert	Cannella	Hoge	Murray, Willard
Archie-Hudson	Conroy	Isenberg	Napolitano
Baca	Cortese	Katz	Olberg
Baldwin	Cunneen	Knight	Poochigian
Bates	Davis	Knowles	Pringle
Battin	Ducheny	Knox	Rainey
Boland	Escutia	Kuehl	Setencich
Bordonaro	Figueroa	Kuykendall	Sher
Bowen	Firestone	Lee	Sweeney
Bowler	Friedman	Machado	Takasugi
Brewer	Frusetta	Martinez	Tucker
Brown, Valerie	Goldsmith	Mazzoni	Vasconcellos
Brulte	Granlund	McDonald	Villaraigosa
Burton	Hannigan	McPherson	Weggeland
Bustamante	Harvey	Morrissey	Mr. Speaker

NOES—None

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

AYES—68

Aguiar	Caldera	Hauser	Morrow
Allen	Campbell	Hawkins	Murray, Kevin
Alpert	Cannella	Hoge	Murray, Willard
Archie-Hudson	Conroy	Isenberg	Napolitano
Baca	Cortese	Katz	Olberg
Baldwin	Cunneen	Knight	Poochigian
Bates	Davis	Knowles	Pringle
Battin	Ducheny	Knox	Rainey
Boland	Escutia	Kuehl	Setencich
Bordonaro	Figueroa	Kuykendall	Sher
Bowen	Firestone	Lee	Sweeney
Bowler	Friedman	Machado	Takasugi
Brewer	Frusetta	Martinez	Tucker
Brown, Valerie	Goldsmith	Mazzoni	Vasconcellos
Brulte	Granlund	McDonald	Villaraigosa
Burton	Hannigan	McPherson	Weggeland
Bustamante	Harvey	Morrissey	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

COMMUNICATIONS

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

Explanation of Vote—Senate Bill No. 1

May 4, 1995

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

Dear Dotson: This is to advise you that I inadvertently voted aye on First Extraordinary Session Senate Bill 1.

I would appreciate it if you would print this letter in the Daily Journal reflecting my intention to have been recorded as a *no* vote on SB 1X.

Sincerely,

BILL HOGE, Assembly Member
 Forty-fourth District

VOTE ADDS

The following Assembly Member was granted unanimous consent to record his vote on the following item:

Senate Bill No. 1 and Urgency: Harvey—Aye.

RECESS

By unanimous consent, at 9:26 a.m., Speaker pro Tempore Baca declared the Assembly recessed.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 12—Brewer. An act to amend Sections 195.73 and 196.96 of the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

MESSAGES FROM THE SENATE

Senate Chamber, May 4, 1995

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.

RICK ROLLENS, Secretary of the Senate
 By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, May 11, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, May 11, 1995
TWENTY-FIRST SESSION DAY
ONE HUNDRED THIRTEENTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, May 11, 1995

The Assembly met at 10:56 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Campbell	Horcher	Murray, Kevin
Alby	Cannella	House	Murray, Willard
Allen	Conroy	Isenberg	Napolitano
Alpert	Cortese	Johnson	Olberg
Archie-Hudson	Cunneen	Kaloogian	Poochigian
Baca	Davis	Katz	Pringle
Baldwin	Ducheny	Knight	Rainey
Bates	Figuroa	Knowles	Richter
Battin	Firestone	Knox	Rogan
Boland	Friedman	Kuehl	Setencich
Bordonaro	Frusetta	Kuykendall	Sher
Bowen	Gallegos	Lee	Speier
Bowler	Goldsmith	Machado	Sweeney
Brewer	Granlund	Martinez	Thompson
Brown, Valerie	Hannigan	Mazzoni	Tucker
Brulte	Harvey	McDonald	Vasconcellos
Burton	Hauser	McPherson	Weggeland
Bustamante	Hawkins	Morrissey	Woods
Caldera	Hoge	Morrow	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Baca, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord, Having received this new day as a gift, we thank You for showing Your love toward us and for having guided us to glorify Your power. Enlighten our minds to study Your word and open our hearts to understand Your commandments. For we praise You with all our heart and we glorify Your Holy Name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Takasugi and Villaraigosa.

On personal business, and waiving per diem: Assembly Member Escutia.

(NOTE: For explanation of absence of Assembly Member Takasugi on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for May 8, 1995; for explanation of absence of Assembly Member Villaraigosa on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

May 8, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Richard Katz to the Assembly Natural Resources Committee in place of Assemblymember Jackie Speier for the hearing today only, May 8, 1995.

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

May 9, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Bates to the Assembly Health Committee in place of Assemblymember Martha Escutia for today only, May 9, 1995.

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

May 9, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed the following Assemblymembers to committees in place of Assemblymember Martha Escutia, during her absence:

Assembly Budget Committee

Valerie Brown

Assembly Health Committee

Mike Machado

Assembly Rules Committee

Susan Davis

Sincerely,

WILLIE L. BROWN, JR.
 Speaker of the Assembly

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

May 5, 1995

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

Dear Dotson: In accordance with the provisions of HR 10, I am hereby removing Assemblyman Ross Johnson from the Assembly Committee on Elections, Reapportionment and Constitutional Amendments and replacing him with Assemblyman Trice Harvey.

I am also removing Assemblyman Harvey from the Assembly Committee on Public Employees, Retirement and Social Security.

Sincerely,

JAMES L. BRULTE
 Assembly Republican Leader

May 8, 1995

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

Dear Dotson: Assemblyman Curt Pringle will replace Assemblyman Nao Takasugi on the Committee on Revenue and Taxation during the week of May 8-12, 1995.

Assemblyman Tom Bordonaro will replace Assemblyman Takasugi on the Committee on Appropriations during the same time period.

Sincerely,

JAMES L. BRULTE
 Assembly Republican Leader

May 8, 1995

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

Dear Dotson: Assemblymembers Jan Goldsmith and Marilyn Brewer will replace Assemblymembers Nao Takasugi and Steve Kuykendall on the Assembly Banking and Finance Committee on May 8, 1995.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

May 8, 1995

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

Dear Dotson: Assemblymember Bernie Richter will replace Assemblyman Nao Takasugi on the Assembly Governmental Organization Committee for the week of May 8-12, 1995.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

May 8, 1995

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

Dear Dotson: Assemblyman Trice Harvey will replace Assemblyman Ross Johnson on the Assembly Insurance Committee on May 9, 1995, only.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

May 9, 1995

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

Dear Dotson: Assemblyman Tom Woods will replace Assemblyman Ross Johnson on the Assembly Health Committee today only.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

May 10, 1995

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

Dear Dotson: Assemblyman Bruce Thompson will serve on the Assembly Public Employees, Retirement and Social Security Committee today, May 10, 1995.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

May 10, 1995

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

Dear Dotson: Assemblyman Ted Weggeland will replace Assemblyman Ross Johnson on the Assembly Appropriations Committee today, May 10, 1995.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

May 11, 1995

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

Dear Dotson: Assemblyman Trice Harvey will replace Assemblyman Ross Johnson on the Assembly Insurance Committee today, May 11, 1995.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

REFERENCE OF BILLS TO COMMITTEE

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

<i>Assembly Bill No.</i>	<i>Committee</i>
12-----	Rev. & Tax.

**CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS**

SENATE BILL NO. 2 (Thompson)—An act to amend Sections 17207 and 24347.5 of, and to add Sections 196.91, 196.92, and 196.93 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Valerie Brown moved the adoption of amendments.

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

RECESS

By unanimous consent, at 10:57 a.m., Speaker Brown declared the Assembly recessed.

COMMUNICATIONS

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

May 11, 1995

*Honorable Willie L. Brown, Jr.
Speaker of the State Assembly
State Capitol Building
Sacramento, California*

Dear Speaker Brown: I hereby resign, effective immediately, as a Member of the California State Assembly from the 72nd District.

Sincerely,

ROSS JOHNSON, Assembly Member
Seventy-second District

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

May 11, 1995

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

Dear Dotson: Assemblyman Ross Johnson has tendered his resignation both as vice chair and member of the Assembly Rules Committee. As such, pursuant to the provisions of HR 10, I am appointing to the position of vice chair Assemblyman Fred Aguiar.

Assemblywoman Marilyn Brewer will become a full member of the Rules Committee, and Assemblyman James Rogan will be appointed as the Republican alternate to the Rules Committee.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

May 11, 1995

*Honorable Pete Wilson
Governor of California
State Capitol, 1st Floor
Sacramento, California*

Dear Governor Wilson: Pursuant to the Government Code and on behalf of the Speaker of the Assembly, Honorable Willie L. Brown, Jr., I am forwarding a letter of resignation from Assembly Member Ross Johnson, effective May 11, 1995.

Thank you for your attention to this matter.

Sincerely,

E. DOTSON WILSON
Chief Clerk

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8 a.m., Thursday, May 18, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MAY 11, 1995**

The following measure was amended in the Assembly on this day:

Senate Bill

2

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, May 18, 1995

**TWENTY-SECOND SESSION DAY
ONE HUNDRED TWENTIETH CALENDAR DAY**

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, May 18, 1995

The Assembly met at 10:55 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Cannella	Kaloogian	Poochigian
Alby	Conroy	Katz	Pringle
Allen	Cortese	Knight	Rainey
Alpert	Cunneen	Knowles	Richter
Archie-Hudson	Davis	Knox	Rogan
Baca	Ducheny	Kuehl	Setencich
Baldwin	Figuroa	Kuykendall	Sher
Bates	Firestone	Lee	Speier
Battin	Friedman	Machado	Sweeney
Boland	Frusetta	Martinez	Takasugi
Bordonaro	Gallegos	Mazzoni	Thompson
Bowen	Goldsmith	McDonald	Tucker
Bowler	Granlund	McPherson	Vasconcellos
Brewer	Hannigan	Miller	Villaraigosa
Brown, Valerie	Harvey	Morrissey	Weggeland
Brulte	Hauser	Morrow	Woods
Burton	Hawkins	Murray, Kevin	Mr. Speaker
Bustamante	Hoge	Murray, Willard	
Caldera	House	Napolitano	
Campbell	Isenberg	Olberg	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord God, Father of mercies and God of all consolation, bless all of us who pray to You; bless and sanctify us, watch over us, fortify and strengthen us; engage us in every good work, counting us worthy of Your grace, mercy and love, now and always.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Battin then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On personal business, and waiving per diem: Assembly Member Escutia.

COMMUNICATIONS

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

May 17, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Richard Katz to the Assembly Appropriations Committee in place of Assemblymember Paul Horcher for today only, May 17, 1995.

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

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

Office of the Secretary of State

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That I have compiled the semi-official returns of the May 16, 1995, 60th Assembly District Special Recall Election, and

That the attached Statement of Vote is a full, true, and correct compilation of the election results, submitted by the election officials of the county or counties conducting the election, and is on file in this office.

IN WITNESS WHEREOF, I
hereunto set my hand and
affix the Great Seal of the
State of California this 17th
day of May, 1995.

[SEAL]

BILL JONES
Secretary of State

60TH ASSEMBLY DISTRICT RECALL SPECIAL ELECTION
SEMI-OFFICIAL CANVASS
MAY 16, 1995

	YES		NO			TOTAL VOTES CAST
	34,014 62.55%		20,361 37.45%			54,375 32.44%
	Royal Meservy Rep	Gary G. Miller Rep	Matt Piazza Lib	Andrew M. "Andy" Ramirez Dem	Barbara S. Stone Rep	Jim Hale Rep
Los Angeles % by county	1,153 2.49%	18,304 39.55%	1,200 2.59%	9,595 20.73%	14,951 32.30%	1,081 2.34%
						45,203 26.97%
	Precincts By County	Precincts Reporting	Registered Voters By County			
Los Angeles % by county	177	177	167,610			05/16/95 23:38:12
		100.00%				

CERTIFICATE OF ELECTION

The following Certificate of Election was presented and ordered printed in the Journal:

Certificate of Election

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That according to the semi-official returns of the Special Election held on the 16th day of May, 1995,

GARY G. MILLER

was elected to the office of

MEMBER OF THE ASSEMBLY—DISTRICT 60

for the term prescribed by law.

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California at Sacramento, this 17th day of May, 1995.

BILL JONES
Secretary of State

RECEIPT

This acknowledges receipt of the certificate of election for the 60th A.D., received this day, May 17, 1995 at 6:40 p.m.

E. DOTSON WILSON
Chief Clerk of the Assembly

OATH OF OFFICE

The following Oath of Office was administered by the Speaker of the Assembly, Willie L. Brown, Jr.:

OATH

*for the Office of Member of the Assembly
60th Assembly District*

I, Gary Miller, 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.

GARY G. MILLER

Subscribed and sworn to before me,
this 18th day of May
A.D. 1995.

WILLIE L. BROWN, JR.
Speaker of the Assembly

May 18, 1995

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

Dear Dotson: Pursuant to the provisions of HR 10, I am notifying you of the following committee assignment changes.

Assemblyman George House is hereby removed from the Assembly Committee on Environmental Safety and Toxic Materials, and placed on the Assembly Committee on Education.

Assemblyman Jim Rogan is hereby removed from the Assembly Committee on Education, the Budget Committee, as well as Budget Subcommittee 4.

Assemblyman Gary Miller is hereby placed on the Assembly Committees on Insurance, Environmental Safety and Toxic Materials, Public Employees, Retirement and Social Security, and the Assembly Budget Committee, as well as Budget Subcommittee 4.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

MESSAGES FROM THE SENATE

Senate Chamber, May 15, 1995

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

Senate Bill No. 5

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 5—An act relating to flood insurance.

RECESS

By unanimous consent, at 10:56 a.m., Speaker pro Tempore Baca declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8 a.m., Friday, May 26, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, May 26, 1995

TWENTY-THIRD SESSION DAY

ONE HUNDRED TWENTY-EIGHTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, May 26, 1995

The Assembly met at 8:12 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called, and the following answered to their names—59:

Aguiar	Campbell	Hoge	Morrow
Alby	Cannella	House	Murray, Kevin
Alpert	Conroy	Isenberg	Murray, Willard
Archie-Hudson	Cortese	Kaloogian	Olberg
Baca	Cunneen	Katz	Rainey
Bates	Davis	Knight	Richter
Boland	Ducheny	Knowles	Rogan
Bordonaro	Figuroa	Knox	Setencich
Bowen	Firestone	Kuehl	Sher
Bowler	Callegos	Lee	Sweeney
Brewer	Granlund	Machado	Tucker
Brown, Valerie	Hannigan	Martinez	Villaraigosa
Brulte	Harvey	Mazzoni	Woods
Bustamante	Hauser	McDonald	Mr. Speaker
Caldera	Hawkins	Miller	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O God, Help us, save us, have mercy on us, and keep us in Your grace. We ask that this whole day may be perfect, peaceful and free of sin and we commend ourselves and one another, and our whole life to You. For You are our sanctification and to You we give glory.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Hannigan then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Baldwin, Battin, Burton, Friedman, Frusetta, Goldsmith, Kuykendall, Morrissey, Napolitano, Poochigian, Pringle, Speier, Takasugi, Thompson, and Weggeland.

On personal business, and waiving per diem: Assembly Members Escutia and McPherson.

Because of illness in her family: Assembly Member Allen.

(NOTE: For explanations of absences of Assembly Members Baldwin, Battin, Burton, Friedman, Frusetta, Goldsmith, Kuykendall, Morrissey, Napolitano, Poochigian, Pringle, Speier, Takasugi, Thompson, and Weggeland on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

May 15, 1995

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

Dear Dotson: Pursuant to the provisions of HR 10, I am notifying you of the following committee assignment change.

Assemblyman Tom Bordonaro will hereby replace Assemblyman Ross Johnson on the Assembly Committee on Appropriations.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

May 19, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Curtis Tucker as Chairman of the Assembly Governmental Organization Committee. I have also appointed Assemblymember Kerry Mazzone to this committee to fill an existing vacancy.

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

May 23, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Richard Katz to the Assembly Appropriations Committee for the hearing tomorrow only, May 24, 1995, in place of one of the existing vacancies.

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

May 24, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Curtis Tucker is no longer on the Assembly Appropriations Committee and that I have appointed Assemblymember Tom Bates to this committee.

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

May 25, 1995

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

Dear Dotson: Pursuant to the provisions of HR 10, I am notifying you of the following committee assignment changes.

Assemblyman George House will replace Assemblyman Trice Harvey on the Assembly Budget Committee, as well as Subcommittee 5, on May 25, 1995, only.

Assemblyman Mickey Conroy will replace Assemblyman Curt Pringle on the Assembly Budget Committee, as well as Subcommittee 4, on May 25, 1995, only.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

May 25, 1995

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

Dear Dotson: Pursuant to the provisions of HR 10, I am notifying you of the following committee assignment changes.

Assemblymember Poochigian and Thompson will be replaced by Assemblymembers Brulte and Bordonaro on the Assembly Budget Committee, as well as Subcommittee 3, on Friday, May 26, 1995, only. Assemblymembers Poochigian and Thompson were excused on legislative business in their districts.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

MESSAGES FROM THE SENATE

Senate Chamber, May 18, 1995

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

Senate Bill No. 7

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, May 25, 1995

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

Senate Bill 11

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 7—An act relating to disaster assistance.

SENATE BILL NO. 11—An act to add Section 8305 to the Water Code, relating to water.

RECESS

By unanimous consent, at 8:13 a.m., Speaker Brown declared the Assembly recessed.

ADJOURNMENT

At 8:13 a.m., the Assembly adjourned until 8 a.m., Thursday, June 1, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, June 1, 1995

TWENTY-FOURTH SESSION DAY

ONE HUNDRED THIRTY-FOURTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, June 1, 1995

The Assembly met at 7:17 p.m.
Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Cannella	Kaloogian	Poochigian
Alby	Conroy	Katz	Pringle
Allen	Cortese	Knight	Rainey
Alpert	Cunneen	Knowles	Richter
Archie-Hudson	Davis	Knox	Rogan
Baca	Ducheny	Kuehl	Setencich
Baldwin	Figueroa	Kuykendall	Sher
Bates	Firestone	Lee	Speier
Battin	Friedman	Machado	Sweeney
Boland	Frusetta	Martinez	Takasugi
Bordonaro	Gallegos	Mazzoni	Thompson
Bowen	Goldsmith	McDonald	Tucker
Bowler	Granlund	McPherson	Vasconcellos
Brewer	Hannigan	Miller	Villaraigosa
Brown, Valerie	Harvey	Morrissey	Weggeland
Brulte	Hauser	Morrow	Woods
Burton	Hawkins	Murray, Kevin	Mr. Speaker
Bustamante	Hoge	Murray, Willard	
Caldera	House	Napolitano	
Campbell	Isenberg	Olberg	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord, Bless those who praise You and santify those who trust in You. Grant peace to Your world, to Your churches, to those in public service, and to all Your people. For every good and perfect gift is from above, coming from You the father of lights; and to You we give glory and thanksgiving, now and always.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Morrissey then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On personal business, and waiving per diem: Assembly Member Escutia.

COMMUNICATIONS

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

May 31, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Richard Katz to the Assembly Appropriations Committee in place of Assemblymember John Burton, for the hearing today only, May 31, 1995.

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

June 1, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised of the following:

Assemblymember Curtis Tucker will no longer serve as Vice Chairman of the Assembly Insurance Committee and that I have appointed Assemblymember Liz Figueroa as Vice Chairwoman of this Committee. I have also appointed Assemblymember Cruz Bustamante to this committee to fill an existing vacancy.

Assemblymember Liz Figueroa will no longer serve as Vice Chairwoman of the Assembly Environmental Safety and Toxic Materials Committee.

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

June 1, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Liz Figueroa to the Assembly Natural Resources Committee to fill an existing vacancy.

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

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

May 31, 1995

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

Dear Dotson: In accordance with the provisions of HR 10, I am removing Assemblyman Bill Morrow from the Assembly Budget Committee and from Budget Subcommittees One and Four. Furthermore, in Mr. Morrow's place, I am appointing Assemblyman Brett Granlund.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Thank you for your attention to this matter.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

June 1, 1995

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

Dear Dotson: In accordance with the provisions of HR 10, I am removing Assemblyman Brett Granlund from the Assembly Budget Committee and from Budget Subcommittees One and Four. Furthermore, I am appointing Assemblyman Bill Morrow in his place.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Thank you.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

MESSAGES FROM THE SENATE

Senate Chamber, May 30, 1995

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

Senate Bill No. 10

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 10—An act relating to highways, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

RECESS

By unanimous consent, at 7:18 p.m., Speaker Brown declared the Assembly recessed.

REASSEMBLED

At 7:19 p.m., the Assembly reconvened.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

**CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS**

SENATE BILL NO. 2 (Thompson)—An act to amend Sections 17207 and 24347.5 of, and to add Sections 196.91, 196.92, and 196.93 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—68

Aguiar	Campbell	House	Olberg
Allen	Cannella	Isenberg	Poochigian
Alpert	Conroy	Katz	Rainey
Archie-Hudson	Cortese	Knox	Richter
Baca	Cunneen	Kuehl	Rogan
Baldwin	Davis	Lee	Setencich
Bates	Ducheny	Machado	Sher
Battin	Figueroa	Martinez	Speier
Boland	Firestone	Mazzoni	Sweeney
Bordonaro	Friedman	McDonald	Takasugi
Bowen	Frusetta	McPherson	Thompson
Bowler	Gallegos	Miller	Tucker
Brewer	Goldsmith	Morrissey	Vasconcellos
Brown, Valerie	Hannigan	Morrow	Villaraigosa
Brulte	Harvey	Murray, Kevin	Weggeland
Burton	Hauser	Murray, Willard	Woods
Bustamante	Hawkins	Napolitano	Mr. Speaker

NOES—None

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

AYES—68

Aguiar	Campbell	House	Olberg
Allen	Cannella	Isenberg	Poochigian
Alpert	Conroy	Katz	Rainey
Archie-Hudson	Cortese	Knox	Richter
Baca	Cunneen	Kuehl	Rogan
Baldwin	Davis	Lee	Setencich
Bates	Ducheny	Machado	Sher
Battin	Figueroa	Martinez	Speier
Boland	Firestone	Mazzoni	Sweeney
Bordonaro	Friedman	McDonald	Takasugi
Bowen	Frusetta	McPherson	Thompson
Bowler	Gallegos	Miller	Tucker
Brewer	Goldsmith	Morrissey	Vasconcellos
Brown, Valerie	Hannigan	Morrow	Villaraigosa
Brulte	Harvey	Murray, Kevin	Weggeland
Burton	Hauser	Murray, Willard	Woods
Bustamante	Hawkins	Napolitano	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 2 (Mazzoni)—An act to amend Section 8686 of the Government Code, relating to disaster relief, 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—66

Aguiar	Campbell	House	Poochigian
Allen	Cannella	Isenberg	Rainey
Alpert	Conroy	Knox	Richter
Archie-Hudson	Cortese	Kuehl	Rogan
Baca	Cunneen	Kuykendall	Setencich
Bates	Davis	Lee	Sher
Battin	Ducheny	Machado	Speier
Boland	Figueroa	Martinez	Sweeney
Bordonaro	Firestone	Mazzoni	Takasugi
Bowen	Friedman	McDonald	Tucker
Bowler	Frusetta	McPherson	Vasconcellos
Brewer	Gallegos	Miller	Villaraigosa
Brown, Valerie	Goldsmith	Morrissey	Weggeland
Brulte	Hannigan	Morrow	Woods
Burton	Harvey	Murray, Kevin	Mr. Speaker
Bustamante	Hauser	Murray, Willard	
Caldera	Hawkins	Napolitano	

NOES—None

Above bill ordered enrolled.

VOTE ADDS

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

Senate Bill No. 2 and Urgency: Aguiar and Weggeland—Aye.

Assembly Bill No. 2, Concurrence: Bowen and Weggeland—Aye.

ADJOURNMENT

At 7:22 p.m., the Assembly adjourned until 8 a.m., Friday, June 2, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, June 2, 1995

**TWENTY-FIFTH SESSION DAY
ONE HUNDRED THIRTY-FIFTH CALENDAR DAY**

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, June 2, 1995

The Assembly met at 2:50 p.m.
Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Akiba H. Howard reading.

ROLL CALL

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

Aguiar	Cannella	Kaloogian	Poochigian
Alby	Conroy	Katz	Pringle
Allen	Cortese	Knight	Rainey
Alpert	Cunneen	Knowles	Richter
Archie-Hudson	Davis	Knox	Rogan
Baca	Ducheny	Kuehl	Setencich
Baldwin	Figueroa	Kuykendall	Sher
Bates	Firestone	Lee	Speier
Battin	Friedman	Machado	Sweeney
Boland	Frusetta	Martinez	Takasugi
Bordonaro	Callegos	Mazzoni	Thompson
Bowen	Goldsmith	McDonald	Tucker
Bowler	Granlund	McPherson	Vasconcellos
Brewer	Hannigan	Miller	Villaraigosa
Brown, Valerie	Harvey	Morrissey	Weggeland
Brulte	Hauser	Morrow	Woods
Burton	Hawkins	Murray, Kevin	Mr. Speaker
Bustamante	Hoge	Murray, Willard	
Caldera	House	Napolitano	
Campbell	Isenberg	Olberg	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Gracious and merciful Lord, Forbearing and generous in mercy, hear our prayer and heed the voice of our petition. Give us a sign of Your favor. Lead us in Your way, that we may walk in Your truth; gladden our hearts, that we may be in awe of Your holy name, for You are great in the wonders You perform. You alone are God, and among all deities none is Your like, O Lord: Mighty in mercy and benevolent in might, helping and comforting and saving all who trust in Your holy name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Baldwin then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

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

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

On personal business, and waiving per diem: Assembly Member Escutia.

ADJOURNMENT

At 2:51 p.m., the Assembly adjourned until 10 a.m., Monday, June 5, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, June 5, 1995
TWENTY-SIXTH SESSION DAY
ONE HUNDRED THIRTY-EIGHTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, June 5, 1995

The Assembly met at 2:06 p.m.
Hon. Willie L. Brown, Jr., Speaker of the Assembly for the First
Extraordinary Session, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Cannella	Isenberg	Olberg
Alby	Conroy	Kaloogian	Poochigian
Allen	Cortese	Katz	Pringle
Alpert	Cunneen	Knight	Rainey
Archie-Hudson	Davis	Knowles	Richter
Baca	Ducheny	Knox	Rogan
Baldwin	Escutia	Kuehl	Setencich
Bates	Figueroa	Kuykendall	Sher
Battin	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Martinez	Takasugi
Bowen	Gallegos	Mazzoni	Thompson
Bowler	Goldsmith	McDonald	Tucker
Brewer	Granlund	McPherson	Vasconcellos
Brown, Valerie	Hannigan	Miller	Villaraigosa
Brulte	Harvey	Morrissey	Weggeland
Burton	Hauser	Morrow	Woods
Bustamante	Hawkins	Murray, Kevin	Mr. Speaker
Caldera	Hoge	Murray, Willard	
Campbell	House	Napolitano	

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Baca, the following
prayer was offered by Rev. Constantine C. Pappademos, Pastor of
Saint Katherine Greek Orthodox Church:

*O Lord, Do not rebuke us in Your anger; do not chastise us in Your
wrath; but deal with us according to Your loving kindness, as Healer
and Physician of our souls. Guide us to the harbor of Your will;
enlighten the eyes of our hearts that we may know Your truth; and
grant that the rest of this day may be peaceful and without sin, as may
our whole life.—AMEN.*

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

REFERENCE OF BILLS TO COMMITTEE

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

<i>Senate</i>		<i>Committee</i>
<i>Bill No.</i>		
5	-----	Ins.
7	-----	G.O.

MESSAGES FROM THE SENATE

Senate Chamber, June 5, 1995

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

Senate Bill No. 1

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, June 5, 1995

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

Assembly Bill No. 1
Assembly Bill No. 3

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bills ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT

Speaker Brown requested unanimous consent that the election of Speaker of the Assembly and the adoption of substitute rules as occurred in the Regular Session be deemed to have occurred in the First Extraordinary Session.

Assembly Member Brulte withheld unanimous consent.

MOTION TO ELECT SPEAKER OF THE ASSEMBLY

Assembly Member Hannigan moved that the motion by Assembly Member Napolitano to elect Assembly Member Doris Allen to the Office of Speaker of the Assembly which carried in the 1995-96 Regular Session, also carry in the 1995-96 First Extraordinary Session.

Assembly Member Bustamante seconded the motion.

Motion carried by the following vote:

AYES—40

Allen	Campbell	Hauser	Murray, Kevin
Alpert	Cannella	Isenberg	Murray, Willard
Archie-Hudson	Cortese	Katz	Napolitano
Baca	Davis	Knox	Sher
Bates	Ducheny	Kuehl	Speier
Bowen	Escutia	Lee	Sweeney
Brown, Valerie	Figueroa	Machado	Tucker
Burton	Friedman	Martinez	Vasconcellos
Bustamante	Gallegos	Mazzoni	Villaraigosa
Caldera	Hannigan	McDonald	Mr. Speaker

NOES—38

Aguiar	Cunneen	Knight	Rainey
Alby	Firestone	Knowles	Richter
Baldwin	Frusetta	Kuykendall	Rogan
Battin	Goldsmith	McPherson	Setencich
Boland	Granlund	Miller	Takasugi
Bordonaro	Harvey	Morrissey	Thompson
Bowler	Hawkins	Morrow	Weggeland
Brewer	Hoge	Olberg	Woods
Brulte	House	Poochigian	
Conroy	Kaloogian	Pringle	

**ELECTION OF ASSEMBLY MEMBER DORIS ALLEN
TO THE OFFICE OF SPEAKER OF THE ASSEMBLY**

Assembly Member Doris Allen elected to the Office of Speaker by the following vote:

For Assembly Member Doris Allen:

Assembly Members Allen, Alpert, Archie-Hudson, Baca, Bates, Bowen, Valerie Brown, Burton, Bustamante, Caldera, Campbell, Cannella, Cortese, Davis, Ducheny, Escutia, Figueroa, Friedman, Gallegos, Hannigan, Hauser, Isenberg, Katz, Knox, Kuehl, Lee, Machado, Martinez, Mazzoni, McDonald, Kevin Murray, Willard Murray, Napolitano, Sher, Speier, Sweeney, Tucker, Vasconcellos, Villaraigosa, and Willie Brown—40.

For Assembly Member Jim Brulte:

Assembly Members Aguiar, Alby, Baldwin, Battin, Boland, Bordonaro, Bowler, Brewer, Brulte, Conroy, Cunneen, Firestone, Frusetta, Goldsmith, Granlund, Harvey, Hawkins, Hoge, House, Kaloogian, Knight, Knowles, Kuykendall, McPherson, Miller, Morrissey, Morrow, Olberg, Poochigian, Pringle, Rainey, Richter, Rogan, Setencich, Takasugi, Thompson, Weggeland, and Woods—38.

OATH OF OFFICE ADMINISTERED

Speaker-elect Doris Allen took and subscribed to the following oath of office administered by E. Dotson Wilson, Chief Clerk of the Assembly:

OATH*for the Office of Speaker of the Assembly*

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.

MOTION TO ADOPT SUBSTITUTE RULES

Assembly Member Isenberg moved that the rules adopted in the 1995-96 Regular Session which substitute for the rules adopted in House Resolution No. 10 be adopted in the 1995-96 First Extraordinary Session.

Assembly Member Bowen seconded the motion.

Motion carried by the following vote:

AYES—40

Alpert	Campbell	Hauser	Murray, Kevin
Archie-Hudson	Cannella	Isenberg	Murray, Willard
Baca	Cortese	Katz	Napolitano
Bates	Davis	Knox	Sher
Bowen	Ducheny	Kuehl	Speier
Brown, Valerie	Escutia	Lee	Sweeney
Brown, Willie	Figueroa	Machado	Tucker
Burton	Friedman	Martinez	Vasconcellos
Bustamante	Gallegos	Mazzoni	Villaraigosa
Caldera	Hannigan	McDonald	Mme. Speaker

NOES—38

Aguiar	Cunneen	Knight	Rainey
Alby	Firestone	Knowles	Richter
Baldwin	Frusetta	Kuykendall	Rogan
Battin	Goldsmith	McPherson	Setencich
Boland	Granlund	Miller	Takasugi
Bordonaro	Harvey	Morrissey	Thompson
Bowler	Hawkins	Morrow	Weggeland
Brewer	Hoge	Olberg	Woods
Brulte	House	Poochigian	
Conroy	Kaloogian	Pringle	

**Standing Rules of the Assembly
1995-96 First Extraordinary Session**

Adoption of Rules

1. The adoption of the Standing Rules shall require an affirmative recorded vote of a majority of the duly elected and qualified Members of the Assembly. Once adopted, the Standing Rules shall remain in effect, unless amended as provided in these rules.

Amendment of Rules

2. Additions, deletions, substitutions, or amendments to these rules may be adopted only by a resolution adopted by an affirmative vote of 54 or more Members.

Duration of Rules

3. These rules shall remain in effect for all sessions of the Legislature that occur prior to December 2, 1996.

Speaker

4. A Speaker shall be elected by an affirmative vote of the majority of the duly elected and qualified Members.

Speaker to Call Assembly to Order

5. The Speaker or, in the Speaker's absence, a Speaker pro Tempore designated by the Speaker, shall, at the hour appointed for the meeting, call the Assembly to order and shall preside.

Speakers pro Tempore

6. There shall be two Speakers pro Tempore. The Speaker shall appoint one Speaker pro Tempore, who shall be known as the Majority Speaker pro Tempore. The Floor Leader of the other party shall also appoint a Speaker pro Tempore, who shall be known as the Minority Speaker pro Tempore. A Speaker pro Tempore shall, if designated by the Speaker, preside over the daily sessions of the Legislature.

Committee on Rules

7. The Committee on Rules shall consist of the following 10 Members:

- (a) A Chair, appointed by the Speaker.
- (b) A Vice-Chair, who shall be a member of a different party than the Chair and appointed by the Floor Leader.
- (c) Four Members who are appointed by the Speaker.
- (d) Four Members who are appointed by the Floor Leader of the other party.

The Committee on Rules shall have the power to refer each bill and house resolution to a committee.

The Committee on Rules shall have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by Members as private offices.

Standing Committees

8. The Standing Committees created for the 1993-94 Regular Session of the Legislature are hereby created for all sessions of the Legislature that occur prior to December 2, 1996, with the exception of the Committee on Ways and Means. A Committee on Appropriations is hereby created to consider fiscal bills, and a Committee on Budget is hereby created to consider the State Budget. The Committee on Rules may create other standing committees. The Committee on Rules shall determine the jurisdiction and number of Members to serve on each standing committee. The Committee on Rules may create other committees or subcommittees.

Membership of Standing Committees

9. The Committees on Rules, Appropriations and Budget shall have an even number of members, divided equally between members of the Democratic and Republican Parties.

The membership of all other committees shall be divided equally between members of the Democratic and Republican parties unless one party has 41 or more Members, at which point all standing committees shall have their membership divided proportionately between the two parties, with the Committees on Rules, Budget, and Appropriations remaining equally divided.

No Member may serve on more than four standing committees.

The membership of the standing committees from the Speaker's party shall be appointed by the Speaker. The membership of the Standing Committees from the other party shall be appointed by that party's Floor Leader.

Chairs of Standing Committees

10. The Speaker and the Floor Leader of the other party shall allocate the committees between the parties for the purpose of appointing the chair of each standing committee. The vice chair shall not be allocated to the same party as the chair. If the Speaker and the Floor Leader cannot agree upon the allocation, they shall adopt a rotation system to allocate committees. The system shall be as follows:

(a) The Speaker shall select the Committee on Rules. The Floor Leader of the other party shall then select between Appropriations and Budget.

(b) The method of allocating the other committees shall be determined by the Speaker and the Floor Leader of the other party.

(c) The Speaker shall appoint the chairs and vice chairs of the committees allocated to his or her party. The Floor Leader of the other party shall appoint the chairs and vice chairs of all other committees allocated to that party.

(d) The Speaker may be appointed to serve as the chair of any committee allocated to the Speaker's party.

Committee on Conference

11. The Assembly membership of a committee on conference shall be appointed in a manner to be determined by the Speaker and the Floor Leader of the other party.

Allocation of Operating Funds

12. The Committee on Rules shall classify certain functions of the Assembly as common functions and allocate resources for their operation. These common functions include services that are available to all Members without regard to party affiliation, and include, but are not limited to, the offices of the Chief Clerk, Sergeant at Arms, vehicles, printing, and computer services.

The Committee on Rules shall allocate an amount for the Assembly share of the joint operations of the houses, including the Legislative Analyst.

The Committee on Rules shall allocate an amount for the common functions.

The Committee on Rules shall allocate an amount for the operation of the office of the Speaker and the office of the Floor Leader of the

party other than that of the Speaker, and offices of other party leaders as determined by the Committee on Rules.

The Committee on Rules shall allocate an amount to the chairpersons and vice chairpersons of all other committees.

The Committee on Rules shall allocate an equal amount for the operation of the office of each Member.

After allocating resources for the joint operations, common functions, offices of the Speaker, Floor Leader, and party leaders, committees, and offices of the Members, the Committee on Rules shall allocate the remainder of the operating funds in equal amounts to party caucuses.

The committee shall allocate sufficient amounts for all expenditures of the entities during the entire 1995-96 Regular Session.

Co-Chief Administrative Officers of the Assembly

13. The Committee on Rules shall appoint Co-Chief Administrative Officers of the Assembly who shall have duties relating to the administrative, fiscal, and business affairs of the Assembly that the committee shall prescribe.

Both Co-Chief Administrative Officers shall be responsible for administering the allocations made by the Committee on Rules for the Assembly share of the joint operations of the houses, common functions, committees, and offices of the Members. One Co-Chief Administrative Officer shall be responsible for administering the allocations to the Office of the Speaker and offices of other leaders of the same party and to the caucus of the same party as that of the Speaker. The other Co-Chief Administrative Officer shall be responsible for administering the allocations to the office of the Floor Leader of the party other than that of the Speaker and offices of other leaders of the same party and to the caucus of that same party.

Appointments by Speaker

14. Any appointment made pursuant to a statute by the Speaker to a board, commission, or other governmental entity or the dismissal of an appointee shall be confirmed by the Committee on Rules. All other appointments that the Speaker is authorized to make to governmental entities or the dismissal of an appointee shall be made by the Committee on Rules.

Speaker Emeritus

15. Any Member having served the Assembly in the capacity of Speaker shall, subsequent to that service, be known as Speaker Emeritus, and may perform such functions and duties as assigned by the Speaker.

Conflict with Other Rules

16. To the extent that these rules are in conflict with any other Rules of the Assembly from a preceding session which govern the Assembly by custom and usage, these rules shall prevail.

(NOTE: The full text of House Resolution No. 10 appears at page 138 of the Assembly Daily Journal for the Regular Session for January 23, 1995.)

RECESS

By unanimous consent, at 2:09 p.m., Speaker Emeritus Brown declared the Assembly recessed.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 5, 1995

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

Assembly Bill No. 2

And reports the same correctly enrolled, and presented to the Governor at 2:45 p.m., June 5th, 1995.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8 a.m., Thursday, June 8, 1995.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, June 8, 1995

**TWENTY-SEVENTH SESSION DAY
ONE HUNDRED FORTY-FIRST CALENDAR DAY**

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, June 8, 1995

The Assembly met at 10:05 a.m.
Hon. Doris Allen, Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Conroy	Katz	Poochigian
Alby	Cortese	Knight	Pringle
Alpert	Cunneen	Knowles	Rainey
Archie-Hudson	Davis	Knox	Richter
Baca	Ducheny	Kuehl	Rogan
Baldwin	Figueroa	Kuykendall	Setencich
Bates	Firestone	Lee	Sher
Battin	Friedman	Machado	Speier
Boland	Frusetta	Margett	Sweeney
Bordonaro	Gallegos	Martinez	Takasugi
Bowen	Goldsmith	Mazzoni	Thompson
Bowler	Granlund	McDonald	Tucker
Brewer	Hannigan	McPherson	Vasconcellos
Brown, Valerie	Harvey	Miller	Villaraigosa
Brown, Willie	Hauser	Morrissey	Weggeland
Brulte	Hawkins	Morrow	Woods
Burton	Hoge	Murray, Kevin	Mme. Speaker
Bustamante	House	Murray, Willard	
Campbell	Isenberg	Napolitano	
Cannella	Kaloogian	Olberg	

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Baca, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

At nightfall, dawn and noon, we sing to You, we bless You, we give thanks to You, and we beseech You, Lord and Master of all: Guide our prayers aright as our offering to You. Let not our hearts be led to wicked thoughts or words, but deliver us all from those who pursue our souls. For it is on You, Lord, that our eyes are fixed, and in You that we have our hope.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSED WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Member Escutia.

Because of illness in his family: Assembly Member Caldera.

COMMUNICATIONS

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

June 7, 1995

E. Dotson Wilson

Chief Clerk

State Capitol, Room 3196

Sacramento, California

Dear Dotson: Please be advised that pursuant to the appropriate House Rule, I will be Chairwoman of the Assembly Rules Committee effective immediately.

Sincerely,

DORIS ALLEN

Speaker of the Assembly

June 8, 1995

E. Dotson Wilson

Chief Clerk

State Capitol, Room 3196

Sacramento, California

Dear Dotson: Please be advised that Assemblymember Marilyn Brewer will no longer serve on the Assembly Rules Committee.

Sincerely,

DORIS ALLEN

Speaker of the Assembly

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

June 6, 1995

E. Dotson Wilson

Chief Clerk

State Capitol, Room 3196

Sacramento, California

Dear Dotson: On behalf of the Democratic Caucus, please be advised that Assemblymember Diane Martinez has been appointed to the Assembly Public Safety Committee to fill an existing vacancy.

Sincerely,

WILLIE L. BROWN, JR.

June 7, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that on behalf of the Democratic Caucus, I have been appointed Democratic Floor Leader for the 1995-96 Legislative Session.

Sincerely,

WILLIE L. BROWN, JR.
Democratic Floor Leader

June 7, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Richard Katz has been appointed to the Assembly Appropriations Committee in place of Assemblymember Barbara Lee for the hearing today only, June 7, 1995.

Sincerely,

WILLIE L. BROWN, JR.
Democratic Floor Leader

COMMUNICATIONS

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

Office of the Secretary of State

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That I have compiled the semi-official returns of the June 6, 1995, 59th Assembly District Special General Election, and

That the attached Statement of Vote is a full, true, and correct compilation of the election results, submitted by the election officials of the county or counties conducting the election, and is on file in this office.

IN WITNESS WHEREOF, I
hereunto set my hand and
affix the Great Seal of the
State of California this 7th
day of June, 1995.

[SEAL]

BILL JONES
Secretary of State

**59TH ASSEMBLY DISTRICT GENERAL SPECIAL ELECTION
SEMI-OFFICIAL CANVASS
JUNE 6, 1995**

County	Bob Margett Rep	Brent A. Decker Dem	
Los Angeles % by County	21,019 71.33%	8,447 28.67%	
DISTRICT TOTAL % by District	21,019 71.33%	8,447 28.67%	
Los Angeles % by County	Precincts By County 199	Precincts Reporting 199	Registered Voters 188,214 15.66%
DISTRICT TOTAL	199	100.00%	188,214 TOTAL VOTERS 29,466 VOTES CAST 15.66% % TURNOUT

06/06/95
11:23:15 PM

CERTIFICATE OF ELECTION

The following Certificate of Election was presented and ordered printed in the Journal:

Certificate of Election

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That according to the semi-official returns of the Special Election held on the 6th day of June, 1995,

BOB MARGETT

was elected to the office of

MEMBER OF ASSEMBLY—DISTRICT 59

for the term prescribed by law.

IN WITNESS WHEREOF, I hereunto
set my hand and affix the Great
Seal of the State of California at
Sacramento, this 7th day of
June, 1995.

[SEAL]

BILL JONES
Secretary of State

RECEIPT

This acknowledges receipt of the certificate of election for the 59th A.D., received this day, June 7, 1995 at 3:15 p.m.

E. DOTSON WILSON
Chief Clerk of the Assembly

OATH OF OFFICE

The following Oath of Office was administered by the Speaker of the Assembly, Doris Allen:

OATH

*for the Office of Member of the Assembly
59th Assembly District*

I, Bob Margett, 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.

BOB MARGETT

Subscribed and sworn to before me,
this 7th day of June
A.D. 1995

DORIS ALLEN
Speaker of the Assembly

COMMUNICATIONS

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

June 7, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Fred Aguiar will no longer serve on the Assembly Rules Committee and that I have appointed Assemblymember Bob Margett to this committee.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1 (Valerie Brown)—An act to amend Sections 17207 and 24347.5 of, and to add Sections 196.91, 196.92, and 196.93 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, 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—74

Aguiar	Cannella	Katz	Poochigian
Alby	Conroy	Knight	Pringle
Alpert	Cortese	Knox	Rainey
Archie-Hudson	Cunneen	Kuehl	Richter
Baca	Davis	Kuykendall	Rogan
Baldwin	Ducheny	Lee	Setencich
Bates	Figuroa	Machado	Sher
Battin	Firestone	Margett	Speier
Boland	Friedman	Martinez	Sweeney
Bordonaro	Frusetta	Mazzoni	Takasugi
Bowen	Gallegos	McDonald	Thompson
Bowler	Goldsmith	McPherson	Tucker
Brewer	Granlund	Miller	Vasconcellos
Brown, Valerie	Hannigan	Morrissey	Villaraigosa
Brown, Willie	Harvey	Morrow	Weggeland
Burte	Hauser	Murray, Kevin	Woods
Burton	Hawkins	Murray, Willard	Mme. Speaker
Bustamante	House	Napolitano	
Campbell	Isenberg	Olberg	

NOES—2

Kaloogian Knowles

Above bill ordered enrolled.

ASSEMBLY BILL NO. 3 (Firestone)—An act to amend Sections 17207 and 24347.5 of, and to add Sections 196.91, 196.92, and 196.93 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, 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—75

Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Katz	Poochigian
Alpert	Cunneen	Knight	Pringle
Archie-Hudson	Davis	Knox	Rainey
Baca	Ducheny	Kuehl	Richter
Baldwin	Figueroa	Kuykendall	Rogan
Bates	Firestone	Lee	Setencich
Battin	Friedman	Machado	Sher
Boland	Frusetta	Margett	Speier
Bordonaro	Gallegos	Martinez	Sweeney
Bowen	Goldsmith	Mazzoni	Takasugi
Bowler	Granlund	McDonald	Thompson
Brewer	Hannigan	McPherson	Tucker
Brown, Valerie	Harvey	Miller	Vasconcellos
Brown, Willie	Hauser	Morrissey	Villaraigosa
Brulte	Hawkins	Morrow	Weggeland
Burton	Hoge	Murray, Kevin	Woods
Campbell	House	Murray, Willard	Mme. Speaker
Cannella	Isenberg	Napolitano	

NOES—None

Above bill ordered enrolled.

VOTE ADDS

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

Assembly Bill No. 1, Concurrence: Boland—Aye.

Assembly Bill No. 3, Concurrence: Boland—Aye.

RECESS

By unanimous consent, at 10:06 a.m., Speaker Allen declared the Assembly recessed.

MESSAGES FROM THE SENATE

Senate Chamber, June 8, 1995

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

Senate Bill No. 2

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

COMMUNICATIONS

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

June 7, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblyman John Burton Vice Chairman of the Assembly Rules Committee.

Sincerely,

WILLIE L. BROWN, JR.
Democratic Floor Leader

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, June 14, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 14, 1995

TWENTY-EIGHTH SESSION DAY

ONE HUNDRED FORTY-SEVENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 14, 1995

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Pringle
Baca	Davis	Knox	Rainey
Baldwin	Ducheny	Kuehl	Richter
Bates	Figueroa	Kuykendall	Rogan
Battin	Firestone	Lee	Sher
Bordonaro	Friedman	Machado	Speier
Bowen	Frusetta	Margett	Sweeney
Bowler	Gallegos	Martinez	Takasugi
Brewer	Goldsmith	Mazzoni	Thompson
Brown, Valerie	Granlund	McDonald	Tucker
Brown, Willie	Hannigan	McPherson	Vasconcellos
Brulte	Harvey	Miller	Villaraigosa
Burton	Hauser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mme. Speaker
Campbell	House	Murray, Willard	

Quorum present.

At 1:43 p.m., Hon. Debra Bowen, 53rd District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Setencich.

On personal business, and waiving per diem: Assembly Member Escutia.

Because of illness: Assembly Member Boland.

The following Assembly Member was excused for the day, and his per diem was waived: Isenberg.

(NOTE: For explanation of absence of Assembly Member Setencich on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 12, 1995

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1
Assembly Bill No. 3

And reports the same correctly enrolled, and presented to the Governor at 10:15 a.m., June 12, 1995.

E. DOTSON WILSON, Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

Date of Hearing: June 12, 1995

Mme. Speaker: Your Committee on Revenue and Taxation reports:
Assembly Bill No. 12

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

MCDONALD, Chairwoman

Above bill re-referred to the Committee on Appropriations.

REFERENCE OF BILLS TO COMMITTEE

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

<i>Senate</i>	
<i>Bill No.</i>	<i>Committee</i>
11 -----	W.,P. & W.
<i>Senate Concurrent</i>	
<i>Resolution No.</i>	<i>Committee</i>
1 -----	Rls.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, June 21, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 21, 1995
TWENTY-NINTH SESSION DAY
ONE HUNDRED FIFTY-FOURTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 21, 1995

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Aguiar	Campbell	House	Napolitano
Alby	Cannella	Isenberg	Olberg
Alpert	Conroy	Kaloogian	Poochigian
Archie-Hudson	Cortese	Katz	Pringle
Baca	Cunneen	Knight	Rainey
Baldwin	Davis	Knowles	Richter
Bates	Ducheney	Knox	Rogan
Battin	Figueroa	Kuehl	Setencich
Boland	Firestone	Kuykendall	Sher
Bordonaro	Friedman	Machado	Speier
Bowen	Frusetta	Margett	Sweeney
Bowler	Gallegos	Martinez	Takasugi
Brewer	Goldsmith	Mazzoni	Thompson
Brown, Valerie	Granlund	McDonald	Tucker
Brown, Willie	Hannigan	McPherson	Vasconcellos
Brulte	Harvey	Morrissey	Villaraigosa
Burton	Hauser	Morrow	Weggeland
Bustamante	Hawkins	Murray, Kevin	Woods
Caldera	Hoge	Murray, Willard	

Quorum present.

At 1:33 p.m., Speaker pro Tempore Joe Baca, 62nd District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Allen and Miller.

On personal business, and waiving per diem: Assembly Members Escutia and Lee

(NOTE: For explanations of absences of Assembly Members Allen and Miller on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

June 14, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3195
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Bob Margett will no longer serve on the Assembly Rules Committee.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 14, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3195
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brett Granlund to the Assembly Rules Committee.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 20, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I will no longer serve on the Assembly Housing Committee and that I have appointed Assemblymember Bob Margett to this committee. I have also appointed Assemblymember Bob Margett to the Assembly Health Committee to fill an existing vacancy.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

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

June 16, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember John Burton to the Assembly Labor and Employment Committee for the hearing on Monday, June 19, 1995, only.

Sincerely,

WILLIE L. BROWN, JR.
Democratic Floor Leader

REFERENCE OF BILLS TO COMMITTEE

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

<i>Senate</i>	<i>Committee</i>
<i>Bill No.</i>	<i>Trans.</i>
10_-----	

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Date of Hearing: June 21, 1995

Mme. Speaker: Your Committee on Transportation reports:

Senate Bill No. 10

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

KATZ, Chairman

Above bill re-referred to the Committee on Appropriations.

Committee on Appropriations

Date of Hearing: June 21, 1995

Mme. Speaker: Your Committee on Appropriations reports:
Senate Bill No. 10

With the recommendation: Do pass.

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

PRINGLE, Chairman

Above bill ordered to second reading.

**SENATE BILL NO. 10 TAKEN UP BY UNANIMOUS CONSENT
FOR SECOND READING**

By unanimous consent, the following bill was taken up, without reference to file, for purpose of second reading.

SENATE BILL NO. 10—An act relating to highways, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

BILLS REMOVED FROM CONSENT CALENDAR

By unanimous consent Senate Bill No. 10 was removed from the Consent Calendar and ordered to the third reading file.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, June 22, 1995.

JOE BACA, Speaker pro Tempore

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 28, 1995

THIRTIETH SESSION DAY

ONE HUNDRED SIXTY-FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 28, 1995

The Assembly met at 9:30 a.m.

Hon. Brian Setencich, Majority Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—78:

Aguiar	Cannella	Kaloogian	Olberg
Alby	Conroy	Katz	Poochigian
Alpert	Cortese	Knight	Pringle
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Figueroa	Kuykendall	Setencich
Battin	Firestone	Lee	Sher
Boland	Friedman	Machado	Speier
Bordonaro	Frusetta	Margett	Sweeney
Bowen	Gallegos	Martinez	Takasugi
Bowler	Goldsmith	Mazzoni	Thompson
Brewer	Granlund	McDonald	Tucker
Brown, Valerie	Hannigan	McPherson	Vasconcellos
Brown, Willie	Harvey	Miller	Villaraigosa
Brulte	Hauser	Morrissey	Weggeland
Burton	Hawkins	Morrow	Woods
Bustamante	Hoge	Murray, Kevin	Mme. Speaker
Caldera	House	Murray, Willard	
Campbell	Isenberg	Napolitano	

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

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

On personal business, and waiving per diem: Assembly Member Escutia.

COMMUNICATIONS

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

June 21, 1995

E. Dotson Wilson

Chief Clerk

State Capitol, Room 3196

Sacramento, California

Dear Dotson: Please be advised that I have made the following actions relative to organizing the House:

Assemblymember Brian Setencich has been appointed Speaker Pro Tempore for the 1995-96 Legislative Session.

Assemblymember Jan Goldsmith has been appointed Majority Floor Leader.

Assemblymember Curt Pringle will no longer serve on the Assembly Appropriations Committee. Assemblymember Charles Poochigian will serve as Chairman of this committee.

Assemblymember Brett Granlund will no longer serve on the Assembly Human Services Committee. Assemblymember Marilyn Brewer has been appointed Chairwoman of the Assembly Human Services Committee.

Assemblymember Howard Kaloogian will no longer serve on the Assembly Public Employees, Retirement and Social Security Committee. Assemblymember Nao Takasugi has been appointed to this committee as Chairman.

Assemblymember Paula Boland will no longer serve on the Assembly Public Safety Committee.

Assemblymember Barbara Alby will no longer serve on the Assembly Rules Committee. Assemblymember Fred Aguiar is appointed to the Assembly Rules Committee and will serve as my alternate Chairman.

Assemblymember Tom Woods will no longer serve on the Assembly Televising and Information Technology Committee.

Assemblymember Mickey Conroy will no longer serve as Chairman of the Assembly Utilities and Commerce Committee.

I hereby affirm the following existing Chairmanships:

Assemblymember Trice Harvey as Chairman of the Assembly Agriculture Committee.

Assemblymember Ted Weggeland as Chairman of the Assembly Banking and Finance Committee.

Assemblymember Bruce McPherson as Chairman of the Assembly Elections, Reapportionment and Constitutional Amendments Committee.

Assemblymember Bernie Richter as Chairman of the Assembly Environmental Safety and Toxic Materials Committee.

Please be advised that I will continue to serve as Chairwoman of the Assembly Health Committee for the 1995-96 Legislative Session until a replacement can be found.

Assemblymember David Knowles as Chairman of the Assembly Insurance Committee.

Assemblymember Richard Rainey as Chairman of the Assembly Local Government Committee.

Assemblymember Brett Granlund as an appointment to the Assembly Rules Committee.

Pursuant to Rule 30, the Caucuses of this House may organize and select their Leaders. The Assembly Rules Committee is the appropriate entity to address resources.

I am proposing to change the Rules to reflect proportional representation on all committees except the Assembly Rules Committee.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 22, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Charles Poochigian will no longer serve as Vice Chairman of the Assembly Budget Committee and that Assemblymember Curt Pringle will serve as Vice Chairman of this committee.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 23, 1995

E. Dotson Wilson
Chief Clerk
State Capitol
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Mickey Conroy will continue to serve on the Assembly Utilities and Commerce Committee.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 26, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Brian Setencich has been removed from the Assembly Higher Education Committee for today only and appointed to the Assembly Governmental Organization Committee for today's hearing only, June 26, 1995.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 26, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Bruce McPherson has been removed from the Assembly Higher Education Committee for today only and appointed to the Assembly Transportation Committee for today's hearing only, June 26, 1995.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 26, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Trice Harvey has been removed from the Assembly Budget Committee for today only and appointed to the Assembly Natural Resources Committee for today's hearing only, June 26, 1995.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 26, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Mickey Conroy will be removed from the Assembly Higher Education Committee for today only and will be appointed to the Assembly Banking and Finance Committee for the purpose of today's hearing only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 26, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: In accordance with Rule 9 adopted on June 22, 1995, please be advised that the membership of all Assembly Standing Committees except for the Assembly Rules Committee, will be increased by one member. I will also serve on the Assembly Elections, Reapportionment and Constitutional Amendments Committee for today only, June 26, 1995.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

(NOTE: Assembly Rule 9 adopted on June 22, 1995 in the 1995-96 Regular Session.)

June 27, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised of the following appointments:

Assemblymember Jan Goldsmith has been appointed to the Assembly Consumer Protection, Governmental Efficiency and Economic Development Committee for the hearing today only, June 27, 1995.

Assemblymember Bernie Richter has been appointed to the Assembly Health Committee for the hearing today only, June 27, 1995.

Assemblymember Nao Takasugi has been appointed to the Assembly Higher Education Committee for the hearing today only, June 27, 1995.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

June 27, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Trice Harvey has been appointed to the Assembly Higher Education Committee in place of Assemblymember Mickey Conroy for the hearing today only, June 27, 1995.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

June 27, 1995

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

Dear Dotson: Please be advised that Assemblymember Trice Harvey has been appointed to the Assembly Insurance Committee for the hearing on Wednesday, June 28, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 27, 1995

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

Dear Dotson: Please be advised that Assemblymember Charles Poochigian has been appointed to the Assembly Budget Committee.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 27, 1995

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

Dear Dotson: Please be advised that Assemblymember Paula Boland has been appointed to the Assembly Public Safety Committee for today's hearing only, to fill an existing vacancy. She will serve as Chairwoman of this Committee for the hearing today. I have also appointed Assemblymember Brian Setencich to this committee to fill an existing vacancy, for today's hearing only, June 27, 1995.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 28, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Brett Granlund to the Assembly Budget Committee to fill an existing vacancy for today's hearing only, June 28, 1995.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymembers Mickey Conroy and Peter Frusetta to the Assembly Appropriations Committee to fill existing vacancies for the hearing today only, June 28, 1995.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

June 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Bruce McPherson to the Assembly Education Committee to fill an existing vacancy for the hearing today only, June 28, 1995.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

June 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I will not serve on the Assembly Education Committee for today only, June 28, 1995 and that I have appointed Assemblymember Jim Cunneen to this Committee in my place for the hearing today only, June 28, 1995.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

June 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Ted Weggeland to the Assembly Agriculture Committee to fill an existing vacancy for the hearing today only, June 28, 1995.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

June 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember James Brulte to the Assembly Water, Parks and Wildlife Committee to fill an existing vacancy for the hearing today only, June 28, 1995.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Marilyn Brewer will not serve as Chairwoman of the Assembly Human Services Committee, but will continue to serve as a member for the hearing today only, June 28, 1995. I have appointed Assemblymember Brett Granlund to this committee as Chairman, to fill an existing vacancy for the hearing today only, June 28, 1995.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I will no longer serve on the Assembly Water, Parks and Wildlife Committee. I have also appointed Assemblymember Curt Pringle to this committee to fill my vacancy for the hearing today only, June 28, 1995.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

The following communications were presented by the Chief Clerk and ordered printed in the Journal.

June 22, 1995

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

Dear Dotson: Pursuant to the rules, I hereby appoint Diane Martinez as Chair of the Utilities and Commerce Committee.

Sincerely,

WILLIE L. BROWN, JR.

June 22, 1995

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

Dear Dotson: Pursuant to Rule 30, the Republican Members of the California State Assembly met today and selected Jim Brulte to act as our Floor Leader.

We also selected Bruce Thompson to serve as the Caucus Chairman.

Please let the records of the Assembly reflect this action.

Sincerely,

BRUCE THOMPSON
Caucus Chair

June 23, 1995

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol
Room 3196

Dear Dotson: Pursuant to the Rules the correct designation of the Leadership on the Democratic side of the House is as follows:

Willie L. Brown, Jr.—Minority Floor Leader

Joe Baca—Minority Speaker pro Tem

Thank you.

Sincerely,

WILLIE L. BROWN, JR.

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, July 5, 1995

THIRTY-FIRST SESSION DAY

ONE HUNDRED SIXTY-EIGHTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, July 5, 1995

The Assembly met at 7 a.m.

Hon. Brian Setencich, Majority Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—78:

Aguiar	Cannella	Kaloogian	Olberg
Alby	Conroy	Katz	Poochigian
Alpert	Cortese	Knight	Pringle
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Figuroa	Kuykendall	Setencich
Battin	Firestone	Lee	Sher
Boland	Friedman	Machado	Speier
Bordonaro	Frusetta	Margett	Sweeney
Bowen	Gallegos	Martinez	Takasugi
Bowler	Goldsmith	Mazzoni	Thompson
Brewer	Granlund	McDonald	Tucker
Brown, Valerie	Hannigan	McPherson	Vasconcellos
Brown, Willie	Harvey	Miller	Villaraigosa
Brulte	Hauser	Morrissey	Weggeland
Burton	Hawkins	Morrow	Woods
Bustamante	Hoge	Murray, Kevin	Mme. Speaker
Caldera	House	Murray, Willard	
Campbell	Isenberg	Napolitano	

Quorum present.

LEAVES OF ABSENCE FOR THE DAY

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

On personal business, and waiving per diem: Assembly Member Escutia.

COMMUNICATIONS

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

June 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Mickey Conroy as Vice Chairman of the Assembly Utilities and Commerce Committee.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 30, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brooks Firestone to the Assembly Budget Committee to fill an existing vacancy, for the hearing on Wednesday, July 5, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 30, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have been appointed Assemblymember Bob Margett to the Assembly Local Government Committee to fill an existing vacancy, for the hearing on Wednesday, July 5, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 30, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymembers Bruce McPherson and Trice Harvey to the Assembly Water, Parks and Wildlife Committee to fill existing vacancies, for the hearing on Wednesday, July 5, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 30, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Jim Brulte to the Assembly Housing Committee to fill an existing vacancy for the hearing on Wednesday, July 5, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 30, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymembers Bernie Richter and Peter Frusetta to the Assembly Appropriations Committee to fill existing vacancies for the hearing on Wednesday, July 5, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

June 30, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brian Setencich to the Assembly Judiciary Committee for the hearing on Wednesday, July 5, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 1, 1995

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

Dear Dotson: Pursuant to Assembly Rule 9 (adopted on June 22, 1995), please be advised that the membership of the Assembly Committee on Labor and Employment has been decreased from nine members to seven members.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 1, 1995

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

Dear Dotson: Please be advised of the following:

Assemblymember Michael Sweeney will no longer serve on the Assembly Appropriations Committee and that I have appointed Assemblymember Diane Martinez to this committee.

Assemblymember Diane Martinez will no longer serve on the Assembly Utilities and Commerce committee and that I have appointed Assemblymember Joe Baca to serve as Chairman of this committee.

Sincerely,

WILLIE L. BROWN, JR.
Minority Floor Leader

ADJOURNMENT

At 2:28 p.m., the Assembly adjourned until Wednesday, July 12, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, July 12, 1995
THIRTY-SECOND SESSION DAY
ONE HUNDRED SEVENTY-FIFTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, July 12, 1995

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—77:

Aguiar	Cannella	Kaloogian	Olberg
Alby	Conroy	Katz	Poochigian
Alpert	Cortese	Knight	Pringle
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Rogan
Baldwin	Ducheny	Kuehl	Setencich
Bates	Figueroa	Kuykendall	Sher
Battin	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McDonald	Vasconcellos
Brown, Valerie	Hannigan	McPherson	Villaraigosa
Brown, Willie	Harvey	Miller	Weggeland
Brulte	Hauser	Morrissey	Woods
Burton	Hawkins	Morrow	Mme. Speaker
Bustamante	Hoge	Murray, Kevin	
Caldera	House	Murray, Willard	
Campbell	Isenberg	Napolitano	

Quorum present.

At 2:55 p.m., Minority Speaker pro Tempore Baca, 62nd District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Members Escutia and Richter.

COMMUNICATIONS

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

July 7, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember David Knowles to the Assembly Banking and Finance Committee for the hearing on Monday, July 10, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 7, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Woods to the Assembly Elections, Reapportionment and Constitutional Amendments Committee for the hearing on Monday, July 10, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 7, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brett Granlund to the Assembly Governmental Organization Committee for the hearing on Monday, July 10, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 7, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Bob Margett to the Assembly Revenue and Taxation Committee for the hearing on Monday, July 10, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 12, 1995

July 7, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Peter Frusetta to the Assembly Transportation Committee to fill an existing vacancy for the hearing on Monday, July 10, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 7, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Trice Harvey to the Assembly Utilities and Commerce Committee for the hearing on Monday, July 10, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 7, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Bruce McPherson to the Assembly Transportation Committee for the hearing on Monday, July 10, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 7, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Peter Frusetta to the Assembly Appropriations Committee to fill an existing vacancy.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 7, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Brooks Firestone will no longer serve on the Assembly Transportation Committee and that I have appointed him to the Assembly Natural Resources Committee to fill an existing vacancy.

Sincerely,

DORIS ALLEN
Speaker of the Assembly
July 10, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brian Setencich to the Assembly Public Safety Committee to serve as Chairman for the hearing on Tuesday, July 11, 1995 only. I have also appointed Assemblymember Paula Boland to this committee to fill an existing vacancy for the hearing on Tuesday, July 11, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 10, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I will no longer serve as Chairwoman of the Assembly Health Committee but will remain a member of this committee. I have also appointed Assemblymember Brett Granlund to serve as Chairman to the Assembly Health Committee.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 10, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Jim Cunneen to the Assembly Consumer Protection, Governmental Efficiency, and Economic Development Committee to fill an existing vacancy for the hearing on Tuesday, July 11, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 10, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Woods to the Assembly Insurance Committee to fill an existing vacancy for the hearing on Tuesday, July 11, 1995 only. I have also appointed Assemblymember Tom Woods to the Assembly Higher Education Committee to fill an existing vacancy for the hearing on Tuesday, July 11, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 10, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Gary Miller to the Assembly Health Committee to fill an existing vacancy for the hearing on Tuesday, July 11, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 10, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymembers Bob Margett and Bruce McPherson to the Assembly Water, Parks and Wildlife Committee to fill existing vacancies for the hearing on Tuesday, July 11, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 11, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Ted Weggeland to the Assembly Appropriations Committee to fill an existing vacancy for the hearing on Wednesday, July 12, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 11, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Bob Margett to the Assembly Education Committee to fill an existing vacancy for the hearing on Wednesday, July 12, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 11, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Steven Kuykendall to the Assembly Housing and Community Development Committee to fill an existing vacancy for the hearing on Wednesday, July 12, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 11, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Howard Kaloogian to the Assembly Human Services Committee to fill an existing vacancy for the hearing on Wednesday, July 12, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 11, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brian Setencich to the Assembly Judiciary Committee to fill an existing vacancy for the hearing on Wednesday, July 12, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 12, 1995

July 11, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Jim Cunneen to the Assembly Local Government Committee to fill an existing vacancy for the hearing on Wednesday, July 12, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 11, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember James Brulte to the Assembly Public Employees, Retirement and Social Security Committee to fill an existing vacancy for the hearing on Wednesday, July 12, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 11, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Howard Kaloogian will no longer serve on the Assembly Revenue and Taxation Committee. Assemblymembers Bob Margett and Bruce McPherson have been appointed to this committee to fill existing vacancies for the hearing on Wednesday, July 12, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 11, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Curt Pringle to the Assembly Public Employees, Retirement and Social Security Committee in place of Assemblymember Bernie Richter for the hearing on Wednesday, July 12, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 11, 1995

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

Dear Dotson: Please be advised that I will serve on the Assembly Water, Parks and Wildlife Committee for today's hearing only. Assemblymember Bruce McPherson will not serve on the Assembly Water, Parks and Wildlife Committee for the hearing today.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 12, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Bruce McPherson to the Assembly Education Committee in place of me for the hearing on Wednesday, July 12, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 12, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Bob Margett will serve on the Assembly Local Government Committee instead of Assemblymember Jim Cunneen to fill an existing vacancy for the hearing on Wednesday, July 12, 1995 only. Assemblymember Jim Cunneen will serve on the Assembly Education Committee instead of Assemblymember Bob Margett to fill an existing vacancy for the hearing on Wednesday, July 12, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 12, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Ted Weggeland to the Assembly Appropriations Committee to fill an existing vacancy for the hearing on Thursday, July 13, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 12, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brooks Firestone to the Assembly Utilities and Commerce Committee to fill an existing vacancy for the hearing on Thursday, July 13, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 12, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Phil Hawkins to the Assembly Consumer Protection, Governmental Efficiency and Economic Development Committee to fill an existing vacancy for the hearing on Thursday, July 13, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

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

July 10, 1995

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

Dear Dotson: Please be advised of the following changes:

Assemblymember Kerry Mazzone will no longer serve on the Assembly Housing Committee. I have appointed her to the Assembly Environmental Safety and Toxic Materials Committee as Vice Chairwoman.

Assemblymember Joe Baca will no longer chair the Assembly Utilities and Commerce Committee, but will continue to serve as a member. Assemblywoman Diane Martinez will serve as Chair of the Assembly Utilities and Commerce Committee.

I have appointed Assemblymember Joe Baca to serve on the Assembly Appropriations Committee. Assemblymember Diane Martinez will no longer serve on the Assembly Appropriations Committee.

Sincerely,

WILLIE L. BROWN, JR.

July 10, 1995

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

Dear Dotson: Please be advised that Assemblymember Liz Figueroa will no longer serve on the Assembly Environmental Safety and Toxic Materials Committee.

Sincerely,

WILLIE L. BROWN, JR.

REPORTS OF STANDING COMMITTEES**Committee on Insurance**

Date of Hearing: June 28, 1995

Mme. Speaker: Your Committee on Insurance reports:

Senate Bill No. 5

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

KNOWLES, Chairman

Above bill ordered to second reading.

Committee on Governmental Organization

Date of Hearing: July 10, 1995

Mme. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 7

With the recommendation: Do pass.

TUCKER, Chairman

Above bill ordered to second reading.

Committee on Water, Parks and Wildlife

Date of Hearing: July 11, 1995

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

Senate Bill No. 11

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

CORTESE, Chairman

Above bill re-referred to the Committee on Appropriations.

ADJOURNMENT

At 4 p.m., the Assembly adjourned until Wednesday, July 19, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, July 13, 1995

THIRTY-THIRD SESSION DAY

ONE HUNDRED SEVENTY-SIXTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, July 13, 1995

By unanimous consent, the Assembly met at 12:30 p.m.
Hon. Brian Setencich, Majority Speaker pro Tempore of the
Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Isenberg	Napolitano
Alpert	Conroy	Kaloogian	Olberg
Archie-Hudson	Cortese	Katz	Poochigian
Baca	Cunneen	Knight	Pringle
Baldwin	Davis	Knowles	Rainey
Bates	Ducheny	Knox	Rogan
Battin	Figueroa	Kuehl	Setencich
Boland	Firestone	Kuykendall	Sher
Bordonaro	Friedman	Lee	Speier
Bowen	Frusetta	Machado	Sweeney
Bowler	Gallegos	Martinez	Takasugi
Brewer	Goldsmith	Mazzoni	Thompson
Brown, Valerie	Granlund	McDonald	Tucker
Brown, Willie	Hannigan	McPherson	Vasconcellos
Brulte	Harvey	Miller	Villaraigosa
Burton	Hauser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mme. Speaker

Quorum present.

PRAYER

Upon invitation of Majority Speaker pro Tempore Setencich, the
following prayer was offered by Rev. Constantine C. Pappademos,
Pastor of Saint Katherine Greek Orthodox Church:

Loving Master, We thank You this day, for Your strength and
guidance in our work. Look down from Your holy sanctuary on high,
and at this hour, draw us together under the sheltering grace of Your
divine providence. Abide in us who draw near in faith. Accept us in
Your compassion and preserve us all the days of our lives. For it is
Yours to offer mercy and salvation, and to You we give glory, now and
forevermore.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Majority Speaker pro Tempore Setencich,
Assemblymember Granlund then led the Assembly in the pledge of
allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Members Escutia and Richter.

Because of illness in his family: Assembly Member Margett.

COMMUNICATIONS

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

July 13, 1995

E. Dotson Wilson

Chief Clerk

State Capitol, Room 3196

Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brian Setencich to the Assembly Public Safety Committee to serve as Chairman and fill an existing vacancy for the hearing on Friday, July 14, 1995 only.

Sincerely,

DORIS ALLEN

Speaker of the Assembly

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

SENATE BILL NO. 5—An act relating to flood insurance.

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

SENATE BILL NO. 7—An act relating to disaster assistance.

Bill read second time, and ordered to third reading.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 10 (Craven)—An act relating to highways, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—71

Aguiar	Caldera	Hawkins	Olberg
Alby	Campbell	Isenberg	Poochigian
Alpert	Cannella	Katz	Pringle
Archie-Hudson	Conroy	Knight	Rainey
Baca	Cortese	Knox	Rogan
Baldwin	Cunneen	Kuehl	Setencich
Bates	Davis	Kuykendall	Sher
Battin	Ducheny	Lee	Speier
Boland	Figueroa	Machado	Sweeney
Bordonaro	Firestone	Martinez	Takasugi
Bowen	Friedman	Mazzoni	Thompson
Bowler	Frusetta	McDonald	Tucker
Brewer	Gallegos	McPherson	Vasconcellos
Brown, Valerie	Goldsmith	Miller	Villaraigosa
Brown, Willie	Granlund	Morrissey	Weggeland
Brulte	Hannigan	Morrow	Woods
Burton	Harvey	Murray, Kevin	Mme. Speaker
Bustamante	Hauser	Murray, Willard	

NOES—None

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

AYES—71

Aguiar	Caldera	Hawkins	Olberg
Alby	Campbell	Isenberg	Poochigian
Alpert	Cannella	Katz	Pringle
Archie-Hudson	Conroy	Knight	Rainey
Baca	Cortese	Knox	Rogan
Baldwin	Cunneen	Kuehl	Setencich
Bates	Davis	Kuykendall	Sher
Battin	Ducheny	Lee	Speier
Boland	Figueroa	Machado	Sweeney
Bordonaro	Firestone	Martinez	Takasugi
Bowen	Friedman	Mazzoni	Thompson
Bowler	Frusetta	McDonald	Tucker
Brewer	Gallegos	McPherson	Vasconcellos
Brown, Valerie	Goldsmith	Miller	Villaraigosa
Brown, Willie	Granlund	Morrissey	Weggeland
Brulte	Hannigan	Morrow	Woods
Burton	Harvey	Murray, Kevin	Mme. Speaker
Bustamante	Hauser	Murray, Willard	

NOES—None

Bill ordered transmitted to the Senate immediately.

VOTE ADDS

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

Senate Bill No. 10 and Urgency: Bordonaro and Morrissey—Aye.

ADJOURNMENT

At 12:31 p.m., the Assembly adjourned until Wednesday, July 19, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 13, 1995**

The following measure was amended in the Assembly on this day:

Senate Bill

5

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, July 19, 1995
THIRTY-FOURTH SESSION DAY
ONE HUNDRED EIGHTY-SECOND CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, July 19, 1995

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—71:

Aguiar	Campbell	Katz	Olberg
Alby	Cannella	Knight	Poochigian
Archie-Hudson	Conroy	Knowles	Pringle
Baca	Cunneen	Knox	Rainey
Baldwin	Davis	Kuehl	Richter
Bates	Ducheny	Kuykendall	Rogan
Battin	Figueroa	Lee	Setencich
Boland	Friedman	Machado	Sher
Bordonaro	Frusetta	Margett	Sweeney
Bowen	Gallegos	Martinez	Takasugi
Bowler	Goldsmith	Mazzoni	Thompson
Brewer	Granlund	McDonald	Tucker
Brown, Valerie	Hannigan	McPherson	Vasconcellos
Brown, Willie	Harvey	Morrissey	Villaraigosa
Brulte	Hawkins	Morrow	Weggeland
Burton	House	Murray, Kevin	Woods
Bustamante	Isenberg	Murray, Willard	Mme. Speaker
Caldera	Kaloogian	Napolitano	

Quorum present.

At 1 p.m., Hon. Steven T. Kuykendall, 54th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Alpert, Cortese, Hoge, and Miller.

On legislative business, and per diem was waived: Assembly Members Firestone and Hauser.

On personal business, and waiving per diem: Assembly Members Escutia and Speier.

(NOTE: For explanations of absences of Assembly Members Alpert, Cortese, Firestone, Hauser, Hoge, and Miller on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

July 13, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brian Setencich to the Assembly Public Safety Committee to serve as Chairman and fill an existing vacancy for the hearing on Friday, July 14, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 14, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Trice Harvey to the Assembly Public Safety Committee to fill an existing vacancy for the hearing on Saturday, July 15, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 14, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brian Setencich to the Assembly Public Safety Committee to serve as Chairman and fill an existing vacancy for the hearing on Saturday, July 15, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 17, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Woods to the Assembly Utilities and Commerce Committee to fill an existing vacancy for the hearing on Monday, July 17, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

July 18, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Woods to the Assembly Insurance Committee to fill an existing vacancy for the hearing on Tuesday, July 18, 1995 only. I have also appointed Assemblymember Tom Woods to the Assembly Higher Education Committee to fill an existing vacancy for the hearing on Tuesday, July 18, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

July 18, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brett Granlund to the Assembly Budget Committee to fill an existing vacancy for the hearing on Wednesday, July 19, 1995 only. I have also appointed Assemblymember Trice Harvey to the Assembly Appropriations Committee to fill an existing vacancy for the hearing on Wednesday, July 19, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Education

Date of Hearing: July 12, 1995

Mme. Speaker: Your Committee on Education reports:

Senate Bill No. 6

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

ALPERT, Chairwoman

Above bill re-referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

Senate Chamber, July 15, 1995

Madame Speaker: I am directed to inform your honorable body that the Senate on this day adopted a motion that the 1995-96 First Extraordinary Session be in recess during the same period as the 1995-96 Regular Session and grants permission for the Assembly to do the same.

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

MOTION TO RECESS

Unanimous consent was granted that the 1995-96 First Extraordinary Session be in recess during the same period when the 1995-96 Regular Session is in recess and grants permission for the Senate to do the same.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, July 26, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, July 26, 1995

THIRTY-FIFTH SESSION DAY

ONE HUNDRED EIGHTY-NINTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, July 26, 1995

The Assembly met at 7 a.m.

Hon. Bernie Richter, Assembly Member, 3rd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—67:

Aguiar	Conroy	Katz	Olberg
Alpert	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Pringle
Baldwin	Ducheny	Knox	Rainey
Boland	Figueroa	Kuehl	Richter
Bordonaro	Firestone	Kuykendall	Rogan
Bowen	Friedman	Lee	Setencich
Bowler	Frusetta	Machado	Sweeney
Brewer	Gallegos	Margett	Takasugi
Brown, Valerie	Goldsmith	Martinez	Thompson
Brown, Willie	Granlund	Mazzoni	Tucker
Brulte	Harvey	McDonald	Vasconcellos
Burton	Hauser	Miller	Villaraigosa
Bustamante	Hawkins	Morrissey	Weggeland
Caldera	House	Morrow	Woods
Campbell	Isenberg	Murray, Willard	Mme. Speaker
Cannella	Kaloojian	Napolitano	

Quorum present.

At 1:13 p.m., Hon. Howard Kaloojian, 74th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Archie-Hudson, Cortese, Hannigan, Hoge, McPherson, Kevin Murray, Sher, and Speier.

On legislative business, and waiving per diem: Assembly Member Bates.

On personal business, and waiving per diem: Assembly Members Alby and Escutia.

Because of illness in his family: Assembly Member Battin.

(NOTE: For explanations of absences of Assembly Members Archie-Hudson, Bates, Cortese, Hannigan, Hoge, McPherson, Sher, and Speier on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day; for explanation of absence of Assembly Member Kevin Murray on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for July 25, 1995.)

COMMUNICATIONS

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

July 21, 1995

E. Dotson Wilson

Chief Clerk

State Capitol, Room 3196

Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Ted Weggeland to the Assembly Appropriations Committee to fill an existing vacancy for the hearing on Friday, July 21, 1995 only.

Sincerely,

DORIS ALLEN

Speaker of the Assembly

July 21, 1995

E. Dotson Wilson

Chief Clerk

State Capitol, Room 3196

Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Steve Baldwin to the Assembly Environmental Safety and Toxic Materials Committee to fill an existing vacancy for the hearing on Friday, July 21, 1995 only.

Sincerely,

DORIS ALLEN

Speaker of the Assembly

July 24, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymembers Brian Setencich and Curt Pringle to the Assembly Public Safety Committee to fill existing vacancies for the hearing on Monday, July 24, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 24, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymembers Peter Frusetta and Bruce McPherson to the Assembly Transportation Committee to fill existing vacancies for the hearing on Monday, July 24, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 24, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymembers Bob Margett and Tom Woods to the Assembly Water, Parks and Wildlife Committee to fill existing vacancies for the hearing on Monday, July 24, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 24, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Bruce McPherson to the Assembly Education Committee to fill an existing vacancy for the hearing on Monday, July 24, 1995 only. I have also appointed Assemblymember Jim Cunneen to this committee in my place for the hearing on Monday, July 24, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 24, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Steve Baldwin to the Assembly Environmental Safety and Toxic Materials Committee to fill an existing vacancy for the hearing on Tuesday, July 25, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 24, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Trice Harvey to the Assembly Environmental Safety and Toxic Materials Committee in place of Assemblymember Barbara Alby for the hearing on Tuesday, July 25, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 25, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Ted Weggeland to the Assembly Appropriations Committee to fill an existing vacancy for the hearing on Wednesday, July 26, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 25, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Bob Margett to the Assembly Local Government Committee to fill an existing vacancy for the hearing on Wednesday, July 26, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 25, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Gary Miller to the Assembly Health Committee to fill an existing vacancy for the hearing on Wednesday, July 26, 1995 only. I have also appointed Assemblymember Jan Goldsmith in my place and Assemblymember Tom Bordonaro in place of Assemblymember Jim Battin to the Assembly Health Committee for the hearing on Wednesday, July 26, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 26, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Gary Miller to the Assembly Health Committee to fill an existing vacancy for the hearing on Thursday, July 27, 1995 only. I have also appointed Assemblymember Jan Goldsmith in my place and Assemblymember Tom Bordonaro in place of Assemblymember Jim Battin to the Assembly Health Committee for the hearing on Thursday, July 27, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

July 26, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Bob Margett to the Assembly Local Government Committee to fill an existing vacancy for the hearing on Thursday, July 27, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

AUTHOR'S AMENDMENTS
Committee on Appropriations

July 26, 1995

Mme. Speaker: The Chair of your Committee on Appropriations reports:
 Senate Bill No. 11

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

POOCHIGIAN, Chairman

SENATE BILL NO. 11—An act to add Section 8305 to the Water Code, relating to water.

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

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Date of Hearing: July 19, 1995

Mme. Speaker: Your Committee on Appropriations reports:
 Assembly Bill No. 12

With the recommendation: Do pass.

POOCHIGIAN, Chairman

Above bill ordered to second reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, August 2, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 26, 1995**

The following measure was amended in the Assembly on this day:

Senate Bill

11

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 23, 1995

THIRTY-SIXTH SESSION DAY

TWO HUNDRED SEVENTEENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, August 23, 1995

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Aguiar	Cannella	House	Napolitano
Alby	Conroy	Isenberg	Olberg
Alpert	Cortese	Kaloogian	Poochigian
Archie-Hudson	Cunneen	Katz	Pringle
Baca	Davis	Knight	Rainey
Baldwin	Ducheny	Knowles	Richter
Bates	Escutia	Knox	Rogan
Battin	Figueroa	Kuehl	Setencich
Boland	Firestone	Kuykendall	Sher
Bordonaro	Friedman	Lee	Speier
Bowen	Frusetta	Machado	Sweeney
Bowler	Gallegos	Margett	Takasugi
Brewer	Goldsmith	Martinez	Thompson
Brown, Valerie	Granlund	Mazzoni	Tucker
Brulte	Hannigan	McDonald	Vasconcellos
Burton	Harvey	McPherson	Villaraigosa
Bustamante	Hauser	Morrissey	Weggeland
Caldera	Hawkins	Murray, Kevin	Woods
Campbell	Hoge	Murray, Willard	Mme. Speaker

Quorum present.

At 2:55 p.m., Hon. Jim Morrissey, 69th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Miller and Morrow.

On personal business, and waiving per diem: Assembly Member Willie Brown.

(NOTE: For explanation of absence of Assembly Member Morrow on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Miller on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for August 22, 1995.)

COMMUNICATIONS

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

July 27, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Bob Margett to the Assembly Local Government Committee to fill an existing vacancy for the hearing on Friday, July 28, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 27, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Peter Frusetta will no longer serve on the Assembly Labor and Employment Committee.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 27, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Bruce McPherson to the Assembly Transportation Committee to fill an existing vacancy for the hearing on Friday, July 28, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 27, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Peter Frusetta to the Assembly Transportation Committee to fill an existing vacancy for the hearing on Friday, July 28, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Ted Weggeland to the Assembly Appropriations Committee to fill an existing vacancy for the hearing on Friday, July 28, 1995 only. I have also appointed Assemblymember Brett Granlund to the Assembly Budget Committee to fill an existing vacancy for the hearing on Friday, July 28, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 31, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Pursuant to Assembly Rule 8, the Assembly Rules Committee has created the Assembly Standing Committee on Veterans' Affairs consisting of five members. Assemblymember Joe Baca has been appointed Chairman of this committee.

Sincerely,

DORIS ALLEN
Chairwoman, Assembly Rules Committee

August 17, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brian Setencich to the Assembly Appropriations Committee to fill an existing vacancy for the hearing on Wednesday, August 23, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

August 17, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Brett Granlund will no longer serve on the Assembly Rules Committee and the Assembly Transportation Committee. Also, I have appointed Assemblymember Brett Granlund to the Assembly Agriculture Committee and the Assembly Governmental Organization Committee to fill existing vacancies.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

August 18, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Steve Baldwin to the Assembly Environmental Safety and Toxic Materials Committee to fill an existing vacancy for the hearing on Monday, August 21, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

August 18, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Bruce McPherson to the Assembly Education Committee to fill an existing vacancy for the hearing on Wednesday, August 23, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

August 18, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Jan Goldsmith will no longer serve on the Assembly Labor and Employment Committee. Also, I have appointed Assemblymembers Bob Margett and Curt Pringle to this committee to fill existing vacancies for the hearing on Wednesday, August 23, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

August 18, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Jim Cunneen to the Assembly Higher Education Committee to fill an existing vacancy for the hearing on Tuesday, August 22, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

August 18, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Mickey Conroy to the Assembly Elections, Reapportionment and Constitutional Amendments Committee to fill an existing vacancy for the hearing on Monday, August 21, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

August 18, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Keith Olberg to the Assembly Local Government Committee to fill an existing vacancy for the hearing on Wednesday, August 23, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

August 21, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Marilyn Brewer to the Assembly Rules Committee to fill an existing vacancy.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

August 22, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Jim Cunneen to the Assembly Education Committee in place of me for the hearing on Wednesday, August 23, 1995 only. Also, Assemblymember Fred Aguiar instead of Assemblymember Keith Olberg will serve on the Assembly Local Government Committee to fill an existing vacancy for the hearing on Wednesday, August 23, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

August 22, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Marilyn Brewer will no longer serve as Chairwoman of the Assembly Human Services Committee but will continue to serve as a member on this committee. Also, I have appointed Assemblymember Tom Bordonaro as Chairman of the Assembly Human Services Committee.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

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

August 18, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that the following Assemblymembers will no longer temporarily serve on the indicated committees in place of Assemblymember Martha Escutia:

Valerie Brown, Assembly Budget Committee
 Mike Machado, Assembly Health Committee
 Susan Davis, Assembly Rules Committee

Sincerely,

WILLIE L. BROWN, JR.
 Minority Floor Leader

August 22, 1995

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

Mr. Wilson: Please be advised that on August 21, 1995 the Republican Caucus elected Assemblyman Curt Pringle to serve as Republican Floor Leader, replacing the previous Leader, the Honorable James L. Brulte. Assemblyman Bruce Thompson was retained as Republican Caucus Chairman.

Sincerely,

BRUCE THOMPSON
 Republican Caucus Chairman

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, August 30, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, August 28, 1995

THIRTY-SEVENTH SESSION DAY

TWO HUNDRED TWENTY-SECOND CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, August 28, 1995

The Assembly met at 12:41 p.m.
Hon. Brian Setencich, Majority Speaker pro Tempore of the
Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The roll was called, and the following answered to their
names—79:

Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Setencich
Boland	Firestone	Lee	Sher
Bordonaro	Friedman	Machado	Speier
Bowen	Frusetta	Margett	Sweeney
Bowler	Gallegos	Martinez	Takasugi
Brewer	Goldsmith	Mazzoni	Thompson
Brown, Valerie	Granlund	McDonald	Tucker
Brown, Willie	Hannigan	McPherson	Vasconcellos
Brulte	Harvey	Miller	Villaraigosa
Burton	Hauser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mme. Speaker
Campbell	House	Murray, Willard	

Quorum present.

PRAYER

Upon invitation of Majority Speaker pro Tempore Setencich, the
following prayer was offered by Rev. Constantine C. Pappademos,
Pastor of Saint Katherine Greek Orthodox Church:

God in heaven, You have revealed to us that You are love. Each
one of us shows that Your revelation is true and that we believe God
is love, when we ourselves are loving. We confess, Lord that it is
difficult to show the type of selfless benevolence that love requires
and we ask for Your help. Fill our hearts with love for You and for
those around us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Majority Speaker pro Tempore Setencich,
Assembly Member Escutia then led the Assembly in the pledge of
allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

COMMUNICATIONS

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

August 25, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Mickey Conroy to the Assembly Elections, Reapportionment and Constitutional Amendments Committee to fill an existing vacancy, for the hearing on Monday, August 28, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

August 25, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that the Joint Task Force on Disproportionate Share Hospitals has been created and the following Assemblymembers have been appointed:

Brett Granlund, Co-Chairman Peter Frusetta
Martha Escutia Bernie Richter
Barbara Friedman

Sincerely,

DORIS ALLEN
Speaker of the Assembly

August 25, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brian Setencich to the Assembly Appropriations Committee to fill an existing vacancy, for the hearings on Monday, August 28, 1995 and Wednesday, August 30, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

August 25, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Bordonaro to the Assembly Utilities and Commerce Committee to fill an existing vacancy, for the hearing on Monday, August 28, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

August 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Jim Cunneen to the Assembly Local Government Committee to fill an existing vacancy for the hearing on Wednesday, August 30, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

August 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brett Granlund to the Assembly Budget Committee to fill an existing vacancy for the hearing on Wednesday, August 30, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

August 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Phil Hawkins to the Assembly Consumer Protection, Governmental Efficiency and Economic Development Committee to fill an existing vacancy for the hearing on Monday, August 28, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

August 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymembers Bob Margett and Tom Woods to the Assembly Water, Parks and Wildlife Committee to fill existing vacancies for the hearing on Tuesday, August 29, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

August 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymembers David Knowles and Peter Frusetta to the Assembly Transportation Committee to fill existing vacancies for the hearing on Tuesday, August 29, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 12—An act to amend Sections 195.73 and 196.96 of the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 28, 1995

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
 Assembly Bill No. 12

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: August 23, 1995

Mme. Speaker: Your Committee on Appropriations reports:
 Senate Bill No. 5

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

POOCHIGIAN, Chairman

Above bill ordered to second reading.

Date of Hearing: August 23, 1995

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 6

With the recommendation: Do pass.

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

POOCHIGIAN, Chairman

Above bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Brewer.

Resolved, That Assembly Bill No. 12 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read, and adopted by the following vote:

AYES—79

Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Setencich
Boland	Firestone	Lee	Sher
Bordonaro	Friedman	Machado	Speier
Bowen	Frusetta	Margett	Sweeney
Bowler	Gallegos	Martinez	Takasugi
Brewer	Goldsmith	Mazzoni	Thompson
Brown, Valerie	Granlund	McDonald	Tucker
Brown, Willie	Hannigan	McPherson	Vasconcellos
Brulte	Harvey	Miller	Villaraigosa
Burton	Hauser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mme. Speaker
Campbell	House	Murray, Willard	

NOES—None

Article IV, Section 8(b) of the Constitution was declared dispensed with.

CONSIDERATION OF ASSEMBLY BILL NO. 12 BY UNANIMOUS CONSENT

Assembly Member Brewer was granted unanimous consent to take up Assembly Bill No. 12, without reference to file, for purpose of consideration.

ASSEMBLY BILL NO. 12 (Brewer)—An act to amend Sections 195.73 and 196.96 of the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Assembly Members Woods, Kaloogian, Miller, Rainey, and Gallegos demanded the previous question. Demand sustained.

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 Brewer moved a call of the Assembly.

Motion carried. Time, 12:50 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 ASSEMBLY BILL NO. 12

At 12:51 p.m., on motion of Assembly Member Brewer, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 12 refused adoption by the following vote:

AYES—38

Aguiar	Cunneen	Knight	Rainey
Alby	Firestone	Kuykendall	Rogan
Baldwin	Frusetta	Margett	Setencich
Battin	Goldsmith	McPherson	Takasugi
Boland	Granlund	Miller	Thompson
Bordonaro	Hannigan	Morrissey	Weggeland
Bowler	Harvey	Morrow	Woods
Brewer	Hawkins	Olberg	Mme. Speaker
Brulte	House	Poochigian	
Conroy	Kaloogian	Pringle	

NOES—17

Baca	Figueroa	Mazzoni	Speier
Bates	Gallegos	Murray, Kevin	Villaraigosa
Brown, Valerie	Isenberg	Murray, Willard	
Bustamante	Lee	Napolitano	
Campbell	Martinez	Sher	

Request to Expunge Record and Rescind Action on Assembly Bill No. 12

Assembly Member Hannigan requested unanimous consent that the record be expunged and the action rescinded whereby a roll call vote was taken on this day on Assembly Bill No. 12.

Assembly Member Burton withheld unanimous consent.

Assembly Bill No. 12 Reconsidered

Assembly Member Burton was granted unanimous consent that the vote be reconsidered whereby the urgency clause to Assembly Bill No. 12 was this day refused adoption, and that the bill be passed on file, to retain its place on file.

RECESS

By unanimous consent, at 12:53 p.m., Majority Speaker pro Tempore Setencich declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Tuesday, August 29, 1995.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, August 29, 1995

THIRTY-EIGHTH SESSION DAY

TWO HUNDRED TWENTY-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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, August 29, 1995

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Aguiar	Cannella	Isenberg	Olberg
Alby	Conroy	Kaloogian	Poochigian
Alpert	Cortese	Katz	Pringle
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Kuehl	Rogan
Battin	Escutia	Lee	Setencich
Boland	Figuroa	Machado	Sher
Bordonaro	Firestone	Margett	Speier
Bowen	Friedman	Martinez	Sweeney
Bowler	Frusetta	Mazzoni	Takasugi
Brewer	Gallegos	McDonald	Thompson
Brown, Valerie	Goldsmith	McPherson	Tucker
Brown, Willie	Granlund	Miller	Vasconcellos
Brulte	Hannigan	Morrissey	Villaraigosa
Burton	Harvey	Morrow	Weggeland
Bustamante	Hauser	Murray, Kevin	Woods
Caldera	Hawkins	Murray, Willard	Mme. Speaker
Campbell	House	Napolitano	

Quorum present.

At 2 p.m., Hon. Michael Sweeney, 18th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Bates, Knox, and Kuykendall.

On personal business, and waiving per diem: Assembly Member Hoge.

(NOTE: For explanations of absences of Assembly Members Bates, Knox, and Kuykendall on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

August 29, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Woods to the Assembly Transportation Committee to fill an existing vacancy for the hearing on Tuesday, August 29, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: August 23, 1995

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 11

With amendments with the recommendation: Amend, and re-refer to the Committee on Local Government.

POOCHIGIAN, Chairman

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

SENATE BILL NO. 5—An act relating to flood insurance.

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

SENATE BILL NO. 6—An act to add Sections 39140.6 and 81130.6 to, the Education Code, relating to school facilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, August 30, 1995.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 29, 1995**

The following measure was amended in the Assembly on this day:

Assembly Bill

5

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 30, 1995

THIRTY-NINTH SESSION DAY

TWO HUNDRED TWENTY-FOURTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, August 30, 1995

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—72:

Aguiar	Campbell	Hawkins	Murray, Willard
Alby	Cannella	Hoge	Napolitano
Alpert	Conroy	House	Olberg
Archie-Hudson	Cortese	Katz	Poochigian
Baca	Cunneen	Knight	Pringle
Baldwin	Davis	Knowles	Rainey
Bates	Ducheney	Knox	Richter
Battin	Escutia	Kuehl	Rogan
Boland	Figuroa	Machado	Setencich
Bordonaro	Firestone	Margett	Speier
Bowen	Friedman	Martinez	Sweeney
Bowler	Frusetta	Mazzoni	Takasugi
Brewer	Gallegos	McDonald	Tucker
Brown, Valerie	Goldsmith	McPherson	Vasconcellos
Brulte	Granlund	Miller	Villaraigosa
Burton	Hannigan	Morrissey	Weggeland
Bustamante	Harvey	Morrow	Woods
Caldera	Hauser	Murray, Kevin	Mme. Speaker

Quorum present.

At 10:57 a.m., Hon. Gary G. Miller, 60th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Kaloogian, Kuykendall, and Thompson.

On personal business, and waiving per diem: Assembly Members Willie Brown and Lee.

Because of illness: Assembly Member Sher.

The following Assembly Member was excused for the day, and his per diem was waived: Isenberg.

(NOTE: For explanations of absences of Assembly Members Kaloogian and Thompson on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Kuykendall on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for August 29, 1995.)

**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. 5, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 11—An act to add Section 8305 to the Water Code, relating to water.

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

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, September 6, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 30, 1995**

The following measure was amended in the Assembly on this day:

Senate Bill

11

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, August 31, 1995

FORTIETH SESSION DAY

TWO HUNDRED TWENTY-FIFTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, August 31, 1995

The Assembly met at 4 p.m.

Hon. Brian Setencich, Majority Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Cortese	Katz	Poochigian
Alby	Cunneen	Knight	Pringle
Alpert	Davis	Knowles	Rainey
Baca	Ducheny	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Bates	Figueroa	Kuykendall	Setencich
Battin	Firestone	Lee	Sher
Boland	Friedman	Machado	Speier
Bordonaro	Frusetta	Margett	Sweeney
Bowen	Gallegos	Martinez	Takasugi
Bowler	Goldsmith	Mazzoni	Thompson
Brewer	Cranlund	McDonald	Tucker
Brown, Valerie	Hannigan	McPherson	Vasconcellos
Brown, Willie	Harvey	Miller	Villaraigosa
Burton	Hauser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mme. Speaker
Campbell	House	Murray, Willard	
Cannella	Isenberg	Napolitano	
Conroy	Kaloogian	Olberg	

Quorum present.

PRAYER

Upon invitation of Majority Speaker pro Tempore Setencich, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O great God, Who dwells in light and created all things in wisdom, we come into Your presence with our thanks and to offer this morning prayer: Grant that this day may be spent in peace; clothe us with an armor of light and a shield of Your truth; and save us from all things that lurk in darkness. Yes, O Lord, Giver of all good things, may we be enlightened by the practice of Your commandments and stand tall in gladness of soul.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Majority Speaker pro Tempore Setencich, Assembly Member McDonald then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Member Archie-Hudson.

Because of illness: Assembly Member Brulte.

COMMUNICATIONS

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

August 31, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Keith Olberg to the Assembly Local Government Committee to fill an existing vacancy for the hearing on Friday, September 1, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

August 31, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymembers Bruce McPherson and Steven Kuykendall to the Assembly Revenue and Taxation Committee to fill existing vacancies for the hearing on Friday, September 1, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

**CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 12 (Brewer)—An act to amend Sections 195.73 and 196.96 of the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.
The roll was opened.

Call of the Assembly

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

Motion carried. Time, 4:09 p.m.

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

RECESS

By unanimous consent, at 4:10 p.m., Majority Speaker pro Tempore Setencich declared the Assembly recessed.

REASSEMBLED

At 5:08 p.m., the Assembly reconvened.

Hon. Brian Setencich, Majority Speaker pro Tempore of the Assembly, presiding.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO ASSEMBLY BILL NO. 12**

At 5:08 p.m., on motion of Assembly Member Brewer, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 12 adopted by the following vote:

AYES—62

Aguiar	Cunneen	Kaloogian	Olberg
Alby	Davis	Katz	Poochigian
Alpert	Ducheny	Knight	Pringle
Baca	Escutia	Knowles	Rainey
Baldwin	Figueroa	Knox	Richter
Battin	Firestone	Kuehl	Rogan
Boland	Frusetta	Kuykendall	Setencich
Bordonaro	Gallegos	Machado	Takasugi
Bowen	Goldsmith	Margett	Thompson
Bowler	Granlund	McDonald	Tucker
Brewer	Hannigan	McPherson	Villaraigosa
Bustamante	Harvey	Miller	Weggeland
Caldera	Hauser	Morrissey	Woods
Cannella	Hawkins	Morrow	Mme. Speaker
Conroy	Hoge	Murray, Kevin	
Cortese	House	Napolitano	

NOES—8

Bates	Isenberg	Mazzoni	Sher
Brown, Valerie	Martinez	Murray, Willard	Speier

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—62

Aguiar	Cunneen	Kaloogian	Olberg
Alby	Davis	Katz	Poochigian
Alpert	Ducheny	Knight	Pringle
Baca	Escutia	Knowles	Rainey
Baldwin	Figueroa	Knox	Richter
Battin	Firestone	Kuehl	Rogan
Boland	Frusetta	Kuykendall	Setencich
Bordonaro	Gallegos	Machado	Takasugi
Bowen	Goldsmith	Margett	Thompson
Bowler	Granlund	McDonald	Tucker
Brewer	Hannigan	McPherson	Villaraigosa
Bustamante	Harvey	Miller	Weggeland
Caldera	Hauser	Morrissey	Woods
Cannella	Hawkins	Morrow	Mme. Speaker
Conroy	Hoge	Murray, Kevin	
Cortese	House	Napolitano	

NOES—8

Bates	Isenberg	Mazzoni	Sher
Brown, Valerie	Martinez	Murray, Willard	Speier

Bill ordered transmitted to the Senate.

VOTE ADDS

The following Assembly Member was granted unanimous consent to record her vote on the following item:

Assembly Bill No. 12 and Urgency: Bowen—Aye.

RECESS

By unanimous consent, at 5:09 p.m., Majority Speaker pro Tempore Setencich declared the Assembly recessed.

ADJOURNMENT

At 5:30 p.m., the Assembly adjourned until Wednesday, September 6, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, September 6, 1995

FORTY-FIRST SESSION DAY

TWO HUNDRED THIRTY-FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, September 6, 1995

The Assembly met at 10:45 a.m.

Hon. Brian Setencich, Majority Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—79:

Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Setencich
Boland	Firestone	Lee	Sher
Bordonaro	Friedman	Machado	Speier
Bowen	Frusetta	Margett	Sweeney
Bowler	Gallegos	Martinez	Takasugi
Brewer	Goldsmith	Mazzoni	Thompson
Brown, Valerie	Granlund	McDonald	Tucker
Brown, Willie	Hannigan	McPherson	Vasconcellos
Brulte	Harvey	Miller	Villaraigosa
Burton	Hauser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mme. Speaker
Campbell	House	Murray, Willard	

Quorum present.

REGULAR BUSINESS DISPENSED WITH

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

COMMUNICATIONS

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

August 31, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Woods to the Assembly Water, Parks and Wildlife Committee to fill an existing vacancy for the hearing on Friday, September 1, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

August 31, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brian Setencich to the Appropriations Committee to fill an existing vacancy for the hearing on Thursday, August 31, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

September 1, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised of the following Assembly Committee appointments:

Veterans' Affairs Committee
Steve Baldwin
Bill Hoge

Sincerely,

DORIS ALLEN
Speaker of the Assembly

September 1, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Keith Olberg to the Assembly Local Government Committee to fill an existing vacancy for the hearing on Tuesday, September 5, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

September 5, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymembers Bob Margett and Bruce McPherson to the Assembly Revenue and Taxation Committee to fill existing vacancies for the hearing on Tuesday, September 5, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

September 5, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brett Granlund to the Assembly Public Employees, Retirement and Social Security Committee to fill an existing vacancy for the hearing on Tuesday, September 5, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

September 5, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Mickey Conroy to the Assembly Appropriations Committee to fill an existing vacancy for the hearing on Wednesday, September 6, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

REPORTS OF STANDING COMMITTEES
Committee on Local Government

Date of Hearing: September 5, 1995

Mme. Speaker: Your Committee on Local Government reports:

Senate Bill No. 11

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

RAINEY, Chairman

Above bill ordered to second reading.

ADJOURNMENT

At 6:30 p.m., the Assembly adjourned until Wednesday, September 13, 1995 or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, September 8, 1995

FORTY-SECOND SESSION DAY

TWO HUNDRED THIRTY-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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, September 8, 1995

The Assembly met at 9:30 a.m.

Hon. Brian Setencich, Majority Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Aguiar	Campbell	Hoge	Napolitano
Alby	Cannella	House	Olberg
Alpert	Conroy	Kaloojian	Poochigian
Archie-Hudson	Cortese	Katz	Pringle
Baca	Cunneen	Knight	Rainey
Baldwin	Davis	Knowles	Richter
Bates	Ducheny	Knox	Rogan
Battin	Escutia	Kuehl	Setencich
Boland	Figueroa	Kuykendall	Sher
Bordonaro	Firestone	Machado	Speier
Bowen	Friedman	Margett	Sweeney
Bowler	Frusetta	Martinez	Takasugi
Brewer	Gallegos	Mazzoni	Thompson
Brown, Valerie	Goldsmith	McDonald	Tucker
Brown, Willie	Granlund	McPherson	Vasconcellos
Brulte	Hannigan	Morrissey	Villaraigosa
Burton	Harvey	Morrow	Weggeland
Bustamante	Hauser	Murray, Kevin	Woods
Caldera	Hawkins	Murray, Willard	Mme. 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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Lee and Miller.

On legislative business, and waiving per diem: Assembly Member Isenberg.

(NOTE: For explanations of absences of Assembly Members Isenberg, Lee, and Miller on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

SECOND READING OF SENATE BILLS

SENATE BILL NO. 11—An act to amend Sections 1601 and 1603 of the Fish and Game Code, and to add Section 8305 to the Water Code, relating to water.

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

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, September 13, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON SEPTEMBER 8, 1995**

The following measure was amended in the Assembly on this day:

Senate Bill

11

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, September 13, 1995

FORTY-THIRD SESSION DAY

TWO HUNDRED THIRTY-EIGHTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, September 13, 1995

The Assembly met at 9:28 a.m.

Hon. Brian Setencich, Majority Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—80:

Ackerman*	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figuroa	Kuykendall	Setencich
Boland	Firestone	Lee	Sher
Bordonaro	Friedman	Machado	Speier
Bowen	Frusetta	Margett	Sweeney
Bowler	Gallegos	Martinez	Takasugi
Brewer	Goldsmith	Mazzoni	Thompson
Brown, Valerie	Granlund	McDonald	Tucker
Brown, Willie	Hannigan	McPherson	Vasconcellos
Brulte	Harvey	Miller	Villaraigosa
Burton	Hauser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mme. Speaker

(* NOTE: Assembly Member Ackerman took and subscribed to the Oath of Office on this day, at 9:59 a.m.)

Quorum present.

REGULAR BUSINESS DISPENSED WITH

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

COMMUNICATIONS

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

September 11, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Curt Pringle will no longer serve as Vice Chairman of the Assembly Budget Committee but will remain a member of this committee. I have also appointed Assemblymember Bruce Thompson Vice Chairman of the Assembly Budget Committee.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

September 11, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Keith Olberg to the Assembly Local Government Committee to fill an existing vacancy for the hearing on Tuesday, September 12, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

September 11, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Mickey Conroy to the Assembly Appropriations Committee to fill an existing vacancy for the hearing on Monday, September 11, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

September 11, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Brian Setencich will serve on the Assembly Appropriations Committee instead of Assemblymember Mickey Conroy, to fill an existing vacancy for the hearing on Monday, September 11, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

September 11, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Steve Baldwin to the Assembly Environmental Safety and Toxic Materials Committee to fill an existing vacancy for the hearing on Monday, September 11, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

September 12, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brian Setencich to the Assembly Appropriations Committee to fill an existing vacancy for the hearing on Tuesday, September 12, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

September 13, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymembers Bob Margett and Gary Miller to the Assembly Revenue and Taxation Committee to fill existing vacancies for the hearing on Wednesday, September 13, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

September 13, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I will serve on the Assembly Revenue and Taxation Committee instead of Assemblymember Gary Miller to fill an existing vacancy for the hearing on Wednesday, September 13, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

September 13, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Howard Kaloogian to the Assembly Human Services Committee to fill an existing vacancy for the hearing on Thursday, September 14, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

September 13, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Bruce Thompson to the Assembly Human Services Committee in place of Assemblymember Marilyn Brewer for the hearing on Thursday, September 14, 1995 only.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

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

September 11, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Juanita McDonald has been appointed to the Assembly Appropriations Committee in place of Assemblymember John Burton for the hearing on Monday, September 11, 1995 only.

Sincerely,

WILLIE L. BROWN JR.
Minority Floor Leader

September 13, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Richard Katz will serve on the Assembly Revenue and Taxation Committee in place of Assemblymember Tom Hannigan for the hearing on Wednesday, September 13, 1995 only.

Sincerely,

WILLIE L. BROWN, JR.
Minority Floor Leader

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

72nd ASSEMBLY DISTRICT SPECIAL GENERAL ELECTION
SEMI-OFFICIAL CANVASS
September 12, 1995

County	Dick Ackerman Rep	Shirley M. Hafner Dem	
Orange % by county	17,212 77.65%	4,954 22.35%	
DISTRICT TOTAL % by district	17,212 77.65%	4,954 22.3%	
Orange % by county	PRECINCTS BY COUNTY	PRECINCTS REPORTING	REGISTERED VOTERS
	154	154 100.00%	179,278 12.36%
DISTRICT TOTAL	154	154 100.00%	179,278 TOTAL VOTERS 22,166 VOTES CAST 12.36% %TURNOUT

09/12/95
10:09:31PM

CERTIFICATE OF ELECTION

The following Certificate of Election was presented, read by the Clerk, and ordered printed in the Journal:

Certificate of Election

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That according to the semi-official returns of the Special Election held on the 12th day of September, 1995,

DICK ACKERMAN

was elected to the office of

MEMBER OF THE ASSEMBLY—DISTRICT 72

for the term prescribed by law.

IN WITNESS WHEREOF, I hereunto
set my hand and affix the Great
Seal of the State of California at
Sacramento, this 13th day of
September, 1995.

[SEAL]

BILL JONES
Secretary of State

OATH OF OFFICE

The following Oath of Office was administered by the Chief Clerk of the Assembly, E. Dotson Wilson:

OATH

*for the Office of Member of the Assembly
72nd Assembly District*

I, Dick Ackerman, 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.

DICK ACKERMAN

Subscribed and sworn to before me,
this 13th day of September
A.D. 1995

E. DOTSON WILSON
Chief Clerk of the Assembly

ADJOURNMENT

At 5:03 p.m., the Assembly adjourned for the 1995 Interim Study Recess pursuant to unanimous consent granted on July 19, 1995, (Assembly Journal, page 215) to reconvene on Monday, January 3, 1996, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, September 15, 1995
FORTY-FOURTH SESSION DAY
TWO HUNDRED FORTIETH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

①

Corrected 9-21-95

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, September 15, 1995

The Assembly met at 4:50 p.m.

Hon. Willie L. Brown, Jr., Speaker Emeritus of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called, and the following answered to their names—80:

Ackerman	Caldera	Hoge	Murray, Kevin
Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Isenberg	Napolitano
Allen	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Sher
Boland	Firestone	Lee	Speier
Bordonaro	Friedman	Machado	Sweeney
Bowen	Frusetta	Margett	Takasugi
Bowler	Gallegos	Martinez	Thompson
Brewer	Goldsmith	Mazzoni	Tucker
Brown, Valerie	Granlund	McDonald	Vasconcellos
Brown, Willie	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker *

* (NOTE: Later this day Assembly Member Brian Setencich was elected Speaker of the Assembly for the 1995–96 First Extraordinary Session.)

Quorum present.

PRAYER

Upon invitation of Minority Speaker pro Tempore Baca, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord, Be mindful of us who are vigilant and who struggle daily to keep Your commandments. As this session of the California Assembly moves toward adjournment we ask that You remember us who pray to You. Be our help and our defense. Grant, dear Father in heaven, that not one of us be lost; but surround us instead with Your love.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Minority Speaker pro Tempore Baca, Assembly Member Isenberg then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

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

MOTION TO ELECT SPEAKER

Assembly Member Hannigan moved that the election of Speaker Setencich in the Regular Session be deemed to have occurred in the First Extraordinary Session of the Assembly.

Assembly Member Burton seconded the motion.

Without objection the motion carried and the following vote from the Regular Session was substituted:

For Assembly Member Brian Setencich:

Assembly Members Alpert, Archie-Hudson, Baca, Bates, Bowen, Valerie Brown, Willie Brown, Burton, Bustamante, Caldera, Campbell, Cannella, Cortese, Davis, Ducheny, Escutia, Figueroa, Friedman, Gallegos, Hannigan, Hauser, Isenberg, Katz, Knox, Kuehl, Lee, Machado, Martinez, Mazzoni, McDonald, Kevin Murray, Willard Murray, Napolitano, Setencich, Sher, Speier, Sweeney, Tucker, Vasconcellos, Villaraigosa, and Speaker Allen—41.

For Assembly Member Curt Pringle:

Assembly Members Ackerman, Aguiar, Alby, Baldwin, Battin, Boland, Bordonaro, Bowler, Brewer, Brulte, Conroy, Cunneen, Firestone, Frusetta, Goldsmith, Granlund, Harvey, Hawkins, Hoge, House, Kaloogian, Knight, Knowles, Kuykendall, Margett, McPherson, Miller, Morrissey, Morrow, Olberg, Poochigian, Pringle, Rainey, Richter, Rogan, Takasugi, Thompson, Weggeland, and Woods—39.

OATH OF OFFICE

The following oath of office was deemed to have occurred in the First Extraordinary Session, as in the Regular Session.

OATH

for the Office of Speaker of the Assembly

I, Brian Setencich, 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.

COMMUNICATIONS

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

September 15, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Doris Allen Majority Speaker pro Tempore for the 1995-96 First Extraordinary Session.

Sincerely,

BRIAN SETENCICH
 Speaker of the Assembly

September 14, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brooks Firestone to the Assembly Utilities and Commerce Committee to fill an existing vacancy for the hearing on Friday, September 15, 1995 only.

Sincerely,

BRIAN SETENCICH
 Speaker of the Assembly

September 14, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Jim Cunneen to the Assembly Health Committee to fill an existing vacancy for the hearing on Thursday, September 14, 1995 only.

Sincerely,

BRIAN SETENCICH
 Speaker of the Assembly

September 14, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Steve Baldwin to the Assembly Appropriations Committee to fill an existing vacancy for the hearing on Friday, September 15, 1995 only.

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

September 15, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Jim Cunneen to the Assembly Health Committee to fill an existing vacancy for the hearing on Friday, September 15, 1995 only.

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

September 15, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Doris Allen will serve on the Assembly Appropriations Committee to fill an existing vacancy instead of Assemblymember Steve Baldwin for the hearing on Friday, September 15, 1995 only.

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

September 15, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Trice Harvey to the Assembly Public Safety Committee to fill an existing vacancy for the hearing on Friday, September 15, 1995 only.

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

September 15, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Paula Boland to the Assembly Public Safety Committee to fill an existing vacancy. She will also serve as Chairwoman of this Committee.

Sincerely,

BRIAN SETENCICH
 Speaker of the Assembly

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

September 15, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Mike Machado to the Assembly Veterans' Affairs Committee to fill an existing vacancy.

Sincerely,

WILLIE L. BROWN, JR.
 Minority Floor Leader

September 15, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Marguerite Archie-Hudson to the Assembly Health Committee in place of Assemblymember Barbara Lee for the hearing on Friday, September 15, 1995 only.

Sincerely,

WILLIE L. BROWN, JR.
 Minority Floor Leader

September 15, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: I am replacing for today only, Tom Bates on the Appropriations Committee with Debra Bowen.

Sincerely,

WILLIE L. BROWN, JR.
 Minority Floor Leader

RECESS

By unanimous consent, at 4:51 p.m., Speaker Emeritus Brown declared the Assembly recessed.

REASSEMBLED

At 12 p.m., the Assembly reconvened.

Hon. Fred Aguiar, Assembly Member, 61st District, presiding.

**CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS**

SENATE BILL NO. 5 (Rosenthal)—An act relating to flood insurance.

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

Bill passed by the following vote:

AYES—76

Ackerman	Campbell	Hoge	Morrow
Aguiar	Cannella	House	Murray, Kevin
Alby	Conroy	Isenberg	Murray, Willard
Allen	Cortese	Kaloogian	Napolitano
Alpert	Cunneen	Katz	Olberg
Archie-Hudson	Davis	Knight	Poochigian
Baca	Ducheny	Knowles	Pringle
Baldwin	Escutia	Knox	Rainey
Bates	Figuroa	Kuehl	Rogan
Battin	Firestone	Kuykendall	Sher
Boland	Friedman	Lee	Speier
Bordonaro	Frusetta	Machado	Sweeney
Bowen	Callegos	Margett	Takasugi
Bowler	Goldsmith	Martinez	Thompson
Brown, Valerie	Granlund	Mazzoni	Tucker
Brown, Willie	Hannigan	McDonald	Vasconcellos
Brulte	Harvey	McPherson	Villaraigosa
Burton	Hauser	Miller	Weggeland
Bustamante	Hawkins	Morrissey	Woods

NOES—None

Bill ordered transmitted to the Senate.

At 12 p.m., Speaker Brian Setencich, 30th District, presiding

SENATE BILL NO. 7 (Hayden)—An act relating to disaster assistance.

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

Bill passed by the following vote:

AYES—66

Ackerman	Cannella	Hoge	Murray, Willard
Aguiar	Cortese	Isenberg	Napolitano
Allen	Cunneen	Katz	Olberg
Alpert	Davis	Knight	Pringle
Archie-Hudson	Ducheny	Knowles	Rainey
Baca	Escutia	Knox	Rogan
Bates	Figueroa	Kuykendall	Sher
Battin	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bowen	Frusetta	Margett	Takasugi
Bowler	Gallegos	Martinez	Thompson
Brown, Valerie	Goldsmith	Mazzoni	Tucker
Brown, Willie	Granlund	McDonald	Vasconcellos
Brulte	Hannigan	McPherson	Villaraigosa
Burton	Harvey	Miller	Mr. Speaker
Bustamante	Hauser	Morrow	
Campbell	Hawkins	Murray, Kevin	

NOES—2

Alby Bordonaro

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Senate Bill

SENATE BILL NO. 6 (Leslie)—An act to add Sections 39140.6 and 81130.6 to, the Education Code, relating to school facilities, 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—80

Ackerman	Caldera	Hoge	Murray, Kevin
Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Isenberg	Napolitano
Allen	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Sher
Boland	Firestone	Lee	Speier
Bordonaro	Friedman	Machado	Sweeney
Bowen	Frusetta	Margett	Takasugi
Bowler	Gallegos	Martinez	Thompson
Brewer	Goldsmith	Mazzoni	Tucker
Brown, Valerie	Granlund	McDonald	Vasconcellos
Brown, Willie	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker

NOES—None

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

AYES—80

Ackerman	Caldera	Hoge	Murray, Kevin
Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Isenberg	Napolitano
Allen	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Sher
Boland	Firestone	Lee	Speier
Bordonaro	Friedman	Machado	Sweeney
Bowen	Frusetta	Margett	Takasugi
Bowler	Gallegos	Martinez	Thompson
Brewer	Goldsmith	Mazzoni	Tucker
Brown, Valerie	Granlund	McDonald	Vasconcellos
Brown, Willie	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

VOTE ADDS

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

Senate Bill No. 5: Allen—Aye.

Senate Bill No. 7: Brulte—Aye.

MESSAGES FROM THE SENATE

Senate Chamber, September 14, 1995

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

Assembly Bill No. 12

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, September 15, 1995

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

Senate Bill No. 5

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

ADJOURNMENT

At 12 p.m., the Assembly adjourned for the 1995 Interim Study Recess pursuant to unanimous consent granted July 19, 1995 (Assembly Journal, p. 168), to reconvene on Monday, January 3, 1996.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 1

INTERIM RECESS

Assembly Chamber, Sacramento
Tuesday, October 17, 1995

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1995-96 First Extraordinary Session was printed while the Assembly was in Interim Study Recess:

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 27, 1995

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

Assembly Bill No. 12

And reports the same correctly enrolled, and presented to the Governor at 2 p.m., September 27, 1995.

E. DOTSON WILSON, Chief Clerk

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 2

INTERIM RECESS

Assembly Chamber, Sacramento
Thursday, December 7, 1995

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1995-96 First Extraordinary Session was printed while the Assembly was in Interim Study Recess:

COMMUNICATIONS

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

October 18, 1995

E. Dotson Wilson
Chief Clerk
State Capitol
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Woods as Chairman of the Televising the Assembly and Information Technology Committee.

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

October 24, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Larry Bowler to the Assembly Human Services Committee to fill an existing vacancy, for the interim hearing on Thursday, November 9, 1995 only.

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

November 1, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Barbara Alby as an additional alternate member of the Assembly Rules Committee.

Sincerely,

BRIAN SETENCICH
 Speaker of the Assembly

November 7, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Steve Baldwin Vice Chairman of the Assembly Veterans' Affairs Committee for the interim hearing on Wednesday, November 15, 1995 only.

Sincerely,

BRIAN SETENCICH
 Speaker of the Assembly

November 17, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Pete Knight to the Assembly Veterans' Affairs Committee to fill an existing vacancy. He will also serve as Vice Chairman of this committee.

Sincerely,

BRIAN SETENCICH
 Speaker of the Assembly

November 22, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Jan Goldsmith to the Assembly Judiciary Committee to fill an existing vacancy.

Sincerely,

BRIAN SETENCICH
 Speaker of the Assembly

November 22, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brooks Firestone to the Assembly Transportation Committee to fill one of the existing vacancies. Also, Assemblymember Brooks Firestone will no longer serve on the Assembly Natural Resources Committee.

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

November 30, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Jan Goldsmith to the Assembly Public Safety Committee to fill an existing vacancy.

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

December 5, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised of the following leadership appointments:

Fred Aguiar—Majority Speaker pro Tempore
Curt Pringle—Majority Floor Leader

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

COMMUNICATIONS

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

Office of the Secretary of State

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That I have compiled the official returns of the November 28, 1995 67th Assembly District Special Recall Election, and

That the attached Statement of Vote is a full, true, and correct compilation of the election results, submitted by the election officials of the county or counties conducting the election, and is on file in this office.

IN WITNESS WHEREOF, I
hereunto set my hand and
affix the Great Seal of the
State of California this 30th
day of November, 1995.

[SEAL]

BILL JONES
Secretary of State

SPECIAL ELECTION RESULTS
Member of the Assembly, 67th District
County of Orange
Special Recall Election, November 28, 1995
OFFICIAL CANVASS

Precinct Votes Cast	30,859	Total Registration	207,538
Absentee Votes Cast	23,569	Number of Precincts	157
Total Votes Cast	54,448	Percent Turnout	26.24%

Recall of Doris Allen

COUNTY NAME	Registered Voters	YES	NO
Orange	207,538		
Precinct Vote	18,044		12,060
Absentee Vote	16,495		6,384
Total County Vote	34,539		18,444
Percent	65.19%		34.81%

Candidates to succeed Doris Allen

COUNTY NAME	Registered Voters	Don MacAllister Rep	Linda Moulton-Patterson Dem	Shirley Carey Rep	Scott R. Baugh * Rep	Haydee V. Tillotson Rep
Orange	207,538					
Precinct Vote	3,404	10,409	1,455	11,676	1,073	
Absentee Vote	2,130	5,199	812	10,644	2,500	
Total County Vote	5,534	15,608	2,267	22,320	3,573	
Percent	11.22%	31.66%	4.60%	45.27%	7.25%	

* Since the recall succeeded, a successor was elected.

CERTIFICATE OF ELECTION

The following Certificate of Election was presented and ordered printed in the Journal:

Certificate of Election

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That according to the semi-official returns of the Special Election held on the 28th day of November, 1995,

SCOTT R. BAUGH

was elected to the office of

MEMBER OF ASSEMBLY—DISTRICT 67

for the term prescribed by law.

IN WITNESS WHEREOF, I hereunto
set my hand and affix the Great
Seal of the State of California at
Sacramento, this 29th day of
November 1995.

[SEAL]

BILL JONES
Secretary of State

OATH OF OFFICE

The following Oath of Office was administered by Hon. James L. Smith, Presiding Judge, Orange County, and ordered printed in the Journal:

OATH

*for the Office of Member of the Assembly
67th Assembly District*

I, Scott R. Baugh, 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.

SCOTT R. BAUGH

Subscribed and sworn to before me,
this 29th day of November
A.D. 1995

HON. JAMES L. SMITH,
Presiding Judge, Orange County

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 3

INTERIM RECESS

Assembly Chamber, Sacramento
Friday, December 15, 1995

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1995-96 First Extraordinary Session was printed while the Assembly was in Interim Study Recess:

COMMUNICATIONS

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

December 13, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Jan Goldsmith will no longer serve on the Assembly Local Government Committee and the Assembly Transportation Committee.

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

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

December 14, 1995

E. Dotson Wilson
Chief Clerk
State Capitol
Room 3196
Sacramento, California

Dotson: I hereby resign my seat in the California State Assembly as a representative of the 13th District, effective 11:55 p.m. December 14, 1995.

Sincerely,

WILLIE L. BROWN, JR.

OATH OF OFFICE

The following oath of office was administered by E. Dotson Wilson, Chief Clerk of the Assembly, and ordered printed in the Journal:

OATH

for the Office of Majority Speaker pro Tempore of the Assembly

I, Fred Aguiar, 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.

FRED AGUIAR

Subscribed and sworn to before me,
this 11th day of December
A.D. 1995

E. DOTSON WILSON

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE

1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 4

INTERIM RECESS

Assembly Chamber, Sacramento
Wednesday, December 20, 1995

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1995-96 First Extraordinary Session was printed while the Assembly was in Interim Study Recess:

COMMUNICATIONS

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

December 18, 1995

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

Dear Mr. Wilson: Please be advised that on behalf of the Democratic Caucus, I have been appointed Democratic Floor Leader for the 1995-96 Legislative Session.

Sincerely,

RICHARD KATZ
Democratic Floor Leader

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 5

INTERIM RECESS

Assembly Chamber, Sacramento
Friday, December 22, 1995

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1995-96 First Extraordinary Session was printed while the Assembly was in Interim Study Recess containing information received as of this publication date:

COMMUNICATIONS

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

December 20, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Mr. Wilson: Pursuant to the Rules, the following Democratic appointments are effective immediately:

Assemblymember Louis Caldera—Chair, Assembly Budget Committee

Assemblymember Sheila Kuehl—Chair, Assembly Judiciary Committee

Assemblymember Antonio Villaraigosa—Chair, Transportation Committee

Assemblymember Grace Napolitano—Chair, Housing and Community Development Committee

Assemblymember Kevin Murray—Assistant Minority Floor Leader

In accordance with these appointments, Assemblymembers

Vasconcellos, Isenberg, Hauser and myself have resigned their respective chairmanships.

Thanks for your attention to this matter.

Sincerely,

RICHARD KATZ
Democratic Floor Leader

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 6

INTERIM RECESS

Assembly Chamber, Sacramento
Tuesday, January 2, 1996

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1995-96 First Extraordinary Session was printed while the Assembly was in Interim Study Recess:

COMMUNICATIONS

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

December 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Bob Margett has been appointed to the following Assembly Committees to fill existing vacancies:

- Assembly Budget Committee
- Assembly Revenue and Taxation Committee
- Assembly Transportation Committee

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

December 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Barbara Alby has been appointed to the Assembly Rules Committee to fill an existing vacancy.

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

December 28, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised of the following committee assignments and changes:

I will no longer serve as a member of the Assembly Agriculture Committee. Assemblymember Jim Brulte has been appointed to this committee.

I will no longer serve as a member of the Assembly Banking and Finance Committee. Assemblymembers Jim Brulte and Paula Boland have been appointed to this committee to fill existing vacancies.

Assemblymember Scott Baugh has been appointed to the Assembly Consumer Protection, Governmental Efficiency and Economic Development Committee to fill an existing vacancy.

Assemblymember Paula Boland will no longer serve as a member of the Assembly Education Committee. Assemblymember Dick Ackerman has been appointed to this committee to fill one of the existing vacancies.

Assemblymember Paula Boland has been appointed to the Assembly Environmental Safety and Toxic Materials Committee to fill an existing vacancy.

Assemblymember Tom Woods has been appointed to the Assembly Health Committee to fill one of the existing vacancies.

I will no longer serve as a member of the Assembly Higher Education Committee. Assemblymember Scott Baugh has been appointed to this committee to fill one of the existing vacancies.

Assemblymember Paula Boland will no longer serve as a member of the Assembly Housing Committee. Assemblymember Scott Baugh has been appointed to this committee to fill one of the existing vacancies.

Assemblymember Jim Brulte has been appointed to the Assembly Insurance Committee to fill an existing vacancy.

Assemblymember Dick Ackerman has been appointed to the Assembly Local Government Committee, the Assembly Natural Resources Committee and the Assembly Transportation Committee to fill existing vacancies.

Assemblymember Nao Takasugi will no longer serve as a member of the Assembly Public Employees, Retirement and Social Security Committee.

Assemblymember Scott Baugh has been appointed to the Assembly Utilities and Commerce Committee to fill an existing vacancy.

I will no longer serve as a member of the Assembly Water, Parks and Wildlife Committee.

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

December 29, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have created the Select Committee on House Reorganization Post Term Limits and have appointed the following Assemblymembers:

- | | |
|---------------------------------|------------------|
| Brian Setencich, Chairman | Jan Goldsmith |
| Martha Escutia, Vice Chairwoman | George House |
| Debra Bowen | Mike Machado |
| James Brulte | Bob Margett |
| John Burton | Kerry Mazzoni |
| Jim Cunneen | Juanita McDonald |
| Denise Moreno Ducheny | Bruce McPherson |
| Peter Frusetta | |

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

January 2, 1996

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I will serve as Chairman of the Assembly Rules Committee. The existing five Republican members of the Assembly Rules Committee will remain the same.

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

January 2, 1996

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Pursuant to the request of Assemblymember Ted Weggeland, he will no longer serve as a member of the Assembly Banking and Finance Committee. Assemblymember Gary Miller will serve as Chairman of this committee.

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 3, 1996

FORTY-FIFTH SESSION DAY

THREE HUNDRED FIFTIETH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 3, 1996

The Assembly met at 11 a.m.

Hon. Brian Setencich, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—79:

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Sher
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McDonald	Vasconcellos
Brown	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker
Caldera	Hoge	Murray, Kevin	

Quorum present.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 13—Frusetta and Harvey. An act to amend Sections 13127.31 and 13127.32 of the Food and Agricultural Code, relating to economic poisons.

ADJOURNMENT

At 5:55 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 11, 1996

FORTY-SIXTH SESSION DAY

THREE HUNDRED FIFTY-EIGHTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 11, 1996

The Assembly met at 7 a.m.

Hon. Dick Ackerman, Assembly Member, 72nd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—74:

Ackerman	Caldera	Hoge	Napolitano
Aguiar	Campbell	House	Olberg
Alby	Cannella	Kaloogian	Poochigian
Alpert	Conroy	Katz	Pringle
Archie-Hudson	Cortese	Knight	Rainey
Baca	Cunneen	Knowles	Richter
Baldwin	Davis	Knox	Rogan
Bates	Ducheny	Kuehl	Sher
Battin	Escutia	Kuykendall	Sweeney
Baugh	Figuroa	Lee	Takasugi
Boland	Firestone	Machado	Thompson
Bordonaro	Friedman	Margett	Tucker
Bowen	Frusetta	Martinez	Vasconcellos
Bowler	Goldsmith	Mazzoni	Villaraigosa
Brewer	Granlund	McDonald	Weggeland
Brown	Hannigan	McPherson	Woods
Brulte	Harvey	Morrissey	Mr. Speaker
Burton	Hauser	Morrow	
Bustamante	Hawkins	Murray, Kevin	

Quorum present.

At 1:47 p.m., Hon. Tom Bates, 14th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Miller, Willard Murray, and Speier.

Because of illness: Assembly Member Gallegos.

The following Assembly Member was excused for the day, and his per diem was waived: Isenberg.

(NOTE: For explanations of absences of Assembly Members Miller, Willard Murray, and Speier on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 18, 1996
FORTY-SEVENTH SESSION DAY
THREE HUNDRED SIXTY-FIFTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 18, 1996

The Assembly met at 8:30 a.m.
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—78:

Ackerman	Campbell	House	Napolitano
Aguiar	Cannella	Isenberg	Olberg
Alby	Conroy	Kaloogian	Poochigian
Alpert	Cortese	Katz	Pringle
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Knox	Rogan
Bates	Escutia	Kuehl	Sher
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McDonald	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Hannigan	Miller	Weggeland
Brulte	Harvey	Morrissey	Woods
Burton	Hauser	Morrow	Mr. Speaker
Bustamante	Hawkins	Murray, Kevin	
Caldera	Hoge	Murray, Willard	

Quorum present.

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Lee.

(NOTE: For explanation of absence of Assembly Member Lee on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, January 24, 1996 or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 24, 1996
FORTY-EIGHTH SESSION DAY
THREE HUNDRED SEVENTY-FIRST CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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Vol. 6 34-616

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 24, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Campbell	Hoge	Murray, Willard
Aguiar	Cannella	House	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Pringle
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Battin	Escutia	Kuehl	Rogan
Baugh	Figueroa	Kuykendall	Sher
Boland	Firestone	Machado	Speier
Bordonaro	Friedman	Margett	Sweeney
Bowen	Frusetta	Martinez	Takasugi
Bowler	Gallegos	Mazzoni	Thompson
Brewer	Goldsmith	McDonald	Tucker
Brown	Granlund	McPherson	Vasconcellos
Brulte	Hannigan	Miller	Villaraigosa
Burton	Harvey	Morrissey	Weggeland
Bustamante	Hauser	Morrow	Woods
Caldera	Hawkins	Murray, Kevin	Mr. Speaker

Quorum present.

At 2:47 p.m., Hon. David Knowles, 4th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Member Lee.

Because of illness: Assembly Member Bates.

The following Assembly Member was excused for the day, and his per diem was waived: Isenberg.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, January 31, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 1, 1996

FORTY-NINTH SESSION DAY

THREE HUNDRED SEVENTY-NINTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 1, 1996

The Assembly met at 9:05 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—78:

Ackerman	Cannella	Isenberg	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Katz	Poochigian
Alpert	Cunneen	Knight	Pringle
Archie-Hudson	Davis	Knowles	Rainey
Baca	Ducheny	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Bates	Figueroa	Kuykendall	Sher
Battin	Firestone	Lee	Speier
Baugh	Friedman	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Callegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McDonald	Vasconcellos
Brown	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker
Caldera	Hoge	Murray, Kevin	
Campbell	House	Murray, Willard	

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

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

On legislative business: Assembly Member Bowen.

(NOTE: For explanation of absence of Assembly Member Bowen on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, February 7, 1996.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 7, 1996

FIFTIETH SESSION DAY

THREE HUNDRED EIGHTY-FIFTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 7, 1996

The Assembly met at 7 a.m.

Hon. Dick Ackerman, Assembly Member, 72nd District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Caldera	Hawkins	Murray, Kevin
Aguiar	Campbell	Hoge	Murray, Willard
Alby	Cannella	House	Napolitano
Alpert	Conroy	Isenberg	Olberg
Archie-Hudson	Cortese	Kaloogian	Poochigian
Baca	Cunneen	Katz	Pringle
Baldwin	Davis	Knight	Rainey
Bates	Ducheny	Knowles	Richter
Battin	Escutia	Knox	Rogan
Baugh	Figuroa	Kuehl	Sher
Boland	Firestone	Kuykendall	Speier
Bordonaro	Friedman	Lee	Sweeney
Bowen	Frusetta	Machado	Takasugi
Bowler	Gallegos	Margett	Thompson
Brewer	Goldsmith	Mazzoni	Tucker
Brown	Granlund	McDonald	Vasconcellos
Brulte	Hannigan	Miller	Villaraigosa
Burton	Harvey	Morrissey	Woods
Bustamante	Hauser	Morrow	Mr. Speaker

Quorum present.

At 11:25 a.m., Hon. Jan Goldsmith, 75th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Martinez and Weggeland.

On personal business, and waiving per diem: Assembly Member McPherson.

(NOTE: For letter explaining the absence of Assembly Member Weggeland on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for February 6, 1996; for letter explaining the absence of Assembly Member Martinez on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, February 14, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 14, 1996

FIFTY-FIRST SESSION DAY

THREE HUNDRED NINETY-SECOND CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 14, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—71:

Ackerman	Campbell	Hoge	Murray, Kevin
Aguiar	Cannella	House	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cunneen	Katz	Poochigian
Archie-Hudson	Davis	Knight	Pringle
Baca	Ducheny	Knowles	Rainey
Baldwin	Escutia	Knox	Richter
Bates	Figuroa	Kuehl	Speier
Battin	Firestone	Kuykendall	Sweeney
Baugh	Friedman	Lee	Takasugi
Bordonaro	Frusetta	Machado	Thompson
Bowen	Gallegos	Margett	Tucker
Bowler	Goldsmith	Martinez	Vasconcellos
Brewer	Granlund	Mazzoni	Villaraigosa
Brown	Hannigan	McPherson	Weggeland
Brulte	Harvey	Miller	Woods
Burton	Hauser	Morrissey	Mr. Speaker
Bustamante	Hawkins	Morrow	

Quorum present.

At 1:20 p.m., Hon. Martha M. Escutia, 50th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Boland, Caldera, Isenberg, McDonald, Rogan, and Sher.

On personal business, and waiving per diem: Assembly Member Willard Murray.

Because of illness: Assembly Member Cortese.

(NOTE: For explanations of absences of Assembly Members Boland, Caldera, Isenberg, McDonald, Rogan, and Sher on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ADJOURNMENT

At 4 p.m., the Assembly adjourned until Wednesday, February 21, 1996 or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

ROCEL BETTENCOURT, Acting Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 21, 1996

FIFTY-SECOND SESSION DAY

THREE HUNDRED NINETY-NINTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 21, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—68:

Ackerman	Burton	Harvey	Morrow
Aguiar	Bustamante	Hauser	Murray, Willard
Alby	Campbell	Hawkins	Napolitano
Alpert	Cannella	Hoge	Olberg
Archie-Hudson	Conroy	House	Poochigian
Baca	Cortese	Kaloogian	Pringle
Baldwin	Cunneen	Katz	Rainey
Bates	Davis	Knight	Richter
Battin	Ducheny	Knowles	Rogan
Baugh	Escutia	Kuehl	Sher
Boland	Figueroa	Kuykendall	Sweeney
Bordonaro	Firestone	Machado	Takasugi
Bowen	Friedman	Margett	Thompson
Bowler	Frusetta	Mazzoni	Tucker
Brewer	Gallegos	McPherson	Weggeland
Brown	Goldsmith	Miller	Woods
Brulte	Granlund	Morrissey	Mr. Speaker

Quorum present.

At 1:25 p.m., Hon. Martin Gallegos, 57th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Caldera, Knox, Martinez, McDonald, Kevin Murray, and Villaraigosa.

To attend a funeral in his district: Assembly Member Hannigan.

Funeral delegation attending services for former Governor Edmund G. "Pat" Brown: Assembly Members Isenberg, Lee, Speier, and Vasconcellos.

(NOTE: For explanations of absences of Assembly Members Caldera, Knox, Martinez, McDonald, Kevin Murray, and Villaraigosa on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, February 28, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 28, 1996
FIFTY-THIRD SESSION DAY
FOUR HUNDRED SIXTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 28, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—74:

Ackerman	Campbell	Hoge	Olberg
Aguiar	Cannella	House	Poohigian
Alby	Conroy	Kaloogian	Pringle
Alpert	Cortese	Katz	Rainey
Archie-Hudson	Cunneen	Knight	Richter
Baca	Davis	Knowles	Rogan
Baldwin	Ducheney	Kuehl	Sher
Bates	Escutia	Kuykendall	Speier
Battin	Figueroa	Machado	Sweeney
Baugh	Firestone	Margett	Takasugi
Boland	Friedman	Martinez	Thompson
Bordonaro	Frusetta	Mazzoni	Tucker
Bowler	Gallegos	McDonald	Vasconcellos
Brewer	Goldsmith	McPherson	Villaraigosa
Brown	Granlund	Miller	Weggeland
Brulte	Hannigan	Morrissey	Woods
Burton	Harvey	Morrow	Mr. Speaker
Bustamante	Hauser	Murray, Willard	
Caldera	Hawkins	Napolitano	

Quorum present.

At 2:05 p.m., Hon. Curtis R. Tucker, Jr., 51st District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Bowen, Isenberg, Knox, and Kevin Murray.

On personal business, and waiving per diem: Assembly Member Lee.

(NOTE: For letter explaining the absence of Assembly Member Isenberg on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, February 27, 1996; for letters explaining the absences of Assembly Members Bowen, Knox, and Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until Wednesday, March 6, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

ROCEL BETTENCOURT, Acting Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 6, 1996
FIFTY-FOURTH SESSION DAY
FOUR HUNDRED THIRTEENTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 6, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—72:

Ackerman	Campbell	Hawkins	Morrow
Aguiar	Cannella	Hoge	Napolitano
Alby	Conroy	House	Olberg
Alpert	Cortese	Kaloogian	Poohagian
Archie-Hudson	Cunneen	Katz	Pringle
Baca	Davis	Knight	Rainey
Baldwin	Ducheny	Knowles	Richter
Bates	Escutia	Knox	Sher
Battin	Figueroa	Kuehl	Speier
Baugh	Firestone	Kuykendall	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowler	Callegos	Martinez	Tucker
Brewer	Goldsmith	Mazzoni	Vasconcellos
Brown	Granlund	McDonald	Villaraigosa
Burton	Hannigan	McPherson	Weggeland
Bustamante	Harvey	Miller	Woods
Caldera	Hauser	Morrissey	Mr. Speaker

Quorum present.

At 1:47 p.m., Hon. Cruz M. Bustamante, 31st District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Brulte and Kevin Murray.

On personal business, and waiving per diem: Assembly Members Lee, Willard Murray, and Rogan.

Because of jury duty: Assembly Member Bowen.

The following Assembly Member was excused for the day: Isenberg.

(NOTE: For letter explaining the absence of Assembly Member Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, March 5, 1996; for letter explaining the absence of Assembly Member Bowen on this day on jury duty and legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Tuesday, March 5, 1996; and for letter explaining the absence of Assembly Member Brulte on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until Wednesday, March 13, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 13, 1996

FIFTY-FIFTH SESSION DAY

FOUR HUNDRED TWENTIETH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 13, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—64:

Aguiar	Campbell	Harvey	Morrow
Alby	Cannella	Hauser	Napolitano
Archie-Hudson	Conroy	Hawkins	Olberg
Baca	Cortese	Hoge	Poochigian
Baldwin	Cunneen	House	Pringle
Bates	Davis	Katz	Rainey
Battin	Ducheny	Knight	Richter
Baugh	Escutia	Knowles	Sweeney
Boland	Figueroa	Kuykendall	Takasugi
Bordonaro	Firestone	Machado	Thompson
Bowen	Friedman	Margett	Tucker
Bowler	Frusetta	Martinez	Vasconcellos
Brewer	Gallegos	Mazzoni	Villaraigosa
Brown	Goldsmith	McPherson	Weggeland
Brulte	Granlund	Miller	Woods
Caldera	Hannigan	Morrissey	Mr. Speaker

Quorum present.

At 12:05 p.m., Hon. George House, 25th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Ackerman, Burton, Bustamante, Kaloogian, Knox, Kevin Murray, Rogan, and Speier.

On legislative business, and waiving per diem: Assembly Member Alpert.

On personal business, and waiving per diem: Assembly Members Lee, McDonald, Willard Murray, and Sher.

Because of illness in her family: Assembly Member Kuehl.

The following Assembly Member was excused for the day: Isenberg.

(NOTE: For explanations of absences of Assembly Members Ackerman, Alpert, Burton, Bustamante, Kaloogian, Knox, Kevin Murray, Rogan, and Speier on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, March 20, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 20, 1996

FIFTY-SIXTH SESSION DAY

FOUR HUNDRED TWENTY-SEVENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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Vol. 6 35—616

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 20, 1996

The Assembly met at 9:07 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—72:

Ackerman	Bustamante	Hauser	Morrow
Aguiar	Caldera	Hawkins	Napolitano
Alby	Campbell	Hoge	Olberg
Alpert	Cannella	House	Poochigian
Archie-Hudson	Conroy	Isenberg	Pringle
Baca	Cortese	Kaloogian	Rainey
Baldwin	Cunneen	Katz	Richter
Bates	Davis	Knight	Rogan
Battin	Ducheny	Knowles	Sher
Baugh	Escutia	Knox	Speier
Boland	Figuroa	Kuykendall	Sweeney
Bordonaro	Firestone	Machado	Takasugi
Bowen	Frusetta	Margett	Thompson
Bowler	Gallegos	Martinez	Vasconcellos
Brewer	Goldsmith	Mazzoni	Villaraigosa
Brown	Granlund	McPherson	Weggeland
Brulte	Hannigan	Miller	Woods
Burton	Harvey	Morrissey	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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Friedman and Kevin Murray.

On legislative business, and waiving per diem: Assembly Member Tucker.

On personal business, and waiving per diem: Assembly Members Lee, McDonald, and Willard Murray.

Because of a death in her family: Assembly Member Kuehl.

(NOTE: For explanations of absences of Assembly Members Friedman, Kevin Murray, and Tucker on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, March 27, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 28, 1996

FIFTY-SEVENTH SESSION DAY

FOUR HUNDRED THIRTY-FIFTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 28, 1996

The Assembly met at 9 a.m.
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Caldera	Hawkins	Morrow
Aguiar	Campbell	Hoge	Napolitano
Alby	Cannella	House	Olberg
Alpert	Conroy	Kaloogian	Poochigian
Archie-Hudson	Cortese	Katz	Pringle
Baca	Cunneen	Knight	Rainey
Baldwin	Davis	Knowles	Richter
Bates	Ducheny	Knox	Rogan
Battin	Escutia	Kuehl	Sher
Baugh	Figueroa	Kuykendall	Speier
Boland	Firestone	Lee	Sweeney
Bordonaro	Friedman	Machado	Takasugi
Bowen	Frusetta	Margett	Thompson
Bowler	Gallegos	Martinez	Tucker
Brewer	Goldsmith	Mazzoni	Vasconcellos
Brown	Granlund	McPherson	Villaraigosa
Brulte	Hannigan	Migden*	Weggeland
Burton	Harvey	Miller	Woods
Bustamante	Hauser	Morrissey	Mr. Speaker

(*NOTE: Assembly Member Migden took and subscribed to the Oath of Office on this day, at 11:05 a.m., in the Regular Session.)

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members McDonald and Kevin Murray.

On personal business, and waiving per diem: Assembly Member Isenberg.

Because of illness: Assembly Member Willard Murray.

(For letter explaining the absence of Assembly Member Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Wednesday, March 27, 1996; for explanation of absence of Assembly Member McDonald, see the Assembly Daily Journal for the Regular Session for this day.)

COMMUNICATIONS

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

March 28, 1996

Honorable Curt Pringle
Speaker of the Assembly
Room 219
State Capitol

Dear Speaker Pringle: As a result of my election to the unexpired term of office for the Eleventh Senatorial District, I hereby respectfully submit my resignation as State Assemblyman of the Twenty-first Assembly District effective upon taking the oath of office for the Eleventh Senate District on March 28, 1996.

Sincerely,

BYRON D. SHER, Assembly Member
Twenty-first District

CERTIFICATE OF ELECTION

The following Certificate of Election was presented, read by the Clerk, and ordered printed in the Journal:

Certificate of Election

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That according to the semi-official returns of the Special Election held on the 26th day of March, 1996,

CAROLE MIGDEN

was elected to the office of

MEMBER OF THE ASSEMBLY—DISTRICT 13

for the term prescribed by law.

IN WITNESS WHEREOF,
I hereunto set my hand
and affix the Great Seal
of the State of California
at Sacramento, this 27th
day of March, 1996.

[SEAL]

BILL JONES
Secretary of State

OATH OF OFFICE

The following Oath of Office was administered by Hon. J. Anthony Kline, Presiding Justice, Court of Appeals, First Appellate District:

OATH

*for the Office of Member of the Assembly
13th Assembly District*

I, Carole Migden, 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.

CAROLE MIGDEN

Subscribed and sworn to before me,
this 28th day of March
A.D. 1996

J. ANTHONY KLINE
Presiding Justice, Court of Appeals

ADJOURNMENT

At 3 p.m., pursuant to the provisions of Joint Rule 51, the Assembly adjourned for the 1996 Easter Recess until Monday, April 8, 1996.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, April 8, 1996
FIFTY-EIGHTH SESSION DAY
FOUR HUNDRED FORTY-SIXTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, April 8, 1996

The Assembly met at 11 a.m.
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Caldera	Hoge	Morrow
Aguiar	Campbell	House	Murray, Kevin
Alby	Cannella	Isenberg	Murray, Willard
Alpert	Conroy	Kaloogian	Napolitano
Archie-Hudson	Cortese	Katz	Olberg
Baca	Cunneen	Knight	Poochigian
Baldwin	Davis	Knowles	Pringle
Bates	Ducheny	Knox	Rainey
Battin	Escutia	Kuehl	Richter
Baugh	Firestone	Kuykendall	Rogan
Boland	Friedman	Lee	Speier
Bordonaro	Frusetta	Machado	Sweeney
Bowen	Callegos	Margett	Takasugi
Bowler	Goldsmith	Mazzoni	Thompson
Brewer	Granlund	McDonald	Tucker
Brown	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Migden	Weggeland
Burton	Hauser	Miller	Woods
Bustamante	Hawkins	Morrissey	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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Vasconcellos.

Because of illness: Assembly Member Figueroa.

Because of illness in her family: Assembly Member Martinez.

(NOTE: For explanation of absence of Assembly Member Vasconcellos on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, April 17, 1996 or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, April 17, 1996

FIFTY-NINTH SESSION DAY

FOUR HUNDRED FIFTY-FIFTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, April 17, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Ackerman	Campbell	Hoge	Murray, Kevin
Aguiar	Cannella	House	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Pringle
Baldwin	Ducheny	Knox	Rainey
Bates	Escutia	Kuehl	Richter
Battin	Figueroa	Kuykendall	Rogan
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Callegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McPherson	Villaraigosa
Brown	Hannigan	Migden	Weggeland
Burton	Harvey	Miller	Woods
Bustamante	Hauser	Morrissey	Mr. Speaker
Caldera	Hawkins	Morrow	

Quorum present.

At 1:30 p.m., Hon. Tom Bates, 14th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Vasconcellos.

Because of illness: Assembly Member Brulte.

The following Assembly Member was excused for the day: Isenberg.

(NOTE: For letter explaining the absence of Assembly Member Vasconcellos on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Monday, April 15, 1996.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, April 24, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, April 24, 1996

SIXTIETH SESSION DAY

FOUR HUNDRED SIXTY-SECOND CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, April 24, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Ackerman	Caldera	Hawkins	Murray, Kevin
Aguiar	Campbell	Hoge	Murray, Willard
Alby	Cannella	House	Napolitano
Alpert	Conroy	Kaloogian	Olberg
Archie-Hudson	Cortese	Katz	Poochigian
Baca	Cunneen	Knight	Pringle
Baldwin	Davis	Knowles	Rainey
Bates	Ducheny	Knox	Richter
Battin	Escutia	Kuehl	Rogan
Baugh	Figueroa	Kuykendall	Speier
Boland	Firestone	Machado	Sweeney
Bordonaro	Friedman	Margett	Takasugi
Bowen	Frusetta	Martinez	Thompson
Bowler	Gallegos	Mazzoni	Tucker
Brewer	Goldsmith	McPherson	Vasconcellos
Brown	Granlund	Migden	Villaraigosa
Brulte	Hannigan	Miller	Woods
Burton	Harvey	Morrissey	Mr. Speaker
Bustamante	Hauser	Morrow	

Quorum present.

At 2:45 p.m., Hon. Curt Pringle, 68th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Weggeland.

On personal business, and waiving per diem: Assembly Member Lee.

The following Assembly Member was excused for the day: Isenberg.

(NOTE: For explanation of absence of Assembly Member Weggeland on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, May 1, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, May 2, 1996
SIXTY-FIRST SESSION DAY
FOUR HUNDRED SEVENTIETH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, May 2, 1996

The Assembly met at 9:01 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—64:

Ackerman	Campbell	Hoge	Morrow
Aguiar	Cannella	House	Murray, Willard
Alpert	Conroy	Kaloogian	Napolitano
Archie-Hudson	Cortese	Knight	Olberg
Baca	Cunneen	Knowles	Poochigian
Baldwin	Davis	Knox	Pringle
Bates	Ducheny	Kuehl	Rainey
Baugh	Escutia	Kuykendall	Richter
Boland	Figueroa	Lee	Sweeney
Bordonaro	Firestone	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Brewer	Granlund	Mazzoni	Vasconcellos
Brown	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Migden	Weggeland
Burton	Hauser	Miller	Woods
Bustamante	Hawkins	Morrissey	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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Battin, Bowler, Caldera, Friedman, Frusetta, Goldsmith, Katz, Machado, Kevin Murray, and Takasugi.

On personal business, and waiving per diem: Assembly Members Alby, Isenberg, and Rogan.

Because of illness: Assembly Member Speier.

(NOTE: For letters explaining the absences of Assembly Members Battin, Bowler, Caldera, Friedman, Frusetta, Goldsmith, Katz, Machado, Kevin Murray, and Takasugi on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, May 8, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 8, 1996

SIXTY-SECOND SESSION DAY

FOUR HUNDRED SEVENTY-SIXTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 8, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—73:

Ackerman	Cannella	House	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Kuehl	Richter
Bates	Escutia	Kuykendall	Rogan
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Villaraigosa
Brewer	Granlund	Migden	Weggeland
Brown	Hannigan	Miller	Woods
Brulte	Harvey	Morrissey	Mr. Speaker
Burton	Hauser	Morrow	
Caldera	Hawkins	Murray, Kevin	
Campbell	Hoge	Murray, Willard	

Quorum present.

At 1:25 p.m., Hon. Ted Weggeland, 64th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Alpert, Isenberg, and Vasconcellos.

On personal business, and waiving per diem: Assembly Member Knox.

Because of illness: Assembly Member Bustamante.

(NOTE: For letters explaining the absences of Assembly Members Isenberg and Vasconcellos on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, May 7, 1996; for explanation of absence of Assembly Member Alpert, see the Assembly Daily Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, May 15, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 15, 1996

SIXTY-THIRD SESSION DAY

FOUR HUNDRED EIGHTY-THIRD CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 15, 1996

The Assembly met at 3:13 p.m.

Hon. Curt Pringle, Assembly Member, 68th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Ackerman	Cannella	House	Murray, Willard
Aguiar	Conroy	Isenberg	Napolitano
Alby	Cortese	Kaloogian	Olberg
Alpert	Cunneen	Katz	Poochigian
Archie-Hudson	Davis	Knight	Pringle
Baca	Ducheny	Knowles	Rainey
Baldwin	Escutia	Knox	Richter
Battin	Figueroa	Kuehl	Rogan
Baugh	Firestone	Kuykendall	Speier
Boland	Friedman	Lee	Sweeney
Bordonaro	Frusetta	Machado	Takasugi
Bowen	Gallegos	Margett	Thompson
Bowler	Goldsmith	Martinez	Tucker
Brewer	Granlund	Mazzoni	Vasconcellos
Brown	Hannigan	Migden	Villaraigosa
Brulte	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Caldera	Hawkins	Morrow	Mr. Speaker
Campbell	Hoge	Murray, Kevin	

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Member McPherson.

Because of illness: Assembly Members Bates and Bustamante.

ADJOURNMENT

At 4:07 p.m., the Assembly adjourned until Wednesday, May 22, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 22, 1996
SIXTY-FOURTH SESSION DAY
FOUR HUNDRED NINETIETH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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Vol. 6 36-616

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 22, 1996

The Assembly met at 7 a.m.

Hon. Bruce McPherson, Assembly Member, 27th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Pringle
Baldwin	Ducheny	Knox	Rainey
Bates	Escutia	Kuehl	Richter
Battin	Figueroa	Kuykendall	Rogan
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Goldsmith	Martinez	Thompson
Bowler	Granlund	Mazzoni	Tucker
Brewer	Hannigan	McPherson	Vasconcellos
Brown	Harvey	Migden	Villaraigosa
Burton	Hauser	Miller	Weggeland
Bustamante	Hawkins	Morrissey	Woods
Caldera	Hoge	Morrow	Mr. Speaker

Quorum present.

At 1:10 p.m., Hon. Sheila James Kuehl, 41st District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Brulte and Gallegos.

(NOTE: For explanations of absences of Assembly Members Brulte and Gallegos on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

MESSAGES FROM THE SENATE

Senate Chamber, May 16, 1996

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

Senate Bill No. 12

JOHN W. ROVANE, Acting Secretary of the Senate

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 12—An act to amend Sections 1601 and 1603 of, and to add Section 1603.3 to, the Fish and Game Code, relating to streambed alterations, and making an appropriation therefor.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, May 29, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 29, 1996

SIXTY-FIFTH SESSION DAY

FOUR HUNDRED NINETY-SEVENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 29, 1996

The Assembly met at 9 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Campbell	Hoge	Morrow
Aguiar	Cannella	House	Murray, Kevin
Alby	Conroy	Isenberg	Napolitano
Alpert	Cortese	Kaloogian	Olberg
Archie-Hudson	Cunneen	Katz	Poochigian
Baca	Davis	Knight	Pringle
Baldwin	Ducheny	Knowles	Rainey
Bates	Escutia	Knox	Richter
Battin	Figueroa	Kuehl	Rogan
Baugh	Firestone	Kuykendall	Speier
Boland	Friedman	Lee	Sweeney
Bordonaro	Frusetta	Machado	Takasugi
Bowen	Gallegos	Margett	Thompson
Bowler	Goldsmith	Martinez	Tucker
Brewer	Granlund	Mazzoni	Vasconcellos
Brown	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Migden	Weggeland
Burton	Hauser	Miller	Woods
Bustamante	Hawkins	Morrissey	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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Caldera and Willard Murray.

(NOTE: For letter explaining the absence of Assembly Member Caldera on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, May 28, 1996; for explanation of absence of Assembly Member Willard Murray see the Assembly Daily Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, June 5, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 5, 1996
SIXTY-SIXTH SESSION DAY
FIVE HUNDRED FOURTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 5, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Caldera	Hawkins	Morrow
Aguiar	Campbell	Hoge	Murray, Kevin
Alby	Cannella	House	Murray, Willard
Alpert	Conroy	Isenberg	Napolitano
Archie-Hudson	Cortese	Kaloojian	Olberg
Baca	Cunneen	Katz	Poochigian
Baldwin	Davis	Knight	Pringle
Bates	Ducheny	Knowles	Rainey
Battin	Escutia	Knox	Richter
Baugh	Figueroa	Kuykendall	Rogan
Boland	Firestone	Lee	Speier
Bordonaro	Friedman	Machado	Sweeney
Bowen	Frusetta	Margett	Takasugi
Bowler	Gallegos	Martinez	Thompson
Brewer	Goldsmith	Mazzoni	Tucker
Brown	Granlund	McPherson	Villaraigosa
Brulte	Hannigan	Migden	Weggeland
Burton	Harvey	Miller	Woods
Bustamante	Hauser	Morrissey	Mr. Speaker

Quorum present.

At 1 p.m., Hon. Mickey Conroy, 71st District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Member Vasconcellos.

Because of illness: Assembly Member Kuehl.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, June 12, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 12, 1996
SIXTY-SEVENTH SESSION DAY
FIVE HUNDRED ELEVENTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 12, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Ackerman	Caldera	Hoge	Murray, Kevin
Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Kalooagian	Napolitano
Alpert	Conroy	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Pringle
Baldwin	Ducheny	Knox	Rainey
Bates	Escutia	Kuehl	Richter
Battin	Figueroa	Kuykendall	Rogan
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McPherson	Villaraigosa
Brown	Hannigan	Migden	Weggeland
Brulte	Harvey	Miller	Woods
Burton	Hauser	Morrissey	Mr. Speaker
Bustamante	Hawkins	Morrow	

Quorum present.

At 11:20 a.m., Hon. Valerie Brown, 7th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Cortese.

On personal business, and waiving per diem: Assembly Member Vasconcellos.

The following Assembly Member was excused for the day: Isenberg.

(NOTE: For letter explaining the absence of Assembly Member Cortese on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Monday, June 10, 1996.)

REFERENCE OF BILLS TO COMMITTEE

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

<i>Senate</i>		<i>Committee</i>
<i>Bill No.</i>		<i>W.,P. & W</i>
12	-----	

AUTHOR'S AMENDMENTS
Committee on Appropriations

June 12, 1996

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 11

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

POOCHIGIAN, Chairman

SENATE BILL NO. 11—An act to amend Sections 1601 and 1603 of the Fish and Game Code, and to add Section 8305 to the Water Code, relating to water.

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

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until Wednesday, June 19, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 12, 1996**

The following measure was amended in the Assembly on this day:

SB	RN
11	9620444

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 19, 1996
SIXTY-EIGHTH SESSION DAY
FIVE HUNDRED EIGHTEENTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 19, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—71:

Ackerman	Campbell	Hoge	Morrow
Aguiar	Cannella	House	Murray, Kevin
Alby	Conroy	Kaloogian	Murray, Willard
Archie-Hudson	Cortese	Katz	Napolitano
Baca	Cunneen	Knight	Olberg
Baldwin	Davis	Knowles	Poochigian
Bates	Ducheney	Knox	Pringle
Battin	Figueroa	Kuehl	Rainey
Baugh	Firestone	Kuykendall	Richter
Boland	Friedman	Lee	Sweeney
Bordonaro	Frusetta	Machado	Thompson
Bowen	Gallegos	Margett	Tucker
Bowler	Goldsmith	Martinez	Vasconcellos
Brewer	Granlund	Mazzoni	Villaraigosa
Brown	Hannigan	McPherson	Weggeland
Brulte	Harvey	Migden	Woods
Bustamante	Hauser	Miller	Mr. Speaker
Caldera	Hawkins	Morrissey	

Quorum present.

At 2:40 p.m., Hon. Barbara Friedman, 40th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Alpert, Burton, Escutia, and Rogan.

On personal business, and waiving per diem: Assembly Member Takasugi.

Because of illness in her family: Assembly Member Speier.

The following Assembly Member was excused for the day: Isenberg.

(NOTE: For explanations of absences of Assembly Members Alpert, Burton, Escutia, and Rogan on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, June 26, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, June 24, 1996

SIXTY-NINTH SESSION DAY

FIVE HUNDRED TWENTY-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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, June 24, 1996

The Assembly met at 12:30 p.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

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

Ackerman	Campbell	Hoge	Murray, Kevin
Aguiar	Cannella	House	Murray, Willard
Alby	Conroy	Isenberg	Napolitano
Alpert	Cortese	Kaloogian	Olberg
Archie-Hudson	Cunneen	Katz	Poochigian
Baca	Davis	Knight	Pringle
Baldwin	Ducheny	Knowles	Rainey
Bates	Escutia	Knox	Richter
Battin	Figueroa	Kuehl	Rogan
Baugh	Firestone	Kuykendall	Speier
Boland	Friedman	Lee	Sweeney
Bordonaro	Frusetta	Machado	Takasugi
Bowler	Gallegos	Margett	Thompson
Brewer	Goldsmith	Mazzoni	Tucker
Brown	Granlund	McPherson	Vasconcellos
Brulte	Hannigan	Migden	Villaraigosa
Burton	Harvey	Miller	Weggeland
Bustamante	Hauser	Morrissey	Woods
Caldera	Hawkins	Morrow	Mr. Speaker

Quorum present.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Pastor Kerry H. Kirkley, of Calvary Bible Church:

Our Heavenly Father, I come to You today acknowledging You as the Most High God. You alone are holy, just, omniscient and worthy of our honor and praise. You have made Your love known to us and have provided a way for us to have a personal relationship with You. We acknowledge You today as Jehovah God. We want to come to You and thank You for the privilege of standing in this place . . . this place where the men and women who You have allowed to assume positions of authority come together to discuss and debate and decide on issues of significance. Thank You for allowing us this privilege. I would pray that as we sing You would allow Your Spirit to move hearts. Take the message that these high school students will present and etch it into the hearts of those You have prepared to hear. Open hearts to hear Your Word and teach us even from the young. And for each student who is here, calm them so that they would be able to share from their hearts. As the business of this day continues in this room, I pray that You would be pleased by what You see. And Lord, we know that there are many in this room who are lonely, empty, unsure of the future, afraid of the past, and who, in spite of their positions, are still searching for true purpose in their lives. I pray today that You would meet them at their point of need, that You would reveal Yourself to them and that they would find peace in You. Bless this Assembly. I love You and give You all the praise.

In His name.—AMEN.

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 Willard Murray, seconded by Assembly Member Thompson.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Martinez.

Because of illness: Assembly Member Bowen.

(NOTE: For explanation of absence of Assembly Member Martinez on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

AUTHOR'S AMENDMENTS
Committee on Appropriations

June 24, 1996

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

Senate Bill No. 11

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

POOCHIGIAN, Chairman

SENATE BILL NO. 11—An act to amend Sections 1601 and 1603 of the Fish and Game Code, relating to water.

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

ELECTION OF OFFICERS AND ADOPTION OF RULES

Assembly Member Rogan moved that the officers be deemed elected in the First Extraordinary Session as in the 1995–96 Regular Session (January 4, 1996, Assembly Journal, pages 4277, 4279, and 4280; and April 22, 1996, Assembly Journal, page 5865); and that the Assembly Rules in the 1995–96 Regular Session (House Resolution No. 36, Assembly Journal, page 5396, as amended by House Resolution No. 41, Assembly Journal, pages 6250/6259) be deemed adopted in the 1995–96 First Extraordinary Session; and that the Joint Rules in the 1995–96 Regular Session (Senate Concurrent Resolution No. 1, Resolution Chapter 14, Statutes of 1996, Assembly Journal, page 5668) be deemed adopted in the First Extraordinary Session.

Assembly Member Battin seconded the motion.

Motion carried.

AYES—41

Ackerman, Aguiar, Alby, Baldwin, Battin, Baugh, Boland, Bordonaro, Bowler, Brewer, Brulte, Conroy, Cortese, Cunneen, Firestone, Frusetta, Goldsmith, Granlund, Harvey, Hawkins, Hoge, House, Kaloogian, Knight, Knowles, Kuykendall, Margett, McPherson, Miller, Morrissey, Morrow, Olberg, Poochigian, Pringle, Rainey, Richter, Rogan, Takasugi, Thompson, Weggeland, and Woods.

NOES—33

Alpert, Archie-Hudson, Baca, Bates, Brown, Burton, Bustamante, Caldera, Campbell, Cannella, Davis, Ducheny, Escutia, Figueroa, Friedman, Gallegos, Hauser, Katz, Knox, Kuehl, Lee, Machado, Mazzoni, Migden, Kevin Murray, Willard Murray, Napolitano, Speier, Sweeney, Tucker, Vasconcellos, Villaraigosa, and Setencich.

Vote Adds

By unanimous consent, the following vote add was permitted on the election of officers and adoption of rules: Assembly Member Migden, "No".

(NOTE: Assembly Member James E. Rogan serves as Majority Floor Leader pursuant to election by Republican Caucus on January 16, 1996. See Assembly Journal for the Regular Session, p. 4394.)

OATHS OF OFFICE

Without objection the following Oaths of Office for Speaker of the Assembly, Speaker pro Tempore of the Assembly, Chief Clerk of the Assembly, and Chief Sergeant-at-Arms, of the Assembly, were deemed to have occurred in the First Extraordinary Session, and ordered printed in the Journal:

OATH*for the Office of Speaker of the Assembly*

I, Curt Pringle, 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.

OATH*for the Office of Speaker pro Tempore of the Assembly*

I, Fred Aguiar, 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.

OATH*for the Office of Chief Clerk of the Assembly*

I, E. Dotson Wilson, 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.

OATH*for the Office of Chief Sergeant-at-Arms*

I, Ronald E. Pane, 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.

ADJOURNMENT

At 12:34 p.m., the Assembly adjourned until Wednesday, June 26, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

ROCEL BETTENCOURT, Acting Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 24, 1996**

The following measure was amended in the Assembly on this day:

SB	RN
11	9621705

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 26, 1996

SEVENTIETH SESSION DAY

FIVE HUNDRED TWENTY-FIFTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 26, 1996

The Assembly met at 7 a.m.
Hon. Bruce McPherson, Assembly Member, 27th District,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—73:

Ackerman	Caldera	Hoge	Napolitano
Aguiar	Campbell	House	Olberg
Alby	Cannella	Kaloogian	Poochigian
Alpert	Conroy	Katz	Rainey
Archie-Hudson	Cortese	Knight	Richter
Baca	Cunneen	Knowles	Rogan
Baldwin	Davis	Knox	Setencich
Bates	Ducheny	Kuehl	Sweeney
Battin	Figueroa	Kuykendall	Takasugi
Baugh	Firestone	Lee	Thompson
Boland	Friedman	Machado	Tucker
Bordonaro	Frusetta	Margett	Vasconcellos
Bowen	Gallegos	Mazzoni	Villaraigosa
Bowler	Goldsmith	McPherson	Weggeland
Brewer	Granlund	Miller	Woods
Brown	Hannigan	Morrissey	Mr. Speaker
Brulte	Harvey	Morrow	
Burton	Hauser	Murray, Kevin	
Bustamante	Hawkins	Murray, Willard	

Quorum present.

At 1:35 p.m., Hon. Tom Bates, 14th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Escutia, Martinez, and Speier.

On personal business, and waiving per diem: Assembly Member Migden.

The following Assembly Member was excused for the day: Isenberg.

(NOTE: For letter explaining the absence of Assembly Member Martinez on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Monday, June 24, 1996; for explanations of absences of Assembly Members Escutia and Speier, see the Assembly Daily Journal for the regular session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, July 3, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, July 3, 1996
SEVENTY-FIRST SESSION DAY
FIVE HUNDRED THIRTY-SECOND CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, July 3, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—78:

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloojian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Knox	Rogan
Bates	Escutia	Kuehl	Setencich
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Bowler	Goldsmith	Mazzoni	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Hannigan	Migden	Weggeland
Brulte	Harvey	Miller	Woods
Burton	Hauser	Morrissey	Mr. Speaker
Bustamante	Hawkins	Morrow	
Caldera	Hoge	Murray, Kevin	

Quorum present.

At 1:37 p.m., Hon. Mickey Conroy, 71st District, presiding

REGULAR BUSINESS DISPENSED WITH

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

REPORTS OF STANDING COMMITTEES

Committee on Water, Parks and Wildlife

Date of Hearing: July 2, 1996

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

Senate Bill No. 12

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

CORTESE, Chairman

Above bill re-referred to the Committee on Appropriations.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, July 10, 1996,
or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, July 11, 1996
SEVENTY-SECOND SESSION DAY
FIVE HUNDRED FORTIETH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, July 11, 1996

The Assembly met at 2:04 p.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

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

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Knox	Rogan
Bates	Escutia	Kuehl	Setencich
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Bowler	Goldsmith	Mazzoni	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Hannigan	Migden	Weggeland
Brulte	Harvey	Miller	Woods
Burton	Hauser	Morrissey	Mr. Speaker
Bustamante	Hawkins	Morrow	
Caldera	Hoge	Murray, Kevin	

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O Lord Our God, Pour Your blessing upon this Assembly. Support it and inspire it in its service to the people of California. Bless the members of this Assembly in home and family, and grant that through their efforts, this great state may grow and prosper in peace and in fellowship.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Date of Hearing: July 10, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 12

With the recommendation: Do pass.

POOCHIGIAN, Chairman

Above bill ordered to second reading.

REQUEST TO TAKE UP SENATE BILL NO. 12

Assembly Member Woods requested unanimous consent to take up Senate Bill No. 12, without reference to file, for purpose of consideration at this time.

Assembly Member Katz withheld unanimous consent.

ADJOURNMENT

At 2:12 p.m., in the absence of objection, the 1995-96 First Extraordinary Session was adjourned for the 1996 Summer Recess for the same time period when the 1995-96 Regular Session is in recess until Monday, August 5, 1996, and consent for the Senate to do the same.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, August 5, 1996
SEVENTY-THIRD SESSION DAY
FIVE HUNDRED SIXTY-FIFTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, August 5, 1996

The Assembly met at 1:20 p.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

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

Ackerman	Campbell	Hoge	Murray, Willard
Aguiar	Cannella	House	Napolitano
Alby	Conroy	Isenberg	Olberg
Alpert	Cortese	Kaloogian	Poochigian
Archie-Hudson	Cunneen	Katz	Rainey
Baca	Davis	Knight	Richter
Baldwin	Ducheny	Knowles	Rogan
Bates	Escutia	Knox	Setencich
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Vasconcellos
Brewer	Granlund	Migden	Villaraigosa
Brown	Hannigan	Miller	Weggeland
Burton	Harvey	Morrissey	Woods
Bustamante	Hauser	Morrow	Mr. Speaker
Caldera	Hawkins	Murray, Kevin	

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O God in Heaven, You are blessed in Your being. You are the God of indescribable glory, of life-giving majesty and magnificence. We pray to You this morning, Lord, and ask that You bless this Assembly, its members and staff and their families; and guide them to every good work that is pleasing to You. For You, Our God, are Holy, and dwell in Your Holy Sanctuary, and to You we offer up glory, now and always.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Brulte and Martinez.

On personal business, and waiving per diem: Assembly Member Kuehl.

(NOTE: For explanations of absences of Assembly Members Brulte and Martinez on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

CONSIDERATION OF DAILY FILE**SECOND READING OF SENATE BILLS**

SENATE BILL NO. 12—An act to amend Sections 1601 and 1603 of, and to add Section 1603.3 to, the Fish and Game Code, relating to streambed alterations, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

ADJOURNMENT

At 1:21 p.m., the Assembly adjourned until 9 a.m., Thursday, August 8, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, August 8, 1996
SEVENTY-FOURTH SESSION DAY
FIVE HUNDRED SIXTY-EIGHTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, August 8, 1996

The Assembly met at 11:19 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

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

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alpert	Conroy	Kaloogian	Napolitano
Archie-Hudson	Cunneen	Katz	Olberg
Baca	Davis	Knight	Poochigian
Baldwin	Ducheny	Knowles	Rainey
Bates	Escutia	Knox	Richter
Battin	Figueroa	Kuehl	Rogan
Baugh	Firestone	Kuykendall	Setencich
Boland	Friedman	Lee	Speier
Bordonaro	Frusetta	Machado	Sweeney
Bowen	Gallegos	Margett	Takasugi
Bowler	Goldsmith	Martinez	Thompson
Brewer	Granlund	Mazzoni	Tucker
Brown	Hannigan	McPherson	Vasconcellos
Brulte	Harvey	Migden	Villaraigosa
Burton	Hauser	Miller	Weggeland
Bustamante	Hawkins	Morrissey	Woods
Caldera	Hoge	Morrow	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O Lord, Grant that Your Spirit may permeate every sphere of human thought and activity. Let those who believe in You, take with them into their daily work, the values of Your Kingdom, the insights of Your Word and the love of their neighbor. Hasten the time when justice and brotherhood shall be established and when all people shall be brought into unity through You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Aguiar, Assembly Member Willard Murray then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Cortese.

On personal business, and waiving per diem: Assembly Member Alby.

(NOTE: For explanation of absence of Assembly Member Cortese on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS**

SENATE BILL NO. 12 (Johannessen)—An act to amend Sections 1601 and 1603 of, and to add Section 1603.3 to, the Fish and Game Code, relating to streambed alterations, and making an appropriation therefor.

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

Senate Bill No. 12 Passed and Retained

By unanimous consent Senate Bill No. 12 was passed on file, to retain its place on file.

ADJOURNMENT

At 11:26 a.m., the Assembly adjourned until 10:30 a.m., Monday, August 12, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, August 12, 1996

SEVENTY-FIFTH SESSION DAY

FIVE HUNDRED SEVENTY-SECOND CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, August 12, 1996

The Assembly met at 10:51 a.m.
Hon. Curt Pringle, Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—71:

Ackerman	Cannella	Isenberg	Murray, Kevin
Aguiar	Conroy	Kaloogian	Murray, Willard
Alpert	Cunneen	Katz	Napolitano
Baca	Davis	Knight	Olberg
Baldwin	Ducheny	Knowles	Poochigian
Bates	Escutia	Knox	Rainey
Battin	Figueroa	Kuehl	Richter
Baugh	Firestone	Kuykendall	Setencich
Boland	Friedman	Lee	Speier
Bordonaro	Frusetta	Machado	Sweeney
Bowen	Gallegos	Margett	Thompson
Bowler	Goldsmith	Martinez	Tucker
Brewer	Granlund	Mazzoni	Vasconcellos
Brown	Hannigan	McPherson	Villaraigosa
Burton	Hauser	Migden	Weggeland
Bustamante	Hawkins	Miller	Woods
Caldera	Hoge	Morrissey	Mr. Speaker
Campbell	House	Morrow	

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Cortese.

On personal business, and waiving per diem: Assembly Members Alby, Archie-Hudson, Brulte, Harvey, Rogan, and Takasugi.

(NOTE: For letter explaining the absence of Assembly Member Cortese on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Thursday, August 8, 1996.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, August 15, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, August 19, 1996
SEVENTY-SIXTH SESSION DAY
FIVE HUNDRED SEVENTY-NINTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, August 19, 1996

The Assembly met at 11 a.m.
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—78:

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Knox	Rogan
Bates	Escutia	Kuehl	Setencich
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Bowler	Goldsmith	Mazzoni	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Hannigan	Migden	Weggeland
Brulte	Harvey	Miller	Woods
Burton	Hauser	Morrissey	Mr. Speaker
Bustamante	Hawkins	Morrow	
Caldera	Hoge	Murray, Kevin	

Quorum present.

REGULAR BUSINESS DISPENSED WITH

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

ADJOURNMENT

At 4:15 p.m., the Assembly adjourned until Monday, August 26, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 21, 1996
SEVENTY-SEVENTH SESSION DAY
FIVE HUNDRED EIGHTY-FIRST CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, August 21, 1996

The Assembly met at 6:24 p.m.
Hon. Curt Pringle, Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Parker reading.

ROLL CALL

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

Ackerman	Campbell	House	Napolitano
Aguiar	Cannella	Isenberg	Olberg
Alby	Conroy	Kaloogian	Poochigian
Alpert	Cortese	Katz	Rainey
Archie-Hudson	Cunneen	Knight	Richter
Baca	Davis	Knowles	Rogan
Baldwin	Ducheney	Knox	Setencich
Bates	Escutia	Kuehl	Speier
Battin	Figueroa	Kuykendall	Sweeney
Baugh	Firestone	Lee	Takasugi
Boland	Friedman	Machado	Thompson
Bordonaro	Frusetta	Margett	Tucker
Bowen	Gallegos	Martinez	Vasconcellos
Bowler	Goldsmith	Mazzoni	Villaraigosa
Brewer	Granhund	McPherson	Weggeland
Brown	Hannigan	Migden	Woods
Brulte	Harvey	Morrissey	Mr. Speaker
Burton	Hauser	Morrow	
Bustamante	Hawkins	Murray, Kevin	
Caldera	Hoge	Murray, Willard	

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O Lord, Without You our labor is lost, and with You even the least among us go forth as mighty. Lord, be present with us today in this Assembly. And grant to all us who pray to You, a pure intention, patient faith, sufficient success in our endeavors on earth and the promised joy of serving You in heaven.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Miller.

(NOTE: For explanation of absence of Assembly Member Miller on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS**

SENATE BILL NO. 12 (Johannessen)—An act to amend Sections 1601 and 1603 of, and to add Section 1603.3 to, the Fish and Game Code, relating to streambed alterations, and making an appropriation therefor.

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

Demand for Previous Question

Assembly Members Morrissey, Burton, Alpert, Kaloogian, and Setencich demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—41

Ackerman	Conroy	Kaloogian	Richter
Aguiar	Cunneen	Knight	Rogan
Alby	Firestone	Knowles	Setencich
Baldwin	Frusetta	Kuykendall	Takasugi
Battin	Goldsmith	Margett	Thompson
Baugh	Granlund	McPherson	Weggeland
Bordonaro	Hannigan	Morrissey	Woods
Bowler	Harvey	Morrow	Mr. Speaker
Brewer	Hawkins	Olberg	
Brulte	Hoge	Poochigian	
Cannella	House	Rainey	

NOES—31

Alpert	Campbell	Isenberg	Migden
Archie-Hudson	Cortese	Katz	Murray, Kevin
Baca	Davis	Knox	Murray, Willard
Bates	Ducheny	Kuehl	Napolitano
Bowen	Escutia	Lee	Speier
Brown	Figueroa	Machado	Sweeney
Burton	Friedman	Martinez	Villaraigosa
Caldera	Gallegos	Mazzoni	

Bill ordered transmitted to the Senate.

MOTION TO ADJOURN

At 6:35 p.m., Assembly Member Katz moved that the Assembly do now adjourn.

Assembly Member Rogan seconded the motion.

Motion carried.

ADJOURNMENT

At 6:36 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 28, 1996
SEVENTY-EIGHTH SESSION DAY
FIVE HUNDRED EIGHTY-EIGHTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, August 28, 1996

The Assembly met at 11:30 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—73:

Ackerman	Conroy	Isenberg	Olberg
Aguiar	Cortese	Kaloogian	Poochigian
Alby	Cunneen	Katz	Rainey
Alpert	Davis	Knight	Richter
Baca	Ducheny	Knowles	Rogan
Baldwin	Escutia	Knox	Setencich
Bates	Figueroa	Kuykendall	Speier
Battin	Firestone	Machado	Sweeney
Baugh	Friedman	Margett	Takasugi
Boland	Frusetta	Martinez	Thompson
Bordonaro	Gallegos	Mazzoni	Tucker
Bowen	Goldsmith	McPherson	Vasconcellos
Bowler	Granlund	Migden	Villaraigosa
Brewer	Hannigan	Miller	Weggeland
Brown	Harvey	Morrissey	Woods
Brulte	Hauser	Morrow	Mr. Speaker
Burton	Hawkins	Murray, Kevin	
Campbell	Hoge	Murray, Willard	
Cannella	House	Napolitano	

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Members Archie-Hudson, Bustamante, Caldera, Kuehl, and Lee.

ADJOURNMENT

At 12 midnight, the Assembly adjourned until Saturday, August 31, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Sunday, September 1, 1996

SEVENTY-NINTH SESSION DAY

FIVE HUNDRED NINTY-SECOND CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Sunday, September 1, 1996

The Assembly met at 1:12 a.m.

Hon. Curt Pringle, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

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

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figuroa	Kuykendall	Setencich
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McPherson	Vasconcellos
Brown	Harvey	Migden	Villaraigosa
Brulte	Hauser	Miller	Weggeland
Burton	Hawkins	Morrissey	Woods
Bustamante	Hoge	Morrow	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O Lord, We confess that true life, a life of faith in You begins at any age and on any day. You, O Lord, have the power to redeem the past, sanctify the present and brighten the future. Grant us all who are gathered here this morning, an understanding heart, that we may see into the hearts of Your people, and know their strengths and weaknesses, their need of love and their need to love. And finally we ask that the members of this Assembly and its staff, know in abundance all the good things on earth, and be found worthy to enjoy the promised blessings as well. For You O God, are the God of mercy and compassion and to You we send up all glory, to the Father and the Son and the Holy Spirit, now and always and to the ages of ages.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Members Caldera and Hannigan.

MESSAGES FROM THE SENATE

Senate Chamber, August 30, 1996

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

Senate Concurrent Resolution No. 2

JOHN W. ROVANE, Acting Secretary of the Senate

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 2—Relative to final adjournment of the 1995–96 First Extraordinary Session of the Legislature.

**SENATE CONCURRENT RESOLUTION NO. 2 TAKEN UP
BY UNANIMOUS CONSENT**

Assembly Member Rogan was granted unanimous consent to take up Senate Concurrent Resolution No. 2, without reference to committee or file.

SENATE CONCURRENT RESOLUTION NO. 2—Relative to final adjournment of the 1995–96 First Extraordinary Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—68

Ackerman	Bustamante	Hoge	Morrow
Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Isenberg	Napolitano
Alpert	Conroy	Kaloojian	Olberg
Archie-Hudson	Cortese	Katz	Poochigian
Baca	Cunneen	Knight	Rainey
Baldwin	Davis	Knox	Richter
Bates	Ducheny	Kuehl	Rogan
Battin	Escutia	Kuykendall	Setencich
Baugh	Figueroa	Lee	Sweeney
Boland	Firestone	Machado	Takasugi
Bordonaro	Friedman	Martinez	Thompson
Bowen	Frusetta	Mazzoni	Vasconcellos
Bowler	Gallegos	McPherson	Villaraigosa
Brown	Goldsmith	Migden	Weggeland
Brulte	Granlund	Miller	Woods
Burton	Harvey	Morrissey	Mr. Speaker

NOES—None

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

September 1, 1996

Mr. Speaker: The Committee on Rules reports:
Senate Concurrent Resolution No. 1
Without action.

PRINGLE, Chairman

Above resolution returned to the Senate.

Committee on Appropriations

September 1, 1996

Mr. Speaker: The Committee on Appropriations reports:
Senate Bill No. 11
Without action.

POOCHIGIAN, Chairman

Committee on Housing and Community Development

September 1, 1996

Mr. Speaker: The Committee on Housing and Community Development reports:
Assembly Bill No. 5
Without action.

HAWKINS, Chairman

Committee on Appropriations

September 1, 1996

Mr. Speaker: The Committee on Appropriations reports:
Assembly Bill No. 6
Without action.

POOCHIGIAN, Chairman

Committee on Transportation

September 1, 1996

Mr. Speaker: The Committee on Transportation reports:
Assembly Bill No. 7
Without action.

BOWLER, Chairman

Committee on Education

September 1, 1996

Mr. Speaker: The Committee on Education reports:
Assembly Bill No. 8
Without action.

BALDWIN, Chairman

Committee on Natural Resources

September 1, 1996

Mr. Speaker: The Committee on Natural Resources reports:
Assembly Bill No. 9
Without action.

OLBERG, Chairman

Committee on Governmental Organization

September 1, 1996

Mr. Speaker: The Committee on Governmental Organization reports:
Assembly Bill No. 10
Without action.

HOGUE, Chairman

Committee on Revenue and Taxation

September 1, 1996

Mr. Speaker: The Committee on Revenue and Taxation reports:
Assembly Bill No. 11
Without action.

TAKASUGI, Chairman

BILLS WHICH DIED AT THE ASSEMBLY DESK

Assembly Bill No. 13; Assembly Joint Resolution No. 1; House Resolution No. 2.

VOTE ADDS

The following Assembly Member was granted unanimous consent to record his vote on the following item:

Senate Concurrent Resolution No. 2: Bustamante—Aye.

ADJOURNMENT

At 1:13 a.m., pursuant to Senate Concurrent Resolution No. 2 the Assembly adjourned the 1995-96 First Extraordinary Session of the Legislature *sine die*.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

Volume 6

Journal of the Assembly

Legislature of the State of California

1995–96 Second Extraordinary Session

February 17, 1995 to September 1, 1996



HON. CURT PRINGLE
Speaker

HON. FRED AGUIAR
Speaker pro Tempore

HON. JAMES E. ROGAN
Majority Floor Leader

HON. RICHARD KATZ
Minority Floor Leader

E. DOTSON WILSON
Chief Clerk of the Assembly

Volume 6

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Insolvency of Orange County

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Proceedings in Committee of the Whole
March 8, 1995

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, February 17, 1995

FIRST SESSION DAY

FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, February 17, 1995

At 9:11 a.m., the Assembly met pursuant to the provisions of the Proclamation of the Honorable Pete Wilson, Governor of the State of California, dated February 7, 1995, convening the Legislature of the State of California on this day in extraordinary session.

In conformity with Government Code Section 9150, the following officers for the 1995–96 Regular Session were present and performing their respective duties: E. Dotson Wilson, Chief Clerk; Pam Cavileer, Minute Clerk; and Charles Bell, Sergeant-at-Arms.

Willie L. Brown, Jr., Speaker of the 1995–96 Regular Session, presiding.

Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called, and the following answered to their names—68:

Aguiar	Conroy	Isenberg	Napolitano
Alby	Cunneen	Johnson	Poochigian
Allen	Davis	Katz	Pringle
Alpert	Ducheny	Knight	Rainey
Archie-Hudson	Figueroa	Knowles	Richter
Baca	Firestone	Knox	Rogan
Baldwin	Friedman	Kuehl	Setench
Bates	Frusetta	Kuykendall	Sher
Boland	Gallegos	Lee	Sweeney
Bordonaro	Goldsmith	Machado	Takasugi
Bowler	Granlund	Martinez	Thompson
Brewer	Harvey	Mazzoni	Tucker
Brown, Valerie	Hauser	McPherson	Vasconcellos
Brulte	Hawkins	Morrissey	Villaraigosa
Bustamante	Hoge	Morrow	Weggeland
Campbell	Horcher	Murray, Kevin	Woods
Cannella	House	Murray, Willard	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Assembly Member Phil Hawkins, of the 56th Assembly District:

Lord God, Creator of the Universe, Bless the members of this chamber as we gather here today. Help us to wisely legislate for the people of California, as true representatives of fairness, integrity, and justice.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Aguilar then led the Assembly in the pledge of allegiance to the Flag.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Battin, Bowen, Burton, Caldera, Cortese, Escutia, Hannigan, Kaloogian, McDonald, Olberg, and Speier.

(NOTE: For explanations of absences of Assembly Members referenced above on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

PROCLAMATION OF THE GOVERNOR

The Clerk was directed to read the following Proclamation of the Governor convening the Legislature in extraordinary session:

A PROCLAMATION

by the

Governor of the 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, PETE WILSON, Governor of the State of California, by virtue of the power and authority vested in me by Section 3 (b) 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 17th day of February, 1995, at a time appointed by each house of the Legislature of said day for the following purpose and to legislate upon the following subject:

To consider and act upon legislation relative to providing assistance to the County of Orange and each city, school district, agency or individual that, as of December 6, 1994, deposited funds with the Office of the Orange County Treasurer/Tax Collector. And, to consider and act on legislation which will prevent future abuses of public investment dollars from occurring elsewhere in the State.

IN WITNESS WHEREOF I have hereunto set my hand
and caused the Great Seal of the State of
California to be affixed this 7th day of
February 1995.

PETE WILSON
Governor of California

[SEAL]

ATTEST:

BILL JONES
Secretary of State

**INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS
BY UNANIMOUS CONSENT**

Without objection, the following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1—Caldera. An act to amend Sections 3412 and 3413 of, and to add Section 3414 to, the Probate Code, relating to Orange County, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2—Caldera. An act to amend Section 53760 of, and to add Section 53610 to, the Government Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 3—Johnson. An act to add and repeal Section 18025.05 of the Education Code, to add and repeal Section 1463.0015 of the Penal Code, and to add and repeal Sections 16990.1 and 17608.25 of the Welfare and Institutions Code, relating to local service funding, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 4—Morrisey, Brewer, Johnson, and Pringle, (Senator Lewis, coauthor). An act to add Section 5007.6 to the Penal Code, relating to Orange County, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 5—Morrisey, Brewer, Johnson, and Pringle, (Senator Lewis, coauthor). An act to add Sections 16263, 16264, and 16318 to the Government Code, relating to counties, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 6—Conroy (Principal coauthor: Pringle), Brewer, and Morrissey, (Senator Lewis, coauthor). An act to add and repeal Section 31000.05 of the Government Code, relating to county contracts, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 7—Conroy, Brewer, Morrissey, and Pringle, (Senator Lewis, coauthor). An act to add Section 987.82 to the Penal Code, relating to Orange County, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 8—Brewer, Conroy, and Pringle, (Senator Lewis, coauthor). An act to add and repeal Section 17001.55 to the Welfare and Institutions Code, relating to general assistance, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 9—Brewer, Conroy, Morrissey, and Pringle, (Senator Lewis, coauthor). An act to add and repeal Section 97.53 of the Revenue and Taxation Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 10—Brewer, Conroy, Johnson, and Pringle, (Senator Lewis, coauthor). An act to add and repeal Section 1267.14 of the Health and Safety Code, to add and repeal Section 1370.15 of the Penal Code, and to add and repeal Sections 10793, 11265.05, 11265.8, 15200.25, 17000.65, and 17001.75 of the Welfare and Institutions Code, relating to human services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 11—Brewer, Conroy, Johnson, and Pringle, (Senator Lewis, coauthor). An act to add and repeal Section 10010 of the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 12—Brewer and Pringle. An act relating to school employees.

ASSEMBLY BILL NO. 13—Brewer and Pringle. An act to amend Sections 53601, 53635, and 53684 of the Government Code, relating to investments, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 14—Pringle, Allen, and Brewer. An act to add Sections 1279, 35257, and 72208 to the Education Code, relating to school finance, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 15—Pringle. An act to add Section 25366.7 to the Government Code, relating to Orange County.

ASSEMBLY BILL NO. 16—Pringle. An act to add and repeal Section 25261.5 of the Government Code, relating to county funds, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 17—Pringle, Johnson, Brewer, Conroy, and Morrissey, (Senator Lewis, coauthor). An act relating to public social services, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 18—Pringle, Brewer, and Morrissey. An act to add Section 16262 to the Government Code, relating to Orange County.

ASSEMBLY BILL NO. 19—Pringle (Senators Hurtt and Lewis, coauthors). An act to add and repeal Section 40458 of the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 1—Pringle and Morrissey. Relative to Orange County.

RECESS

By unanimous consent, at 9:13 a.m., Speaker Brown declared the Assembly recessed.

MESSAGES FROM THE SENATE

Senate Chamber, February 17, 1995

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

Senate Concurrent Resolution No. 1

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 1—Relative to the Joint Rules for the 1995–96 Second Extraordinary Session.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, February 23, 1995.

WILLIE L. BROWN, JR., Speaker of the 1995–96 Regular Session

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 23, 1995

SECOND SESSION DAY

SEVENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 23, 1995

The Assembly met at 9:02 a.m.
Hon. Willie L. Brown, Jr., Speaker of the 1995–96 Regular Session
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called, and the following answered to their names—79:

Aguiar	Cannella	House	Napolitano
Alby	Conroy	Isenberg	Olberg
Allen	Cortese	Johnson	Poochigian
Alpert	Cunneen	Kaloogian	Pringle
Archie-Hudson	Davis	Katz	Rainey
Baca	Ducheny	Knight	Richter
Baldwin	Escutia	Knowles	Rogan
Bates	Figueroa	Knox	Setencich
Battin	Firestone	Kuehl	Sher
Boland	Friedman	Kuykendall	Speier
Bordonaro	Frusetta	Lee	Sweeney
Bowen	Gallegos	Machado	Takasugi
Bowler	Goldsmith	Martinez	Thompson
Brewer	Granlund	Mazzoni	Tucker
Brown, Valerie	Hannigan	McDonald	Vasconcellos
Brulte	Harvey	McPherson	Villaraigosa
Burton	Hauser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mr. Speaker
Campbell	Horcher	Murray, Willard	

Quorum present.

PRAYER

Upon invitation of Hon. Willie L. Brown, Jr., Speaker of the Assembly for the 1995–96 Regular Session, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of St. Katherine Greek Orthodox Church:

O Lord Our God, You are holy. You are rich in grace and mercy. Teach us to ask You for proper blessings. Guide our life toward You. Let Your Spirit curb our wayward senses, and enable us to keep Your laws. In all our works forevermore, may we rejoice in Your glorious and gladdening presence. For Yours is the glory and praise from all Your saints for ever and ever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Hon. Willie L. Brown, Jr., Speaker of the Assembly for the 1995–96 Regular Session, Assembly Member Napolitano then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

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

NOMINATIONS FOR SPEAKER AND SPEAKER PRO TEMPORE OF THE ASSEMBLY

Assembly Member Vasconcellos nominated Assembly Member Willie L. Brown for the Office of Speaker of the Assembly and Assembly Member Joe Baca for the Office of Speaker pro Tempore of the Assembly, for the 1995–96 Second Extraordinary Session.

Nominations seconded by Assembly Member Martinez.

Further Nominations

Assembly Member Johnson nominated Assembly Member James L. Brulte for the Office of Speaker of the Assembly and Assembly Member James Rogan for the Office of Speaker pro Tempore of the Assembly for the 1995–96 Second Extraordinary Session.

Nominations seconded by Assembly Member Pringle.

There being no further nominations, the roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:05 a.m.

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

RESOLUTIONS

The following resolution was offered:

House Resolution No. 1

By Assembly Member Hannigan:

Relative to the organization of the Assembly for the 1995–96 Second Extraordinary Session.

Resolved by the Assembly of the State of California,

(1) That the Chief Clerk or the Sergeant at Arms is 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 shall provide copies of the Assembly Weekly Histories to the Legislative Counsel, Governor, Attorney General, and accredited newspaper representatives.

Consideration of House Resolution No. 1

HOUSE RESOLUTION NO. 1—Relative to the organization of the Assembly for the 1995–96 Second Extraordinary Session.

Resolution read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:07 a.m.

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

COMMUNICATIONS

The following communication was presented by Hon. Willie L. Brown, Jr., Speaker of the Assembly for the 1995-96 Regular Session, and ordered printed in the Journal:

February 23, 1995

E. Dotson Wilson

Chief Clerk

*State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have created a Select Committee on the Insolvency of Orange County for the Second Extraordinary Session and the Regular 1995-96 Legislative Session. The following Assemblymembers have been appointed to this select committee:

Marguerite Archie-Hudson,
Chairwoman
Doris Allen
Marilyn Brewer
John Burton
Mickey Conroy
Ross Johnson
Richard Katz
Sheila Kuehl
Diane Martinez

Jim Morrissey
Bill Morrow
Kevin Murray
Curt Pringle
Richard Rainey
Byron Sher
Mike Sweeney
Bruce Thompson
Antonio Villaraigosa

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

**CALL OF THE ASSEMBLY DISPENSED WITH ON
HOUSE RESOLUTION NO. 1**

At 9:10 a.m., on motion of Assembly Member Brulte, 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 Brulte moved to continue the call of the Assembly.

Motion carried. Time, 9:10 a.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. 1**

At 9:10 a.m., on motion of Assembly Member Brulte, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

House Resolution No. 1 adopted by the following vote:

AYES—70

Aguiar	Cannella	Isenberg	Poochigian
Alby	Conroy	Johnson	Pringle
Allen	Cortese	Kaloogian	Rainey
Alpert	Cunneen	Katz	Rogan
Archie-Hudson	Davis	Knight	Setencich
Baca	Ducheney	Knox	Sher
Bates	Escutia	Kuehl	Speier
Battin	Figueroa	Lee	Sweeney
Boland	Firestone	Martinez	Takasugi
Bordonaro	Friedman	Mazzoni	Thompson
Bowen	Frusetta	McDonald	Tucker
Brewer	Gallegos	McPherson	Vasconcellos
Brown, Valerie	Goldsmith	Morrissey	Villaraigosa
Brulte	Hannigan	Morrow	Weggeland
Burton	Harvey	Murray, Kevin	Woods
Bustamante	Hauser	Murray, Willard	Mr. Speaker
Caldera	Hawkins	Napolitano	
Campbell	Horcher	Olberg	

NOES—3

Baldwin	Bowler	Kuykendall
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RECESS

By unanimous consent, at 9:11 a.m., Hon. Willie L. Brown, Jr., Speaker of the Assembly for the 1995–96 Regular Session, declared the Assembly recessed.

REASSEMBLED

At 9:51 a.m., the Assembly reconvened.

Hon. Willie L. Brown, Jr., Speaker of the Assembly for the 1995–96 Regular Session, presiding.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ELECTION OF SPEAKER AND SPEAKER PRO TEMPORE OF THE ASSEMBLY**

At 9:52 a.m., on motion of Assembly Member Bowen, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

For Assembly Member Willie Brown for the Office of Speaker of the Assembly and Assembly Member Joe Baca for the Office of Speaker pro Tempore of the Assembly:

Alpert, Archie-Hudson, Baca, Bates, Bowen, Valerie Brown, Willie Brown, Burton, Bustamante, Caldera, Campbell, Cannella, Cortese, Davis, Ducheny, Escutia, Figueroa, Friedman, Gallegos, Hannigan, Hauser, Horcher, Isenberg, Katz, Knox, Kuehl, Lee, Machado, Martinez, Mazzoni, McDonald, Kevin Murray, Willard Murray, Napolitano, Sher, Speier, Sweeney, Tucker, Vasconcellos, and Villaraigosa—40.

For Assembly Member James L. Brulte for the Office of Speaker of the Assembly and Assembly Member James Rogan for the Office of Speaker pro Tempore of the Assembly:

Aguiar, Alby, Allen, Baldwin, Battin, Boland, Bordonaro, Bowler, Brewer, Brulte, Conroy, Cunneen, Firestone, Frusetta, Goldsmith, Granlund, Harvey, Hawkins, Hoge, House, Johnson, Kaloogian, Knight, Knowles, Kuykendall, McPherson, Morrissey, Morrow, Olberg, Poochigian, Pringle, Rainey, Richter, Rogan, Setencich, Takasugi, Thompson, Weggeland, and Woods—39.

Whereupon Speaker-elect Willie L. Brown, Jr. announced the vote as the Assembly's choice for Speaker and Speaker pro Tempore for the 1995–96 Second Extraordinary Session of the Legislature.

Oaths of Office Administered

Speaker-elect Willie L. Brown, Jr. appeared at the bar of the Assembly and took and subscribed to the following oath of office administered by E. Dotson Wilson, Chief Clerk of the Assembly:

OATH

for the Office of Speaker of the Assembly

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.

Speaker pro Tempore-elect Joe Baca appeared at the bar of the Assembly and took and subscribed to the following oath of office administered by E. Dotson Wilson, Chief Clerk of the Assembly:

OATH

for the Office of Speaker pro Tempore of the Assembly

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.

Remarks by Speaker pro Tempore Baca

Speaker pro Tempore Baca then addressed the assemblage.

RECESS

By unanimous consent, at 9:56 a.m., Speaker Brown declared the Assembly recessed.

COMMUNICATIONS

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

February 23, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Hannigan as Democratic Floor Leader for the Second Extraordinary Session.

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

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

January 25, 1995

Mr. E. Dotson Wilson, Chief Clerk
California State Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: In accordance with existing provisions which requires the respective caucuses of the Assembly to organize within 48 hours of the November general election, I am writing to inform you that upon November 10, 1994 the Assembly Republican Caucus elected me as their Floor Leader.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

January 25, 1995

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

Dear Dotson: I would like to inform you that the following members have been chosen to serve within the Assembly Republican Caucus' leadership:

Assistant Republican Leader—Assemblyman Jan Goldsmith
Republican Caucus Chair—Assemblyman Bruce Thompson
Republican Whip—Assemblyman Jim Battin
Republican Whip—Assemblyman Steven Kuykendall
Republican Whip—Assemblyman Brian Setencich

Should you have an questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

January 25, 1995

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

Dear Dotson: I would like to inform you that the following selections complete the Assembly Republican Caucus' leadership team for the 1995-96 legislative session:

Assistant Republican Leader—Assemblyman Fred Aguiar
Assistant Republican Leader—Assemblyman Curt Pringle

Assemblyman Pringle served as an Assistant Republican Leader last session and will do so again this session. Assemblyman Aguiar will serve as an Assistant Republican Leader in place of Assemblyman Knowles who is now the Chairman of the Insurance Committee.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 20—Morrow. An act relating to solid waste, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 21—Pringle (Senator Lewis, coauthor). An act to add Sections 53584.1, 53585.1, and 53856.1 to the Government Code, relating to local agency finances.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 2, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE

1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 2, 1995

THIRD SESSION DAY

FOURTEENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 2, 1995

The Assembly met at 8:43 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Cortese	Johnson	Poochigian
Alby	Cunneen	Kaloogian	Pringle
Alpert	Davis	Katz	Rainey
Archie-Hudson	Ducheny	Knight	Richter
Baca	Escutia	Knowles	Rogan
Baldwin	Figueroa	Knox	Setencich
Bates	Firestone	Kuehl	Sher
Battin	Friedman	Kuykendall	Speier
Boland	Frusetta	Lee	Sweeney
Bordonaro	Gallegos	Machado	Takasugi
Bowen	Goldsmith	Martinez	Thompson
Bowler	Granlund	Mazzoni	Tucker
Brewer	Hannigan	McDonald	Vasconcellos
Brown, Valerie	Harvey	McPherson	Villaraigosa
Burton	Hauser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mr. Speaker
Campbell	Horcher	Murray, Willard	
Cannella	House	Napolitano	
Conroy	Isenberg	Olberg	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of St. Katherine Greek Orthodox Church:

O Lord our God, Save Your people and bless Your inheritance; protect all of us who pray to You; sanctify those who love the beauty of all You created and do not forsake us who hope in You. For Yours is the dominion, the power and glory forever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Bustamante then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Brulte.

Because of illness: Assembly Member Allen.

(NOTE: For explanation of absence of Assembly Member Brulte on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

RECESS

By unanimous consent, at 8:43 a.m., Speaker Brown declared the Assembly recessed.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 22—Allen. An act to amend Section 53854 of the Government Code, relating to local agency financing, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 23—Conroy. An act to amend Section 35246 of the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Friday, March 10, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 8, 1995

FOURTH SESSION DAY

TWENTIETH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 8, 1995

The Assembly met at 9 a.m.

Hon. Joe Baca, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Machado 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.

At 9:28 a.m., Speaker Willie L. Brown, Jr., 13th District, presiding

Quorum Present

At 9:28 a.m., Speaker Brown declared a quorum of the Assembly present.

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

Aguiar	Conroy	Isenberg	Olberg
Alby	Cortese	Johnson	Poochigian
Alpert	Cunneen	Kaloogian	Pringle
Archie-Hudson	Davis	Katz	Rainey
Baca	Ducheny	Knight	Richter
Baldwin	Escutia	Knowles	Rogan
Bates	Figueroa	Knox	Setencich
Battin	Firestone	Kuehl	Sher
Boland	Friedman	Kuykendall	Speier
Bordonaro	Frusetta	Lee	Sweeney
Bowen	Gallegos	Machado	Takasugi
Bowler	Goldsmith	Martinez	Thompson
Brewer	Granlund	Mazzoni	Tucker
Brown, Valerie	Hannigan	McDonald	Vasconcellos
Brulte	Harvey	McPherson	Villaraigosa
Burton	Hauser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mr. Speaker
Campbell	Horcher	Murray, Willard	
Cannella	House	Napolitano	

PRAYER

Upon invitation of Speaker pro Tempore Baca, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of St. Katherine Greek Orthodox Church:

Holy God, You created us in Your own image and likeness and adorned us with the gifts of Your grace. To all who seek it, You grant wisdom and understanding. We ask this morning, Lord, that You look graciously upon us and sanctify us, soul and body. And grant that we may serve You all the days of our life.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Conroy then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Because of illness: Assembly Member Allen.

COMMUNICATIONS

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

March 2, 1995

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

Dear Dotson: Please be advised of the following leadership positions:

Cruz Bustamante, Democratic Caucus Chair
Marguerite Archie-Hudson, Democratic Whip
Antonio Villaraigosa, Democratic Whip

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

MOTION FOR COMMITTEE OF THE WHOLE

At 9:34 a.m., Assembly Member Hannigan moved that the Assembly resolve itself into a Committee of the Whole for the purpose of hearing testimony relative to the insolvency of Orange County.

Motion carried.

IN COMMITTEE OF THE WHOLE

Speaker Brown designated Assembly Member Archie-Hudson, Chair of the Select Committee on the Insolvency of Orange County, to Chair the proceedings.

Insolvency of Orange County considered.

On motion of Assembly Member Hannigan, the committee did arise, and report back to the Assembly.

IN ASSEMBLY

At 11:11 a.m., Speaker Willie L. Brown, Jr., presiding.
Chief Clerk E. Dotson Wilson at the Desk.

MOTION TO PRINT IN JOURNAL

Assembly Member Brulte moved that the proceedings in Committee of the Whole be printed as a separate appendix to the Assembly Journal.

Assembly Member Mazzoni seconded the motion.

Motion carried.

MOTION TO ADJOURN

At 11:12 a.m., Assembly Member Brulte moved that the Assembly do now adjourn.

Assembly Member Kevin Murray seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:12 a.m., Speaker Brown declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 11:13 a.m., the Assembly adjourned until 8:30 a.m., Friday, March 10, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, March 10, 1995

FIFTH SESSION DAY

TWENTY-SECOND CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, March 10, 1995

The Assembly met at 8:51 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called, and the following answered to their names—64:

Aguiar	Campbell	Hawkins	McPherson
Alby	Cannella	Hoge	Morrow
Alpert	Conroy	Horcher	Murray, Kevin
Baca	Cortese	House	Napolitano
Baldwin	Davis	Kaloogian	Olberg
Bates	Ducheny	Katz	Pringle
Battin	Escutia	Knight	Rainey
Boland	Figueroa	Knowles	Richter
Bordonaro	Friedman	Knox	Rogan
Bowen	Frusetta	Kuehl	Setencich
Bowler	Gallegos	Kuykendall	Sweeney
Brewer	Goldsmith	Lee	Takasugi
Brown, Valerie	Granlund	Machado	Tucker
Brulte	Hannigan	Martinez	Weggeland
Bustamante	Harvey	Mazzoni	Woods
Caldera	Hauser	McDonald	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Baca, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Shine within our hearts, loving Master, the pure light of Your divine knowledge, and open the eyes of our minds that we may do Your will. Instill in us also, reverence for Your blessed commandments so that we may pursue a spiritual way of life, both thinking and doing only those things that are pleasing to You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members, Burton, Cunneen, Firestone, Isenberg, Morrissey, Willard Murray, Poochigian, Sher, Speier, Thompson, Vasconcellos, and Villaraigosa.

On personal business, and waiving per diem: Assembly Member Johnson.

Because of illness: Assembly Member Allen.

Because of illness in her family: Assembly Member Archie-Hudson.

(NOTE: For letters explaining the absences of Assembly Members Burton, Cunneen, Firestone, Isenberg, Morrissey, Willard Murray, Poochigian, Sher, Speier, Thompson, Vasconcellos, and Villaraigosa, on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

RECESS

By unanimous consent, at 8:51 a.m., Speaker pro Tempore Baca declared the Assembly recessed.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 24—Allen. An act relating to public schools, and declaring the urgency thereof, to take effect immediately.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 16, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE

1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 16, 1995

SIXTH SESSION DAY

TWENTY-EIGHTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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Vol. 6 40—616

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 16, 1995

The Assembly met at 8:56 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called, and the following answered to their names—73:

Aguiar	Cunneen	Kaloogian	Poochigian
Alby	Davis	Katz	Pringle
Allen	Ducheny	Knight	Rainey
Alpert	Escutia	Knowles	Richter
Baldwin	Figueroa	Knox	Rogan
Bates	Firestone	Kuehl	Setencich
Battin	Friedman	Kuykendall	Sher
Boland	Gallegos	Lee	Speier
Bowen	Goldsmith	Machado	Sweeney
Bowler	Granlund	Martinez	Takasugi
Brewer	Hannigan	Mazzoni	Thompson
Brown, Valerie	Harvey	McDonald	Tucker
Brulte	Hauser	McPherson	Villaraigosa
Burton	Hawkins	Morrissey	Weggeland
Bustamante	Hoge	Morrow	Woods
Caldera	Horcher	Murray, Kevin	Mr. Speaker
Campbell	House	Murray, Willard	
Conroy	Isenberg	Napolitano	
Cortese	Johnson	Olberg	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord our God, You alone have dominion over all things, in heaven and on earth. Do not turn Your face away from us or reject us from among Your children. Grant instead, O Lord, that our hearts may be made pure and that Your grace may be upon us, in everything we do.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Takasugi then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Valerie Brown, seconded by Assembly Member Pringle.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Archie-Hudson, Bordonaro, and Frusetta.

On personal business, and waiving per diem: Assembly Member Cannella.

Because of illness: Assembly Member Vasconcellos.

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

(NOTE: For explanations of absences of Assembly Members Archie-Hudson, Bordonaro, and Frusetta on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

RECESS

By unanimous consent, at 8:56 a.m., Speaker Brown declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 23, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 23, 1995

SEVENTH SESSION DAY

THIRTY-FIFTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 23, 1995

The Assembly met at 8:56 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Campbell	Horcher	Murray, Kevin
Alby	Cannella	House	Murray, Willard
Allen	Conroy	Isenberg	Napolitano
Alpert	Cunneen	Johnson	Olberg
Archie-Hudson	Davis	Kaloogian	Poochigian
Baca	Ducheny	Katz	Pringle
Baldwin	Escutia	Knight	Rainey
Bates	Figueroa	Knowles	Richter
Battin	Firestone	Knox	Rogan
Boland	Friedman	Kuehl	Setencich
Bordonaro	Frusetta	Kuykendall	Speier
Bowen	Gallegos	Lee	Sweeney
Bowler	Goldsmith	Machado	Takasugi
Brewer	Granlund	Martinez	Thompson
Brown, Valerie	Hannigan	Mazzoni	Tucker
Brulte	Harvey	McDonald	Villaraigosa
Burton	Hauser	McPherson	Weggeland
Bustamante	Hawkins	Morrissey	Woods
Caldera	Hoge	Morrow	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Baca, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord, God Almighty, You accept a sacrifice of praise from those who call upon You with their whole heart. Receive our prayer today. Make us worthy to find grace in Your presence so that Your good and gracious spirit may abide with us and with all Your people.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Cortese and Vasconcellos.

Because of illness: Assembly Member Sher.

(NOTE: For explanations of absences of Assembly Members Cortese and Vasconcellos on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

March 17, 1995

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

Dear Dotson: Please be advised of the following leadership position:

Louis Caldera
Assistant Democratic Floor Leader
Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

RECESS

By unanimous consent, at 8:57 a.m., Speaker pro Tempore Baca declared the Assembly recessed.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 25—Morrissey. An act to amend Sections 2800, 21100, 22651, 24004, 40000.15, and 40610 of the Vehicle Code, relating to vehicles.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 30, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 30, 1995

EIGHTH SESSION DAY

FORTY-SECOND CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 30, 1995

The Assembly met at 8:45 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Conroy	Isenberg	Poochigian
Alby	Cortese	Johnson	Pringle
Allen	Cunneen	Kaloogian	Rainey
Alpert	Davis	Katz	Richter
Archie-Hudson	Ducheny	Knight	Rogan
Baca	Escutia	Knowles	Setencich
Baldwin	Figueroa	Knox	Sher
Bates	Firestone	Kuehl	Speier
Battin	Friedman	Kuykendall	Sweeney
Boland	Frusetta	Lee	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McDonald	Vasconcellos
Brown, Valerie	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Morrissey	Weggeland
Burton	Hauser	Morrow	Woods
Bustamante	Hawkins	Murray, Kevin	Mr. Speaker
Caldera	Hoge	Murray, Willard	
Campbell	Horcher	Napolitano	
Cannella	House	Olberg	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord, Be mindful of those who bring forth fruit and do good works in this great land. Reward us with Your rich and heavenly blessings. In place of worldly gifts grant us heavenly ones; in place of transitory goods, eternal blessings; instead of the passing, the lasting.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Isenberg then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Bowen.

Because of illness: Assembly Member Machado.

(NOTE: For explanation of absence of Assembly Member Bowen on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

REPORTS

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

California State Auditor

94026.3

March 28, 1995

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report discussing the Orange County Treasurer's investment strategy. We found that the Orange County Treasurer (treasurer) pursued an investment strategy that placed the funds of the 190 participants in his portfolio at unnecessary risk. Namely, he excessively utilized short-term reverse repurchase agreements to leverage his portfolio, and purchased highly volatile, long-term structured notes with the proceeds. Further, he violated the public trust by inequitably treating the participants in his portfolio by misallocating \$93 million in interest earnings to the county and shifting nearly \$300 million in losses incurred by specific investments to all pool members.

During the 1990s, the treasurer sacrificed the portfolio's safety and liquidity in a futile attempt to maintain yields. As a result of his failed strategies, the investment portfolio ultimately lost \$1.69 billion; the county filed for bankruptcy protection; and critical city, county, and school services are in jeopardy throughout Orange County.

We have made recommendations to the Orange County Board of Supervisors to assist them in formulating a corrective action plan for the future, and to the Legislature to amend state statutes to assure that local government investment problems like those we found in Orange County do not recur.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Select Committee on the Insolvency of Orange County.

RECESS

By unanimous consent, at 8:46 a.m., Speaker Brown declared the Assembly recessed.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 26—Caldera and Archie-Hudson. An act to add Article 5.5 (commencing with Section 16491) to Chapter 3 of Part 2 of Division 4 of Title 2 of the Government Code, relating to governmental finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8 a.m., Thursday, April 6, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, April 6, 1995

NINTH SESSION DAY

FORTY-NINTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, April 6, 1995

The Assembly met at 8:39 a.m.
Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.
Assistant Chief Clerk Lawrence A. Murman at the Desk.
Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called, and the following answered to their names—72:

Aguiar	Campbell	Horcher	Murray, Willard
Alby	Cannella	House	Napolitano
Allen	Cortese	Johnson	Olberg
Alpert	Cunneen	Kaloogian	Poochigian
Baca	Davis	Katz	Pringle
Baldwin	Ducheny	Knight	Rainey
Bates	Escutia	Knowles	Richter
Battin	Figueroa	Knox	Rogan
Boland	Firestone	Kuehl	Setencich
Bordonaro	Friedman	Kuykendall	Sher
Bowen	Frusetta	Lee	Sweeney
Bowler	Gallegos	Machado	Takasugi
Brewer	Goldsmith	Martinez	Thompson
Brown, Valerie	Granlund	Mazzoni	Tucker
Brulte	Hannigan	McPherson	Villaraigosa
Burton	Harvey	Morrissey	Weggeland
Bustamante	Hauser	Morrow	Woods
Caldera	Hawkins	Murray, Kevin	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O Lord, Be mindful of the people assembled here. Fill their households with every good thing. Look after all those who stand in need of Your boundless compassion, and lavish on all Your rich mercy.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Brulte then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business, Assembly Members Archie-Hudson, Conroy, and McDonald.

On personal business, and waiving per diem: Assembly Members Hoge, Isenberg, Speier, and Vasconcellos.

(NOTE: For explanations of absences of Assembly Members Archie-Hudson, Conroy and McDonald on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

RECESS

By unanimous consent, at 8:40 a.m., Speaker Brown declared the Assembly recessed.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 27—Sweeney. An act to amend Section 53684 of, and to add Section 53686, to the Government Code, relating to local governmental finance, and declaring the urgency thereof, to take effect immediately.

ADJOURNMENT

At 3 p.m., pursuant to the provisions of Joint Rule 51, the Assembly adjourned for the 1995 Easter Recess until 8:30 a.m., Thursday, April 20, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, April 20, 1995

TENTH SESSION DAY

SIXTY-THIRD CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, April 20, 1995

The Assembly met at 10:39 a.m.
Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.
Assistant Chief Clerk Lawrence A. Murman at the Desk.
Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Cannella	House	Murray, Willard
Alby	Conroy	Isenberg	Napolitano
Allen	Cortese	Johnson	Olberg
Alpert	Cunneen	Kaloogian	Poochigian
Archie-Hudson	Davis	Katz	Pringle
Baca	Ducheny	Knight	Rainey
Baldwin	Escutia	Knowles	Richter
Bates	Figuroa	Knox	Rogan
Battin	Firestone	Kuehl	Setencich
Boland	Friedman	Kuykendall	Speier
Bordonaro	Frusetta	Lee	Sweeney
Bowen	Gallegos	Machado	Takasugi
Bowler	Goldsmith	Martinez	Thompson
Brewer	Granlund	Mazzoni	Tucker
Brown, Valerie	Hannigan	McDonald	Vasconcellos
Burton	Harvey	McPherson	Villaraigosa
Bustamante	Hauser	Morrissey	Weggeland
Caldera	Hawkins	Morrow	Woods
Campbell	Hoge	Murray, Kevin	Mr. Speaker

Quorum present.

PRAYER

Assembly Member Speier introduced Archbishop Vatché Hovsepien, Archbishop Datev Sarkissian, Pastor Der Raphael Minassian, Rev. Moushegh Mardirossian, and Rev. Yeghia Hayirabedian whereupon Archbishop Vatché Hovsepien was invited to offer the following prayer:

ARCHBISHOP VATCHÉ HOVSEPIAN, PRIMATE

Armenian Church Western Diocese:

Honorable Willie Brown, Speaker of the California State Assembly:

I am most appreciative of the kind invitation extended to us by the Speaker, the Honorable Willie Brown, a good friend of mine and of the Armenian Community.

As the spiritual and lay leaders, we bring greetings to you from the Armenian Communities living in the West coast. This year, once again, the over seven (7) million Armenians throughout the world, will gather in their respective communities to remember our

martyrs of 1915, on the occasion of the 80th Anniversary of the Armenian Genocide. The magnitude of the tragedy that befell our people was so extensive, that today, there scarcely exists an Armenian, whose family was not touched by this horrendous act of genocide. We are unable to forget these horrible events; which are indelible in our psyche.

In reality, to be victimized by genocide is tragedy enough, however, to have the Holocaust of 1915 ignored, and to have the perpetrators pronounce that it never happened, adds to our feelings of victimization and our communal sense of outrage.

In this century, . . . which is hailed as the most progressive in all of human existence, . . . we constantly observe 'the laws of the jungle,' we have moral responsibility to protest against acts of violence. The genocide of any people, no matter how small or how powerless, is an attack on all humanity. Each of us has a moral responsibility to protest against acts of brutality. It is tragedy that in the international politics there are no ethical and moral boundaries. Throughout history, it looks as though small nations are always being victimized and swallowed by the bigger powers. Let everyone know, . . . that in the sight of God, everyone is equal!

I have just returned from Armenia, a country who has risen from ashes, has survived atheistic persecutions and has now declared independence, and now is in the process of building our ancestral homeland. The entire Armenian nation, with jubilation, witnessed the enthronement of the new spiritual leader of the Armenian Church and the Armenian people, His Holiness Karekin I, Supreme Patriarch and Catholicos of All Armenians, on April 9, 1995.

For Armenia, and Armenians, these are the days of resurrection and hope for a bright future, because we are the followers of the eternal message given by our Lord, Jesus Christ:

"Blessed are those who hunger and thirst for righteousness,
for they shall be satisfied.

Blessed are those who are persecuted for righteousness, for
theirs is the Kingdom of heaven."

We can accept the natural disasters; however, we should never accept the genocide of the Armenians; the Holocaust of the Jewish people and the destruction of the African and Asian nations, and presently, the Kurdish people.

My advice to you is to stand steadfast for justice, truth and beauty and be courageous to repel the evil principalities of the world. Remember that living, by the fear of God, and the Love of God, will truly make this world a better place to live for all mankind.

Now, let us bow our heads for a moment of meditation:

"O'Beneficent, merciful and omnipotent God, with Thy unforgettable knowledge and infinite love of man, We beseech Thee to bestow Thy divine wisdom and grace upon the leaders of the United States, in particular, the members of this Assembly. May they realize, that Thou art the righteous Judge and pure wisdom and Thy divinely instituted laws and commandments are above all the laws of the world."

As we relive with humility and respect the memories of millions Armenians and martyrs of other nations, let us harken unto the voice of God revealed through the prophet Ezekial. (37: 1-6)

“The hand of the Lord was upon me, and He brought me out by the spirit of the Lord and set me down in the midst of the valley, it was full of bones. And he led me round among them: and behold there were very many upon the valley, and lo, they were dry. And He said to me,

“Son of Man, can these bones live?” And I answered, “O’Lord, God, Thou knowest,” again he said to me,

“Prophecy to these bones and say to them, O’dry bones, hear the word of the Lord. Thus says the Lord God to these bones: Behold, I will cause breath to enter you, and you shall live. And, I will lay sinews upon you, and will cause flesh to come upon you, and cover you with skin, and put breath in you, and you shall live; and you shall know that I am the Lord.”

We pray Thee, O’Lord, to receive the souls for all the martyrs, in particular the souls of millions of Armenians, who became victims of the Turkish atrocities and place them in the abode of just. Bestow Thy divine grace upon us all to live in love, in peace and with one another, and glorify Thy immutable dominion now and forever and unto the ages of ages.”—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Brulte, Horcher, and Sher.

(NOTE: For explanations of absences of Assembly Members Brulte, Horcher, and Sher on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

RECESS

By unanimous consent, at 10:40 a.m., Speaker Brown declared the Assembly recessed.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 28—Brewer. An act to amend Sections 5450 and 5451 of, and to add Sections 25350.57 and 25350.6 to, the Government Code, relating to local agency finances, and declaring the urgency thereof, to take effect immediately.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, April 27, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, April 27, 1995

ELEVENTH SESSION DAY

SEVENTIETH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, April 27, 1995

The Assembly met at 10:06 a.m.
Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Campbell	House	Napolitano
Alby	Conroy	Isenberg	Olberg
Allen	Cortese	Johnson	Poochigian
Alpert	Cunneen	Kaloogian	Pringle
Archie-Hudson	Davis	Katz	Rainey
Baca	Ducheny	Knight	Richter
Baldwin	Escutia	Knowles	Rogan
Bates	Figueroa	Knox	Setencich
Battin	Firestone	Kuehl	Sher
Boland	Friedman	Lee	Speier
Bordonaro	Frusetta	Machado	Sweeney
Bowen	Gallegos	Martinez	Takasugi
Bowler	Goldsmith	Mazzoni	Thompson
Brewer	Granlund	McDonald	Tucker
Brown, Valerie	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Morrissey	Weggeland
Burton	Hauser	Morrow	Woods
Bustamante	Hoge	Murray, Kevin	Mr. Speaker
Caldera	Horcher	Murray, Willard	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of Saint Katherine Church:

Lord, We commit ourselves to You, both to will and to work according to Your good pleasure, for our benefit and the benefit of this beautiful state. Fill our hearts with Your grace that we may act with faith, honesty and courage in all that we do. Guide us that we may abound in every good work to Your praise and glory.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Baca then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Hawkins, Kuykendall, and Vasconcellos.

On personal business, and waiving per diem: Assembly Member Cannella.

(NOTE: For explanations of absence of Assembly Members Hawkins, Kuykendall, and Vasconcellos on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

RECESS

By unanimous consent, at 10:06 a.m., Speaker Brown declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8 a.m., Thursday, May 4, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, May 4, 1995
TWELFTH SESSION DAY
SEVENTY-SEVENTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, May 4, 1995

The Assembly met at 9:26 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Campbell	Hoge	Murray, Kevin
Alby	Cannella	Horcher	Murray, Willard
Allen	Conroy	House	Napolitano
Alpert	Cortese	Isenberg	Olberg
Archie-Hudson	Cunneen	Kaloogian	Poochigian
Baca	Davis	Katz	Pringle
Baldwin	Ducheny	Knight	Rainey
Bates	Escutia	Knowles	Richter
Battin	Figueroa	Knox	Setencich
Boland	Firestone	Kuehl	Sher
Bordonaro	Friedman	Kuykendall	Sweeney
Bowen	Frusetta	Lee	Takasugi
Bowler	Gallegos	Machado	Thompson
Brewer	Goldsmith	Martinez	Tucker
Brown, Valerie	Granlund	Mazzoni	Vasconcellos
Brulte	Hannigan	McDonald	Villaraigosa
Burton	Harvey	McPherson	Weggeland
Bustamante	Hauser	Morrissey	Woods
Caldera	Hawkins	Morrow	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

We gather today on this National Day of Prayer to reflect on the importance of prayer in our daily lives and in the life of our great nation. The theme for this year's National Day of Prayer, "Seek His Face," is taken from the prophecy of Jeremiah, Chapter 29, verses eleven through thirteen which reads:

I alone know My purpose for you, says the Lord: prosperity and not misfortune, and a long line of children after you. If you invoke Me and pray to Me, I will listen to you: when you seek Me, you shall find Me, if you search with all your heart. (NEB)

Having heard then these words from Scripture, let us pray:

Lord, grant us to greet the coming day in peace. Help us in all things to rely upon Your holy will. In every hour of the day reveal Your will to us. Bless our dealings with all who surround us. Teach us to treat all that comes to us throughout the day with peace of soul, and with firm conviction that Your will governs all. In all our deeds and words guide our thoughts and feelings. In unforeseen events let us not forget that all are sent by You. Teach us to act firmly and wisely, without embittering and embarrassing others. Give us strength to bear the fatigue of the coming day with all that it shall bring. Direct our will and teach us to pray.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Johnson, Rogan, and Speier.

(NOTE: For explanations of absences of Assembly Members Johnson, Rogan, and Speier on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

RECESS

By unanimous consent, at 9:26 a.m., Speaker pro Tempore Baca declared the Assembly recessed.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 29—Archie-Hudson. An act to amend Section 53760 of the Government Code, relating to local governmental finance.

ASSEMBLY BILL NO. 30—Archie-Hudson. An act to add Section 53609 to, and to add Article 1.5 (commencing with Section 53620) to Chapter 4 of Part 1 of Division 2 of Title 5 of, the Government Code, relating to local governmental finance.

ASSEMBLY BILL NO. 31—Sweeney. An act to amend Sections 17041 and 19603 of, and to add Section 97.56 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

MESSAGES FROM THE SENATE

Senate Chamber, May 1, 1995

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

Senate Bill No. 2
Senate Bill No. 4
Senate Bill No. 7
Senate Bill No. 8
Senate Bill No. 9

Senate Bill No. 11
Senate Bill No. 13
Senate Bill No. 14
Senate Bill No. 15

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, May 1, 1995

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

Senate Bill No. 10

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 2—An act relating to local programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 4—An act to amend Section 2602 of the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 7—An act to add Sections 6516.3 and 26220.5 to the Government Code, and to add Section 4703.3 to the Revenue and Taxation Code, relating to local agency finances, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 8—An act to add Sections 53584.1, 53585.1, and 53856.1 to the Government Code, relating to local agency finances, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 9—An act to add and repeal Section 25536.1 of the Government Code, relating to Orange County, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 11—An act to add Section 53852.5 to the Government Code, relating to local governmental finance, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 13—An act to amend Section 53607 of, and to add Section 53635.7 to, the Government Code, relating to financial services.

SENATE BILL NO. 14—An act to amend Sections 53601 and 53635 of, and to add Sections 53600.5, 53601.7, 53602.2, 53610, 53630.1, 53635.3, 53635.7, 53635.8, and 53685 to, the Government Code, relating to governmental finances.

SENATE BILL NO. 15—An act to amend Section 27100.1 of, and to add Sections 27100.2, 53601.3, and 53601.4 to, the Government Code, relating to local agencies.

SENATE BILL NO. 10—An act to add Chapter 10 (commencing with Section 30400) to Division 3 of Title 3 of the Government Code, relating to local governmental finance.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Select Committee on Insolvency of Orange County, on May 9, 1995, at 10 a.m.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, May 11, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 10, 1995

THIRTEENTH SESSION DAY

EIGHTY-THIRD CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 10, 1995

Without objection, the Assembly met at 7 a.m.
Hon. Jim Morrissey, Assembly Member, 69th District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Cannella	Isenberg	Olberg
Alby	Conroy	Johnson	Poochigian
Allen	Cortese	Kaloogian	Pringle
Alpert	Cunneen	Katz	Rainey
Archie-Hudson	Davis	Knight	Richter
Baca	Ducheny	Knowles	Rogan
Baldwin	Figuroa	Knox	Setencich
Bates	Firestone	Kuehl	Sher
Battin	Friedman	Kuykendall	Speier
Boland	Frusetta	Lee	Sweeney
Bordonaro	Callegos	Machado	Thompson
Bowen	Goldsmith	Martinez	Tucker
Bowler	Granlund	Mazzoni	Vasconcellos
Brewer	Hannigan	McDonald	Villaraigosa
Brown, Valerie	Harvey	McPherson	Weggeland
Brulte	Hauser	Morrissey	Woods
Burton	Hawkins	Morrow	Mr. Speaker
Bustamante	Hoge	Murray, Kevin	
Caldera	Horcher	Murray, Willard	
Campbell	House	Napolitano	

Quorum present.

At 2:13 p.m., Hon. Bill Morrow, 73rd District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Takasugi.

On personal business, and waiving per diem: Assembly Member Escutia.

(NOTE: For explanation of absence of Assembly Member Takasugi on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for May 8, 1995.)

COMMUNICATIONS

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

May 9, 1995

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

Dear Dotson: Assemblyman Granlund will replace Assemblyman Ross Johnson on the Select Committee on the Insolvency of Orange County on May 9, 1995.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

**BILLS TAKEN UP BY UNANIMOUS CONSENT
FOR SECOND READING**

By unanimous consent, the following bills were taken up, without reference to file, for purpose of second reading.

SENATE BILL NO. 7—An act to add Sections 6516.3 and 26220.5 to the Government Code, and to add Section 4703.3 to the Revenue and Taxation Code, relating to local agency finances, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 9—An act to add and repeal Section 25536.1 of the Government Code, relating to Orange County, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 8—An act to add Sections 53584.1, 53585.1, and 53856.1 to the Government Code, relating to local agency finances, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 10—An act to add Chapter 10 (commencing with Section 30400) to Division 3 of Title 3 of the Government Code, relating to local governmental finance.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 26—An act to add Article 5.5 (commencing with Section 16491) to Chapter 3 of Part 2 of Division 4 of Title 2 of the Government Code, relating to governmental finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

BILLS SET FOR SPECIAL ORDER

Unanimous consent was granted that Senate Bills Nos. 7, 9, and 8; and Assembly Bill No. 26 be made special orders of business for Thursday, May 11, 1995, at 8 a.m.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8 a.m., Thursday, May 11, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, May 11, 1995

FOURTEENTH SESSION DAY

EIGHTY-FOURTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, May 11, 1995

The Assembly met at 8:27 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Campbell	Horcher	Murray, Kevin
Alby	Cannella	House	Murray, Willard
Allen	Conroy	Isenberg	Napolitano
Alpert	Cortese	Johnson	Olberg
Archie-Hudson	Cunneen	Kaloogian	Poochigian
Baca	Davis	Katz	Pringle
Baldwin	Ducheny	Knight	Rainey
Bates	Figuroa	Knowles	Richter
Battin	Firestone	Knox	Rogan
Boland	Friedman	Kuehl	Setencich
Bordonaro	Frusetta	Kuykendall	Sher
Bowen	Gallegos	Lee	Speier
Bowler	Goldsmith	Machado	Sweeney
Brewer	Granlund	Martinez	Thompson
Brown, Valerie	Hannigan	Mazzoni	Tucker
Brulte	Harvey	McDonald	Vasconcellos
Burton	Hauser	McPherson	Weggeland
Bustamante	Hawkins	Morrissey	Woods
Caldera	Hoge	Morrow	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Baca, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord, Having received this new day as a gift, we thank You for showing Your love toward us and for having guided us to glorify Your power. Enlighten our minds to study Your word and open our hearts to understand Your commandments. For we praise You with all our heart and we glorify Your Holy Name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Takasugi and Villaraigosa.

On personal business, and waiving per diem: Assembly Member Escutia.

(NOTE: For explanation of absence of Assembly Member Takasugi on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for May 8, 1995; for explanation of absence of Assembly Member Villaraigosa on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

CONSIDERATION OF SPECIAL ORDER—SENATE BILL NO. 9

The hour having arrived, Senate Bill No. 9 was taken up.

SENATE BILL NO. 9 (Lewis)—An act to add and repeal Section 25536.1 of the Government Code, relating to Orange County, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 8:32 a.m.

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

CONSIDERATION OF SPECIAL ORDER—SENATE BILL NO. 7

The hour having arrived, Senate Bill No. 7 was taken up.

SENATE BILL NO. 7 (Lewis)—An act to add Sections 6516.3 and 26220.5 to the Government Code, and to add Section 4703.3 to the Revenue and Taxation Code, relating to local agency finances, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—71

Aguiar	Caldera	Hoge	Morrissey
Alby	Campbell	Horcher	Morrow
Allen	Cannella	House	Murray, Kevin
Alpert	Conroy	Isenberg	Murray, Willard
Archie-Hudson	Cortese	Johnson	Napolitano
Baca	Cunneen	Kaloogian	Olberg
Baldwin	Davis	Katz	Poochigian
Bates	Ducheny	Knight	Pringle
Battin	Firestone	Knowles	Rainey
Boland	Friedman	Knox	Rogan
Bordonaro	Frusetta	Kuehl	Speier
Bowen	Gallegos	Kuykendall	Sweeney
Bowler	Goldsmith	Lee	Thompson
Brewer	Granlund	Machado	Vasconcellos
Brown, Valerie	Hannigan	Martinez	Weggeland
Brulte	Harvey	Mazzoni	Woods
Burton	Hauser	McDonald	Mr. Speaker
Bustamante	Hawkins	McPherson	

NOES—1

Setencich

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—71

Aguiar	Caldera	Hoge	Morrissey
Alby	Campbell	Horcher	Morrow
Allen	Cannella	House	Murray, Kevin
Alpert	Conroy	Isenberg	Murray, Willard
Archie-Hudson	Cortese	Johnson	Napolitano
Baca	Cunneen	Kaloogian	Olberg
Baldwin	Davis	Katz	Poochigian
Bates	Ducheny	Knight	Pringle
Battin	Firestone	Knowles	Rainey
Boland	Friedman	Knox	Rogan
Bordonaro	Frusetta	Kuehl	Speier
Bowen	Gallegos	Kuykendall	Sweeney
Bowler	Goldsmith	Lee	Thompson
Brewer	Granlund	Machado	Vasconcellos
Brown, Valerie	Hannigan	Martinez	Weggeland
Brulte	Harvey	Mazzoni	Woods
Burton	Hauser	McDonald	Mr. Speaker
Bustamante	Hawkins	McPherson	

NOES—1

Setencich

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER—SENATE BILL NO. 8

The hour having arrived, Senate Bill No. 8 was taken up.

SENATE BILL NO. 8 (Lewis)—An act to add Sections 53584.1, 53585.1, and 53856.1 to the Government Code, relating to local agency finances, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—67

Aguiar	Campbell	Hoge	Morrissey
Alby	Cannella	Horcher	Morrow
Allen	Conroy	House	Murray, Kevin
Alpert	Cortese	Isenberg	Murray, Willard
Archie-Hudson	Cunneen	Johnson	Napolitano
Baca	Davis	Kaloogian	Olberg
Baldwin	Ducheny	Katz	Poohigian
Bates	Firestone	Knight	Pringle
Battin	Friedman	Knowles	Rainey
Boland	Frusetta	Knox	Rogan
Bordonaro	Callegos	Kuehl	Speier
Bowler	Goldsmith	Kuykendall	Thompson
Brewer	Granlund	Lee	Vasconcellos
Brown, Valerie	Hannigan	Martinez	Weggeland
Brulte	Harvey	Mazzoni	Woods
Burton	Hauser	McDonald	Mr. Speaker
Caldera	Hawkins	McPherson	

NOES—2

Bowen Setencich

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—67

Aguiar	Campbell	Hoge	Morrissey
Alby	Cannella	Horcher	Morrow
Allen	Conroy	House	Murray, Kevin
Alpert	Cortese	Isenberg	Murray, Willard
Archie-Hudson	Cunneen	Johnson	Napolitano
Baca	Davis	Kaloogian	Olberg
Baldwin	Ducheny	Katz	Poohigian
Bates	Firestone	Knight	Pringle
Battin	Friedman	Knowles	Rainey
Boland	Frusetta	Knox	Rogan
Bordonaro	Callegos	Kuehl	Speier
Bowler	Goldsmith	Kuykendall	Thompson
Brewer	Granlund	Lee	Vasconcellos
Brown, Valerie	Hannigan	Martinez	Weggeland
Brulte	Harvey	Mazzoni	Woods
Burton	Hauser	McDonald	Mr. Speaker
Caldera	Hawkins	McPherson	

NOES—2

Bowen Setencich

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO SENATE BILL NO. 9**

At 8:34 a.m., on motion of Assembly Member Johnson, 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. 9 adopted by the following vote:

AYES—70

Aguiar	Caldera	Hoge	Morrissey
Alby	Campbell	Horcher	Morrow
Allen	Cannella	House	Murray, Kevin
Alpert	Conroy	Isenberg	Murray, Willard
Archie-Hudson	Cortese	Johnson	Napolitano
Baca	Cunneen	Kaloogian	Olberg
Baldwin	Davis	Katz	Poochigian
Bates	Ducheny	Knight	Pringle
Battin	Firestone	Knowles	Rainey
Boland	Friedman	Knox	Rogan
Bordonaro	Frusetta	Kuehl	Speier
Bowen	Gallegos	Kuykendall	Thompson
Bowler	Goldsmith	Lee	Vasconcellos
Brewer	Granlund	Machado	Weggeland
Brown, Valerie	Hannigan	Martinez	Woods
Brulte	Harvey	Mazzoni	Mr. Speaker
Burton	Hauser	McDonald	
Bustamante	Hawkins	McPherson	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—70

Aguiar	Caldera	Hoge	Morrissey
Alby	Campbell	Horcher	Morrow
Allen	Cannella	House	Murray, Kevin
Alpert	Conroy	Isenberg	Murray, Willard
Archie-Hudson	Cortese	Johnson	Napolitano
Baca	Cunneen	Kaloogian	Olberg
Baldwin	Davis	Katz	Poochigian
Bates	Ducheny	Knight	Pringle
Battin	Firestone	Knowles	Rainey
Boland	Friedman	Knox	Rogan
Bordonaro	Frusetta	Kuehl	Speier
Bowen	Gallegos	Kuykendall	Thompson
Bowler	Goldsmith	Lee	Vasconcellos
Brewer	Granlund	Machado	Weggeland
Brown, Valerie	Hannigan	Martinez	Woods
Brulte	Harvey	Mazzoni	Mr. Speaker
Burton	Hauser	McDonald	
Bustamante	Hawkins	McPherson	

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 26

The hour having arrived, Assembly Bill No. 26 was taken up.

ASSEMBLY BILL NO. 26 (Caldera)—An act to add Section 5.5 (commencing with Section 16491) to Chapter 3 of Part 2 of Division 4 of Title 2 of the Government Code, relating to governmental finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and considered engrossed.

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 8:50 a.m.

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

CONSIDERATION OF SENATE BILL NO. 10 BY UNANIMOUS CONSENT

Assembly Member Archie-Hudson was granted unanimous consent to take up Senate Bill No. 10, without reference to file, for purpose of amendment.

SENATE BILL NO. 10 (Killea)—An act to add Chapter 10 (commencing with Section 30400) to Division 3 of Title 3 of the Government Code, relating to local governmental finance.

Bill read third time.

Motion to Amend

Assembly Member Archie-Hudson moved the adoption of amendments.

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

BILLS ORDERED TRANSMITTED TO SENATE

Assembly Member Johnson was granted unanimous consent that all bills passed earlier this day be transmitted to the Senate immediately.

RECESS

By unanimous consent, at 8:57 a.m., Speaker Brown declared the Assembly recessed.

REASSEMBLED

At 9:52 a.m., the Assembly reconvened.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

**FURTHER CONSIDERATION OF SENATE BILL NO. 10, AS AMENDED,
BY UNANIMOUS CONSENT**

Assembly Member Archie-Hudson was granted unanimous consent to take up Senate Bill No. 10, as amended, without reference to file for purpose of consideration at this time.

SENATE BILL NO. 10 (Killea)—An act to add Chapter 10 (commencing with Section 30400) to Division 3 of Title 3 of the Government Code, relating to local governmental finance.

Bill read third time, and presented by Assembly Member Archie-Hudson.

Bill passed by the following vote:

AYES—41

Alpert	Cortese	Isenberg	Murray, Kevin
Archie-Hudson	Cunneen	Katz	Murray, Willard
Baca	Davis	Knight	Rainey
Bates	Ducheny	Knox	Sher
Bowen	Firestone	Kuehl	Speier
Brown, Valerie	Friedman	Lee	Tucker
Burton	Gallegos	Machado	Vasconcellos
Bustamante	Hannigan	Martinez	Mr. Speaker
Caldera	Harvey	Mazzoni	
Campbell	Hauser	McDonald	
Cannella	Horcher	McPherson	

NOES—30

Aguiar	Conroy	Kaloogian	Richter
Allen	Frusetta	Knowles	Rogan
Baldwin	Goldsmith	Kuykendall	Setencich
Battin	Granlund	Morrissey	Thompson
Boland	Hawkins	Morrow	Weggeland
Bordonaro	Hoge	Olberg	Woods
Bowler	House	Poochigian	
Brulte	Johnson	Pringle	

Bill ordered transmitted to the Senate immediately.

RECESS

By unanimous consent, at 9:59 a.m., Speaker Brown declared the Assembly recessed.

REASSEMBLED

At 11:15 a.m., the Assembly reconvened.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

MESSAGES FROM THE SENATE

Senate Chamber, May 11, 1995

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

Senate Bill No. 10

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, May 11, 1995

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

Senate Bill No. 17
Senate Bill No. 18

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 17—An act to add Section 21080.25 to the Public Resources Code, relating to environmental quality, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 18—An act to amend Sections 25350.55 and 25536 of, and to add Section 25350.6 to, the Government Code, relating to local agency finances, and declaring the urgency thereof, to take effect immediately.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Pringle.

Resolved, That Senate Bills Nos. 17 and 18 present a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—75

Aguiar	Campbell	Horcher	Murray, Willard
Alby	Cannella	House	Napolitano
Allen	Conroy	Johnson	Olberg
Alpert	Cortese	Kaloogian	Poochigian
Archie-Hudson	Cunneen	Katz	Pringle
Baca	Davis	Knight	Rainey
Baldwin	Ducheny	Knowles	Richter
Bates	Figuroa	Knox	Rogan
Battin	Firestone	Kuehl	Setencich
Boland	Friedman	Kuykendall	Sher
Bordonaro	Frusetta	Lee	Speier
Bowen	Gallegos	Machado	Sweeney
Bowler	Goldsmith	Martinez	Thompson
Brewer	Granlund	Mazzoni	Tucker
Brown, Valerie	Hannigan	McDonald	Vasconcellos
Brulte	Harvey	McPherson	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker
Caldera	Hoge	Murray, Kevin	

NOES—None

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Second Reading of Senate Bill No. 17

SENATE BILL NO. 17—An act relating to environmental quality, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Second Reading of Senate Bill No. 18

SENATE BILL NO. 18—An act to amend Sections 25350.55 and 25536 of, and to add Section 25350.6 to, the Government Code, relating to local agency finances, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

CONSIDERATION OF SENATE BILL NO. 17 BY UNANIMOUS CONSENT

Assembly Member Brewer was granted unanimous consent to take up Senate Bill No. 17, without reference to file, for purpose of consideration.

SENATE BILL NO. 17 (Craven)—An act relating to environmental quality, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—59

Aguiar	Bustamante	House	Olberg
Alby	Campbell	Isenberg	Poochigian
Allen	Conroy	Johnson	Pringle
Alpert	Cunneen	Kaloogian	Rainey
Archie-Hudson	Davis	Katz	Richter
Baca	Firestone	Knight	Rogan
Baldwin	Frusetta	Knowles	Setencich
Battin	Gallegos	Kuehl	Speier
Boland	Goldsmith	Martinez	Thompson
Bordonaro	Granlund	Mazzoni	Tucker
Bowen	Hannigan	McDonald	Vasconcellos
Bowler	Harvey	McPherson	Weggeland
Brewer	Hauser	Morrissey	Woods
Brulte	Hawkins	Morrow	Mr. Speaker
Burton	Horcher	Napolitano	

NOES—3

Brown, Valerie Figueroa Sweeney

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—59

Aguiar	Bustamante	House	Olberg
Alby	Campbell	Isenberg	Poochigian
Allen	Conroy	Johnson	Pringle
Alpert	Cunneen	Kaloogian	Rainey
Archie-Hudson	Davis	Katz	Richter
Baca	Firestone	Knight	Rogan
Baldwin	Frusetta	Knowles	Setencich
Battin	Gallegos	Kuehl	Speier
Boland	Goldsmith	Martinez	Thompson
Bordonaro	Granlund	Mazzoni	Tucker
Bowen	Hannigan	McDonald	Vasconcellos
Bowler	Harvey	McPherson	Weggeland
Brewer	Hauser	Morrissey	Woods
Brulte	Hawkins	Morrow	Mr. Speaker
Burton	Horcher	Napolitano	

NOES—3

Brown, Valerie Figueroa Sweeney

Bill ordered transmitted to the Senate.

Communications

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

Explanation of Vote—Senate Bill No. 17

May 11, 1995

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

Re: Explanation of Vote on Senate Bill 17

Dear Dotson: When I voted “aye” on Senate Bill 17 during the roll call it was my intention to vote “no”. I signed a vote change card but I did not seek permission from the membership to change my vote.

I would like this explanation of my vote to be printed in the Assembly Journal so that my intentions on this matter are clear.

Sincerely,

ROBERT J. CAMPBELL, Assembly Member
Eleventh District

CONSIDERATION OF SENATE BILL NO. 18 BY UNANIMOUS CONSENT

Assembly Member Pringle was granted unanimous consent to take up Senate Bill No. 18, without reference to file, for purpose of consideration.

SENATE BILL NO. 18 (Craven)—An act to amend Sections 25350.55 and 25356 of, and to add Section 25350.6 to, the Government Code, relating to local agency finances, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following:

AYES—64

Aguiar	Bustamante	House	Murray, Willard
Alby	Campbell	Isenberg	Napolitano
Allen	Conroy	Johnson	Olberg
Alpert	Cunneen	Kaloogian	Poochigian
Archie-Hudson	Davis	Katz	Pringle
Baca	Ducheny	Knight	Rainey
Baldwin	Firestone	Knowles	Richter
Bates	Friedman	Kuehl	Rogan
Boland	Frusetta	Kuykendall	Sher
Bordonaro	Gallegos	Martinez	Speier
Bowen	Goldsmith	Mazzoni	Thompson
Bowler	Hannigan	McDonald	Tucker
Brewer	Harvey	McPherson	Vasconcellos
Brown, Valerie	Hauser	Morrissey	Weggeland
Brulte	Hawkins	Morrow	Woods
Burton	Horcher	Murray, Kevin	Mr. Speaker

NOES—1

Setencich

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—64

Aguiar	Bustamante	House	Murray, Willard
Alby	Campbell	Isenberg	Napolitano
Allen	Conroy	Johnson	Olberg
Alpert	Cunneen	Kaloogian	Poochigian
Archie-Hudson	Davis	Katz	Pringle
Baca	Ducheny	Knight	Rainey
Baldwin	Firestone	Knowles	Richter
Bates	Friedman	Kuehl	Rogan
Boland	Frusetta	Kuykendall	Sher
Bordonaro	Gallegos	Martinez	Speier
Bowen	Goldsmith	Mazzoni	Thompson
Bowler	Hannigan	McDonald	Tucker
Brewer	Harvey	McPherson	Vasconcellos
Brown, Valerie	Hauser	Morrissey	Weggeland
Brulte	Hawkins	Morrow	Woods
Burton	Horcher	Murray, Kevin	Mr. Speaker

NOES—1

Setencich

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO ASSEMBLY BILL NO. 26**

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

The urgency clause to Assembly Bill No. 26 refused adopted by the following vote:

AYES—14

Allen	Campbell	Knox	Napolitano
Archie-Hudson	Hannigan	McDonald	Mr. Speaker
Bustamante	Hauser	Murray, Kevin	
Caldera	Katz	Murray, Willard	

NOES—43

Aguiar	Cannella	Isenberg	Olberg
Baca	Conroy	Kaloogian	Poochigian
Baldwin	Cunneen	Knight	Rainey
Bates	Figueroa	Knowles	Richter
Battin	Firestone	Kuehl	Rogan
Boland	Frusetta	Kuykendall	Setencich
Bordonaro	Goldsmith	Lee	Sher
Bowler	Granlund	Mazzoni	Sweeney
Brewer	Harvey	McPherson	Tucker
Brown, Valerie	Hawkins	Morrissey	Weggeland
Brulte	Hoge	Morrow	

(NOTE: Later this day a motion to reconsider the above vote on Assembly Bill No. 26 was offered by Assembly Member Caldera.)

RECESS

By unanimous consent, at 11:24 a.m., Speaker Brown declared the Assembly recessed.

REASSEMBLED

At 11:31 a.m., the Assembly reconvened.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

COMMUNICATIONS

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

May 11, 1995

*Honorable Willie L. Brown, Jr.
Speaker of the State Assembly
State Capitol Building
Sacramento, California*

Dear Speaker Brown: I hereby resign, effective immediately, as a Member of the California State Assembly from the 72nd District.

Sincerely,

ROSS JOHNSON, Assembly Member
Seventy-second District

**MOTION TO RECONSIDER URGENCY CLAUSE TO ASSEMBLY BILL NO. 26
ON NEXT LEGISLATIVE DAY**

Assembly Member Caldera moved to reconsider on the next legislative day the vote whereby the urgency clause to Assembly Bill No. 26 was this day refused adoption.

Assembly Bill No. 26 ordered to the unfinished business file.

VOTE ADDS

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

Senate Bill No. 7 and Urgency: Aguiar, Allen, Archie-Hudson, Bates, Cortese, Cunneen, Friedman, Hannigan, Harvey, Hoge, Horcher, Knowles, Lee, McDonald, Morrow, and Vasconcellos—Aye.

Senate Bill No. 8 and Urgency: Allen, Archie-Hudson, Bates, Cortese, Cunneen, Friedman, Hannigan, Harvey, Hoge, Knowles, Lee, McDonald, Morrow, and Vasconcellos—Aye.

Senate Bill No. 9 and Urgency: Allen, Archie-Hudson, Bates, Cortese, Cunneen, Friedman, Hannigan, Harvey, Hoge, Knowles, Lee, McDonald, Morrow, and Vasconcellos—Aye.

Senate Bill No. 10: Goldsmith and Rogan—No.

Senate Bill No. 17 and Urgency: Allen, Napolitano, and Poochigian—Aye.

Senate Bill No. 18 and Urgency: Allen, Horcher, and Napolitano—Aye.

RECESS

By unanimous consent, at 11:32 a.m., Speaker Brown declared the Assembly recessed.

COMMUNICATIONS

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

May 11, 1995

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

Dear Dotson: Assemblyman Ross Johnson has tendered his resignation both as vice chair and member of the Assembly Rules Committee. As such, pursuant to the provisions of HR 10, I am appointing to the position of vice chair Assemblyman Fred Aguiar.

Assemblywoman Marilyn Brewer will become a full member of the Rules Committee, and Assemblyman James Rogan will be appointed as the Republican alternate to the Rules Committee.

Sincerely,

JAMES L. BRULTE
 Assembly Republican Leader

May 11, 1995

Honorable Pete Wilson
Governor of California
State Capitol, 1st Floor
Sacramento, California

Dear Governor Wilson: Pursuant to the Government Code and on behalf of the Speaker of the Assembly, Honorable Willie L. Brown, Jr., I am forwarding a letter of resignation from Assembly Member Ross Johnson, effective May 11, 1995.

Thank you for your attention to this matter.

Sincerely,

E. DOTSON WILSON
 Chief Clerk

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8 a.m., Thursday, May 18, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MAY 11, 1995**

The following measure was amended in the Assembly on this day:

Senate Bill

10

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, May 18, 1995

FIFTEENTH SESSION DAY

NINETY-FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, May 18, 1995

The Assembly met at 10:56 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Cannella	Kaloogian	Poochigian
Alby	Conroy	Katz	Pringle
Allen	Cortese	Knight	Rainey
Alpert	Cunneen	Knowles	Richter
Archie-Hudson	Davis	Knox	Rogan
Baca	Ducheny	Kuehl	Setencich
Baldwin	Figueroa	Kuykendall	Sher
Bates	Firestone	Lee	Speier
Battin	Friedman	Machado	Sweeney
Boland	Frusetta	Martinez	Takasugi
Bordonaro	Gallegos	Mazzoni	Thompson
Bowen	Goldsmith	McDonald	Tucker
Bowler	Granolund	McPherson	Vasconcellos
Brewer	Hannigan	Miller	Villaraigosa
Brown, Valerie	Harvey	Morrissey	Weggeland
Brulte	Hauser	Morrow	Woods
Burton	Hawkins	Murray, Kevin	Mr. Speaker
Bustamante	Hoge	Murray, Willard	
Caldera	House	Napolitano	
Campbell	Isenberg	Olberg	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord God, Father of mercies and God of all consolation, bless all of us who pray to You; bless and sanctify us, watch over us, fortify and strengthen us; engage us in every good work, counting us worthy of Your grace, mercy and love, now and always.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Battin then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On personal business, and waiving per diem: Assembly Member Escutia.

COMMUNICATIONS

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

Office of the Secretary of State

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That I have compiled the semi-official returns of the May 16, 1995, 60th Assembly District Special Recall Election, and

That the attached Statement of Vote is a full, true, and correct compilation of the election results, submitted by the election officials of the county or counties conducting the election, and is on file in this office.

IN WITNESS WHEREOF, I
hereunto set my hand and
affix the Great Seal of the
State of California this 17th
day of May, 1995.

[SEAL]

BILL JONES
Secretary of State

CERTIFICATE OF ELECTION

The following Certificate of Election was presented and ordered printed in the Journal:

Certificate of Election

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That according to the semi-official returns of the Special Election held on the 16th day of May, 1995,

GARY G. MILLER

was elected to the office of

MEMBER OF THE ASSEMBLY—DISTRICT 60

for the term prescribed by law.

IN WITNESS WHEREOF, I hereunto
set my hand and affix the Great
Seal of the State of California at
Sacramento, this 17th day of
May, 1995

[SEAL]

BILL JONES
Secretary of State

RECEIPT

This acknowledges receipt of the certificate of election for the 60th A.D., received this day, May 17, 1995 at 6:40 p.m.

E. DOTSON WILSON
Chief Clerk of the Assembly

OATH OF OFFICE

The following Oath of Office was administered by the Speaker of the Assembly, Willie L. Brown, Jr.:

OATH

*for the Office of Member of the Assembly
60th Assembly District*

I, Gary Miller, 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.

GARY G. MILLER

Subscribed and sworn to before me,
this 18th day of May
A.D. 1995

WILLIE L. BROWN, JR.
Speaker of the Assembly

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS**

MOTION TO RECONSIDER ASSEMBLY BILL NO. 26 CONTINUED

By unanimous consent, the motion to reconsider the vote on the urgency clause to Assembly Bill No. 26 was continued until the next legislative day.

RECESS

By unanimous consent, at 10:57 a.m., Speaker pro Tempore Baca declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8 a.m., Friday, May 26, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, May 26, 1995
SIXTEENTH SESSION DAY
NINETY-NINTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, May 26, 1995

The Assembly met at 8:13 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called, and the following answered to their names—59:

Aguiar	Campbell	Hoge	Morrow
Alby	Cannella	House	Murray, Kevin
Alpert	Conroy	Isenberg	Murray, Willard
Archie-Hudson	Cortese	Kaloogian	Olberg
Baca	Cunneen	Katz	Rainey
Bates	Davis	Knight	Richter
Boland	Ducheny	Knowles	Rogan
Bordonaro	Figuroa	Knox	Setencich
Bowen	Firestone	Kuehl	Sher
Bowler	Gallegos	Lee	Sweeney
Brewer	Granlund	Machado	Tucker
Brown, Valerie	Hannigan	Martinez	Villaraigosa
Brulte	Harvey	Mazzoni	Woods
Bustamante	Hauser	McDonald	Mr. Speaker
Caldera	Hawkins	Miller	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O God, Help us, save us, have mercy on us, and keep us in Your grace. We ask that this whole day may be perfect, peaceful and free of sin and we commend ourselves and one another, and our whole life to You. For You are our sanctification and to You we give glory.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Hannigan then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Baldwin, Battin, Burton, Friedman, Frusetta, Goldsmith, Kuykendall, Morrissey, Napolitano, Poochigian, Pringle, Speier, Takasugi, Thompson, and Weggeland.

On personal business, and waiving per diem: Assembly Members Escutia and McPherson.

Because of illness: Assembly Member Vasconcellos.

Because of illness in her family: Assembly Member Allen.

(NOTE: For explanations of absences of Assembly Members Baldwin, Battin, Burton, Friedman, Frusetta, Goldsmith, Kuykendall, Morrissey, Napolitano, Poochigian, Pringle, Speier, Takasugi, Thompson, and Weggeland on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

MESSAGES FROM THE SENATE

Senate Chamber, May 25, 1995

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

Senate Bill No. 12

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 12—An act relating to education, and declaring the urgency thereof, to take effect immediately.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS****MOTION TO RECONSIDER ASSEMBLY BILL NO. 26 CONTINUED**

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 26 was continued until the next legislative day.

RECESS

By unanimous consent, at 8:14 a.m., Speaker Brown declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8 a.m., Thursday, June 1, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, June 1, 1995
SEVENTEENTH SESSION DAY
ONE HUNDRED FIFTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, June 1, 1995

The Assembly met at 7:18 p.m.
Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Cannella	Kaloogian	Poochigian
Alby	Conroy	Katz	Pringle
Allen	Cortese	Knight	Rainey
Alpert	Cunneen	Knowles	Richter
Archie-Hudson	Davis	Knox	Rogan
Baca	Ducheny	Kuehl	Setencich
Baldwin	Figueroa	Kuykendall	Sher
Bates	Firestone	Lee	Speier
Battin	Friedman	Machado	Sweeney
Boland	Frusetta	Martinez	Takasugi
Bordonaro	Gallegos	Mazzoni	Thompson
Bowen	Goldsmith	McDonald	Tucker
Bowler	Granlund	McPherson	Vasconcellos
Brewer	Hannigan	Miller	Villaraigosa
Brown, Valerie	Harvey	Morrissey	Weggeland
Brulte	Hauser	Morrow	Woods
Burton	Hawkins	Murray, Kevin	Mr. Speaker
Bustamante	Hoge	Murray, Willard	
Caldera	House	Napolitano	
Campbell	Isenberg	Olberg	

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord, Bless those who praise You and sanctify those who trust in You. Grant peace to Your world, to Your churches, to those in public service, and to all Your people. For every good and perfect gift is from above, coming from You the father of lights; and to You we give glory and thanksgiving, now and always.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Morrissey then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On personal business, and waiving per diem: Assembly Member Escutia.

MESSAGES FROM THE SENATE

Senate Chamber, May 30, 1995

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

Senate Bill No. 6

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 6—An act to add Section 97.27 to the Revenue and Taxation Code, relating to local government finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

MOTION TO RECONSIDER ASSEMBLY BILL NO. 26 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 26 was continued until Thursday, June 8, 1995.

ADJOURNMENT

At 7:18 p.m., the Assembly adjourned until 9 a.m., Thursday, June 8, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 7, 1995
EIGHTEENTH SESSION DAY
ONE HUNDRED ELEVENTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 7, 1995

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—74:

Aguiar	Cannella	Isenberg	Olberg
Alby	Conroy	Kaloogian	Poochigian
Allen	Cortese	Katz	Pringle
Alpert	Cunneen	Knight	Rainey
Archie-Hudson	Davis	Knowles	Richter
Baca	Ducheny	Knox	Rogan
Baldwin	Figuroa	Kuehl	Setencich
Bates	Firestone	Kuykendall	Sher
Battin	Friedman	Machado	Speier
Boland	Frusetta	Martinez	Sweeney
Bordonaro	Gallegos	Mazzoni	Takasugi
Bowen	Goldsmith	McDonald	Thompson
Bowler	Granlund	McPherson	Tucker
Brewer	Hannigan	Miller	Vasconcellos
Brown, Valerie	Harvey	Morrissey	Villaraigosa
Brulte	Hauser	Morrow	Woods
Burton	Hawkins	Murray, Kevin	Mr. Speaker
Bustamante	Hoge	Murray, Willard	
Campbell	House	Napolitano	

Quorum present.

At 12:22 p.m., Hon. Sal Cannella, 26th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Weggeland.

On personal business, and waiving per diem: Assembly Members Escutia and Lee.

Because of illness in his family: Assembly Member Caldera.

(NOTE: For explanation of absence of Assembly Member Weggeland on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 14, 1995

NINETEENTH SESSION DAY

ONE HUNDRED EIGHTEENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 14, 1995

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Allen	Cortese	Knight	Poochigian
Alpert	Cunneen	Knowles	Pringle
Archie-Hudson	Davis	Knox	Rainey
Baca	Ducheny	Kuehl	Richter
Baldwin	Figueroa	Kuykendall	Rogan
Bates	Firestone	Lee	Sher
Battin	Friedman	Machado	Speier
Bordonaro	Frusetta	Margett	Sweeney
Bowen	Callegos	Martinez	Takasugi
Bowler	Goldsmith	Mazzoni	Thompson
Brewer	Granlund	McDonald	Tucker
Brown, Valerie	Hannigan	McPherson	Vasconcellos
Brulte	Harvey	Miller	Villaraigosa
Burton	Hauser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mr. Speaker
Campbell	House	Murray, Willard	

Quorum present.

At 1:43 p.m., Hon. Debra Bowen, 53rd District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Setencich.

On personal business, and waiving per diem: Assembly Member Escutia.

Because of illness: Assembly Member Boland.

The following Assembly Member was excused for the day, and his per diem was waived: Isenberg.

(NOTE: For explanation of absence of Assembly Member Setencich on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

Office of the Secretary of State

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That I have compiled the semi-official returns of the June 6, 1995, 59th Assembly District Special General Election, and

That the attached Statement of Vote is a full, true, and correct compilation of the election results, submitted by the election officials of the county or counties conducting the election, and is on file in this office.

IN WITNESS WHEREOF, I
hereunto set my hand and
affix the Great Seal of the
State of California this 7th
day of June, 1995.

[SEAL]

BILL JONES
Secretary of State

59TH ASSEMBLY DISTRICT GENERAL SPECIAL ELECTION
SEMI-OFFICIAL CANVASS
JUNE 6, 1995

County	Bob Margrett	Brent A. Decker	
Los Angeles	Rep	Dem	
% by County	21,019	8,447	
	71.33%	28.67%	
DISTRICT TOTAL	21,019	8,447	
% by District	71.33%	28.67%	
Los Angeles	Precincts	Reporting	Registered Voters
% by County	By County	199	188,214
	199	100.00%	15.66%
DISTRICT TOTAL		199	188,214 TOTAL VOTERS
		100.00%	29,466 VOTES CAST
			15.66% % TURNOUT
			06/06/95
			11:23:15 PM

CERTIFICATE OF ELECTION

The following Certificate of Election was presented and ordered printed in the Journal:

Certificate of Election

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That according to the semi-official returns of the Special Election held on the 6th day of June, 1995,

BOB MARGETT

was elected to the office of

MEMBER OF ASSEMBLY—DISTRICT 59

for the term prescribed by law.

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California at Sacramento, this 7th day of June, 1995.

[SEAL]

BILL JONES
Secretary of State

RECEIPT

This acknowledges receipt of the certificate of election for the 59th A.D., received this day, June 7, 1995 at 3:15 p.m.

E. DOTSON WILSON
Chief Clerk of the Assembly

OATH OF OFFICE

The following Oath of Office was administered by the Speaker of the Assembly for the 1995–96 Regular Session, Doris Allen:

OATH

*for the Office of Member of the Assembly
59th Assembly District*

I, Bob Margett, 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.

BOB MARGETT

Subscribed and sworn to before me,
this 7th day of June
A.D. 1995

DORIS ALLEN
Speaker of the Assembly
for the 1995–96 Regular Session

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS**

MOTION TO RECONSIDER ASSEMBLY BILL NO. 26 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 26 was continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, June 21, 1995 or upon Call of the Speaker.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 21, 1995

TWENTIETH SESSION DAY

ONE HUNDRED TWENTY-FIFTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 21, 1995

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Aguiar	Cannella	Isenberg	Olberg
Alby	Conroy	Kaloogian	Poochigian
Alpert	Cortese	Katz	Pringle
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Knox	Rogan
Bates	Figueroa	Kuehl	Setencich
Battin	Firestone	Kuykendall	Sher
Boland	Friedman	Machado	Speier
Bordonaro	Frusetta	Margett	Sweeney
Bowen	Gallegos	Martinez	Takasugi
Bowler	Goldsmith	Mazzoni	Thompson
Brewer	Granlund	McDonald	Tucker
Brown, Valerie	Hannigan	McPherson	Vasconcellos
Brulte	Harvey	Morrissey	Villaraigosa
Burton	Hauser	Morrow	Weggeland
Bustamante	Hawkins	Murray, Kevin	Woods
Caldera	Hoge	Murray, Willard	Mr. Speaker
Campbell	House	Napolitano	

Quorum present.

At 1:33 p.m., Speaker pro Tempore Joe Baca, 62nd District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Allen and Miller.

On personal business, and waiving per diem: Assembly Members Escutia and Lee.

(NOTE: For explanations of absences of Assembly Members Allen and Miller on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

MOTION TO RECONSIDER ASSEMBLY BILL NO. 26 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 26 was continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, June 28, 1995, or upon Call of the Speaker.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 28, 1995

TWENTY-FIRST SESSION DAY

ONE HUNDRED THIRTY-SECOND 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 28, 1995

The Assembly met at 11:56 a.m.

Hon. Brian Setencich, Assembly Member, 30th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

Aguiar	Cannella	Kaloogian	Olberg
Alby	Conroy	Katz	Poochigian
Allen	Cortese	Knight	Pringle
Alpert	Cunneen	Knowles	Rainey
Archie-Hudson	Davis	Knox	Richter
Baca	Ducheny	Kuehl	Rogan
Baldwin	Figueroa	Kuykendall	Setencich
Bates	Firestone	Lee	Sher
Battin	Friedman	Machado	Speier
Boland	Frusetta	Margett	Sweeney
Bordonaro	Gallegos	Martinez	Takasugi
Bowen	Goldsmith	Mazzoni	Thompson
Bowler	Granlund	McDonald	Tucker
Brewer	Hannigan	McPherson	Vasconcellos
Brown, Valerie	Harvey	Miller	Villaraigosa
Brulte	Hauser	Morrissey	Weggeland
Burton	Hawkins	Morrow	Woods
Bustamante	Hoge	Murray, Kevin	Mr. Speaker
Caldera	House	Murray, Willard	
Campbell	Isenberg	Napolitano	

Quorum present.

PRAYER

Upon invitation of Acting Speaker Setencich, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O Lord in Heaven, Strengthen our God-fearing leaders; make firm the faith; calm the nations; pacify the world; protect this beautiful state we live in; place our departed parents, kin and friends where the just dwell; and accept us in repentance as a good and loving God.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Setencich, Assembly Member Bustamante then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On personal business, and waiving per diem: Assembly Member Escutia.

MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

A PROCLAMATION

by the

Governor of the State of California

WHEREAS, The Legislature of the State of California has been called in extraordinary session and has convened on February 17, 1995; and

WHEREAS, on account of an extraordinary occasion which has arisen and now exists, it is deemed desirable and necessary to submit an additional subject to the Legislature for consideration;

I, PETE WILSON, Governor of the State of California, by virtue of the power and authority vested in me by law, hereby amend and supplement the Proclamation dated February 7, 1995 by adding the following additional purpose thereto, and thereby permitting the Legislature to legislate upon the following subject, in addition to the subject specified in the original Proclamation, to wit:

To consider and act upon legislation relative to providing assistance to all counties in areas such as maintenance of effort relief, except for those funds used for public safety purposes; and

Increased flexibility in general assistance and mandate relief that provides counties increased flexibility, control and savings at no cost to the state.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 28th day of June 1995.

PETE WILSON
Governor of California

[SEAL]

ATTEST:
BILL JONES
Secretary of State

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Allen.

Resolved, That Assembly Bills Nos. 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 28, and 31 present a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bills be read on three separate days in each house is hereby dispensed with, and it is ordered that the bills be placed upon their passage, and considered engrossed.

Resolution read, and adopted by the following vote:

AYES—75

Aguiar	Cannella	Katz	Olberg
Alby	Conroy	Knight	Poochigian
Allen	Cortese	Knowles	Pringle
Alpert	Cunneen	Knox	Rainey
Archie-Hudson	Davis	Kuehl	Richter
Baca	Ducheny	Kuykendall	Rogan
Baldwin	Figueroa	Lee	Setencich
Bates	Firestone	Machado	Sher
Battin	Frusetta	Margett	Speier
Boland	Gallegos	Martinez	Sweeney
Bordonaro	Granlund	Mazzoni	Takasugi
Bowen	Hannigan	McDonald	Thompson
Bowler	Harvey	McPherson	Tucker
Brewer	Hauser	Miller	Vasconcellos
Brown, Valerie	Hawkins	Morrissey	Villaraigosa
Brulte	Hoge	Morrow	Weggeland
Burton	House	Murray, Kevin	Woods
Bustamante	Isenberg	Murray, Willard	Mr. Speaker
Caldera	Kalोगian	Napolitano	

NOES—None

Article IV, Section 8(b) of the Constitution was declared dispensed with.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Allen.

Resolved, That Senate Bills Nos. 2, 4, 6, 11, and 12 present a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bills be read on three separate days in each house is hereby dispensed with, and it is ordered that the bills be placed upon their passage.

Resolution read, and adopted by the following vote:

AYES—75

Aguiar	Cannella	Katz	Olberg
Alby	Conroy	Knight	Poochigian
Allen	Cortese	Knowles	Pringle
Alpert	Cunneen	Knox	Rainey
Archie-Hudson	Davis	Kuehl	Richter
Baca	Ducheny	Kuykendall	Rogan
Baldwin	Figueroa	Lee	Setenchich
Bates	Firestone	Machado	Sher
Battin	Frusetta	Margett	Speier
Boland	Gallegos	Martinez	Sweeney
Bordonaro	Granlund	Mazzoni	Takasugi
Bowen	Hannigan	McDonald	Thompson
Bowler	Harvey	McPherson	Tucker
Brewer	Hauser	Miller	Vasconcellos
Brown, Valerie	Hawkins	Morrissey	Villaraigosa
Brulte	Hoge	Morrow	Weggeland
Burton	House	Murray, Kevin	Woods
Bustamante	Isenberg	Murray, Willard	Mr. Speaker
Caldera	Kaloogian	Napolitano	

NOES—None

Article IV, Section 8 (b) of the Constitution was declared dispensed with.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1—An act to amend Sections 3412 and 3413 of, and to add Section 3414 to, the Probate Code, relating to Orange County, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 3—An act to add and repeal Section 18025.05 of the Education Code, to add and repeal Section 1463.0015 of the Penal Code, and to add and repeal Sections 16990.1 and 17608.25 of the Welfare and Institutions Code, relating to local service funding, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 4—An act to add Section 5007.6 to the Penal Code, relating to Orange County, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 5—An act to add Sections 16263, 16264, and 16318 to the Government Code, relating to counties, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 6—An act to add and repeal Section 31000.05 of the Government Code, relating to county contracts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 7—An act to add Section 987.82 to the Penal Code, relating to Orange County, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 8—An act to add and repeal Section 17001.55 to the Welfare and Institutions Code, relating to general assistance, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 9—An act to add and repeal Section 97.53 of the Revenue and Taxation Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 10—An act to add and repeal Section 1267.14 of the Health and Safety Code, to add and repeal Section 1370.15 of the Penal Code, and to add and repeal Sections 10793, 11265.05, 11265.8, 15200.25, 17000.65, and 17001.75 of the Welfare and Institutions Code, relating to human services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 11—An act to add and repeal Section 10010 of the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 12—An act relating to school employees.

Bill read second time.

ASSEMBLY BILL NO. 15—An act to add Section 25366.7 to the Government Code, relating to Orange County.

Bill read second time.

ASSEMBLY BILL NO. 16—An act to add and repeal Section 25261.5 of the Government Code, relating to county funds, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 17—An act relating to public social services, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 18—An act to add Section 16262 to the Government Code, relating to Orange County.

Bill read second time.

ASSEMBLY BILL NO. 19—An act to add and repeal Section 40458 of the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 20—An act relating to solid waste, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 21—An act to add Sections 53584.1, 53585.1, and 53856.1 to the Government Code, relating to local agency finances.

Bill read second time.

ASSEMBLY BILL NO. 22—An act to amend Section 53854 of the Government Code, relating to local agency financing, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 23—An act to amend Section 35246 of the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 24—An act relating to public schools, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 25—An act to amend Sections 2800, 21100, 22651, 24004, 40000.15, and 40610 of the Vehicle Code, relating to vehicles.

Bill read second time.

ASSEMBLY BILL NO. 28—An act to amend Sections 5450 and 5451 of, and to add Sections 25350.57 and 25350.6 to, the Government Code, relating to local agency finances, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

ASSEMBLY BILL NO. 31—An act to amend Sections 17041 and 19603 of, and to add Section 97.56 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 2—An act relating to local programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

SENATE BILL NO. 4—An act to amend Section 2602 of the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

SENATE BILL NO. 6—An act to add Section 97.27 to the Revenue and Taxation Code, relating to local government finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

SENATE BILL NO. 11—An act to add Section 53852.5 to the Government Code, relating to local governmental finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

SENATE BILL NO. 12—An act relating to education, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

BILLS SET FOR SPECIAL ORDER

In the absence of objection, the following bills were set for Special Order of Business, at 9:30 a.m. on this day:

Assembly Bills Nos. 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 28, and 31; Assembly Joint Resolution No. 1; Senate Bills Nos. 2, 4, 6, 11, and 12. (See Assembly Journal for the Regular Session for June 27, 1995, Page 2301.)

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 1

The hour having arrived, Assembly Bill No. 1 was taken up.

ASSEMBLY BILL NO. 1 (Caldera)—An act to amend Sections 3412 and 3413 of, and to add Section 3414 to, the Probate Code, relating to Orange County, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

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

**Further Consideration of Assembly Bill No. 1, As Amended,
by Unanimous Consent**

Assembly Member Caldera was granted unanimous consent to take up Assembly Bill No. 1, as amended, without reference to file for purpose of consideration at this time, and that the same be considered engrossed.

ASSEMBLY BILL NO. 1 (Caldera)—An act to amend Sections 3412, 3413, and 3611 of, and to add Section 3414 to, the Probate Code, relating to Orange County, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.
The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:05 p.m.

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

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 3

The hour having arrived, Assembly Bill No. 3 was taken up.

ASSEMBLY BILL NO. 3 (Johnson)—An act to add and repeal Section 18025.05 of the Education Code, to add and repeal Section 1463.0015 of the Penal Code, and to add and repeal Sections 16990.1 and 17608.25 of the Welfare and Institutions Code, relating to local service funding, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

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

Parliamentary Inquiry

Assembly Member Bowler arose to the following parliamentary inquiry:

Is Assembly Member Willie L. Brown, Jr. not the Speaker of the Second Extraordinary Session, and as such, is it in order that Assembly Member Setencich preside?

Reply by Acting Speaker Setencich

The Acting Speaker replied that he had presided in today's Regular Session when the Body moved to consideration of Special Orders of Business in the Second Extraordinary Session.

The question being on the Pringle motion to amend Assembly Bill No. 3.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:20 p.m.

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

REQUEST FOR UNANIMOUS CONSENT TO LIMIT DEBATE

Acting Speaker Setencich was granted unanimous consent that debate on Special Orders of Business be limited to two proponents and two opponents.

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP
ASSEMBLY BILL NO. 4 AS AMENDED WITHOUT REFERENCE TO FILE**

Assembly Member Morrissey requested unanimous consent to take up Assembly Bill No. 4, without reference to file.

Point of Order

Speaker Brown arose to the following point of order:

That a bill must be taken up for purpose of amendment and pending subsequent adoption of amendments, a request may then be made to temporarily suspend the rules to take up the bill without reference to file for purpose of consideration.

Ruling by Acting Speaker Setencich

The Acting Speaker ruled the point of order well-taken.

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 4

The hour having arrived, Assembly Bill No. 4 was taken up.

ASSEMBLY BILL NO. 4 (Morrissey)—An act to add Section 5007.6 to the Penal Code, relating to Orange County, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Morrissey moved the adoption of amendments. Amendments read and adopted by the following vote:

AYES—41

Aguiar	Conroy	Knight	Rainey
Alby	Cunneen	Knowles	Richter
Allen	Firestone	Kuykendall	Rogan
Baldwin	Frusetta	Margett	Setencich
Battin	Goldsmith	McPherson	Takasugi
Boland	Granlund	Miller	Thompson
Bordonaro	Harvey	Morrissey	Weggeland
Bowler	Hawkins	Morrow	Woods
Brewer	Hoge	Olberg	
Burte	House	Poochigian	
Bustamante	Kaloogian	Pringle	

NOES—32

Archie-Hudson	Cortese	Knox	Napolitano
Baca	Figueroa	Kuehl	Sher
Bates	Friedman	Lee	Speier
Bowen	Galgos	Martinez	Sweeney
Brown, Valerie	Hannigan	Mazzoni	Tucker
Burton	Hauser	McDonald	Vasconcellos
Campbell	Isenberg	Murray, Kevin	Villaraigosa
Cannella	Katz	Murray, Willard	Mr. Speaker

Assembly Bill No. 4 ordered reprinted.

**Further Consideration of Assembly Bill No. 4, As Amended,
by Unanimous Consent**

Assembly Member Morrissey was granted unanimous consent to take up Assembly Bill No. 4, as amended, without reference to file for purpose of consideration at this time, and that the same be considered engrossed.

ASSEMBLY BILL NO. 4 (Morrissey)—An act to add and repeal Section 4011.3 of the Penal Code, relating to Orange County, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:39 p.m.

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

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 5

The hour having arrived, Assembly Bill No. 5 was taken up.

ASSEMBLY BILL NO. 5 (Morrissey)—An act to add Sections 16263, 16264, and 16318 to the Government Code, relating to counties, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:46 p.m.

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

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 6

The hour having arrived, Assembly Bill No. 6 was taken up.

ASSEMBLY BILL NO. 6 (Conroy)—An act to add and repeal Section 31000.05 of the Government Code, relating to county contracts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Motion to Amend by Assembly Member Pringle

Assembly Member Pringle moved the adoption of amendments.

Assembly Member Battin seconded the motion.

Amendments read.

Point of Order

Assembly Member Goldsmith arose to the following point of order:

That Assembly Member Knox limit debate to the merits of the proposed amendments.

Ruling by Acting Speaker Setencich

The Acting Speaker ruled the point of order well-taken.

The question being on the Pringle motion to amend Assembly Bill No. 6.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:05 p.m.

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

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 7

The hour having arrived, Assembly Bill No. 7 was taken up.

ASSEMBLY BILL NO. 7 (Conroy)—An act to add Section 987.82 to the Penal Code, relating to Orange County, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:07 p.m.

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

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 8

The hour having arrived, Assembly Bill No. 8 was taken up.

ASSEMBLY BILL NO. 8 (Brewer)—An act to add and repeal Section 17001.55 to the Welfare and Institutions Code, relating to general assistance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Brewer moved the adoption of amendments.

Amendments read.

Pringle Motion to Amend the Brewer Amendments

Assembly Member Pringle moved to amend the amendments offered by Assembly Member Brewer to Assembly Bill No. 8.

Assembly Member Brulte seconded the motion.

Amendments read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:20 p.m.

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

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 9

The hour having arrived, Assembly Bill No. 9 was taken up.

ASSEMBLY BILL NO. 9 (Brewer)—An act to add and repeal Section 97.53 of the Revenue and Taxation Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Brewer moved the adoption of amendments.

Amendments read and refused adoption by the following vote:

AYES—11

Allen
Boland
Brewer

Brulte
Conroy
Kaloogian

Morrissey
Morrow
Pringle

Rogan
Takasugi

NOES—59

Aguiar
Alby
Alpert
Archie-Hudson
Baca
Baldwin
Bates
Battin
Bowen
Bowler
Brown, Valerie
Burton
Bustamante
Caldera
Campbell

Cannella
Cortese
Cunneen
Davis
Ducheny
Figueroa
Firestone
Friedman
Frusetta
Gallegos
Goldsmith
Hannigan
Harvey
Hauser
Isenberg

Katz
Knight
Knox
Kuehl
Kuykendall
Lee
Machado
Margett
Martinez
Mazzoni
McDonald
McPherson
Miller
Murray, Kevin
Murray, Willard

Napolitano
Olberg
Poochigian
Rainey
Richter
Setencich
Sher
Speier
Sweeney
Tucker
Vasconcellos
Villaraigosa
Weggeland
Mr. Speaker

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 10

The hour having arrived, Assembly Bill No. 10 was taken up.

ASSEMBLY BILL NO. 10 (Brewer)—An act to add and repeal Section 1267.14 of the Health and Safety Code, to add and repeal Section 1370.15 of the Penal Code, and to add and repeal Sections 10793, 11265.05, 11265.8, 15200.25, 17000.65, and 17001.75 of 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.

Motion to Amend

Assembly Member Brewer moved the adoption of amendments.

Amendments read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:35 p.m.

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

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 11

The hour having arrived, Assembly Bill No. 11 was taken up.

ASSEMBLY BILL NO. 11 (Brewer)—An act to add and repeal Section 10010 of the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Brewer moved the adoption of amendments.

Amendments read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:38 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. 12, on request of Assembly Member Brewer.

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 15

The hour having arrived, Assembly Bill No. 15 was taken up.

ASSEMBLY BILL NO. 15 (Pringle)—An act to add Section 25366.7 to the Government Code, relating to Orange County.

Bill read third time.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:46 p.m.

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

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 16

The hour having arrived, Assembly Bill No. 16 was taken up.

ASSEMBLY BILL NO. 16 (Pringle)—An act to add and repeal Section 25261.5 of the Government Code, relating to county funds, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Pringle moved the adoption of amendments.

Assembly Member Morrissey seconded the motion.

Amendments read and adopted by the following vote:

AYES—53

Aguiar	Cortese	House	Olberg
Archie-Hudson	Cunneen	Kaloogian	Poochigian
Baca	Ducheny	Knight	Pringle
Baldwin	Figueroa	Knowles	Rainey
Battin	Firestone	Kuehl	Richter
Boland	Friedman	Kuykendall	Rogan
Bordonaro	Frusetta	Margett	Thompson
Bowler	Gallegos	McDonald	Tucker
Brewer	Goldsmith	McPherson	Villaraigosa
Brulte	Granlund	Miller	Weggeland
Bustamante	Hannigan	Morrissey	Woods
Caldera	Harvey	Morrow	
Cannella	Hauser	Murray, Kevin	
Conroy	Hoge	Murray, Willard	

NOES—14

Alpert	Campbell	Lee	Sher
Bates	Isenberg	Machado	Sweeney
Bowen	Katz	Martinez	
Brown, Valerie	Knox	Mazzoni	

Assembly Bill No. 16 ordered reprinted.

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 18

The hour having arrived, Assembly Bill No. 18 was taken up.

ASSEMBLY BILL NO. 18 (Pringle)—An act to add Section 16262 to the Government Code, relating to Orange County.

Bill read third time.

Motion to Amend

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 2 p.m.

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

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 19

The hour having arrived, Assembly Bill No. 19 was taken up.

ASSEMBLY BILL NO. 19 (Pringle)—An act to add and repeal Section 40458 of the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend by Assembly Member Aguiar

Assembly Member Aguiar moved the adoption of amendments.
Amendments read and adopted by the following vote:

AYES—41

Aguiar	Conroy	Knight	Rainey
Alby	Cunneen	Knowles	Richter
Allen	Firestone	Kuykendall	Rogan
Baca	Frusetta	Margett	Setencich
Baldwin	Goldsmith	McPherson	Takasugi
Battin	Granlund	Miller	Thompson
Boland	Harvey	Morrissey	Weggeland
Bordonaro	Hawkins	Morrow	Woods
Bowler	Hoge	Olberg	
Brewer	House	Poochigian	
Brulte	Kaloogian	Pringle	

NOES—34

Archie-Hudson	Cortese	Kuehl	Sher
Bates	Ducheny	Lee	Speier
Bowen	Figueroa	Machado	Sweeney
Brown, Valerie	Friedman	Martinez	Tucker
Burton	Gallegos	Mazzoni	Vasconcellos
Bustamante	Hannigan	McDonald	Villaraigosa
Caldera	Hauser	Murray, Kevin	Mr. Speaker
Campbell	Isenberg	Murray, Willard	
Cannella	Knox	Napolitano	

Assembly Bill No. 19 ordered reprinted.

BILLS PLACED ON INACTIVE FILE

The following bills were placed upon the inactive file:

Assembly Bill No. 20, on request of Assembly Member Morrow;

Assembly Bill No. 23, on request of Assembly Member Conroy.

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 25

The hour having arrived, Assembly Bill No. 25 was taken up.

ASSEMBLY BILL NO. 25 (Morrissey)—An act to amend Sections 2800, 21100, 22651, 24004, 40000.15, and 40610 of the Vehicle Code, relating to vehicles.

Bill read third time.

Motion to Amend by Assembly Member Battin

Assembly Member Battin moved the adoption of amendments.

Assembly Member Boland seconded the motion.

Parliamentary Inquiry

Speaker Brown arose to the following parliamentary inquiry:

Have copies of the proposed amendments been placed on the Members' desks?

Reply by Acting Speaker Setencich

The Acting Speaker replied that the proposed amendment is 25 words or less and is being prepared in writing at this time.

Point of Order

Assembly Member Pringle arose to the following point of order:

That the language of Assembly Bill No. 25 currently has statewide application and is, therefore, out of order.

Amendments Withdrawn

Without objection Assembly Member Battin withdrew his amendment to Assembly Bill No. 25.

Demand for Previous Question

Assembly Members Olberg, Miller, Hawkins, Aguiar, and Poochigian demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 2:37 p.m.

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

CONSIDERATION OF SPECIAL ORDER—ASSEMBLY BILL NO. 24

The hour having arrived, Assembly Bill No. 24 was taken up.

ASSEMBLY BILL NO. 24 (Allen)—An act relating to public schools, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Allen moved the adoption of amendments.
Amendments read and adopted by the following vote:

AYES—41

Aguiar	Brulte	Knowles	Olberg
Alby	Cannella	Knox	Pringle
Allen	Conroy	Kuykendall	Rainey
Archie-Hudson	Cortese	Margett	Richter
Baca	Cunneen	McDonald	Rogan
Baldwin	Frusetta	McPherson	Setencich
Boland	Goldsmith	Miller	Takasugi
Bordonaro	Harvey	Morrissey	Woods
Bowen	Hawkins	Morrow	
Bowler	House	Murray, Kevin	
Brewer	Kaloogian	Murray, Willard	

NOES—26

Bates	Figueroa	Kuehl	Sweeney
Brown, Valerie	Friedman	Lee	Tucker
Burton	Gallegos	Martinez	Vasconcellos
Bustamante	Hannigan	Mazzoni	Villaraigosa
Caldera	Hauser	Napolitano	Mr. Speaker
Campbell	Isenberg	Sher	
Davis	Katz	Speier	

Bill ordered reprinted.

**CONSIDERATION OF SPECIAL ORDER—ASSEMBLY
JOINT RESOLUTION NO. 1**

The hour having arrived, Assembly Joint Resolution No. 1 was taken up.

ASSEMBLY JOINT RESOLUTION NO. 1 (Pringle)—Relative to Orange County.

Resolution read and adopted by the following vote:

AYES—74

Aguiar	Cortese	Knight	Poochigian
Alby	Cunneen	Knowles	Pringle
Allen	Davis	Knox	Rainey
Alpert	Ducheny	Kuehl	Richter
Archie-Hudson	Figueroa	Kuykendall	Rogan
Baca	Firestone	Lee	Setencich
Baldwin	Friedman	Machado	Sher
Bates	Frusetta	Margett	Speier
Battin	Gallegos	Martinez	Sweeney
Boland	Goldsmith	Mazzoni	Takasugi
Bordonaro	Granlund	McDonald	Thompson
Bowen	Harvey	McPherson	Tucker
Bowler	Hauser	Miller	Vasconcellos
Brewer	Hawkins	Morrissey	Villaraigosa
Brown, Valerie	Hoge	Morrow	Weggeland
Brulte	House	Murray, Kevin	Woods
Burton	Isenberg	Murray, Willard	Mr. Speaker
Cannella	Kaloogian	Napolitano	
Conroy	Katz	Olberg	

NOES—None

Resolution ordered transmitted to the Senate.

ANNOUNCEMENTS

Speaker Brown announced that the Governor would convene a leadership meeting on Thursday, June 29, 1995, between 9:30 and 11:30 a.m.

CONSIDERATION OF SPECIAL ORDER—SENATE BILL NO. 11

The hour having arrived, Senate Bill No. 11 was taken up.

SENATE BILL NO. 11 (Killea)—An act to add Section 53852.5 to the Government Code, relating to local governmental finance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

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

Further Consideration of Senate Bill No. 11, As Amended, by Unanimous Consent

Assembly Member Brewer was granted unanimous consent to take up Senate Bill No. 11, as amended, without reference to file for purpose of consideration at this time.

SENATE BILL NO. 11 (Killea)—An act to add Section 53852.5 to the Government Code, relating to local governmental finance, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—77

Aguiar	Cannella	Katz	Poochigian
Alby	Conroy	Knight	Pringle
Allen	Cortese	Knowles	Rainey
Alpert	Cunneen	Knox	Richter
Archie-Hudson	Davis	Kuehl	Rogan
Baca	Ducheny	Kuykendall	Setencich
Baldwin	Figuroa	Lee	Sher
Bates	Firestone	Machado	Speier
Battin	Friedman	Margett	Sweeney
Boland	Frusetta	Martinez	Takasugi
Bordonaro	Gallegos	Mazzoni	Thompson
Bowen	Goldsmith	McDonald	Tucker
Bowler	Granlund	McPherson	Vasconcellos
Brewer	Hannigan	Miller	Villaraigosa
Brown, Valerie	Harvey	Morrissey	Weggeland
Brulte	Hauser	Morrow	Woods
Burton	Hawkins	Murray, Kevin	Mr. Speaker
Bustamante	House	Murray, Willard	
Caldera	Isenberg	Napolitano	
Campbell	Kaloogian	Olberg	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—77

Aguiar	Cannella	Katz	Poochigian
Alby	Conroy	Knight	Pringle
Allen	Cortese	Knowles	Rainey
Alpert	Cunneen	Knox	Richter
Archie-Hudson	Davis	Kuehl	Rogan
Baca	Ducheny	Kuykendall	Setencich
Baldwin	Figueroa	Lee	Sher
Bates	Firestone	Machado	Speier
Battin	Friedman	Margett	Sweeney
Boland	Frusetta	Martinez	Takasugi
Bordonaro	Gallegos	Mazzoni	Thompson
Bowen	Goldsmith	McDonald	Tucker
Bowler	Granlund	McPherson	Vasconcellos
Brewer	Hannigan	Miller	Villaraigosa
Brown, Valerie	Harvey	Morrissey	Weggeland
Brulte	Hauser	Morrow	Woods
Burton	Hawkins	Murray, Kevin	Mr. Speaker
Bustamante	House	Murray, Willard	
Caldera	Isenberg	Napolitano	
Campbell	Kaloogian	Olberg	

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER—SENATE BILL NO. 12

The hour having arrived, Senate Bill No. 12 was taken up.

SENATE BILL NO. 12 (Craven)—An act relating to education, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—76

Aguiar	Campbell	Kaloogian	Napolitano
Alby	Cannella	Katz	Olberg
Allen	Cortese	Knight	Poochigian
Alpert	Cunneen	Knowles	Pringle
Archie-Hudson	Davis	Knox	Rainey
Baca	Ducheny	Kuehl	Richter
Baldwin	Figueroa	Kuykendall	Rogan
Bates	Firestone	Lee	Setencich
Battin	Friedman	Machado	Sher
Boland	Frusetta	Margett	Speier
Bordonaro	Gallegos	Martinez	Sweeney
Bowen	Goldsmith	Mazzoni	Takasugi
Bowler	Granlund	McDonald	Thompson
Brewer	Hannigan	McPherson	Tucker
Brown, Valerie	Harvey	Miller	Vasconcellos
Brulte	Hauser	Morrissey	Villaraigosa
Burton	Hawkins	Morrow	Weggeland
Bustamante	House	Murray, Kevin	Woods
Caldera	Isenberg	Murray, Willard	Mr. Speaker

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—76

Aguiar	Campbell	Kalोगian	Napolitano
Alby	Cannella	Katz	Olberg
Allen	Cortese	Knight	Poochigian
Alpert	Cunneen	Knowles	Pringle
Archie-Hudson	Davis	Knox	Rainey
Baca	Ducheny	Kuehl	Richter
Baldwin	Figueroa	Kuykendall	Rogan
Bates	Firestone	Lee	Setencich
Battin	Friedman	Machado	Sher
Boland	Frusetta	Margett	Speier
Bordonaro	Gallegos	Martinez	Sweeney
Bowen	Goldsmith	Mazzoni	Takasugi
Bowler	Granlund	McDonald	Thompson
Brewer	Hannigan	McPherson	Tucker
Brown, Valerie	Harvey	Miller	Vasconcellos
Brulte	Hauser	Morrissey	Villaraigosa
Burton	Hawkins	Morrow	Weggeland
Bustamante	House	Murray, Kevin	Woods
Caldera	Isenberg	Murray, Willard	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS**

MOTION TO RECONSIDER ASSEMBLY BILL NO. 26 CONTINUED

Assembly Member Caldera was granted unanimous consent that the motion to reconsider the vote on Assembly Bill No. 26 be continued until Monday, July 3, 1995.

**FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 24, AS AMENDED,
BY UNANIMOUS CONSENT**

Assembly Member Allen was granted unanimous consent to take up Assembly Bill No. 24, as amended, without reference to file for purpose of consideration at this time, and that the same be considered engrossed.

ASSEMBLY BILL NO. 24 (Allen)—An act to add and repeal Section 53854.2 of the Government Code, relating to education, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 2:52 p.m.

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

CONSIDERATION OF SPECIAL ORDER—SENATE BILL NO. 2

The hour having arrived, Senate Bill No. 2 was taken up.

SENATE BILL NO. 2 (Hurtt)—An act relating to local programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 2:59 p.m.

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

PARLIAMENTARY INQUIRY

Assembly Member Pringle arose to the following parliamentary inquiry:

Will the same actions be taken today in the Second Extraordinary Session as were taken in the Regular Session on this day relative to the membership of the Select Committee on the Insolvency of Orange County?

Reply by Speaker Brown

Speaker Brown replied that new officers have not been elected in the Second Extraordinary Session and that any changes made in the membership of the Select Committee on the Insolvency of Orange County will be considered at such time as new officers are elected.

CONSIDERATION OF SPECIAL ORDER—SENATE BILL NO. 4

The hour having arrived, Senate Bill No. 4 was taken up.

SENATE BILL NO. 4 (Lewis)—An act to amend Section 2602 of the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—71

Aguiar	Conroy	Isenberg	Murray, Willard
Alby	Cortese	Kaloogian	Napolitano
Allen	Cunneen	Katz	Olberg
Alpert	Davis	Knight	Poochigian
Archie-Hudson	Ducheny	Knowles	Pringle
Baca	Figueroa	Knox	Rainey
Baldwin	Firestone	Kuehl	Richter
Battin	Friedman	Kuykendall	Rogan
Boland	Frusetta	Lee	Setencich
Bordonaro	Gallegos	Margett	Speier
Bowen	Goldsmith	Martinez	Takasugi
Bowler	Granlund	Mazzoni	Thompson
Brewer	Hannigan	McDonald	Tucker
Brown, Valerie	Harvey	McPherson	Vasconcellos
Brulte	Hauser	Miller	Weggeland
Burton	Hawkins	Morrissey	Woods
Bustamante	Hoge	Morrow	Mr. Speaker
Caldera	House	Murray, Kevin	

NOES—3

Cannella	Machado	Villaraigosa
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The question being on the passage of the bill.

Bill passed by the following vote:

AYES—71

Aguiar	Conroy	Isenberg	Murray, Willard
Alby	Cortese	Kaloogian	Napolitano
Allen	Cunneen	Katz	Olberg
Alpert	Davis	Knight	Poochigian
Archie-Hudson	Ducheny	Knowles	Pringle
Baca	Figueroa	Knox	Rainey
Baldwin	Firestone	Kuehl	Richter
Battin	Friedman	Kuykendall	Rogan
Boland	Frusetta	Lee	Setencich
Bordonaro	Gallegos	Margett	Speier
Bowen	Goldsmith	Martinez	Takasugi
Bowler	Granlund	Mazzoni	Thompson
Brewer	Hannigan	McDonald	Tucker
Brown, Valerie	Harvey	McPherson	Vasconcellos
Brulte	Hauser	Miller	Weggeland
Burton	Hawkins	Morrissey	Woods
Bustamante	Hoge	Morrow	Mr. Speaker
Caldera	House	Murray, Kevin	

NOES—3

Cannella	Machado	Villaraigosa
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Bill ordered transmitted to the Senate.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 28, on request of Assembly Member Brewer.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO ASSEMBLY BILL NO. 1**

At 3:04 p.m., on motion of Assembly Member Caldera, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 1 refused adoption by the following vote:

AYES—41

Allen	Davis	Kuehl	Pringle
Alpert	Ducheny	Lee	Sher
Archie-Hudson	Figueroa	Machado	Speier
Baca	Friedman	Martinez	Sweeney
Bowen	Gallegos	Mazzoni	Tucker
Brewer	Goldsmith	McDonald	Vasconcellos
Brown, Valerie	Hannigan	McPherson	Villaraigosa
Bustamante	Hauser	Morrissey	Mr. Speaker
Caldera	Isenberg	Murray, Kevin	
Cannella	Katz	Murray, Willard	
Cortese	Knox	Napolitano	

NOES—30

Aguiar	Cunneen	Knight	Richter
Baldwin	Firestone	Knowles	Setencich
Battin	Frusetta	Kuykendall	Takasugi
Boland	Granlund	Margett	Thompson
Bordonaro	Harvey	Miller	Weggeland
Brulte	Hawkins	Olberg	Woods
Burton	House	Poochigian	
Conroy	Kaloogian	Rainey	

**Motion to Reconsider Urgency Clause to Assembly Bill No. 1
on Next Legislative Day**

Assembly Member Caldera moved to reconsider on the next legislative day the vote whereby the urgency clause to Assembly Bill No. 1 was this day refused adoption.

Assembly Bill No. 1 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
PRINGLE MOTION TO AMEND ASSEMBLY BILL NO. 3**

At 3:06 p.m., on motion of Assembly Member Burton, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Pringle motion to amend Assembly Bill No. 3 carried by the following vote:

AYES—40

Aguiar	Conroy	Kaloogian	Poochigian
Alby	Cunneen	Knight	Pringle
Allen	Firestone	Knowles	Rainey
Baldwin	Frusetta	Kuykendall	Richter
Battin	Goldsmith	Margett	Rogan
Boland	Granlund	McPherson	Setencich
Bordonaro	Harvey	Miller	Takasugi
Bowler	Hawkins	Morrissey	Thompson
Brewer	Hoge	Morrow	Weggeland
Brulte	House	Olberg	Woods

NOES—38

Alpert	Cannella	Katz	Napolitano
Archie-Hudson	Cortese	Knox	Sher
Baca	Davis	Kuehl	Speier
Bates	Ducheney	Lee	Sweeney
Bowen	Figueroa	Machado	Tucker
Brown, Valerie	Friedman	Martinez	Vasconcellos
Burton	Gallegos	Mazzoni	Villaraigosa
Bustamante	Hannigan	McDonald	Mr. Speaker
Caldera	Hauser	Murray, Kevin	
Campbell	Isenberg	Murray, Willard	

Assembly Bill No. 3 ordered reprinted.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO ASSEMBLY BILL NO. 4**

At 3:07 p.m., on motion of Assembly Member Morrissey, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 4 refused adoption by the following vote:

AYES—41

Aguiar	Conroy	Knight	Rainey
Alby	Cunneen	Knowles	Richter
Allen	Firestone	Kuykendall	Rogan
Baldwin	Frusetta	Margett	Setencich
Battin	Goldsmith	McPherson	Takasugi
Boland	Granlund	Miller	Thompson
Bordonaro	Harvey	Morrissey	Weggeland
Bowen	Hawkins	Morrow	Woods
Bowler	Hoge	Olberg	
Brewer	House	Poochigian	
Brulte	Kaloogian	Pringle	

NOES—30

Archie-Hudson	Cortese	Knox	Napolitano
Baca	Davis	Kuehl	Sher
Bates	Figueroa	Lee	Tucker
Brown, Valerie	Friedman	Martinez	Vasconcellos
Burton	Gallegos	Mazzoni	Villaraigosa
Caldera	Hannigan	McDonald	Mr. Speaker
Campbell	Hauser	Murray, Kevin	
Cannella	Isenberg	Murray, Willard	

**Motion to Reconsider Urgency Clause to Assembly Bill No. 4
on Next Legislative Day**

Assembly Member Pringle moved to reconsider on the next legislative day the vote whereby the urgency clause to Assembly Bill No. 4 was this day refused adoption.

Assembly Bill No. 4 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO ASSEMBLY BILL NO. 5**

At 3:09 p.m., on motion of Assembly Member Morrissey, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 5 refused adoption by the following vote:

AYES—19

Alby	Brewer	Knight	Olberg
Baldwin	Brulte	Knowles	Pringle
Boland	Conroy	Miller	Rogan
Bordonaro	Hoge	Morrissey	Takasugi
Bowler	House	Morrow	

NOES—58

Aguiar	Cunneen	Kaloogian	Poochigian
Allen	Davis	Katz	Rainey
Alpert	Ducheny	Knox	Richter
Archie-Hudson	Figueroa	Kuehl	Setencich
Baca	Firestone	Kuykendall	Sher
Bates	Friedman	Lee	Speier
Battin	Frusetta	Machado	Sweeney
Bowen	Gallegos	Margett	Tucker
Brown, Valerie	Goldsmith	Martinez	Vasconcellos
Burton	Granlund	Mazzoni	Villaraigosa
Bustamante	Hannigan	McDonald	Weggeland
Caldera	Harvey	McPherson	Woods
Campbell	Hauser	Murray, Kevin	Mr. Speaker
Cannella	Hawkins	Murray, Willard	
Cortese	Isenberg	Napolitano	

**CALL OF THE ASSEMBLY DISPENSED WITH ON
PRINGLE MOTION TO AMEND ASSEMBLY BILL NO. 6**

At 3:09 p.m., on motion of Assembly Member McDonald, 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 Brulte moved to continue the call of the Assembly.

Motion carried. Time, 3:10 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 ASSEMBLY BILL NO. 7**

At 3:11 p.m., on motion of Assembly Member Conroy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 7 refused adoption by the following vote:

AYES—39

Alby	Cunneen	Knight	Pringle
Allen	Firestone	Knowles	Rainey
Baldwin	Frusetta	Kuykendall	Richter
Battin	Goldsmith	Margett	Rogan
Boland	Granlund	McPherson	Setencich
Bordonaro	Harvey	Miller	Takasugi
Bowler	Hawkins	Morrissey	Thompson
Brewer	Hoge	Morrow	Weggeland
Brulte	House	Olberg	Woods
Conroy	Kaloogian	Poochigian	

NOES—38

Alpert	Cannella	Katz	Napolitano
Archie-Hudson	Cortese	Knox	Sher
Baca	Davis	Kuehl	Speier
Bates	Ducheny	Lee	Sweeney
Bowen	Figuroa	Machado	Tucker
Brown, Valerie	Friedman	Martinez	Vasconcellos
Burton	Gallegos	Mazzoni	Villaraigosa
Bustamante	Hannigan	McDonald	Mr. Speaker
Caldera	Hauser	Murray, Kevin	
Campbell	Isenberg	Murray, Willard	

**Motion to Reconsider Urgency Clause to Assembly Bill No. 7
on Next Legislative Day**

Assembly Member Conroy moved to reconsider on the next legislative day the vote whereby the urgency clause to Assembly Bill No. 7 was this day refused adoption.

Assembly Bill No. 7 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON PRINGLE MOTION
TO AMEND BREWER AMENDMENT TO ASSEMBLY BILL NO. 8**

At 3:12 p.m., on motion of Assembly Member Bustamante, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Pringle motion to amend the Brewer amendments carried by the following vote:

AYES—39

Aguiar	Cunneen	Knight	Pringle
Alby	Firestone	Knowles	Rainey
Allen	Frusetta	Kuykendall	Richter
Baldwin	Goldsmith	Margett	Rogan
Battin	Granlund	McPherson	Setencich
Boland	Harvey	Miller	Takasugi
Bordonaro	Hawkins	Morrissey	Thompson
Bowler	Hoge	Morrow	Weggeland
Brulte	House	Olberg	Woods
Conroy	Kaloogian	Poochigian	

NOES—38

Alpert	Cannella	Katz	Napolitano
Archie-Hudson	Cortese	Knox	Sher
Baca	Davis	Kuehl	Speier
Bates	Ducheny	Lee	Sweeney
Bowen	Figueroa	Machado	Tucker
Brown, Valerie	Friedman	Martinez	Vasconcellos
Burton	Gallegos	Mazzoni	Villaraigosa
Bustamante	Hannigan	McDonald	Mr. Speaker
Caldera	Hauser	Murray, Kevin	
Campbell	Isenberg	Murray, Willard	

Assembly Bill No. 8 ordered reprinted.

**Further Consideration of Assembly Bill No. 8, as Amended,
by Unanimous Consent**

Assembly Member Brewer was granted unanimous consent to take up Assembly Bill No. 8, as amended, without reference to file for purpose of consideration at this time, and that the same be considered engrossed.

ASSEMBLY BILL NO. 8 (Brewer)—An act to amend Section 17000.6 of, and to add and repeal Section 17001.55 of, the Welfare and Institutions Code, relating to general assistance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 3:19 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
PRINGLE MOTION TO AMEND ASSEMBLY BILL NO. 6**

At 3:20 p.m., on motion of Assembly Member Brulte, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Pringle motion to amend Assembly Bill No. 6 carried by the following vote:

AYES—39

Aguiar	Cunneen	Knight	Pringle
Alby	Firestone	Knowles	Rainey
Baldwin	Frusetta	Kuykendall	Richter
Battin	Goldsmith	Margett	Rogan
Boland	Granlund	McPherson	Setencich
Bordonaro	Harvey	Miller	Takasugi
Bowler	Hawkins	Morrissey	Thompson
Brewer	Hoge	Morrow	Weggeland
Brulte	House	Olberg	Woods
Conroy	Kaloogian	Poochigian	

NOES—38

Alpert	Cannella	Katz	Napolitano
Archie-Hudson	Cortese	Knox	Sher
Baca	Davis	Kuehl	Speier
Bates	Ducheny	Lee	Sweeney
Bowen	Figueroa	Machado	Tucker
Brown, Valerie	Friedman	Martinez	Vasconcellos
Burton	Gallegos	Mazzoni	Villaraigosa
Bustamante	Hannigan	McDonald	Mr. Speaker
Caldera	Hauser	Murray, Kevin	
Campbell	Isenberg	Murray, Willard	

Assembly Bill No. 6 ordered reprinted.

**Further Consideration of Assembly Bill No. 6, as Amended,
by Unanimous Consent**

Assembly Member Conroy was granted unanimous consent to take up Assembly Bill No. 6, as amended, without reference to file for purpose of consideration at this time, and that the same be considered engrossed.

ASSEMBLY BILL NO. 6 (Conroy)—An act to add and repeal Section 31000.05 of the Government Code, relating to county contracts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and refused adoption by the following vote:

AYES—39

Aguiar	Cunneen	Knight	Pringle
Alby	Firestone	Knowles	Rainey
Baldwin	Frusetta	Kuykendall	Richter
Battin	Goldsmith	Margett	Rogan
Boland	Granlund	McPherson	Setencich
Bordonaro	Harvey	Miller	Takasugi
Bowler	Hawkins	Morrissey	Thompson
Brewer	Hoge	Morrow	Weggeland
Brulte	House	Olberg	Woods
Conroy	Kaloogian	Poochigian	

NOES—36

Alpert	Cannella	Isenberg	Murray, Willard
Archie-Hudson	Cortese	Katz	Napolitano
Baca	Davis	Knox	Sher
Bates	Ducheny	Kuehl	Speier
Bowen	Figueroa	Lee	Sweeney
Brown, Valerie	Friedman	Machado	Tucker
Burton	Gallegos	Mazzoni	Vasconcellos
Caldera	Hannigan	McDonald	Villaraigosa
Campbell	Hauser	Murray, Kevin	Mr. Speaker

Unanimous Consent Withheld

Assembly Member Brulte withheld unanimous consent on any requests for vote adds or changes to the roll call vote taken on this day on Assembly Bill No. 6.

**Motion to Reconsider Urgency Clause to Assembly Bill No. 6
on Next Legislative Day**

Assembly Member Conroy moved to reconsider on the next legislative day the vote whereby the urgency clause to Assembly Bill No. 6 was this day refused adoption.

Assembly Bill No. 6 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
BREWER MOTION TO AMEND ASSEMBLY BILL NO. 10**

At 3:35 p.m., on motion of Assembly Member McDonald, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Brewer motion to amend Assembly Bill No. 10 carried by the following vote:

AYES—39

Aguiar	Conroy	Kaloogian	Poochigian
Allen	Cunneen	Knight	Pringle
Alby	Firestone	Knowles	Rainey
Baldwin	Frusetta	Kuykendall	Richter
Battin	Goldsmith	Margett	Rogan
Boland	Granlund	McPherson	Setencich
Bordonaro	Harvey	Miller	Takasugi
Bowler	Hawkins	Morrissey	Weggeland
Brewer	Hoge	Morrow	Woods
Brulte	House	Olberg	

NOES—38

Alpert	Cannella	Katz	Napolitano
Archie-Hudson	Cortese	Knox	Sher
Baca	Davis	Kuehl	Speier
Bates	Ducheny	Lee	Sweeney
Bowen	Figuroa	Machado	Tucker
Brown, Valerie	Friedman	Martinez	Vasconcellos
Burton	Gallegos	Mazzoni	Villaraigosa
Bustamante	Hannigan	McDonald	Mr. Speaker
Caldera	Hauser	Murray, Kevin	
Campbell	Isenberg	Murray, Willard	

Assembly Bill No. 10 ordered reprinted.

**Further Consideration of Assembly Bill No. 10, As Amended,
by Unanimous Consent**

Assembly Member Brewer was granted unanimous consent to take up Assembly Bill No. 10, as amended, without reference to file for purpose of consideration at this time, and that the same be considered engrossed.

ASSEMBLY BILL NO. 10 (Brewer)—An act to add and repeal Section 1267.14 of the Health and Safety Code, relating to human services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Point of Order

Assembly Member Sher arose to the following point of order:

That there is a discrepancy in the language of the bill in the laptop computers and the printed amended version of the bill.

Parliamentary Inquiry

Speaker Brown arose to the following parliamentary inquiry:

Would it not be appropriate at this time to order the bill out to print as amended, to be returned to the third reading file?

Parliamentary Inquiry

Assembly Member Pringle arose to the following parliamentary inquiry:

When will the House reconvene in Second Extraordinary Session?

Reply by Acting Speaker Setencich

The Acting Speaker replied that the House is scheduled to reconvene in Second Extraordinary Session on Monday, July 3, 1995.

Assembly Bill No. 10 Ordered Reprinted

Assembly Bill No. 10 ordered out to print as amended, and to be returned to the third reading file.

CALL OF THE ASSEMBLY DISPENSED WITH ON BREWER MOTION TO AMEND ASSEMBLY BILL NO. 11

At 3:47 p.m., on motion of Assembly Member Brewer, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Brewer motion to amend Assembly Bill No. 11 lost by the following vote:

AYES—34

Alby	Goldsmith	Margett	Richter
Allen	Granlund	McPherson	Rogan
Baldwin	Harvey	Miller	Setencich
Bordonaro	Hawkins	Morrissey	Takasugi
Bowler	Hoge	Morrow	Thompson
Brewer	House	Olberg	Weggeland
Brulte	Kaloogian	Poochigian	Woods
Conroy	Knight	Pringle	
Cunneen	Knowles	Rainey	

NOES—40

Alpert	Campbell	Hauser	Murray, Kevin
Archie-Hudson	Cannella	Isenberg	Murray, Willard
Baca	Cortese	Katz	Napolitano
Bates	Davis	Knox	Sher
Battin	Ducheny	Kuehl	Speier
Bowen	Figueroa	Lee	Sweeney
Brown, Valerie	Friedman	Machado	Tucker
Burton	Frusetta	Martinez	Vasconcellos
Bustamante	Gallegos	Mazzoni	Villaraigosa
Caldera	Hannigan	McDonald	Mr. Speaker

**Further Consideration of Assembly Bill No. 11
Motion to Amend**

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

Demand for Previous Question

Assembly Members Kuykendall, Hawkins, Hannigan, Morrissey, and Thompson demanded the previous question. Demand sustained.

The question being on the Brewer motion to amend Assembly Bill No. 11.

Motion carried by the following vote:

AYES—38

Aguiar	Cunneen	Knowles	Rainey
Alby	Firestone	Kuykendall	Richter
Baldwin	Frusetta	Margett	Rogan
Battin	Goldsmith	McPherson	Setencich
Boland	Granlund	Miller	Takasugi
Bordonaro	Harvey	Morrissey	Thompson
Bowler	Hawkins	Morrow	Weggeland
Brewer	Hoge	Olberg	Woods
Brulte	House	Poochigian	
Conroy	Kaloogian	Pringle	

NOES—37

Alpert	Cannella	Katz	Sher
Archie-Hudson	Cortese	Knox	Speier
Baca	Davis	Kuehl	Sweeney
Bates	Ducheny	Lee	Tucker
Bowen	Figuroa	Machado	Vasconcellos
Brown, Valerie	Friedman	Mazzoni	Villaraigosa
Burton	Gallegos	McDonald	Mr. Speaker
Bustamante	Hannigan	Murray, Kevin	
Caldera	Hauser	Murray, Willard	
Campbell	Isenberg	Napolitano	

Assembly Bill No. 11 ordered reprinted.

Unanimous Consent Withheld

Assembly Member Brulte withheld unanimous consent on any requests for vote adds or changes to the roll call vote taken on this day on the Brewer motion to amend Assembly Bill No. 11 (Assembly Journal, page 139).

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 15**

At 3:55 p.m., on motion of Assembly Member Pringle, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 15 refused passage by the following vote:

AYES—38

Alby	Davis	Knowles	Rainey
Allen	Ducheny	Kuykendall	Richter
Baldwin	Firestone	Margett	Rogan
Boland	Goldsmith	McPherson	Setencich
Bordonaro	Granlund	Miller	Takasugi
Bowler	Harvey	Morrissey	Thompson
Brewer	Hoge	Morrow	Weggeland
Brulte	House	Olberg	Woods
Conroy	Kaloogian	Poochigian	
Cunneen	Knight	Pringle	

NOES—40

Aguiar	Caldera	Hawkins	Murray, Kevin
Alpert	Campbell	Isenberg	Murray, Willard
Archie-Hudson	Cannella	Katz	Napolitano
Baca	Cortese	Knox	Sher
Bates	Figueroa	Kuehl	Speier
Battin	Friedman	Lee	Sweeney
Bowen	Frusetta	Machado	Tucker
Brown, Valerie	Gallegos	Martinez	Vasconcellos
Burton	Hannigan	Mazzoni	Villaraigosa
Bustamante	Hauser	McDonald	Mr. Speaker

**Motion to Reconsider Assembly Bill No. 15
on Next Legislative Day**

Assembly Member Pringle moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 15 was this day refused passage.

Assembly Bill No. 15 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
PRINGLE MOTION TO AMEND ASSEMBLY BILL NO. 18**

At 3:55 p.m., on motion of Assembly Member Pringle, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Pringle motion to amend Assembly Bill No. 18 carried by the following vote:

AYES—39

Aguiar	Conroy	Kaloogian	Poochigian
Alby	Cunneen	Knight	Pringle
Allen	Firestone	Knowles	Rainey
Baldwin	Frusetta	Kuykendall	Rogan
Battin	Goldsmith	Margett	Setencich
Boland	Granlund	McPherson	Takasugi
Bordonaro	Harvey	Miller	Thompson
Bowler	Hawkins	Morrissey	Weggeland
Brewer	Hoge	Morrow	Woods
Brulte	House	Olberg	

NOES—38

Alpert	Cannella	Katz	Napolitano
Archie-Hudson	Cortese	Knox	Sher
Baca	Davis	Kuehl	Speier
Bates	Ducheney	Lee	Sweeney
Bowen	Figuroa	Machado	Tucker
Brown, Valerie	Friedman	Martinez	Vasconcellos
Burton	Gallegos	Mazzoni	Villaraigosa
Bustamante	Hannigan	McDonald	Mr. Speaker
Caldera	Hauser	Murray, Kevin	
Campbell	Isenberg	Murray, Willard	

Assembly Bill No. 18 ordered reprinted and to be returned to the third reading file.

**Request for Unanimous Consent to Take Up
Without Reference to File**

Assembly Member Pringle requested unanimous consent to take up Assembly Bill No. 18, as amended, without reference to file.

Assembly Member Bustamante withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Assembly Member Pringle moved that the Rules be temporarily suspended for the purpose of permitting consideration of Assembly Bill No. 18, without reference to file.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—40

Aguiar	Conroy	Kaloogian	Poochigian
Alby	Cunneen	Knight	Pringle
Allen	Firestone	Knowles	Rainey
Baldwin	Frusetta	Kuykendall	Richter
Battin	Goldsmith	Margett	Rogan
Boland	Granlund	McPherson	Setencich
Bordonaro	Harvey	Miller	Takasugi
Bowler	Hawkins	Morrissey	Thompson
Brewer	Hoge	Morrow	Weggeland
Brulte	House	Olberg	Woods

NOES—37

Alpert	Cannella	Katz	Sher
Archie-Hudson	Cortese	Knox	Speier
Baca	Davis	Kuehl	Sweeney
Bates	Ducheny	Lee	Tucker
Bowen	Figueroa	Machado	Vasconcellos
Brown, Valerie	Friedman	Mazzoni	Villaraigosa
Burton	Gallegos	McDonald	Mr. Speaker
Bustamante	Hannigan	Murray, Kevin	
Caldera	Hauser	Murray, Willard	
Campbell	Isenberg	Napolitano	

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 25**

At 3:57 p.m., on motion of Assembly Member Pringle, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 25 refused passage by the following vote:

AYES—40

Aguiar	Conroy	Kaloogian	Poochigian
Alby	Cunneen	Knight	Pringle
Allen	Firestone	Knowles	Rainey
Baldwin	Frusetta	Kuykendall	Richter
Battin	Goldsmith	Margett	Rogan
Boland	Granlund	McPherson	Setencich
Bordonaro	Harvey	Miller	Takasugi
Bowler	Hawkins	Morrissey	Thompson
Brewer	Hoge	Morrow	Weggeland
Brulte	House	Olberg	Woods

NOES—38

Alpert	Cannella	Katz	Napolitano
Archie-Hudson	Cortese	Knox	Sher
Baca	Davis	Kuehl	Speier
Bates	Ducheny	Lee	Sweeney
Bowen	Figueroa	Machado	Tucker
Brown, Valerie	Friedman	Martinez	Vasconcellos
Burton	Gallegos	Mazzoni	Villaraigosa
Bustamante	Hannigan	McDonald	Mr. Speaker
Caldera	Hauser	Murray, Kevin	
Campbell	Isenberg	Murray, Willard	

**Motion to Reconsider Assembly Bill No. 25
on Next Legislative Day**

Assembly Member Morrissey moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 25 was this day refused passage.

Assembly Bill No. 25 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO ASSEMBLY BILL NO. 24**

At 3:58 p.m., on motion of Assembly Member Allen, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 24 refused adoption by the following vote:

AYES—50

Allen	Cunneen	Knox	Poochigian
Alpert	Davis	Kuehl	Pringle
Archie-Hudson	Ducheny	Kuykendall	Rainey
Baca	Figuroa	Lee	Richter
Baldwin	Friedman	Mazzoni	Setencich
Bates	Gallegos	McDonald	Speier
Brown, Valerie	Goldsmith	McPherson	Tucker
Burton	Hannigan	Miller	Vasconcellos
Bustamante	Harvey	Morrissey	Villaraigosa
Caldera	Hauser	Morrow	Woods
Campbell	Hawkins	Murray, Kevin	Mr. Speaker
Conroy	House	Murray, Willard	
Cortese	Katz	Napolitano	

NOES—19

Aguiar	Bowen	Isenberg	Margett
Alby	Bowler	Kaloogian	Sher
Battin	Brulte	Knight	Sweeney
Boland	Cannella	Knowles	Takasugi
Bordonaro	Frusetta	Machado	

Unanimous Consent Withheld

Assembly Member Allen withheld unanimous consent on any requests for vote adds or changes to the roll call vote taken on this day on Assembly Bill No. 24.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO SENATE BILL NO. 2**

At 3:59 p.m., on motion of Assembly Member Conroy, 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. 2 refused adoption by the following vote:

AYES—21

Baldwin	Conroy	Knowles	Pringle
Battin	Frusetta	Miller	Rogan
Boland	Harvey	Morrissey	Takasugi
Bordonaro	House	Morrow	
Brewer	Kaloogian	Olberg	
Brulte	Knight	Poochigian	

NOES—44

Aguiar	Campbell	Isenberg	Murray, Willard
Allen	Cannella	Katz	Napolitano
Alpert	Cortese	Knox	Richter
Archie-Hudson	Davis	Kuehl	Setencich
Baca	Ducheny	Kuykendall	Sher
Bates	Figueroa	Lee	Speier
Bowen	Firestone	Machado	Sweeney
Brown, Valerie	Friedman	Martinez	Tucker
Burton	Gallegos	Mazzoni	Vasconcellos
Bustamante	Hannigan	McDonald	Villaraigosa
Caldera	Hauser	Murray, Kevin	Mr. Speaker

**Motion to Reconsider Urgency Clause to Senate Bill No. 2
on Next Legislative Day**

Assembly Member Conroy moved to reconsider on the next legislative day the vote whereby the urgency clause to Senate Bill No. 2 was this day refused adoption.

Senate Bill No. 2 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO ASSEMBLY BILL NO. 8**

At 4:01 p.m., on motion of Assembly Member Pringle, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 8 refused adoption by the following vote:

AYES—40

Aguiar	Conroy	Kaloogian	Poochigian
Alby	Cunneen	Knight	Pringle
Allen	Firestone	Knowles	Rainey
Baldwin	Frusetta	Kuykendall	Richter
Battin	Goldsmith	Margett	Rogan
Boland	Granlund	McPherson	Setencich
Bordonaro	Harvey	Miller	Takasugi
Bowler	Hawkins	Morrissey	Thompson
Brewer	Hoge	Morrow	Weggeland
Brulte	House	Olberg	Woods

NOES—38

Alpert	Cannella	Katz	Napolitano
Archie-Hudson	Cortese	Knox	Sher
Baca	Davis	Kuehl	Speier
Bates	Ducheny	Lee	Sweeney
Bowen	Figueroa	Machado	Tucker
Brown, Valerie	Friedman	Martinez	Vasconcellos
Burton	Gallegos	Mazzoni	Villaraigosa
Bustamante	Hannigan	McDonald	Mr. Speaker
Caldera	Hauser	Murray, Kevin	
Campbell	Isenberg	Murray, Willard	

**Motion to Reconsider Urgency Clause to Assembly Bill No. 8
on Next Legislative Day**

Assembly Member Brewer moved to reconsider on the next legislative day the vote whereby the urgency clause to Assembly Bill No. 8 was this day refused adoption.

Assembly Bill No. 8 ordered to the unfinished business file.

MOTION TO ADJOURN

At 4:01 p.m., Assembly Member Hannigan moved that the Assembly do now adjourn, until Monday, July 3, 1995.

Assembly Member Bustamante seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Morrissey, Burton, Alpert, Archie-Hudson, Sher, Pringle, Kuehl, House, and Richter arose to speak on the condition of the file.

COMMITTEE MEETING ANNOUNCEMENTS

Acting Speaker Setencich announced that the Committee on Insurance would meet today at 5:30 p.m. in Room 437; that the Committee on Agriculture would meet today, upon adjournment of Floor session, in Room 126; and that the meeting of the Committee on Water, Parks and Wildlife scheduled for today has been canceled.

Assembly Member Alpert announced that the Committee on Education would meet today, upon adjournment of Floor session.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Knox was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Adelina Gonzales, of New Mexico, grandmother of Ellen D'Agostino.

Assembly Member Mazzoni was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Edward Salmina, of Novato.

Assembly Member Rogan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jim Eddleman, of Sacramento, who was a Chef at the Capitol Cafe.

VOTE ADDS

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

Resolution to Invoke Constitution: Hoge and Weggeland—Aye.

Assembly Bill No. 4, Morrissey Amendments: Goldsmith—Aye.

Assembly Bill No. 9, Brewer Amendments: Frusetta and Weggeland—No.

Assembly Bill No. 16, Pringle Amendments: Granlund and Weggeland—Aye.

Assembly Bill No. 19, Aguiar Amendments: Goldsmith and Weggeland—Aye.

Assembly Bill No. 24, Allen Amendments: Bowen—Aye.

Assembly Joint Resolution No. 1: Speier—Aye.

Senate Bill No. 11 and Urgency: Goldsmith, Takasugi, and Weggeland—Aye.

Senate Bill No. 12 and Urgency: Goldsmith—Aye.

Assembly Bill No. 11, Brewer Amendments: Weggeland—Aye.

Assembly Bill No. 15: Weggeland—Aye.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

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

Motion carried by the following vote:

AYES—40

Allen	Cannella	Hauser	Murray, Willard
Alpert	Cortese	Isenberg	Napolitano
Archie-Hudson	Davis	Katz	Setencich
Bates	Ducheny	Knox	Sher
Bowen	Figuroa	Kuehl	Speier
Brown, Valerie	Friedman	Lee	Sweeney
Burton	Gallegos	Machado	Tucker
Bustamante	Goldsmith	Mazzoni	Vasconcellos
Caldera	Granlund	McDonald	Villaraigosa
Campbell	Hannigan	Murray, Kevin	Mr. Speaker

NOES—36

Aguiar	Conroy	Knight	Olberg
Alby	Cunneen	Knowles	Poochigian
Baldwin	Firestone	Kuykendall	Pringle
Battin	Frusetta	Margett	Rainey
Boland	Harvey	Martinez	Rogan
Bordonaro	Hawkins	McPherson	Takasugi
Bowler	Hoge	Miller	Thompson
Brewer	House	Morrissey	Weggeland
Brulte	Kaloogian	Morrow	Woods

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4:17 p.m., Acting Speaker Setencich declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 4:17 p.m., the Assembly adjourned until Monday, July 3, 1995, or upon Call of the Speaker, out of respect to the memory of Adeline Gonzales, on motion of Assembly Member Knox; out of respect to the memory of Edward Salmina, on motion of Assembly Member Mazzoni; and out of respect to the memory of Jim Eddleman, on motion of Assembly Member Rogan.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 28, 1995**

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

Assembly Bills

1
3
4
6
8
10
11
16
18
19
24

Senate Bill

11

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

Assembly Bills

9
11

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, July 5, 1995
TWENTY-SECOND SESSION DAY
ONE HUNDRED THIRTY-NINTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, July 5, 1995

The Assembly met at 7 a.m.

Hon. Brian Setencich, Assembly Member, 30th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—78:

Aguiar	Cannella	Kaloogian	Olberg
Alby	Conroy	Katz	Poochigian
Allen	Cortese	Knight	Pringle
Alpert	Cunneen	Knowles	Rainey
Archie-Hudson	Davis	Knox	Richter
Baca	Ducheny	Kuehl	Rogan
Baldwin	Figueroa	Kuykendall	Setencich
Bates	Firestone	Lee	Sher
Battin	Friedman	Machado	Speier
Boland	Frusetta	Margett	Sweeney
Bordonaro	Gallegos	Martinez	Takasugi
Bowen	Goldsmith	Mazzoni	Thompson
Bowler	Granlund	McDonald	Tucker
Brewer	Hannigan	McPherson	Vasconcellos
Brown, Valerie	Harvey	Miller	Villaraigosa
Brulte	Hauser	Morrissey	Weggeland
Burton	Hawkins	Morrow	Woods
Bustamante	Hoge	Murray, Kevin	Mr. Speaker
Caldera	House	Murray, Willard	
Campbell	Isenberg	Napolitano	

Quorum present.

LEAVES OF ABSENCE FOR THE DAY

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

On personal business, and waiving per diem: Assembly Member Escutia.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 5, 1995

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

Assembly Bill No. 1

Assembly Bill No. 6

Assembly Bill No. 4

Assembly Bill No. 8

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to unfinished business.

Assembly Chamber, July 5, 1995

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

Assembly Bill No. 3

Assembly Bill No. 16

Assembly Bill No. 10

Assembly Bill No. 18

Assembly Bill No. 11

Assembly Bill No. 19

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS**

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 2:28 p.m., the Assembly adjourned until Wednesday, July 12, 1995, or upon Call of the Speaker.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, July 12, 1995

TWENTY-THIRD SESSION DAY

ONE HUNDRED FORTY-SIXTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, July 12, 1995

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—77:

Aguiar	Cannella	Kaloogian	Olberg
Alby	Conroy	Katz	Poochigian
Allen	Cortese	Knight	Pringle
Alpert	Cunneen	Knowles	Rainey
Archie-Hudson	Davis	Knox	Rogan
Baca	Ducheny	Kuehl	Setencich
Baldwin	Figuroa	Kuykendall	Sher
Bates	Firestone	Lee	Speier
Battin	Friedman	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Tucker
Bowler	Granlund	McDonald	Vasconcellos
Brewer	Hannigan	McPherson	Villaraigosa
Brown, Valerie	Harvey	Miller	Weggeland
Brulte	Hauser	Morrissey	Woods
Burton	Hawkins	Morrow	Mr. Speaker
Bustamante	Hoge	Murray, Kevin	
Caldera	House	Murray, Willard	
Campbell	Isenberg	Napolitano	

Quorum present.

At 2:55 p.m., Minority Speaker pro Tempore Joe Baca, 62nd District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Members Escutia and Richter.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 32—Goldsmith. An act to add Section 17001.11 to the Welfare and Institutions Code, relating to general assistance.

ASSEMBLY BILL NO. 33—Goldsmith. An act to amend Sections 17000, 17001, and 17107 of, to add Section 17000.1 to, and to repeal Sections 17000.5 and 17000.6, relating to general assistance.

ASSEMBLY BILL NO. 34—Bates. An act to amend Section 96.31 of the Revenue and Taxation Code, relating to taxation.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 4 p.m., the Assembly adjourned until Wednesday, July 19, 1995, or upon Call of the Speaker.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, July 14, 1995

TWENTY-FOURTH SESSION DAY

ONE HUNDRED FORTY-EIGHTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, July 14, 1995

Without objection, the Assembly met at 7:40 p.m.
Hon. Brian Setencich, Assembly Member, 30th District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Akiba H. Howard, reading.

ROLL CALL

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

Aguiar	Campbell	Katz	Poochigian
Alby	Cannella	Knight	Pringle
Allen	Conroy	Knowles	Rainey
Alpert	Cortese	Knox	Richter
Archie-Hudson	Cunneen	Kuehl	Rogan
Baca	Davis	Kuykendall	Setencich
Baldwin	Ducheny	Lee	Sher
Bates	Figueroa	Machado	Speier
Battin	Firestone	Martinez	Sweeney
Boland	Friedman	Mazzoni	Takasugi
Bordonaro	Frusetta	McDonald	Thompson
Bowen	Gallegos	McPherson	Tucker
Bowler	Goldsmith	Miller	Vasconcellos
Brewer	Granlund	Morrissey	Villaraigosa
Brown, Valerie	Hannigan	Morrow	Weggeland
Bulte	Harvey	Murray, Kevin	Woods
Burton	Hawkins	Murray, Willard	Mr. Speaker
Bustamante	Hoge	Napolitano	
Caldera	Isenberg	Olberg	

Quorum present.

PRAYER

Upon invitation of Acting Speaker Setencich, the following prayer was offered by Rev. Costantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord our God, Quick to help and slow to anger, You show mercy with cheerfulness. Fill our mouths with praise of You; open our lips that we may glorify Your name; apply our hands to carrying out Your commandments; direct our feet in the way of Your Gospel, strengthening our minds and our whole body with Your grace.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Setencich, Assembly Member Napolitano then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Hauser.

On legislative business, and waiving per diem: Assembly Member Kaloogian.

On personal business, and waiving per diem: Assembly Member Escutia.

Because of illness in his family: Assembly Member Margett.

The following Assembly Member was excused for the day, and his per diem was waived: House.

(NOTE: For explanations of absences of Assembly Members Hauser and Kaloogian on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

MOTION BY ASSEMBLY MEMBER GOLDSMITH

Assembly Member Goldsmith moved that the election of Speaker Doris Allen in the Regular Session be deemed to have occurred in the Second Extraordinary Session.

Assembly Member Caldera seconded the motion.

Motion to Vacate Office of Speaker

Assembly Member Bowler moved to vacate the Office of Speaker of the Assembly in the Second Extraordinary Session.

Communications

The Clerk was instructed to read the following communication:
July 14, 1995

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

Dear Dotson: In the second extraordinary session, I am requesting that you elect someone other than myself as Speaker.

Please do so as soon as possible.

Sincerely,

WILLIE L. BROWN, JR.

Bowler Motion Ruled Out of Order

Acting Speaker Setencich ruled the Bowler motion out of order.

Substitute Motion by Assembly Member Pringle

Assembly Member Pringle moved to offer a substitute motion to elect Assembly Member James Rogan to the Office of Speaker of the Assembly in the Second Extraordinary Session.

Assembly Member Morrissey seconded the motion.

Motion to offer a substitute motion lost by the following vote:

AYES—32

Aguiar	Brulte	Knight	Poochigian
Alby	Conroy	Knowles	Pringle
Baldwin	Cunneen	Kuykendall	Rainey
Battin	Firestone	McPherson	Rogan
Boland	Frusetta	Miller	Takasugi
Bordonaro	Harvey	Morrissey	Thompson
Bowler	Hawkins	Morrow	Weggeland
Brewer	Hoge	Olberg	Woods

NOES—39

Alpert	Campbell	Katz	Napolitano
Archie-Hudson	Cannella	Knox	Setencich
Baca	Cortese	Kuehl	Sher
Bates	Davis	Lee	Speier
Bowen	Ducheny	Machado	Sweeney
Brown, Valerie	Figueroa	Martinez	Vasconcelos
Brown, Willie	Friedman	Mazzoni	Villaraigosa
Burton	Gallegos	McDonald	Mme. Speaker
Bustamante	Hannigan	Murray, Kevin	
Caldera	Isenberg	Murray, Willard	

Further Consideration of Goldsmith Motion

The question being on the Goldsmith motion that the election of Speaker Doris Allen in the Regular Session be deemed to have occurred in the Second Extraordinary Session.

Motion carried by the following vote:

AYES—43

Alpert	Cannella	Isenberg	Napolitano
Archie-Hudson	Cortese	Katz	Richter
Baca	Davis	Knox	Setencich
Bates	Ducheny	Kuehl	Sher
Bowen	Figueroa	Lee	Speier
Brown, Valerie	Friedman	Machado	Sweeney
Brown, Willie	Frusetta	Martinez	Tucker
Burton	Gallegos	Mazzoni	Vasconcelos
Bustamante	Goldsmith	McDonald	Villaraigosa
Caldera	Granlund	Murray, Kevin	Mme. Speaker
Campbell	Hannigan	Murray, Willard	

NOES—None**Unanimous Consent Withheld**

Assembly Member Katz withheld unanimous consent on any requests to add to the roll call vote taken on the Goldsmith motion.

Assembly Member Pringle withheld unanimous consent on any requests to change votes on the roll call vote taken on the Goldsmith motion.

OATH OF OFFICE

By unanimous consent the following Oath for the Office of Speaker of the Assembly in the Regular Session was deemed to have occurred in the Second Extraordinary Session, and ordered printed in the Journal:

OATH*for the Office of Speaker of the Assembly*

I, Doris Allen, 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.

DORIS ALLEN

VOTE ADDED TO GOLDSMITH MOTION

Acting Speaker Setencich ordered the Clerk to record Assembly Member Ducheny's vote on the roll call vote taken on the Goldsmith motion as she experienced a malfunction of her electronic vote switch.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 35—Goldsmith. An act to amend Section 1773 of the Labor Code, relating to public works.

ASSEMBLY BILL NO. 36—Goldsmith. An act to amend Section 1771, of, and to add Section 1771.1 to, the Labor Code, relating to public works.

ASSEMBLY BILL NO. 37—Goldsmith. An act to add Chapter 8.5 (commencing with Section 10975) to Part 2 of Division 9 of the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 38—Goldsmith. An act to amend and repeal Section 603.5 of the Welfare and Institutions Code, relating to minors.

ASSEMBLY BILL NO. 39—Goldsmith. An act to amend Section 95.3 of the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 40—Goldsmith. An act to amend Section 4420 of the Government Code, relating to public works.

ASSEMBLY BILL NO. 41—Goldsmith. An act relating to forest resources, and making an appropriation therefor.

ASSEMBLY BILL NO. 42—Goldsmith. An act to amend Section 53607 of, and to add Section 53635.7 to, the Government Code, relating to financial services.

ASSEMBLY BILL NO. 43—Goldsmith. An act to add Chapter 2.3 (commencing with Section 4320) to Title 4 of Part 3 of the Penal Code, relating to county correctional facilities.

ASSEMBLY BILL NO. 44—Goldsmith. An act to add Section 11268.5 to the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 45—Goldsmith. An act to add Section 11268.5 to the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 46—Goldsmith. An act to amend Sections 2000 and 2051 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 47—Goldsmith. An act to amend Section 11180 of the Government Code, and to amend Sections 11004, 11271.5, 11273, 11275, 11350.5, 11450, 11457, 11478, and 11487.5 of, and to add Sections 11008.16, 11023, 11271.6, 15200.35, and 18905.2 to, the Welfare and Institutions Code, relating to public social services.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

VOTE ADDS

The following Assembly Member was granted unanimous consent to record his vote on the following item:

Substitute Motion by Pringle: Morrow—Aye.

ADJOURNMENT

At 7:55 p.m., the Assembly adjourned until Wednesday, July 19, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, July 19, 1995

TWENTY-FIFTH SESSION DAY

ONE HUNDRED FIFTY-THIRD CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, July 19, 1995

The Assembly met at 7 a.m.
Hon. Mickey Conroy, Assembly Member, 71st District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—71:

Aguiar	Campbell	Katz	Olberg
Alby	Cannella	Knight	Poochigian
Archie-Hudson	Conroy	Knowles	Pringle
Baca	Cunneen	Knox	Rainey
Baldwin	Davis	Kuehl	Richter
Bates	Ducheney	Kuykendall	Rogan
Battin	Figueroa	Lee	Setencich
Boland	Friedman	Machado	Sher
Bordonaro	Frusetta	Margett	Sweeney
Bowen	Gallegos	Martinez	Takasugi
Bowler	Goldsmith	Mazzoni	Thompson
Brewer	Granlund	McDonald	Tucker
Brown, Valerie	Hannigan	McPherson	Vasconcellos
Brown, Willie	Harvey	Morrissey	Villaraigosa
Brulte	Hawkins	Morrow	Weggeland
Burton	House	Murray, Kevin	Woods
Bustamante	Isenberg	Murray, Willard	Mme. Speaker
Caldera	Kaloogian	Napolitano	

Quorum present.

At 1 p.m., Hon. Steven T. Kuykendall, 54th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Alpert, Cortese, Hoge, and Miller.

On legislative business, and per diem was waived: Assembly Members Firestone and Hauser.

On personal business, and waiving per diem: Assembly Members Escutia and Speier.

(NOTE: For explanations of absences of Assembly Members Alpert, Cortese, Firestone, Hauser, Hoge, and Miller on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

July 17, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have created the Assembly Standing Committee on Government Effectiveness and Accountability for the 1995-96 Second Extraordinary Session. I have also appointed the following Assemblymembers to this committee:

Bernie Richter, Chairman	Brett Granlund
Phil Isenberg, Vice Chairman	Juanita McDonald
Debra Bowen	Brian Setencich
Susan Davis	Antonio Villaraigosa
Peter Frusetta	Ted Weggeland
Jan Goldsmith	

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

Senate Chamber, July 15, 1995

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

Senate Bill No. 11.

RICK ROLLENS, Secretary of the Senate
 By John W. Rovane, Assistant Secretary

Senate Chamber, July 15, 1995

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

Senate Bill No. 19

RICK ROLLENS, Secretary of the Senate
 By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 19—An act to add Section 12019 to, to repeal and add Section 53760 of, and to repeal Sections 43739 and 53761 of, the Government Code, relating to local agencies.

MESSAGES FROM THE SENATE

Senate Chamber, July 15, 1995

Madame Speaker: I am directed to inform your honorable body that the Senate on this day adopted a motion that the 1995–96 Second Extraordinary Session be in recess during the same period as the 1995–96 Regular Session and grants permission for the Assembly to do the same.

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

MOTION TO RECESS

Unanimous consent was granted that the 1995–96 Second Extraordinary Session be in recess during the same period when the 1995–96 Regular Session is in recess and grants permission for the Senate to do the same.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, July 26, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, July 26, 1995
TWENTY-SIXTH SESSION DAY
ONE HUNDRED SIXTIETH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, July 26, 1995

The Assembly met at 7 a.m.

Hon. Bernie Richter, Assembly Member, 3rd District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—67:

Aguiar	Conroy	Katz	Olberg
Alpert	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Pringle
Baldwin	Ducheny	Knox	Rainey
Boland	Figuroa	Kuehl	Richter
Bordonaro	Firestone	Kuykendall	Rogan
Bowen	Friedman	Lee	Setencich
Bowler	Frusetta	Machado	Sweeney
Brewer	Callegos	Margett	Takasugi
Brown, Valerie	Goldsmith	Martinez	Thompson
Brown, Willie	Granlund	Mazzoni	Tucker
Brulte	Harvey	McDonald	Vasconcellos
Burton	Hauser	Miller	Villaraigosa
Bustamante	Hawkins	Morrissey	Weggeland
Caldera	House	Morrow	Woods
Campbell	Isenberg	Murray, Willard	Mme. Speaker
Cannella	Kaloogian	Napolitano	

Quorum present.

At 1:13 p.m., Hon. Howard Kaloogian, 74th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Archie-Hudson, Cortese, Hannigan, Hoge, McPherson, Kevin Murray, Sher, and Speier.

On legislative business, and waiving per diem: Assembly Member Bates.

On personal business, and waiving per diem: Assembly Members Alby and Escutia.

Because of illness in his family: Assembly Member Battin.

(NOTE: For explanations of absences of Assembly Members Archie-Hudson, Bates, Cortese, Hannigan, Hoge, McPherson, Sher, and Speier on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day; for explanation of absence of Assembly Member Kevin Murray on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for July 25, 1995.)

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 48—Knight. An act to add Section 17502 to the Government Code, relating to state-mandated local programs.

ASSEMBLY BILL NO. 49—Granlund. An act to amend Section 56381 of the Government Code, and to amend Section 95 of, and to add Section 96.14 to, the Revenue and Taxation Code, relating to local government.

ASSEMBLY BILL NO. 50—Conroy, Brewer, Morrissey, Morrow, and Pringle. An act to add Sections 180004, 180200.1, 180205.1, 180206.1, 180207.1, and 180250.1 to the Public Utilities Code, relating to Orange County.

ASSEMBLY BILL NO. 51—Willie Brown and Bates. An act to amend Sections 30101 and 30461 of, to add Section 30461.9 to, and to add and repeal Article 3 (commencing with Section 30131) of Chapter 2 of Part 13 of Division 2 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

MESSAGES FROM THE SENATE

Senate Chamber, July 20, 1995

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

Senate Bill No. 11.

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, August 2, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, August 1, 1995

**TWENTY-SEVENTH SESSION DAY
ONE HUNDRED SIXTY-SIXTH CALENDAR DAY**

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, August 1, 1995

Upon Call of the Speaker, the Assembly met at 10 a.m.
Hon. Brian Setencich, Assembly Member, 30th District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Isenberg	Napolitano
Alpert	Conroy	Kaloogian	Olberg
Archie-Hudson	Cortese	Katz	Poochigian
Baca	Cunneen	Knight	Pringle
Baldwin	Davis	Knowles	Rainey
Bates	Ducheny	Knox	Richter
Battin	Escutia	Kuehl	Rogan
Boland	Figueroa	Kuykendall	Setencich
Bordonaro	Firestone	Lee	Speier
Bowen	Friedman	Machado	Sweeney
Bowler	Frusetta	Margett	Takasugi
Brewer	Gallegos	Martinez	Thompson
Brown, Valerie	Goldsmith	Mazzoni	Tucker
Brown, Willie	Granlund	McDonald	Vasconcellos
Brulte	Hannigan	McPherson	Villaraigosa
Burton	Harvey	Miller	Weggeland
Bustamante	Hawkins	Morrissey	Woods
Caldera	Hoge	Murray, Kevin	Mme. 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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business, and per diem was waived: Assembly Member Sher.

On personal business, and waiving per diem: Assembly Members Hauser and Morrow.

(NOTE: For letter explaining the absence of Assembly Member Sher on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Friday, July 28, 1995.)

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 52—Granlund and Brulte (Senators Ayala and Leonard, coauthors). An act to add Article 2.7 (commencing with Section 31512) to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to county retirement.

ASSEMBLY BILL NO. 53—Bowen, Martinez, Kevin Murray, Isenberg, Escutia, Willard Murray, and Napolitano. An act to add Chapter 10 (commencing with Section 30400) to Division 3 of Title 3 of the Government Code, relating to local governmental finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 12 p.m., pursuant to the motion to recess which was granted by unanimous consent on July 19, 1995, the Assembly adjourned for the 1995 Summer Recess until 12 m., Monday, August 21, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 23, 1995
TWENTY-EIGHTH SESSION DAY
ONE HUNDRED EIGHTY-EIGHTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, August 23, 1995

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Aguiar	Cannella	House	Napolitano
Alby	Conroy	Isenberg	Olberg
Alpert	Cortese	Kaloogian	Poochigian
Archie-Hudson	Cunneen	Katz	Pringle
Baca	Davis	Knight	Rainey
Baldwin	Ducheny	Knowles	Richter
Bates	Escutia	Knox	Rogan
Battin	Figueroa	Kuehl	Setencich
Boland	Firestone	Kuykendall	Sher
Bordonaro	Friedman	Lee	Speier
Bowen	Frusetta	Machado	Sweeney
Bowler	Gallegos	Margett	Takasugi
Brewer	Goldsmith	Martinez	Thompson
Brown, Valerie	Granlund	Mazzoni	Tucker
Brulte	Hannigan	McDonald	Vasconcellos
Burton	Harvey	McPherson	Villaraigosa
Bustamante	Hauser	Morrissey	Weggeland
Caldera	Hawkins	Murray, Kevin	Woods
Campbell	Hoge	Murray, Willard	Mme. Speaker

Quorum present.

At 2:55 p.m., Hon. Jim Morrissey, 69th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Miller and Morrow.

On personal business, and waiving per diem: Assembly Member Willie Brown.

(NOTE: For explanation of absence of Assembly Member Morrow on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Miller on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for August 22, 1995.)

COMMUNICATIONS

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

August 23, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised of the following:

Assemblymember Brian Setencich has been appointed Speaker Pro Tempore for the 1995–96 Second Extraordinary Session.

Assemblymember Jan Goldsmith has been appointed Majority Floor Leader for the 1995–96 Second Extraordinary Session.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

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

August 22, 1995

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

Mr. Wilson: Please be advised that on August 21, 1995 the Republican Caucus elected Assemblyman Curt Pringle to serve as Republican Floor Leader, replacing the previous Leader, the Honorable James L. Brulte. Assemblyman Bruce Thompson was retained as Republican Caucus Chairman.

Sincerely,

BRUCE THOMPSON
Republican Caucus Chairman

August 23, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Pursuant to the Rules, the correct designation of the Leadership on the Democratic side of the House for the 1995–96 Second Extraordinary Session is as follows:

Willie L. Brown, Jr.—Minority Floor Leader

Joe Baca—Minority Speaker Pro Tempore

Sincerely,

WILLIE L. BROWN, JR.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 54—Friedman (Principal coauthor: Escutia). An act to amend, repeal, and add Sections 14105.98 and 14163 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof to take effect immediately.

ASSEMBLY BILL NO. 55—Friedman and Willie Brown (Principal coauthors: Katz, Kevin Murray, and Villaraigosa), Archie-Hudson, Escutia, Gallegos, Knox, Kuehl, McDonald, and Willard Murray. An act to add Article 1.5 (commencing with Section 30115) to the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 56—Villaraigosa. An act to add Section 42008.5 to the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS****MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, August 30, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 30, 1995
TWENTY-NINTH SESSION DAY
ONE HUNDRED NINETY-FIFTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, August 30, 1995

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—72:

Aguiar	Campbell	Hawkins	Murray, Willard
Alby	Cannella	Hoge	Napolitano
Alpert	Conroy	House	Olberg
Archie-Hudson	Cortese	Katz	Poochigian
Baca	Cunneen	Knight	Pringle
Baldwin	Davis	Knowles	Rainey
Bates	Ducheny	Knox	Richter
Battin	Escutia	Kuehl	Rogan
Boland	Figuroa	Machado	Setencich
Bordonaro	Firestone	Margett	Speier
Bowen	Friedman	Martinez	Sweeney
Bowler	Frusetta	Mazzoni	Takasugi
Brewer	Gallegos	McDonald	Tucker
Brown, Valerie	Goldsmith	McPherson	Vasconcellos
Brulte	Granlund	Miller	Villaraigosa
Burton	Hannigan	Morrissey	Weggeland
Bustamante	Harvey	Morrow	Woods
Caldera	Hauser	Murray, Kevin	Mme. Speaker

Quorum present.

At 10:57 a.m., Hon. Gary G. Miller, 60th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Kaloogian, Kuykendall, and Thompson.

On personal business, and waiving per diem: Assembly Members Willie Brown and Lee.

Because of illness: Assembly Member Sher.

The following Assembly Member was excused for the day, and his per diem was waived: Isenberg.

(NOTE: For explanations of absences of Assembly Members Kaloogian and Thompson on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day; for explanation of absence of Assembly Member Kuykendall on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for August 29, 1995.)

COMMUNICATIONS

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

August 24, 1995

E. Dotson Wilson
Chief Clerk

State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that Assemblymember Marguerite Archie-Hudson will no longer serve as Chairwoman of the Assembly Select Committee on the Insolvency of Orange County, for the 1995-96 Second Extraordinary Session.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Government Effectiveness and Accountability, on Tuesday, August 29, 1995, at 9 a.m., in Room 437.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 57—Martinez, Kevin Murray, Archie-Hudson, Escutia, Gallegos, Isenberg, Katz, Knox, Kuehl, McDonald, Willard Murray, Napolitano, Tucker, and Villaraigosa. An act to add Chapter 12 (commencing with Section 30600) to Division 3 of Title 3 of the Government Code, relating to local government finance.

ASSEMBLY BILL NO. 58—Gallegos. An act to amend and repeal Section 13001 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 59—Kevin Murray. An act to add Section 1465.7 to the Penal Code, relating to vehicles.

**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. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, September 6, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, September 6, 1995

THIRTIETH SESSION DAY

TWO HUNDRED SECOND CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, September 6, 1995

The Assembly met at 10:45 a.m.

Hon. Brian Setencich, Majority Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—79:

Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figuroa	Kuykendall	Setencich
Boland	Firestone	Lee	Sher
Bordonaro	Friedman	Machado	Speier
Bowen	Frusetta	Margett	Sweeney
Bowler	Gallegos	Martinez	Takasugi
Brewer	Goldsmith	Mazzoni	Thompson
Brown, Valerie	Granlund	McDonald	Tucker
Brown, Willie	Hannigan	McPherson	Vasconcellos
Brulte	Harvey	Miller	Villaraigosa
Burton	Hauser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mme. Speaker
Campbell	House	Murray, Willard	

Quorum present.

REGULAR BUSINESS DISPENSED WITH

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

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 6:30 p.m., the Assembly adjourned until Wednesday, September 13, 1995 or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, September 13, 1995
THIRTY-FIRST SESSION DAY
TWO HUNDRED NINTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, September 13, 1995

The Assembly met at 9:28 a.m.

Hon. Brian Setencich, Majority Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—80:

Ackerman*	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloojian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Setencich
Boland	Firestone	Lee	Sher
Bordonaro	Friedman	Machado	Speier
Bowen	Frusetta	Margett	Sweeney
Bowler	Gallegos	Martinez	Takasugi
Brewer	Goldsmith	Mazzoni	Thompson
Brown, Valerie	Granlund	McDonald	Tucker
Brown, Willie	Hannigan	McPherson	Vasconcellos
Brulte	Harvey	Miller	Villaraigosa
Burton	Hawser	Morrissey	Weggeland
Bustamante	Hawkins	Morrow	Woods
Caldera	Hoge	Murray, Kevin	Mme. Speaker

(* NOTE: Assembly Member Ackerman took and subscribed to the Oath of Office on this day, at 9:59 a.m.)

Quorum present.

REGULAR BUSINESS DISPENSED WITH

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

MESSAGES FROM THE SENATE

Senate Chamber, September 13, 1995

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

Senate Bill No. 21

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 21—An act to amend Sections 860 and 7000 of the Financial Code, and to amend Sections 53635, 53637, 53648, and 53679 of the Government Code, relating to local government finances.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

COMMUNICATIONS

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

72nd ASSEMBLY DISTRICT SPECIAL GENERAL ELECTION
SEMI-OFFICIAL CANVASS
September 12, 1995

County	Dick Ackerman Rep	Shirley M. Hafner Dem	
Orange % by county	17,212 77.65%	4,954 22.35%	
DISTRICT TOTAL % by district	17,212 77.65%	4,954 22.3%	
Orange % by county	PRECINCTS BY COUNTY	PRECINCTS REPORTING	REGISTERED VOTERS
	154	154 100.00%	179,278 12.36%
DISTRICT TOTAL	154	154 100.00%	179,278 TOTAL VOTERS 22,166 VOTES CAST 12.36% %TURNOUT

09/12/95
10:09:31PM

CERTIFICATE OF ELECTION

The following Certificate of Election was presented, read by the Clerk, and ordered printed in the Journal:

Certificate of Election

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That according to the semi-official returns of the Special Election held on the 12th day of September, 1995,

DICK ACKERMAN

was elected to the office of

MEMBER OF THE ASSEMBLY—DISTRICT 72

for the term prescribed by law.

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California at Sacramento, this 13th day of September, 1995.

[SEAL]

BILL JONES
Secretary of State

OATH OF OFFICE

The following Oath of Office was administered by the Chief Clerk of the Assembly, E. Dotson Wilson:

OATH

*for the Office of Member of the Assembly
72nd Assembly District*

I, Dick Ackerman, 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.

DICK ACKERMAN

Subscribed and sworn to before me,
this 13th day of September
A.D. 1995

E. DOTSON WILSON
Chief Clerk of the Assembly

ADJOURNMENT

At 5:03 p.m., the Assembly adjourned for the 1995 Interim Study Recess pursuant to unanimous consent granted on July 19, 1995, (Assembly Journal, page 168) to reconvene on Monday, January 3, 1996, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, September 15, 1995
THIRTY-SECOND SESSION DAY
TWO HUNDRED ELEVENTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

②

Corrected 9-21-95

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, September 15, 1995

The Assembly met at 4:52 p.m.

Hon. Willie L. Brown, Jr., Speaker Emeritus of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called, and the following answered to their names—80:

Ackerman	Caldera	Hoge	Murray, Kevin
Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Isenberg	Napolitano
Allen	Conroy	Kalooogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Sher
Boland	Firestone	Lee	Speier
Bordonaro	Friedman	Machado	Sweeney
Bowen	Frusetta	Margett	Takasugi
Bowler	Gallegos	Martinez	Thompson
Brewer	Goldsmith	Mazzoni	Tucker
Brown, Valerie	Granlund	McDonald	Vasconcellos
Brown, Willie	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker *

* (NOTE: Later this day Assembly Member Brian Setencich was elected Speaker of the Assembly for the 1995-96 Second Extraordinary Session.)

Quorum present.

PRAYER

Upon invitation of Minority Speaker pro Tempore Baca, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord, Be mindful of us who are vigilant and who struggle daily to keep Your commandments. As this session of the California Assembly moves toward adjournment we ask that You remember us who pray to You. Be our help and our defense. Grant, dear Father in heaven, that not one of us be lost; but surround us instead with Your love.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Minority Speaker pro Tempore Baca, Assembly Member Isenberg then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

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

MOTION TO ELECT SPEAKER

Assembly Member Hannigan moved that the election of Speaker Setencich in the Regular Session be deemed to have occurred in the Second Extraordinary Session of the Assembly.

Assembly Member Burton seconded the motion.

Without objection the motion carried and the following vote from the Regular Session was substituted:

For Assembly Member Brian Setencich:

Assembly Members Alpert, Archie-Hudson, Baca, Bates, Bowen, Valerie Brown, Willie Brown, Burton, Bustamante, Caldera, Campbell, Cannella, Cortese, Davis, Ducheny, Escutia, Figueroa, Friedman, Gallegos, Hannigan, Hauser, Isenberg, Katz, Knox, Kuehl, Lee, Machado, Martinez, Mazzoni, McDonald, Kevin Murray, Willard Murray, Napolitano, Setencich, Sher, Speier, Sweeney, Tucker, Vasconcellos, Villaraigosa, and Speaker Allen—41.

For Assembly Member Curt Pringle:

Assembly Members Ackerman, Aguiar, Alby, Baldwin, Battin, Boland, Bordonaro, Bowler, Brewer, Brulte, Conroy, Cunneen, Firestone, Frusetta, Goldsmith, Granlund, Harvey, Hawkins, Hoge, House, Kaloogian, Knight, Knowles, Kuykendall, Margett, McPherson, Miller, Morrissey, Morrow, Olberg, Poochigian, Pringle, Rainey, Richter, Rogan, Takasugi, Thompson, Weggeland, and Woods—39.

OATH OF OFFICE

The following oath of office was deemed to have occurred in the Second Extraordinary Session, as in the Regular Session.

OATH

for the Office of Speaker of the Assembly

I, Brian Setencich, 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.

COMMUNICATIONS

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

September 15, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Doris Allen Majority Speaker Pro Tempore for the 1995-96 Second Extraordinary Session.

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

RECESS

By unanimous consent, at 4:53 p.m., Speaker Emeritus Brown declared the Assembly recessed.

ADJOURNMENT

At 12 p.m., the Assembly adjourned for the 1995 Interim Study Recess pursuant to unanimous consent granted July 19, 1995 (Assembly Journal, p. 168), to reconvene on Monday, January 3, 1996.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 1

INTERIM RECESS

Assembly Chamber, Sacramento
Thursday, December 7, 1995

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1995-96 Second Extraordinary Session was printed while the Assembly was in Interim Study Recess:

COMMUNICATIONS

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

December 5, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised of the following leadership appointments:

Fred Aguiar—Majority Speaker pro Tempore
Curt Pringle—Majority Floor Leader

Sincerely,

BRIAN SETENCICH
Speaker of the Assembly

COMMUNICATIONS

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

Office of the Secretary of State

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That I have compiled the official returns of the November 28, 1995 67th Assembly District Special Recall Election, and

That the attached Statement of Vote is a full, true, and correct compilation of the election results, submitted by the election officials of the county or counties conducting the election, and is on file in this office.

IN WITNESS WHEREOF, I
hereunto set my hand and
affix the Great Seal of the
State of California this 30th
day of November, 1995.

[SEAL]

BILL JONES
Secretary of State

SPECIAL ELECTION RESULTS
Member of the Assembly, 67th District
County of Orange
Special Recall Election, November 28, 1995
OFFICIAL CANVASS

Precinct Votes Cast	30,859	Total Registration	207,538
Absentee Votes Cast	23,589	Number of Precincts	157
Total Votes Cast	54,448	Percent Turnout	26.24%

Recall of Doris Allen

COUNTY NAME	Registered Voters	YES	NO
Orange	207,538		
Precinct Vote	18,044		12,060
Absentee Vote	16,495		6,384
Total County Vote	34,539		18,444
Percent	65.19%		34.81%

Candidates to succeed Doris Allen

COUNTY NAME	Registered Voters	Don MacAllister Rep	Linda Moulton-Patterson Dem	Shirley Carey Rep	Scott R. Baugh * Rep	Haydee V. Tillotson Rep
Orange	207,538					
Precinct Vote	3,404	10,409	1,455	11,676	1,073	
Absentee Vote	2,130	5,199	812	10,644	2,500	
Total County Vote	5,534	15,608	2,267	22,320	3,573	
Percent	11.22%	31.66%	4.60%	45.27%	7.25%	

* Since the recall succeeded, a successor was elected.

CERTIFICATE OF ELECTION

The following Certificate of Election was presented and ordered printed in the Journal:

Certificate of Election

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That according to the semi-official returns of the Special Election held on the 28th day of November, 1995,

SCOTT R. BAUGH

was elected to the office of

MEMBER OF ASSEMBLY—DISTRICT 67

for the term prescribed by law.

IN WITNESS WHEREOF, I hereunto
set my hand and affix the Great
Seal of the State of California at
Sacramento, this 29th day of
November 1995.

[SEAL]

BILL JONES
Secretary of State

OATH OF OFFICE

The following Oath of Office was administered by Hon. James L. Smith, Presiding Judge, Orange County, and ordered printed in the Journal:

OATH

*for the Office of Member of the Assembly
67th Assembly District*

I, Scott R. Baugh, 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.

SCOTT R. BAUGH

Subscribed and sworn to before me,
this 29th day of November
A.D. 1995

HON. JAMES L. SMITH,
Presiding Judge, Orange County

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 2

INTERIM RECESS

Assembly Chamber, Sacramento
Friday, December 15, 1995

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1995-96 Second Extraordinary Session was printed while the Assembly was in Interim Study Recess:

COMMUNICATIONS

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

December 14, 1995

E. Dotson Wilson
Chief Clerk
State Capitol
Room 3196
Sacramento, California

Dotson: I hereby resign my seat in the California State Assembly as a representative of the 13th District, effective 11:55 p.m. December 14, 1995.

Sincerely,

WILLIE L. BROWN, JR.

OATH OF OFFICE

The following oath of office was administered by E. Dotson Wilson, Chief Clerk of the Assembly, and ordered printed in the Journal:

OATH

for the Office of Majority Speaker pro Tempore of the Assembly

I, Fred Aguiar, 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.

FRED AGUIAR

Subscribed and sworn to before me,
this 11th day of December
A.D. 1995

E. DOTSON WILSON

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 3

INTERIM RECESS

Assembly Chamber, Sacramento
Wednesday, December 20, 1995

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1995-96 Second Extraordinary Session was printed while the Assembly was in Interim Study Recess:

COMMUNICATIONS

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

December 18, 1995

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

Dear Mr. Wilson: Please be advised that on behalf of the Democratic Caucus, I have been appointed Democratic Floor Leader for the 1995-96 Legislative Session.

Sincerely,

RICHARD KATZ
Democratic Floor Leader

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 4

INTERIM RECESS

Assembly Chamber, Sacramento
Friday, December 22, 1995

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1995-96 Second Extraordinary Session was printed while the Assembly was in Interim Study Recess containing information received as of this publication date:

COMMUNICATIONS

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

December 20, 1995

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Mr. Wilson: Pursuant to the Rules, the following Democratic appointment is effective immediately:

Assemblymember Kevin Murray—Assistant Minority Floor Leader

Thanks for your attention to this matter.

Sincerely,

RICHARD KATZ
Democratic Floor Leader

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 3, 1996

THIRTY-THIRD SESSION DAY

THREE HUNDRED TWENTY-FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 3, 1996

The Assembly met at 11 a.m.
Hon. Brian Setencich, Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—79:

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Sher
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McDonald	Vasconcellos
Brown	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker
Caldera	Hoge	Murray, Kevin	

Quorum present.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 5:55 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 11, 1996

THIRTY-FOURTH SESSION DAY

THREE HUNDRED TWENTY-NINTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 11, 1996

The Assembly met at 7 a.m.

Hon. Dick Ackerman, Assembly Member, 72nd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—74:

Ackerman	Caldera	Hoge	Napolitano
Aguiar	Campbell	House	Olberg
Alby	Cannella	Kaloogian	Poochigian
Alpert	Conroy	Katz	Pringle
Archie-Hudson	Cortese	Knight	Rainey
Baca	Cunneen	Knowles	Richter
Baldwin	Davis	Knox	Rogan
Bates	Ducheny	Kuehl	Sher
Battin	Escutia	Kuykendall	Sweeney
Baugh	Figueroa	Lee	Takasugi
Boland	Firestone	Machado	Thompson
Bordonaro	Friedman	Margett	Tucker
Bowen	Frusetta	Martinez	Vasconcellos
Bowler	Goldsmith	Mazzoni	Villaraigosa
Brewer	Granlund	McDonald	Weggeland
Brown	Hannigan	McPherson	Woods
Brulte	Harvey	Morrissey	Mr. Speaker
Burton	Hauser	Morrow	
Bustamante	Hawkins	Murray, Kevin	

Quorum present.

At 1:47 p.m., Hon. Tom Bates, 14th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Miller, Willard Murray, and Speier.

Because of illness: Assembly Member Gallegos.

The following Assembly Member was excused for the day, and his per diem was waived: Isenberg.

(NOTE: For explanations of absences of Assembly Members Miller, Willard Murray, and Speier on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 18, 1996

THIRTY-FIFTH SESSION DAY

THREE HUNDRED THIRTY-SIXTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 18, 1996

The Assembly met at 8:30 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call— 78:

Ackerman	Campbell	House	Napolitano
Aguiar	Cannella	Isenberg	Olberg
Alby	Conroy	Kaloogian	Poochigian
Alpert	Cortese	Katz	Pringle
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Knox	Rogan
Bates	Escutia	Kuehl	Sher
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McDonald	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Hannigan	Miller	Weggeland
Brulte	Harvey	Morrissey	Woods
Burton	Hauser	Morrow	Mr. Speaker
Bustamante	Hawkins	Murray, Kevin	
Caldera	Hoge	Murray, Willard	

Quorum present.

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Lee.

(NOTE: For explanation of absence of Assembly Member Lee on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, January 24, 1996 or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 24, 1996

THIRTY-SIXTH SESSION DAY

THREE HUNDRED FORTY-SECOND CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 24, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Campbell	Hoge	Murray, Willard
Aguiar	Cannella	House	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Battin	Escutia	Kuehl	Rogan
Baugh	Figueroa	Kuykendall	Sher
Boland	Firestone	Machado	Speier
Bordonaro	Friedman	Margett	Sweeney
Bowen	Frusetta	Martinez	Takasugi
Bowler	Gallegos	Mazzoni	Thompson
Brewer	Goldsmith	McDonald	Tucker
Brown	Granlund	McPherson	Vasconcellos
Brulte	Hannigan	Miller	Villaraigosa
Burton	Harvey	Morrissey	Weggeland
Bustamante	Hauser	Morrow	Woods
Caldera	Hawkins	Murray, Kevin	Mr. Speaker

Quorum present.

At 2:47 p.m., Hon. David Knowles, 4th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Member Lee.

Because of illness: Assembly Member Bates.

The following Assembly Member was excused for the day, and his per diem was waived: Isenberg.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, January 31, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 1, 1996
THIRTY-SEVENTH SESSION DAY
THREE HUNDRED FIFTIETH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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Vol. 6 46—616

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 1, 1996

The Assembly met at 9:05 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—78:

Ackerman	Cannella	Isenberg	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Katz	Poochigian
Alpert	Cunneen	Knight	Pringle
Archie-Hudson	Davis	Knowles	Rainey
Baca	Ducheny	Knox	Richter
Baldwin	Escutia	Kuehl	Rogan
Bates	Figueroa	Kuykendall	Sher
Battin	Firestone	Lee	Speier
Baugh	Friedman	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McDonald	Vasconcellos
Brown	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker
Caldera	Hoge	Murray, Kevin	
Campbell	House	Murray, Willard	

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

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

On legislative business: Assembly Member Bowen.

(NOTE: For explanation of absence of Assembly Member Bowen on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, February 7, 1996.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 7, 1996

THIRTY-EIGHTH SESSION DAY

THREE HUNDRED FIFTY-SIXTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 7, 1996

The Assembly met at 7 a.m.

Hon. Dick Ackerman, Assembly Member, 72nd District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Caldera	Hawkins	Murray, Kevin
Aguiar	Campbell	Hoge	Murray, Willard
Alby	Cannella	House	Napolitano
Alpert	Conroy	Isenberg	Olberg
Archie-Hudson	Cortese	Kaloogian	Poohigian
Baca	Cunneen	Katz	Pringle
Baldwin	Davis	Knight	Rainey
Bates	Ducheny	Knowles	Richter
Battin	Escutia	Knox	Rogan
Baugh	Figueroa	Kuehl	Sher
Boland	Firestone	Kuykendall	Speier
Bordonaro	Friedman	Lee	Sweeney
Bowen	Frusetta	Machado	Takasugi
Bowler	Gallegos	Margett	Thompson
Brewer	Goldsmith	Mazzoni	Tucker
Brown	Granlund	McDonald	Vasconcellos
Brulte	Hannigan	Miller	Villaraigosa
Burton	Harvey	Morrissey	Woods
Bustamante	Hauser	Morrow	Mr. Speaker

Quorum present.

At 11:25 a.m., Hon. Jan Goldsmith, 75th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Martinez and Weggeland.

On personal business, and waiving per diem: Assembly Member McPherson.

(NOTE: For letter explaining the absence of Assembly Member Weggeland on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for February 6, 1996; for letter explaining the absence of Assembly Member Martinez on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, February 14, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 14, 1996

THIRTY-NINTH SESSION DAY

THREE HUNDRED SIXTY-THIRD CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 14, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—71:

Ackerman	Campbell	Hoge	Murray, Kevin
Aguiar	Cannella	House	Napolitano
Alby	Conroy	Kaloojian	Olberg
Alpert	Cunneen	Katz	Poochigian
Archie-Hudson	Davis	Knight	Pringle
Baca	Ducheny	Knowles	Rainey
Baldwin	Escutia	Knox	Richter
Bates	Figueroa	Kuehl	Speier
Battin	Firestone	Kuykendall	Sweeney
Baugh	Friedman	Lee	Takasugi
Bordonaro	Frusetta	Machado	Thompson
Bowen	Gallegos	Margett	Tucker
Bowler	Goldsmith	Martinez	Vasconcellos
Brewer	Granlund	Mazzoni	Villaraigosa
Brown	Hannigan	McPherson	Weggeland
Brulte	Harvey	Miller	Woods
Burton	Hauser	Morrissey	Mr. Speaker
Bustamante	Hawkins	Morrow	

Quorum present.

At 1:20 p.m., Hon. Martha M. Escutia, 50th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Boland, Caldera, Isenberg, McDonald, Rogan, and Sher.

On personal business, and waiving per diem: Assembly Member Willard Murray.

Because of illness: Assembly Member Cortese.

(NOTE: For explanations of absences of Assembly Members Boland, Caldera, Isenberg, McDonald, Rogan, and Sher on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 4 p.m., the Assembly adjourned until Wednesday, February 21, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

ROCEL BETTENCOURT, Acting Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 21, 1996

FORTIETH SESSION DAY

THREE HUNDRED SEVENTIETH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 21, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—68:

Ackerman	Burton	Harvey	Morrow
Aguiar	Bustamante	Hauser	Murray, Willard
Alby	Campbell	Hawkins	Napolitano
Alpert	Cannella	Hoge	Olberg
Archie-Hudson	Conroy	House	Poochigian
Baca	Cortese	Kaloogian	Pringle
Baldwin	Cunneen	Katz	Rainey
Bates	Davis	Knight	Richter
Battin	Ducheny	Knowles	Rogan
Baugh	Escutia	Kuehl	Sher
Boland	Figueroa	Kuykendall	Sweeney
Bordonaro	Firestone	Machado	Takasugi
Bowen	Friedman	Margett	Thompson
Bowler	Frusetta	Mazzoni	Tucker
Brewer	Gallegos	McPherson	Weggeland
Brown	Goldsmith	Miller	Woods
Brulte	Granlund	Morrissey	Mr. Speaker

Quorum present.

At 1:25 p.m., Hon. Martin Gallegos, 57th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Caldera, Knox, Martinez, McDonald, Kevin Murray, and Villaraigosa.

To attend a funeral in his district: Assembly Member Hannigan.

Funeral delegation attending services for former Governor Edmund G. "Pat" Brown: Assembly Members Isenberg, Lee, Speier, and Vasconcellos.

(NOTE: For explanations of absences of Assembly Members Caldera, Knox, Martinez, McDonald, Kevin Murray, and Villaraigosa on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, February 28, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 28, 1996

FORTY-FIRST SESSION DAY

THREE HUNDRED SEVENTY-SEVENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 28, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—74:

Ackerman	Campbell	Hoge	Olberg
Aguiar	Cannella	House	Poohigian
Alby	Conroy	Kaloogian	Pringle
Alpert	Cortese	Katz	Rainey
Archie-Hudson	Cunneen	Knight	Richter
Baca	Davis	Knowles	Rogan
Baldwin	Ducheny	Kuehl	Sher
Bates	Escutia	Kuykendall	Speier
Battin	Figueroa	Machado	Sweeney
Baugh	Firestone	Margett	Takasugi
Boland	Friedman	Martinez	Thompson
Bordonaro	Frusetta	Mazzoni	Tucker
Bowler	Gallegos	McDonald	Vasconcellos
Brewer	Goldsmith	McPherson	Villaraigosa
Brown	Granlund	Miller	Weggeland
Brulte	Hannigan	Morrissey	Woods
Burton	Harvey	Morrow	Mr. Speaker
Bustamante	Hauser	Murray, Willard	
Caldera	Hawkins	Napolitano	

Quorum present.

At 2:05 p.m., Hon. Curtis R. Tucker, Jr., 51st District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Bowen, Isenberg, Knox, and Kevin Murray.

On personal business, and waiving per diem: Assembly Member Lee.

(NOTE: For letter explaining the absence of Assembly Member Isenberg on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, February 27, 1996; for letters explaining the absences of Assembly Members Bowen, Knox, and Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until Wednesday, March 6, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 6, 1996
FORTY-SECOND SESSION DAY
THREE HUNDRED EIGHTY-FOURTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 6, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—72:

Ackerman	Campbell	Hawkins	Morrow
Aguiar	Cannella	Hoge	Napolitano
Alby	Conroy	House	Olberg
Alpert	Cortese	Kaloogian	Poochigian
Archie-Hudson	Cunneen	Katz	Pringle
Baca	Davis	Knight	Rainey
Baldwin	Ducheny	Knowles	Richter
Bates	Escutia	Knox	Sher
Battin	Figueroa	Kuehl	Speier
Baugh	Firestone	Kuykendall	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowler	Gallegos	Martinez	Tucker
Brewer	Goldsmith	Mazzoni	Vasconcellos
Brown	Granlund	McDonald	Villaraigosa
Burton	Hannigan	McPherson	Weggeland
Bustamante	Harvey	Miller	Woods
Caldera	Hauser	Morrissey	Mr. Speaker

Quorum present.

At 1:47 p.m., Hon. Cruz M. Bustamante, 31st District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Brulte and Kevin Murray.

On personal business, and waiving per diem: Assembly Members Lee, Willard Murray, and Rogan.

Because of jury duty and legislative business: Assembly Member Bowen.

The following Assembly Member was excused for the day: Isenberg.

(NOTE: For letter explaining the absence of Assembly Member Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, March 5, 1996; for letter explaining the absence of Assembly Member Bowen on this day on jury duty and legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Tuesday, March 5, 1996; and for letter explaining the absence of Assembly Member Brulte on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS****MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until Wednesday, March 13, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 13, 1996
FORTY-THIRD SESSION DAY
THREE HUNDRED NINETY-FIRST CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 13, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—64:

Aguiar	Campbell	Harvey	Morrow
Alby	Cannella	Hauser	Napolitano
Archie-Hudson	Conroy	Hawkins	Olberg
Baca	Cortese	Hoge	Poochigian
Baldwin	Cunneen	House	Pringle
Bates	Davis	Katz	Rainey
Battin	Ducheny	Knight	Richter
Baugh	Escutia	Knowles	Sweeney
Boland	Figueroa	Kuykendall	Takasugi
Bordonaro	Firestone	Machado	Thompson
Bowen	Friedman	Margett	Tucker
Bowler	Frusetta	Martinez	Vasconcellos
Brewer	Callegos	Mazzoni	Villaraigosa
Brown	Goldsmith	McPherson	Weggeland
Brulte	Granlund	Miller	Woods
Caldera	Hannigan	Morrissey	Mr. Speaker

Quorum present.

At 12:05 p.m., Hon. George House, 25th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Ackerman, Burton, Bustamante, Kaloogian, Knox, Kevin Murray, Rogan, and Speier.

On legislative business, and waiving per diem: Assembly Member Alpert.

On personal business, and waiving per diem: Assembly Members Lee, McDonald, Willard Murray, and Sher.

Because of illness in her family: Assembly Member Kuehl.

The following Assembly Member was excused for the day: Isenberg.

(NOTE: For explanations of absences of Assembly Members Ackerman, Alpert, Burton, Bustamante, Kaloogian, Knox, Kevin Murray, Rogan, and Speier on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, March 20, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 20, 1996

FORTY-FOURTH SESSION DAY

THREE HUNDRED NINETY-EIGHTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 20, 1996

The Assembly met at 9:07 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—72:

Ackerman	Bustamante	Hauser	Morrow
Aguiar	Caldera	Hawkins	Napolitano
Alby	Campbell	Hoge	Olberg
Alpert	Cannella	House	Poochigian
Archie-Hudson	Conroy	Isenberg	Pringle
Baca	Cortese	Kaloogian	Rainey
Baldwin	Cunneen	Katz	Richter
Bates	Davis	Knight	Rogan
Battin	Ducheny	Knowles	Sher
Baugh	Escutia	Knox	Speier
Boland	Figueroa	Kuykendall	Sweeney
Bordonaro	Firestone	Machado	Takasugi
Bowen	Frusetta	Margett	Thompson
Bowler	Gallegos	Martinez	Vasconcellos
Brewer	Goldsmith	Mazzoni	Villaraigosa
Brown	Granlund	McPherson	Weggeland
Brulte	Hannigan	Miller	Woods
Burton	Harvey	Morrissey	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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Friedman and Kevin Murray.

On legislative business, and waiving per diem: Assembly Member Tucker.

On personal business, and waiving per diem: Assembly Members Lee, McDonald, and Willard Murray.

Because of a death in her family: Assembly Member Kuehl.

(NOTE: For explanations of absences of Assembly Members Friedman, Kevin Murray, and Tucker on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, March 27, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 28, 1996
FORTY-FIFTH SESSION DAY
FOUR HUNDRED SIXTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 28, 1996

The Assembly met at 9 a.m.
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Caldera	Hawkins	Morrow
Aguiar	Campbell	Hoge	Napolitano
Alby	Cannella	House	Olberg
Alpert	Conroy	Kaloogian	Poochigian
Archie-Hudson	Cortese	Katz	Pringle
Baca	Cunneen	Knight	Rainey
Baldwin	Davis	Knowles	Richter
Bates	Ducheny	Knox	Rogan
Battin	Escutia	Kuehl	Sher
Baugh	Figueroa	Kuykendall	Speier
Boland	Firestone	Lee	Sweeney
Bordonaro	Friedman	Machado	Takasugi
Bowen	Frusetta	Margett	Thompson
Bowler	Gallegos	Martinez	Tucker
Brewer	Goldsmith	Mazzoni	Vasconcellos
Brown	Granlund	McPherson	Villaraigosa
Brulte	Hannigan	Migden*	Weggeland
Burton	Harvey	Miller	Woods
Bustamante	Hauser	Morrissey	Mr. Speaker

(*NOTE: Assembly Member Migden took and subscribed to the Oath of Office on this day, at 11:05 a.m., in the Regular Session.)

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members McDonald and Kevin Murray.

On personal business, and waiving per diem: Assembly Member Isenberg.

Because of illness: Assembly Member Willard Murray.

(For letter explaining the absence of Assembly Member Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Wednesday, March 27, 1996; for explanation of absence of Assembly Member McDonald, see the Assembly Daily Journal for the Regular Session for this day.)

COMMUNICATIONS

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

March 28, 1996

*Honorable Curt Pringle
Speaker of the Assembly
Room 219
State Capitol*

Dear Speaker Pringle: As a result of my election to the unexpired term of office for the Eleventh Senatorial District, I hereby respectfully submit my resignation as State Assemblyman of the Twenty-first Assembly District effective upon taking the oath of office for the Eleventh Senate District on March 28, 1996.

Sincerely,

BYRON D. SHER, Assembly Member
Twenty-first District

CERTIFICATE OF ELECTION

The following Certificate of Election was presented, read by the Clerk, and ordered printed in the Journal:

Certificate of Election

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That according to the semi-official returns of the Special Election held on the 26th day of March, 1996,

CAROLE MIGDEN

was elected to the office of

MEMBER OF THE ASSEMBLY—DISTRICT 13

for the term prescribed by law.

IN WITNESS WHEREOF,
I hereunto set my hand
and affix the Great Seal
of the State of California
at Sacramento, this 27th
day of March, 1996.

[SEAL]

BILL JONES
Secretary of State

OATH OF OFFICE

The following Oath of Office was administered by Hon. J. Anthony Kline, Presiding Justice, Court of Appeals, First Appellate District:

OATH

*for the Office of Member of the Assembly
13th Assembly District*

I, Carole Migden, 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.

CAROLE MIGDEN

Subscribed and sworn to before me,
this 28th day of March
A.D. 1996

J. ANTHONY KLINE
Presiding Justice, Court of Appeals

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS****MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., pursuant to the provisions of Joint Rule 51, the Assembly adjourned for the 1996 Easter Recess until Monday, April 8, 1996.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, April 8, 1996

FORTY-SIXTH SESSION DAY

FOUR HUNDRED SEVENTEENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, April 8, 1996

The Assembly met at 11 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Caldera	Hoge	Morrow
Aguiar	Campbell	House	Murray, Kevin
Alby	Cannella	Isenberg	Murray, Willard
Alpert	Conroy	Kaloogian	Napolitano
Archie-Hudson	Cortese	Katz	Olberg
Baca	Cunneen	Knight	Poochigian
Baldwin	Davis	Knowles	Pringle
Bates	Ducheny	Knox	Rainey
Battin	Escutia	Kuehl	Richter
Baugh	Firestone	Kuykendall	Rogan
Boland	Friedman	Lee	Speier
Bordonaro	Frusetta	Machado	Sweeney
Bowen	Gallegos	Margett	Takasugi
Bowler	Goldsmith	Mazzoni	Thompson
Brewer	Granlund	McDonald	Tucker
Brown	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Migden	Weggeland
Burton	Hauser	Miller	Woods
Bustamante	Hawkins	Morrissey	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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Vasconcellos.

Because of illness: Assembly Member Figueroa.

Because of illness in her family: Assembly Member Martinez.

(NOTE: For explanation of absence of Assembly Member Vasconcellos on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, April 17, 1996 or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, April 17, 1996

FORTY-SEVENTH SESSION DAY

FOUR HUNDRED TWENTY-SIXTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, April 17, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Ackerman	Campbell	Hoge	Murray, Kevin
Aguiar	Cannella	House	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Pringle
Baldwin	Ducheny	Knox	Rainey
Bates	Escutia	Kuehl	Richter
Battin	Figueroa	Kuykendall	Rogan
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McPherson	Villaraigosa
Brown	Hannigan	Migden	Weggeland
Burton	Harvey	Miller	Woods
Bustamante	Hauser	Morrissey	Mr. Speaker
Caldera	Hawkins	Morrow	

Quorum present.

At 1:30 p.m., Hon. Tom Bates, 14th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Vasconcellos.

Because of illness: Assembly Member Brulte.

The following Assembly Member was excused for the day: Isenberg.

(NOTE: For letter explaining the absence of Assembly Member Vasconcellos on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Monday, April 15, 1996.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, April 24, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, April 24, 1996

FORTY-EIGHTH SESSION DAY

FOUR HUNDRED THIRTY-THIRD CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, April 24, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Ackerman	Caldera	Hawkins	Murray, Kevin
Aguiar	Campbell	Hoge	Murray, Willard
Alby	Cannella	House	Napolitano
Alpert	Conroy	Kaloogian	Olberg
Archie-Hudson	Cortese	Katz	Poochigian
Baca	Cunneen	Knight	Pringle
Baldwin	Davis	Knowles	Rainey
Bates	Ducheny	Knox	Richter
Battin	Escutia	Kuehl	Rogan
Baugh	Figuroa	Kuykendall	Speier
Boland	Firestone	Machado	Sweeney
Bordonaro	Friedman	Margett	Takasugi
Bowen	Frusetta	Martinez	Thompson
Bowler	Gallegos	Mazzoni	Tucker
Brewer	Goldsmith	McPherson	Vasconcellos
Brown	Granolund	Migden	Villaraigosa
Brulte	Hannigan	Miller	Woods
Burton	Harvey	Morrissey	Mr. Speaker
Bustamante	Hauser	Morrow	

Quorum present.

At 2:45 p.m., Hon. Curt Pringle, 68th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Weggeland.

On personal business, and waiving per diem: Assembly Member Lee.

The following Assembly Member was excused for the day: Isenberg.

(NOTE: For explanation of absence of Assembly Member Weggeland on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, May 1, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, May 2, 1996
FORTY-NINTH SESSION DAY
FOUR HUNDRED FORTY-FIRST CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, May 2, 1996

The Assembly met at 9:01 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—64:

Ackerman	Campbell	Hoge	Morrow
Aguiar	Cannella	House	Murray, Willard
Alpert	Conroy	Kaloogian	Napolitano
Archie-Hudson	Cortese	Knight	Olberg
Baca	Cunneen	Knowles	Poochigian
Baldwin	Davis	Knox	Pringle
Bates	Ducheny	Kuehl	Rainey
Baugh	Escutia	Kuykendall	Richter
Boland	Figuroa	Lee	Sweeney
Bordonaro	Firestone	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Brewer	Granlund	Mazzoni	Vasconcellos
Brown	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Migden	Weggeland
Burton	Hauser	Miller	Woods
Bustamante	Hawkins	Morrissey	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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Battin, Bowler, Caldera, Friedman, Frusetta, Goldsmith, Katz, Machado, Kevin Murray, and Takasugi.

On personal business, and waiving per diem: Assembly Members Alby, Isenberg, and Rogan.

Because of illness: Assembly Member Speier.

(NOTE: For letters explaining the absences of Assembly Members Battin, Bowler, Caldera, Friedman, Frusetta, Goldsmith, Katz, Machado, Kevin Murray, and Takasugi on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, May 8, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 8, 1996

FIFTIETH SESSION DAY

FOUR HUNDRED FORTY-SEVENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 8, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—73:

Ackerman	Cannella	House	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Kuehl	Richter
Bates	Escutia	Kuykendall	Rogan
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Callegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Villaraigosa
Brewer	Granlund	Migden	Weggeland
Brown	Hannigan	Miller	Woods
Brulte	Harvey	Morrissey	Mr. Speaker
Burton	Hauser	Morrow	
Caldera	Hawkins	Murray, Kevin	
Campbell	Hoge	Murray, Willard	

Quorum present.

At 1:25 p.m., Hon. Ted Weggeland, 64th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Alpert, Isenberg, and Vasconcellos.

On personal business, and waiving per diem: Assembly Member Knox.

Because of illness: Assembly Member Bustamante.

(NOTE: For letters explaining the absences of Assembly Members Isenberg and Vasconcellos on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, May 7, 1996; for explanation of absence of Assembly Member Alpert, see the Assembly Daily Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, May 15, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 15, 1996

FIFTY-FIRST SESSION DAY

FOUR HUNDRED FIFTY-FOURTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 15, 1996

The Assembly met at 3:13 p.m.
Hon. Curt Pringle, Assembly Member, 68th District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Ackerman	Cannella	House	Murray, Willard
Aguiar	Conroy	Isenberg	Napolitano
Alby	Cortese	Kaloogian	Olberg
Alpert	Cunneen	Katz	Poochigian
Archie-Hudson	Davis	Knight	Pringle
Baca	Ducheny	Knowles	Rainey
Baldwin	Escutia	Knox	Richter
Battin	Figueroa	Kuehl	Rogan
Baugh	Firestone	Kuykendall	Speier
Boland	Friedman	Lee	Sweeney
Bordonaro	Frusetta	Machado	Takasugi
Bowen	Gallegos	Margett	Thompson
Bowler	Goldsmith	Martinez	Tucker
Brewer	Granlund	Mazzoni	Vasconcellos
Brown	Hannigan	Migden	Villaraigosa
Brulte	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Caldera	Hawkins	Morrow	Mr. Speaker
Campbell	Hoge	Murray, Kevin	

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Member McPherson.

Because of illness: Assembly Members Bates and Bustamante.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 4:07 p.m., the Assembly adjourned until Wednesday, May 22, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 22, 1996
FIFTY-SECOND SESSION DAY
FOUR HUNDRED SIXTY-FIRST CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 22, 1996

The Assembly met at 7 a.m.

Hon. Bruce McPherson, Assembly Member, 27th District,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Pringle
Baldwin	Ducheny	Knox	Rainey
Bates	Escutia	Kuehl	Richter
Battin	Figueroa	Kuykendall	Rogan
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Goldsmith	Martinez	Thompson
Bowler	Granlund	Mazzoni	Tucker
Brewer	Hannigan	McPherson	Vasconcellos
Brown	Harvey	Migden	Villaraigosa
Burton	Hauser	Miller	Weggeland
Bustamante	Hawkins	Morrissey	Woods
Caldera	Hoge	Morrow	Mr. Speaker

Quorum present.

At 1:10 p.m., Hon. Sheila James Kuehl, 41st District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Brulte and Gallegos.

(NOTE: For explanations of absences of Assembly Members Brulte and Gallegos on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, May 29, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 29, 1996

FIFTY-THIRD SESSION DAY

FOUR HUNDRED SIXTY-EIGHTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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Vol. 6 48—616

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 29, 1996

The Assembly met at 9 a.m.
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Campbell	Hoge	Morrow
Aguiar	Cannella	House	Murray, Kevin
Alby	Conroy	Isenberg	Napolitano
Alpert	Cortese	Kaloogian	Olberg
Archie-Hudson	Cunneen	Katz	Poochigian
Baca	Davis	Knight	Pringle
Baldwin	Ducheny	Knowles	Rainey
Bates	Escutia	Knox	Richter
Battin	Figueroa	Kuehl	Rogan
Baugh	Firestone	Kuykendall	Speier
Boland	Friedman	Lee	Sweeney
Bordonaro	Frusetta	Machado	Takasugi
Bowen	Gallegos	Margett	Thompson
Bowler	Goldsmith	Martinez	Tucker
Brewer	Granlund	Mazzoni	Vasconcellos
Brown	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Migden	Weggeland
Burton	Hauser	Miller	Woods
Bustamante	Hawkins	Morrissey	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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Caldera and Willard Murray.

(NOTE: For letter explaining the absence of Assembly Member Caldera on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, May 28, 1996; for explanation of absence of Assembly Member Willard Murray see the Assembly Daily Journal for the Regular Session for this day.)

MESSAGES FROM THE SENATE

Senate Chamber, May 24, 1996

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

Senate Bill No. 23

JOHN W. ROVANE, Acting Secretary of the Senate

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 23—An act to amend Section 17929 of the Business and Professions Code, relating to business.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, June 5, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 5, 1996
FIFTY-FOURTH SESSION DAY
FOUR HUNDRED SEVENTY-FIFTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 5, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Caldera	Hawkins	Morrow
Aguiar	Campbell	Hoge	Murray, Kevin
Alby	Cannella	House	Murray, Willard
Alpert	Conroy	Isenberg	Napolitano
Archie-Hudson	Cortese	Kaloogian	Olberg
Baca	Cunneen	Katz	Poochigian
Baldwin	Davis	Knight	Pringle
Bates	Ducheny	Knowles	Rainey
Battin	Escutia	Knox	Richter
Baugh	Figueroa	Kuykendall	Rogan
Boland	Firestone	Lee	Speier
Bordonaro	Friedman	Machado	Sweeney
Bowen	Frusetta	Margett	Takasugi
Bowler	Gallegos	Martinez	Thompson
Brewer	Goldsmith	Mazzoni	Tucker
Brown	Granlund	McPherson	Villaraigosa
Brulte	Hannigan	Migden	Weggeland
Burton	Harvey	Miller	Woods
Bustamante	Hauser	Morrissey	Mr. Speaker

Quorum present.

At 1 p.m., Hon. Mickey Conroy, 71st District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Member Vasconcellos.

Because of illness: Assembly Member Kuehl.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, June 12, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE

1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 12, 1996

FIFTY-FIFTH SESSION DAY

FOUR HUNDRED EIGHTY-SECOND CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 12, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Ackerman	Caldera	Hoge	Murray, Kevin
Aguiar	Campbell	House	Murray, Willard
Alby	Cannella	Kaloogian	Napolitano
Alpert	Conroy	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Pringle
Baldwin	Ducheny	Knox	Rainey
Bates	Escutia	Kuehl	Richter
Battin	Figueroa	Kuykendall	Rogan
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McPherson	Villaraigosa
Brown	Hannigan	Migden	Weggeland
Brulte	Harvey	Miller	Woods
Burton	Hauser	Morrissey	Mr. Speaker
Bustamante	Hawkins	Morrow	

Quorum present.

At 11:20 a.m., Hon. Valerie Brown, 7th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Cortese.

On personal business, and waiving per diem: Assembly Member Vasconcellos.

The following Assembly Member was excused for the day: Isenberg.

(NOTE: For letter explaining the absence of Assembly Member Cortese on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Monday, June 10, 1996.)

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until Wednesday, June 19, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 19, 1996

FIFTY-SIXTH SESSION DAY

FOUR HUNDRED EIGHTY-NINTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 19, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—71:

Ackerman	Campbell	Hoge	Morrow
Aguiar	Cannella	House	Murray, Kevin
Alby	Conroy	Kaloogian	Murray, Willard
Archie-Hudson	Cortese	Katz	Napolitano
Baca	Cunneen	Knight	Olberg
Baldwin	Davis	Knowles	Poochigian
Bates	Ducheny	Knox	Pringle
Battin	Figueroa	Kuehl	Rainey
Baugh	Firestone	Kuykendall	Richter
Boland	Friedman	Lee	Sweeney
Bordonaro	Frusetta	Machado	Thompson
Bowen	Gallegos	Margett	Tucker
Bowler	Goldsmith	Martinez	Vasconcellos
Brewer	Granlund	Mazzoni	Villaraigosa
Brown	Hannigan	McPherson	Weggeland
Brulte	Harvey	Migden	Woods
Bustamante	Hauser	Miller	Mr. Speaker
Caldera	Hawkins	Morrissey	

Quorum present.

At 2:40 p.m., Hon. Barbara Friedman, 40th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Alpert, Burton, Escutia, and Rogan.

On personal business, and waiving per diem: Assembly Member Takasugi.

Because of illness in her family: Assembly Member Speier.

The following Assembly Member was excused for the day: Isenberg.

(NOTE: For explanations of absences of Assembly Members Alpert, Burton, Escutia, and Rogan on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, June 26, 1996, or upon Call of the Speaker.

BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, June 24, 1996

FIFTY-SEVENTH SESSION DAY

FOUR HUNDRED NINETY-FOURTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, June 24, 1996

The Assembly met at 12:35 p.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

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

Ackerman	Campbell	Hoge	Murray, Kevin
Aguiar	Cannella	House	Murray, Willard
Alby	Conroy	Isenberg	Napolitano
Alpert	Cortese	Kaloogian	Olberg
Archie-Hudson	Cunneen	Katz	Poochigian
Baca	Davis	Knight	Pringle
Baldwin	Ducheny	Knowles	Rainey
Bates	Escutia	Knox	Richter
Battin	Figuroa	Kuehl	Rogan
Baugh	Firestone	Kuykendall	Speier
Boland	Friedman	Lee	Sweeney
Bordonaro	Frusetta	Machado	Takasugi
Bowler	Callegos	Margett	Thompson
Brewer	Goldsmith	Mazzoni	Tucker
Brown	Granlund	McPherson	Vasconcellos
Brulte	Hannigan	Migden	Villaraigosa
Burton	Harvey	Miller	Weggeland
Bustamante	Hauser	Morrissey	Woods
Caldera	Hawkins	Morrow	Mr. Speaker

PLEDGE OF ALLEGIANCE TO THE FLAG

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

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Pastor Kerry H. Kirkley, of Calvary Bible Church:

Our Heavenly Father, I come to You today acknowledging You as the Most High God. You alone are holy, just, omniscient and worthy of our honor and praise. You have made Your love known to us and have provided a way for us to have a personal relationship with You. We acknowledge You today as Jehovah God. We want to come to You and thank You for the privilege of standing in this place . . . this place where the men and women who You have allowed to assume positions of authority come together to discuss and debate and decide on issues of significance. Thank You for allowing us this privilege. I would pray that as we sing You would allow Your Spirit to move hearts. Take the message that these high school students will present and etch it into the hearts of those You have prepared to hear. Open hearts to hear Your Word and teach us even from the young. And for each student who is here, calm them so that they would be able to share from their hearts. As the business of this day continues in this room, I pray that You would be pleased by what You see. And Lord, we know that there are many in this room who are lonely, empty, unsure of the future, afraid of the past, and who, in spite of their positions, are still searching for true purpose in their lives. I pray today that You would meet them at their point of need, that You would reveal Yourself to them and that they would find peace in You. Bless this Assembly. I love You and give You all the praise.

In His name.—AMEN.

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 Willard Murray, seconded by Assembly Member Thompson.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Martinez.

Because of illness: Assembly Member Bowen.

(NOTE: For explanation of absence of Assembly Member Martinez on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ELECTION OF OFFICERS AND ADOPTION OF RULES

Assembly Member Rogan moved that the officers be deemed elected in the Second Extraordinary Session as in the 1995–96 Regular Session (January 4, 1996, Assembly Journal, pages 4277, 4279, and 4280; and April 22, 1996, Assembly Journal, page 5865); and that the Assembly Rules in the 1995–96 Regular Session (House Resolution No. 36, Assembly Journal, page 5396, as amended by House Resolution No. 41, Assembly Journal, pages 6250/6259) be deemed adopted in the 1995–96 Second Extraordinary Session; and that the Joint Rules in the 1995–96 Regular Session (Senate Concurrent Resolution No. 1, Resolution Chapter 14, Statutes of 1996, Assembly Journal, page 5668) be deemed adopted in the Second Extraordinary Session.

Assembly Member Olberg seconded the motion.

Motion carried.

AYES—41

Ackerman, Aguiar, Alby, Baldwin, Battin, Baugh, Boland, Bordonaro, Bowler, Brewer, Brulte, Conroy, Cortese, Cunneen, Firestone, Frusetta, Goldsmith, Granlund, Harvey, Hawkins, Hoge, House, Kaloogian, Knight, Knowles, Kuykendall, Margett, McPherson, Miller, Morrissey, Morrow, Olberg, Poochigian, Pringle, Rainey, Richter, Rogan, Takasugi, Thompson, Weggeland, and Woods.

NOES—33

Alpert, Archie-Hudson, Baca, Bates, Brown, Burton, Bustamante, Caldera, Campbell, Cannella, Davis, Ducheny, Escutia, Figueroa, Friedman, Gallegos, Hauser, Katz, Knox, Kuehl, Lee, Machado, Mazzoni, Migden, Kevin Murray, Willard Murray, Napolitano, Speier, Sweeney, Tucker, Vasconcellos, Villaraigosa, and Setencich.

Vote Changes

By unanimous consent, the following vote change was permitted on the election of officers and adoption of rules: Assembly Member Cortese, from “No” to “Aye”.

Vote Adds

By unanimous consent, the following vote add was permitted on the election of officers and adoption of rules: Assembly Member Migden, “No”.

(NOTE: Assembly Member James E. Rogan serves as Majority Floor Leader pursuant to election by Republican Caucus on January 16, 1996. See Assembly Journal for the Regular Session, page 4394.)

OATHS OF OFFICE

Without objection the following Oaths of Office for Speaker of the Assembly, Speaker pro Tempore of the Assembly, Chief Clerk of the Assembly, and Chief Sergeant-at-Arms, of the Assembly, were deemed to have occurred in the Second Extraordinary Session, and ordered printed in the Journal:

OATH

for the Office of Speaker of the Assembly

I, Curt Pringle, 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.

OATH

for the Office of Speaker pro Tempore of the Assembly

I, Fred Aguiar, 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.

OATH

for the Office of Chief Clerk of the Assembly

I, E. Dotson Wilson, 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.

OATH

for the Office of Chief Sergeant-at-Arms

I, Ronald E. Pane, 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.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 12:37 p.m., the Assembly adjourned until Wednesday, June 26, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

ROCEL BETTENCOURT, Acting Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 26, 1996
FIFTY-EIGHTH SESSION DAY
FOUR HUNDRED NINETY-SIXTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 26, 1996

The Assembly met at 7 a.m.

Hon. Bruce McPherson, Assembly Member, 27th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—73:

Ackerman	Caldera	Hoge	Napolitano
Aguiar	Campbell	House	Olberg
Alby	Cannella	Kaloogian	Poochigian
Alpert	Conroy	Katz	Rainey
Archie-Hudson	Cortese	Knight	Richter
Baca	Cunneen	Knowles	Rogan
Baldwin	Davis	Knox	Setencich
Bates	Ducheny	Kuehl	Sweeney
Battin	Figueroa	Kuykendall	Takasugi
Baugh	Firestone	Lee	Thompson
Boland	Friedman	Machado	Tucker
Bordonaro	Frusetta	Margett	Vasconcellos
Bowen	Gallegos	Mazzoni	Villaraigosa
Bowler	Goldsmith	McPherson	Weggeland
Brewer	Granlund	Miller	Woods
Brown	Hannigan	Morrissey	Mr. Speaker
Brulte	Harvey	Morrow	
Burton	Hauser	Murray, Kevin	
Bustamante	Hawkins	Murray, Willard	

Quorum present.

At 1:35 p.m., Hon. Tom Bates, 14th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Escutia, Martinez, and Speier.

On personal business, and waiving per diem: Assembly Member Migden.

The following Assembly Member was excused for the day: Isenberg.

(NOTE: For letter explaining the absence of Assembly Member Martinez on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Monday, June 24, 1996; for explanations of absences of Assembly Members Escutia and Speier see the Assembly Daily Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, July 3, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE

1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, July 3, 1996

FIFTY-NINTH SESSION DAY

FIVE HUNDRED THIRD CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, July 3, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—78:

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Knox	Rogan
Bates	Escutia	Kuehl	Setencich
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Bowler	Goldsmith	Mazzoni	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Hannigan	Migden	Weggeland
Brulte	Harvey	Miller	Woods
Burton	Hauser	Morrissey	Mr. Speaker
Bustamante	Hawkins	Morrow	
Caldera	Hoge	Murray, Kevin	

Quorum present.

At 1:37 p.m., Hon. Mickey Conroy, 71st District, presiding

REGULAR BUSINESS DISPENSED WITH

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

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, July 10, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE

1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, July 11, 1996

SIXTIETH SESSION DAY

FIVE HUNDRED ELEVENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, July 11, 1996

The Assembly met at 8:34 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call —78:

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Knox	Rogan
Bates	Escutia	Kuehl	Setencich
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Bowler	Goldsmith	Mazzoni	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Hannigan	Migden	Weggeland
Brulte	Harvey	Miller	Woods
Burton	Hauser	Morrissey	Mr. Speaker
Bustamante	Hawkins	Morrow	
Caldera	Hoge	Murray, Kevin	

Quorum present.

REGULAR BUSINESS DISPENSED WITH

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

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 1—Rogan. Relative to final adjournment of the 1995–96 Second Extraordinary Session of the Legislature.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 8:29 p.m., in the absence of objection, the 1995-96 Second Extraordinary Session was adjourned for the 1996 Summer Recess for the same time period when the 1995-96 Regular Session is in recess until Monday, August 5, 1996, and consent for the Senate to do the same.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, August 5, 1996
SIXTY-FIRST SESSION DAY
FIVE HUNDRED THIRTY-SIXTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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Vol. 6 49—616

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, August 5, 1996

The Assembly met at 11:02 a.m.
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Ackerman	Campbell	Hoge	Murray, Willard
Aguiar	Cannella	House	Napolitano
Alby	Conroy	Isenberg	Olberg
Alpert	Cortese	Kaloogian	Poochigian
Archie-Hudson	Cunneen	Katz	Rainey
Baca	Davis	Knight	Richter
Baldwin	Ducheny	Knowles	Rogan
Bates	Escutia	Knox	Setencich
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McPherson	Vasconcellos
Brewer	Granlund	Migden	Villaraigosa
Brown	Hannigan	Miller	Weggeland
Burton	Harvey	Morrissey	Woods
Bustamante	Hauser	Morrow	Mr. Speaker
Caldera	Hawkins	Murray, Kevin	

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Brulte and Martinez.

On personal business, and waiving per diem: Assembly Member Kuehl.

(NOTE: For explanations of absences of Assembly Members Brulte and Martinez on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, August 8, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, August 12, 1996
SIXTY-SECOND SESSION DAY
FIVE HUNDRED FORTY-THIRD CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, August 12, 1996

The Assembly met at 10:51 a.m.
Hon. Curt Pringle, Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—71:

Ackerman	Cannella	Isenberg	Murray, Kevin
Aguiar	Conroy	Kaloogian	Murray, Willard
Alpert	Cunneen	Katz	Napolitano
Baca	Davis	Knight	Olberg
Baldwin	Ducheny	Knowles	Poochigian
Bates	Escutia	Knox	Rainey
Battin	Figueroa	Kuehl	Richter
Baugh	Firestone	Kuykendall	Setencich
Boland	Friedman	Lee	Speier
Bordonaro	Frusetta	Machado	Sweeney
Bowen	Gallegos	Margett	Thompson
Bowler	Goldsmith	Martinez	Tucker
Brewer	Granlund	Mazzoni	Vasconcellos
Brown	Hannigan	McPherson	Villaraigosa
Burton	Hauser	Migden	Weggeland
Bustamante	Hawkins	Miller	Woods
Caldera	Hoge	Morrissey	Mr. Speaker
Campbell	House	Morrow	

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Cortese.

On personal business, and waiving per diem: Assembly Members Alby, Archie-Hudson, Brulte, Harvey, Rogan, and Takasugi.

(NOTE: For letter explaining the absence of Assembly Member Cortese on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Thursday, August 8, 1996.)

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, August 15, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, August 19, 1996
SIXTY-THIRD SESSION DAY
FIVE HUNDRED FIFTIETH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, August 19, 1996

The Assembly met at 11 a.m.
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—78:

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Knox	Rogan
Bates	Escutia	Kuehl	Setencich
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Bowler	Goldsmith	Mazzoni	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Hannigan	Migden	Weggeland
Brulte	Harvey	Miller	Woods
Burton	Hauser	Morrissey	Mr. Speaker
Bustamante	Hawkins	Morrow	
Caldera	Hoge	Murray, Kevin	

Quorum present.

REGULAR BUSINESS DISPENSED WITH

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

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 4:15 p.m., the Assembly adjourned until Monday, August 26, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 28, 1996
SIXTY-FOURTH SESSION DAY
FIVE HUNDRED FIFTY-NINTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, August 28, 1996

The Assembly met at 11:30 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—73:

Ackerman	Conroy	Isenberg	Olberg
Aguiar	Cortese	Kaloogian	Poochigian
Alby	Cunneen	Katz	Rainey
Alpert	Davis	Knight	Richter
Baca	Ducheny	Knowles	Rogan
Baldwin	Escutia	Knox	Setencich
Bates	Figueroa	Kuykendall	Speier
Battin	Firestone	Machado	Sweeney
Baugh	Friedman	Margett	Takasugi
Boland	Frusetta	Martinez	Thompson
Bordonaro	Gallegos	Mazzoni	Tucker
Bowen	Goldsmith	McPherson	Vasconcellos
Bowler	Granlund	Migden	Villaraigosa
Brewer	Hannigan	Miller	Weggeland
Brown	Harvey	Morrissey	Woods
Brulte	Hauser	Morrow	Mr. Speaker
Burton	Hawkins	Murray, Kevin	
Campbell	Hoge	Murray, Willard	
Cannella	House	Napolitano	

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Members Archie-Hudson, Bustamante, Caldera, Kuehl, and Lee.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

ADJOURNMENT

At 12 midnight, the Assembly adjourned until Saturday, August 31, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Sunday, September 1, 1996
SIXTY-FIFTH SESSION DAY
FIVE HUNDRED SIXTY-THIRD CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Sunday, September 1, 1996

The Assembly met at 1:13 a.m.

Hon. Curt Pringle, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

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

Ackerman	Campbell	House	Murray, Kevin
Aguiar	Cannella	Isenberg	Murray, Willard
Alby	Conroy	Kaloogian	Napolitano
Alpert	Cortese	Katz	Olberg
Archie-Hudson	Cunneen	Knight	Poochigian
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figuroa	Kuykendall	Setencich
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McPherson	Vasconcellos
Brown	Harvey	Migden	Villaraigosa
Brulte	Hauser	Miller	Weggeland
Burton	Hawkins	Morrissey	Woods
Bustamante	Hoge	Morrow	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O Lord, We confess that true life, a life of faith in You begins at any age and on any day. You, O Lord, have the power to redeem the past, sanctify the present and brighten the future. Grant us all who are gathered here this morning, an understanding heart, that we may see into the hearts of Your people, and know their strengths and weaknesses, their need of love and their need to love. And finally we ask that the members of this Assembly and its staff, know in abundance all the good things on earth, and be found worthy to enjoy the promised blessings as well. For You O God, are the God of mercy and compassion and to You we send up all glory, to the Father and the Son and the Holy Spirit, now and always and to the ages of ages.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Members Caldera and Hannigan.

MESSAGES FROM THE SENATE

Senate Chamber, August 30, 1996

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

Senate Concurrent Resolution No. 2

JOHN W. ROVANE, Acting Secretary of the Senate

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 2—Relative to final adjournment of the 1995–96 Second Extraordinary Session of the Legislature.

**SENATE CONCURRENT RESOLUTION NO. 2 TAKEN UP
BY UNANIMOUS CONSENT**

Assembly Member Rogan was granted unanimous consent to take up Senate Concurrent Resolution No. 2, without reference to committee or file.

SENATE CONCURRENT RESOLUTION NO. 2—Relative to final adjournment of the 1995–96 Second Extraordinary Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—69

Ackerman	Bustamante	House	Murray, Willard
Aguiar	Campbell	Kaloogian	Napolitano
Alby	Cannella	Katz	Olberg
Alpert	Conroy	Knight	Poochigian
Archie-Hudson	Cortese	Knowles	Rainey
Baca	Cunneen	Knox	Rogan
Baldwin	Davis	Kuehl	Setencich
Bates	Ducheny	Kuykendall	Sweeney
Battin	Escutia	Lee	Takasugi
Baugh	Figueroa	Machado	Thompson
Boland	Firestone	Martinez	Vasconcellos
Bordonaro	Friedman	Mazzoni	Villaraigosa
Bowen	Frusetta	McPherson	Weggeland
Bowler	Gallegos	Migden	Woods
Brewer	Goldsmith	Miller	Mr. Speaker
Brown	Granlund	Morrissey	
Brulte	Harvey	Morrow	
Burton	Hoge	Murray, Kevin	

NOES—None

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

Senate Chamber, August 31, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate returned without further action:

Assembly Joint Resolution No. 1

JOHN W. ROVANE, Acting Secretary of the Senate

MOTIONS TO CONSIDER BILLS LAPSED

The motions to reconsider the votes on Assembly Bills Nos. 14, 6, 7, 8, 15, 25, and 6; and Senate Bill No. 2 lapsed.

MEASURES WHICH DIED ON THIRD READING

Assembly Bills Nos. 3, 9, 10, 11, 16, 17, 18, 19, 21, 22, and 31; Senate Bill No. 6.

**MEASURES WHICH DIED ON UNFINISHED BUSINESS—
RECONSIDERATION PENDING**

Assembly Bills Nos. 1, 4, 6, 7, 8, 15, 25, and 26; Senate Bill No. 2.

MEASURES WHICH DIED ON INACTIVE FILE

Assembly Bills Nos. 12, 20, 23, and 28.

BILLS WHICH DIED AT THE ASSEMBLY DESK

Assembly Bills Nos. 2, 13, 14, 27, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, and 59; Assembly Concurrent Resolution No. 1; and Senate Bills Nos. 13, 14, 15, 19, 21, and 23.

VOTE ADDS

The following Assembly Member was granted unanimous consent to record his vote on the following item:

Senate Concurrent Resolution No. 2: Bates—Aye.

ADJOURNMENT

At 1:14 a.m., pursuant to Senate Concurrent Resolution No. 2 the Assembly adjourned the 1995-96 Second Extraordinary Session of the Legislature *sine die*.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

APPENDIX TO ASSEMBLY JOURNAL

1995-96 SECOND EXTRAORDINARY SESSION

California State Assembly



Proceedings
in
Committee of the Whole

To Consider

**Testimony Relative to
Insolvency of Orange County**

Assembly Chamber
March 8, 1995

**CALIFORNIA ASSEMBLY
COMMITTEE OF THE WHOLE**

Chaired by

Assembly Speaker Willie L. Brown, Jr.

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Speaker Brown: Without objection, we'll skip the usual order of business that would be transacted in the Second Extraordinary Session. This session has been called with the consent of the entire membership for the purpose of giving the representatives of Orange County the opportunity to appear before a Committee of the Whole to indicate the circumstances surrounding Orange County's financial situation at the present moment, and what could possibly be expected of the state for any assistance that may, in fact, be needed.

I would indicate to you that we intend to ask that the Orange County delegation on this issue make a complete presentation. At the end of their presentation there will be an opportunity for individual members of this house to ask questions of those persons. I would highly recommend that you keep your questions—you'll only be recognized one time—and you keep your questions as succinct and as short as possible. That's why I suggest that the entire presentation be made so that your questions can cover the entire presentation in view of the fact that you will only be up once.

We will observe, to the extent that we possibly can, the normal five minute rule applicable to each member. It has been suggested that if that becomes too burdensome and we go too long, in view of the fact that we still have committee business to transact today in the respective committees, that we may, in fact, modify that time schedule to reflect more of a two minute opportunity, rather than a five minute opportunity. Hopefully, however, the complete comprehensive presentation will substantially reduce the need for lots of questions to be asked. We'll also extend the opportunity to any state senator or any constitutional officer, who may happen to come to participate in this session, the opportunity to so inquire if they deem it appropriate to do, because obviously, in all cases, the entire family of elected officials in California will be called upon to participate in the Orange County situation.

I'm going to ask Assemblymember Marguerite Archie-Hudson to come forward please and preside over this session. As you recall, I asked Ms. Archie-Hudson to assume the responsibility along with fifteen other members to be what essentially would be the subcommittee of the Committee of the Whole to deal with the Orange County issue, and I'm going to ask her to preside at this time. I believe the agenda, that shows who's presiding, is there before you.

Assemblymember Allen will be excused on the basis of illness.

* * * * *

Committee of the Whole Chair Marguerite Archie-Hudson: Thank you very much, Mr. Speaker. We are now about to go into our Committee of the Whole, members, and that requires a motion, for which I recognize Mr. Hannigan.

Assemblymember Tom Hannigan: Madam Chair and members, I move that the Assembly do now resolve itself into a Committee of the Whole for the purpose of considering testimony relative to the insolvency of Orange County.

Assemblymember Archie-Hudson: That takes a majority of those present and voting. All in favor? (Ayes heard) Motion opposed? (none heard) The 'ayes' have it. We are now constituted as a Committee of the Whole. This committee is similar to a committee

hearing with all members sitting as a Committee of the Whole. We are now there.

Let me say, members, that the Assembly Select Committee on the Insolvency of Orange County was appointed, as you know, by Assembly Speaker Willie Brown on February 23rd. The mission of the committee is to address the Legislature's concern regarding Orange County's inability to manage its current fiscal obligations and the impact of that on the state. The select committee is composed of the members of the Orange County delegation and members in this house who have the responsibilities of either fiscal or policy areas, or sometimes both, in areas that are relevant to this issue.

The select committee which I chair will hold a series of hearings to investigate the issues involved, to gather pertinent information and to consider proposals which will address the short-term and the long-term crises which arise out of this situation which affect, obviously Orange County, but also affect many schools and many special districts, and will ultimately impact all of us in the state of California. The first hearing of this committee is scheduled for March 22nd and at that time we will provide for an overview of the legal, fiscal, and policy questions involved.

The purpose of today's session, convened as a Committee of the Whole, is an opportunity to give Orange County an opportunity to brief the Legislature on the current fiscal condition and on their proposed settlement to settle the claims of investors in the Orange County Investment Pool. This problem, as you know, arises out of the Orange County's participation in a complex and very aggressive investment strategy, which involved in the use of reverse, repurchase agreements and derivatives and which resulted in a \$1.7 billion loss to the county. A total of 187 agencies, including the county's transportation authority, 60 school districts, 37 cities, and 11 water districts sustained losses in this investment pool.

The Senate has held a number of hearings and clarified a number of issues relating to this situation. The Assembly select committee will build on these hearings of the Senate but will also pay particular attention to those areas in which we have a special interest. These areas include, for example, the ability of the affected schools to remain open and not be unduly harmed by this bankruptcy, the impact of the fiscal ratings on the state and local governments, and the viability of other key agencies, such as water and transportation, to provide essential services. So we'll be very interested in the briefing which we will be receiving this morning.

As the Speaker said, the ground rules for this Committee of the Whole are as follows: We're advised that Mr. William Popejoy, who is the newly appointed CEO of Orange County will make the briefing on behalf of the county, but that there are other members who may very well have short comments they would like to make. We would like first, members, to have the participants be able to make a full presentation on the matter before the committee before we recognize members, who we understand will want to ask questions. Our hope is that we can hold this whole hearing to two hours, and as a result, I would like members to understand that when they are recognized they will have one opportunity to be heard and that each question and response really should be limited to three minutes if it's

at all possible, because we want the total time devoted to the questions to be one hour.

I would now like to introduce the members of the Orange County delegation who are here. First of all, let me welcome—and I can't really see them down here, so I'm going to ask the Clerk to help me—let me first welcome a former member of this Legislature, both the Assembly and the Senate, now Supervisor Marian Bergeson, whom we're glad to see. Welcome Supervisor Bergeson. (applause) We also have Mr. Bennett, who is the attorney for the bankruptcy action. Welcome Mr. Bennett. (applause) And we have Mr. Paul Nosbaum, and finally—Welcome, Mr. Nosbaum—Let me welcome, again, Supervisor Bergeson, who has asked for an opportunity to introduce to you, Mr. Popejoy, who is the new CEO of Orange County, and Mr. Popejoy will make the introductions. So please let us welcome our former colleague, Supervisor Marian Bergeson to the podium. (applause) Also, members, let me introduce for you our State Controller, who we are glad to have here, who will very involved in this. State Controller Kathleen Connell. Welcome. (applause)

Supervisor Marian Bergeson: Thank you very much, Madam Chair. If the President of the Senate is available, I brought my husband, my Bible, and I'm ready to take the oath of my old office (laughs)—more than ready. Thank you again, though, for your interest and your patience and for your understanding.

These have been very difficult times for all of us that are associated with Orange County. It's been difficult to communicate; it's been difficult to organize; and, I should add, it's been difficult to keep up with the decorum and the procedure that you're used to and that I have been used to as well.

But on behalf of the Orange County Board of Supervisors, I would like to thank you very much for allowing us this brief time to present to you our situation. I hope that you will see the magnitude of our problem and that it requires open minds, open discussion on all sides . . . ours too. We are going to manage this unprecedented crisis with the many tools that we have at hand and an unparalleled commitment on the part of those who are going to be directly involved. It is truly a pleasure to allow us, the Orange County community, filled with new faces and experts, particularly those that are here with us today, and we want to move forward to our brief presentation of the county's fiscal situation.

And so I would like to be able to introduce to you the latest target, the admiration, fascination, a little trepidation in Orange County: he is our pro bono CEO, probably because he once said to his friends in casual conversation that you couldn't pay him anything to do that job. Now he and his team are adding a new dimension to the term "volunteerism." Bill is no stranger to the Capitol or to this city. He's a Sacramento State alumnae in both his undergraduate and graduate work. He is the former Chairman and CEO of American Savings and Loan. I hope you take a minute to look at his impressive resume, which has been distributed and is on your desk. He's been with the county now just twenty-five short days—I'm sure that seems a lot longer, doesn't it, Bill. In that short time, he already has a number of nicknames—some are printable and others are not—"no joy Popejoy"—I think that's one that's probably going to stick—but it is

appropriate because there is no joy in Orange County right now. And Bill has been given an extremely difficult task that would jeopardize anyone's good will, but after working with Bill for twenty-five days now, I have no doubt that no one could do it better, and it is indeed my pleasure to introduce to you, Mr. Bill Popejoy.

Mr. William "Bill" Popejoy: Thank you, Marian. A lot has happened in the last twenty-one days, and I'd like to tell you that the situation is better than I thought it would be. I've lived in Orange County for fifteen years. I thought I knew quite a bit about the (inaudible) before the county and I was wrong. It's worse than I thought it was.

I want to express my appreciation for the honor to meet before the Committee of the Whole. I plan to take advantage of that honor by explaining to you the dimensions of the problem. I'm not here today to look for your votes. Later, I'm sure I will be. Today, I want to talk about what we have, and basically, seek your understanding . . . not your approval.

Let me go over to the charts and I hope that you in the audience can see that these two charts—I'll start with the one that is in handwritten form here. But our problems start with the loss. We had a treasurer that followed a very risky, reckless, financing program . . . he lost, we lost. We lost \$1.7 billion. Now we can anguish over how that took place, and we should investigate who were the people involved and prosecute them, but ladies and gentlemen, if we marched everyone off of the Newport Beach pier, who is remotely involved with this, it's not going to help us cure the problem.

The problem breaks down into three segments: One, our budget. Last year, the county-funded portion of our budget was \$468 million. This year, because of this loss, we have \$188 million less to spend . . . period. That means we have to go from \$468 to \$275 million, a reduction of 41 percent in one year . . . in fact, in a few months. That's an unprecedented cut, I believe, in county government, maybe in any government.

Our next problem, and it's a separate and distinct problem, is we have bonds coming due this summer; by August the 10th, we have a need to raise \$383 million. Now, sometimes there's little sympathy for the bondholders. We have 400,000 people in California that own Orange County bonds, so we're not talking about the rich fat cats back East, we're talking about people who live in California who bought these bonds to supplement their retirement income; they bought them not because they thought they were risky, they bought them because they thought they were safe, blue-chip bonds.

The third part of our financial problem are the investors. These are the schools and cities that trusted our treasurer and our county with their money. As it turns out, they were not well served. Because of this loss, we can only pay them back, right now, 77 cents on the dollar. Now, in normal bankruptcies, that sounds like a pretty acceptable settlement, but we're not talking about a normal bankruptcy, we're talking, basically—and my main mission here today—is to talk about schools. The schools, the most we can give them is 77 cents on the

dollar. The school situation before the bankruptcy was terrible, and now it is intolerable, and I'll expand upon that.

Let me move over—I hope you can see this pie chart—pardon me for the people who are on my far left—but I want to expand. You'll hear that we have a total budget of \$1.644 billion before the bankruptcy, but that's for the entire pie before you, that's for the yellow and the red. This portion, the larger portion of the pie is funded by sources from Sacramento, from Washington, and from other sources. This does not come directly from the county, so we could cut all of this and not save one penny towards our deficit. This smaller red portion is where we have to cut, and that's where we're going from \$463 million in Fiscal Year 1994–95—we're still in that year; doesn't end until July 1st of this year—to, as I mentioned before, \$275 million. Huge, huge cuts.

We had, before the bankruptcy, 18,161 employees. That includes extra help, vacancies. Since then we've had—since the bankruptcy, we've had some layoffs and that's taken us down to around 15,000. With the reductions that I announced or presented to our Board of Supervisors yesterday, of an additional 1600-plus, this number will be closer to 13,000. Let me put that into perspective. We started with 18,000 we're coming down to 13,000. Services will be cut back dramatically. Basic needs in some areas will not be met. The facts are, we cannot print money, we have to live with this budget of \$275 million.

As Marian said, I've been on the job a short period of time. In fact, I just was made the Chief Executive Officer on the 21st, about two weeks ago. I was here about a week before, but the Board officially made me the Chief Executive Officer with, really, very wide powers on the 21st, and since then, we've tried to show leadership; we've tried to move ahead with substantive changes, not just the cosmetics. Approximately three weeks ago, we had in the Senate here, hearings where four individuals from our county testified, and three of those have been fired, and have been fired directly and indirectly by me, and the fourth one, who is an elected official, is being pushed out. We want to start with a clean slate. We want to have your confidence in the team that we have and used going forward.

But firing, as I said before, is only part of the job and a start. We've talked about the reduction in our budget, which is a harsh thing because it's falling on the shoulders of our employees and they didn't cause the problem. They are the ones who are going to carry the major part of the burden, because we have to bring our budget into balance, and that's the kind of budget I've submitted to the Board of Supervisors.

We will sell assets, we'll list an Assets for Sale as of Thursday, tomorrow. Now don't expect to see a huge dollar amount involved. We don't have a huge dollar amount of assets that we can sell quickly . . . that's a myth. Yes, we have an airport; yes, we maybe have two airports going forward; yes, we have a large waste disposal facility; but all of those, which we would like to capitalize on, going forward, take months, maybe years to sell or in some way capitalize to the benefit of the county.

We will announce privatization, that much overused word, where government is pushed out to the private sector, but we'll be doing a lot of that and we want to do it on a basis that makes sense and not as

a false economy and not done just for press clippings.

We're pushing aggressively on our litigation. Ladies and gentlemen, there is a lot of blame to go around, but the deeper you dig, the more it's clear that the people in the county were lightweights and the man at the top, Citron, personified that. He simply didn't know what he was doing; in my estimation, he was manipulated by Wall Street people, namely, Merrill Lynch; and we're going to go after them and go after them aggressively. But it will take a long time. They'll fight, they'll fight, and we may not get a dime, so we shouldn't plan on spending money from that litigation. We will be coming to you with specific plans. There's already 30-some bills floating around up here. In a way, maybe there's a little clutter involved. I think we owe it to you to come with more focus, with more of a rifle shot, and I'll talk more about that today.

Is this mike working here? Okay, let me turn that one on, because I'm not—

I was told yesterday, and it was good advice, that was, "Bill, people understand 75 percent of what they see and maybe 15 percent of what they hear and the other 10 percent they probably miss." This, I hope, falls in the 75 percent category. I want to talk about what you can hear. I really don't mean to be dramatic, but I think you hear I deal with my heart, so you can close your eyes—maybe some of you have already—close your eyes and just listen, and sort of travel back if you would a little bit through the sweet filter of time, unmolded in most people in this room.

But, when I went to school, Orangevale Grammar School close by, San Juan High School close by, Sacramento State, that was top quality education. I guess I didn't realize it at the time. I don't know what's happened in this state since then, but we no longer have a top quality education program. I can tell you firsthand, being involved with the schools in Newport Beach, that so-called rich area, that the schools are less than adequate. You have classrooms of 30-plus children, where teachers don't have aides to help them, and there's children in the class who speak various languages. I can't say it's bedlam, but it's not really the kind of education they deserve, and that's before the bankruptcy.

We've sort of—let's fast-forward now and look at the kind of realities that we are aware of: gangs, drugs, the Simpsons from Bart to O.J., the things that are bombarding our youngsters, and they need a firm foundation of education. You know this. I'm preaching to the choir.

In our county, if we do not pay our schools 90-95 cents on the dollar, because they're already down to the bone and below, a lot of nasty things will happen. First, there will be a major layoff of teachers, and the classrooms that are already crowded, and those notices will go out the 15th of this month.

Next, if we don't do something to make sure that that portion above the 77 cents that we have on the table, up to maybe 95 cents is real, backed by something that's of value that they can sell and put on their balance sheets. Many of the schools are going into insolvency. What does that mean? That means that it will be your problem because you'll be running the schools. It means more than that. It

means that it'll be a food-feast for attorneys and outside consultants and it will just be very, very nasty going forward.

So, we have a chance here to help a county that, to many of you, you don't want to help. You feel that they're fat cats, let them help themselves. We've all sorts of ideas that have been floated, from sales tax to selling airports that we don't own. If we did all those things, ladies and gentlemen, we wouldn't do it fast enough, the money wouldn't come in fast enough for us to handle the problems that are before the schools today. So what we're going to be working with you and the people in the Senate to accomplish fast, is a way to handle the schools. If you want to let the other parts of the county crater, that's up to you. I can't say they deserve a lot of mercy, but the schools . . . they did not vote on putting their money—at least the children didn't—they might have been badly led by some of their leaders. I'm not here to increase the rancor to say the state required the schools to put the money with the treasurer; I'm not here to say that Prop 13 caused a shortfall and that made school districts and treasurers overreach. You know those arguments better than I. I am here to say, the facts are that we don't have the money. The schools are going to face insolvency. We need your help quick. Please, please don't turn your back on our schools. If you want to turn your back on the rest of the county, that's up to you. We need your help with the schools.

Thank you very much, Mr. Popejoy.

Chair Archie-Hudson: Members, we now have the opportunity to ask questions, and let me stress that we're going to ask questions. Each person will have about two-and-a-half minutes to ask a question and get an answer and if you do it right, you may be able to do a second follow-up within your time. We've asked the Clerk to time this. Let me advise you that if you get up to make statements, they're going to be held against your time. So let me now open the floor for members who wish to have questions. If you will put your mike up, I will then so recognize you. The first mike I see is Mr. Brulte.

Republican Caucus Leader Jim Brulte: Thank you, Mr. Speaker, Madam Chair.

Chair Archie-Hudson: Mr. Brulte, would you please identify the person whom you're addressing your question.

Assemblymember Brulte: Yeah, I'd like to talk to Mr. Popejoy and ask him some questions, if I might.

Mr. Popejoy: Yes, sir.

Assemblymember Brulte: I just want to maybe hear again the magnitude of the cuts that you're making in Orange County. Your General Fund Budget that you have control over is \$468 million, or you're going to make—what is that figure and—

Mr. Popejoy: Let me walk over here again—is this on?

Unidentified Voice: No.

Mr. Popejoy: Oh, is this one on? All right.

This portion here, \$463 million, the portion in red is the portion where we have any control over it. This is funded by the county. This other is funded by other sources. So this is the portion where, if we cut, we can save money.

Assemblyman Brulte: And you're taking 40 percent of that discretionary spending and—

Mr. Popejoy: Yes, sir, almost 41 percent.

Assemblyman Brulte: Okay. And you're taking your employee base from 18,000 to 13,000?

Mr. Popejoy: I believe we were above 18,000 and by the time we lay off 1600, including job openings, our total employee base will probably be approaching 13,000.

Assemblyman Brulte: Okay. Let me ask some questions about the schools. How many school districts invested in this fund?

Mr. Popejoy: Twenty-five.

Assemblyman Brulte: Twenty-five. Are they all in Orange County?

Mr. Popejoy: No. I believe we have two that are outside Orange County.

Assemblyman Brulte: Okay. Is it your understanding, then, that if we're not able to meet our obligation to the schools, do you have a sense of how many of those schools will go into default?

Mr. Popejoy: I don't. To hear them talk, and from looking at their numbers, a sizable percentage, but I don't know that I—Bruce, do you have a —

(Inaudible reply)—

All right. Well, it could be as low as nine, if we're lucky. It looks like it may be closer to twenty.

Assemblyman Brulte: Uhm, let me phrase—

Chair Archie-Hudson: Brulte, you have just about 30 seconds, so wrap it up, please.

Assemblyman Brulte: Let me just close by making a request to the Chair that perhaps your select committee could report to the Legislature at the earliest possible convenience, the state downside, if, in fact, those school districts are unable to meet their obligations, what would be the cost to the General Fund if we have to pick up those obligations, as I believe we're required to.

Chair Archie-Hudson: Thank you, Mr. Brulte. I'll note it. Mr. Bates

Assemblyman Tom Bates: Madam Chair and Members, my concern—I don't know if Mr. Popejoy is the right person to address this to—but my concern is, we've seen the treasurer overreach, as you explained, to try to generate additional revenues for this county. Obviously, other counties and other places face their fiscal situation in a different manner, and now we're asking them to step to the plate, basically, to make up for what was, I think, admittedly a large mistake on behalf of the county to count on this interest earnings in order to balance its budget.

So my concern is, as you adjust, my concern is that the weight of that adjustment, not just fall on the poor and not just fall on the disadvantaged, that we, in fact see a spreading—and I'm wondering if you could explain to us how you see the burden being shared by all classes of society in Orange County, and then secondarily, I'm concerned, as we've heard, that you're going to be requesting the ability to cut services to poor and disadvantaged people. As you cut those, I'm wondering about the impact on the adjoining counties, so I'm wondering to the extent that you think you're going to be able to

save by these cuts and what the impacts are going to be taxpayers and other residents of counties adjoining Orange, like Los Angeles, Riverside, and San Diego.

Mr. Popejoy: Well, there are several very good questions there. Let me try to be responsive.

While we announced yesterday our proposed reductions to our Board of Supervisors for the 1995–96 budget and the layoffs that we believe those reductions will necessitate, we have no intention of rushing to laying people off. The layoffs themselves will take place over the coming months after hearings with the public, so even though we put in a great deal of thought to these budgets, we want the public now to get a chance to review the budgets, and where we have missed items that we do things more efficiently with our reduced level of funding, we will do so. It's certainly not our intent to have the burden of these cuts fall just on the shoulders of people on the lowest end of the socioeconomic ladder. Many of the cuts are in middle management, many of the cuts are in areas that are enhancements maybe to the middle class—

Chair Archie-Hudson: Thirty seconds, Mr. Bates.

Mr. Popejoy: —so to speak. Insofar as the surrounding counties, we don't think there's going to be a flight to the surrounding counties from Orange County because of a reduction of our level of services, but there will be some impact. We have not been able to assess that impact.

Assemblyman Bates: Yeah, I guess my concern is, as you cut, particularly General Assistance, this is a population that is basically single, moves, is transitory. If you make a huge cut and you ask us to allow you to make the cut, then those people are going to simply migrate to other areas and then other taxpayers are going to have to pick that cost up.

Chair Archie-Hudson: Mr. Bates, I'm sorry, your time is up.

Assemblyman Bates: Well, let me just say in closing that I appreciate the committee, and I'm a little unhappy with the answer. I'm interested, not just in the county workers, but the spread of the fiscal pain as proposed in the cuts.

Chair Archie-Hudson: Mr. Bates, excuse me. I think we understand the question. Your time is up. Thank you.

Mr. Popejoy, could I ask you a question that I think is of interest to the members, if I might. Simply because we understood—and I think I represented to the members and I want to clarify this—that in addition to briefing us on the general situation, you were going to also share with us your proposed plan for reorganization. I did say that to the members in my presentation. If I'm wrong, I want you to advise me and advise them, and if I'm correct, I wonder if you would comment on why you did not present the plan we thought you were going to present.

Mr. Popejoy: Well, I apologize. I didn't realize that we were going to get into the reorganization discussions here. I'll tell you as much as I can.

The reorganization is in process now, in the plans to have a different type of a government going forward are not complete, so I think it would be a little bit premature. The reorganization, the new

organization for county government will be one that is much smaller, but that's a generalization. It'll be one where many of the services will be pushed to the cities and other municipalities, but that's a generalization. Beyond that, I really am not prepared. I'd like to wait and have the results of our efforts and the input from the citizens of the county, and get their collective wisdom, before I come back with a more specific answer.

Chair Archie-Hudson: That's fine. I just represented that we were going to do that and I wanted to correct my error.

Ms. Speier.

Assemblywoman Jackie Speier: Thank you, Madam Speaker. To Mr. Popejoy, let me first thank you for your heroic citizen leadership in coming in to save what is, indeed, not just an Orange County problem, but a state problem.

I'd like to make a couple of points and then ask a couple of questions. You've indicated that you have 18,000 employees, that you've reduced it down to 13,000, but based on your presentation to the Board of Supervisors on the 28th, you indicated that as a result of layoffs already taken, temporary positions and vacant positions that you were at 15,000. So that the actual layoff is only about 1600 positions that you're talking about at the present time.

Mr. Popejoy: That's correct, because they've already experienced considerable cutbacks and job closings, but our real numbers, before the bankruptcy, were over 18,000. Our real numbers, when we're done with this, will be closer to 13,000.

Assemblywoman Speier: But there's actually only 1600 layoffs that we're talking about.

Mr. Popejoy: There's only 1600 more to go.

Assemblywoman Speier: I see. The point that you made in your presentation included your recommendation that there would be the selling of assets, the sale of many assets and the privatization of many services. Can you identify what any of those assets are that you will be selling off?

Mr. Popejoy: I can. We listed a whole series of dates when I met with the Board of Supervisors last week, and one of those dates is tomorrow. Tomorrow, we will present to the public a list of assets and that will be presented to this group, assets that are for sale now, and then, assets that are being worked on for sale in the future, so I think I'd be getting a little ahead of myself to mention the specific assets now, although, I will caution you, however, the assets the county has that it can sell right now aren't great. We don't have a lot of assets floating around. That's a myth. We probably will have someplace in

the vicinity of \$30 million that we can sell now, and the cash if we sell and not give away, these assets will come into our coffers probably in 60 to 90 days.

Assemblywoman Speier: What is your sales tax now?

Mr. Popejoy: What is our—I've been hearing so much? (Inaudible response). Yes, Seven and three-quarters percent (7.75%). We've been talking about so many different levels of sales tax, I wasn't really sure where we are.

Assemblywoman Speier: So you've got seven and three-quarters percent. You're not anywhere near what the top is in many jurisdictions, I believe it's 8.25.

Mr. Popejoy: Well, you know, our sales tax is lower than some and higher than some.

Assemblywoman Speier: Do you have any expectation—

Chair Archie-Hudson: Thirty seconds, Ms. Speier.

Assemblywoman Speier: Thank you. Do you have any expectation or recommendation that you will make to increase the sales tax in Orange County?

Mr. Popejoy: Well, I've been under considerable pressure to do just that. My marching orders, from the Board of Supervisors, was to try to see what could be done without a sales tax, and if I get to the point—and I've said this to the Senate earlier this week—that if we get to the point—no, last week, I'm sorry—if we get to the point that I can't see a way around this, other than a sales tax, then I'll recommend a sales tax. I believe that I have to go through the process, and the process will not be a long one, to make that determination.

Assemblywoman Speier: Thank you.

Chair Archie-Hudson: Thank you. Mr. Pringle.

Assemblyman Curt Pringle: Thank you Madam Speaker: Mr. Popejoy, thank you for being here. I, yesterday, or actually earlier this week, circulated to the membership here, your remarks that you made to the Board of Supervisors on the 28th, so that's what Ms. Speier is referencing, and maybe if we, again, could just quickly talk about the timing—I think it's important to see what that timing is, and again, rehear that. Basically, the cuts that you have made to the present year budget, reducing the present year budget from \$468 million to \$275 million—you're in the process of doing that and that's referencing the cuts in personnel and other cuts, privatization, and other reforms that you're doing presently, right there.

Mr. Popejoy: That's correct.

Assemblyman Pringle: The timing, though, with regards to this workout plan, which, I think is also very important for people to hear,

all of the other entities that invested with the county, is the county under a requirement to have agreement by those other entities by a set date?

Mr. Popejoy: Well, we have several dates that are crucial. I think maybe it would be timely, now, to have our lead bankruptcy counsel, Mr. Bennett, come up and talk to that point. Bruce, why don't you step up here.

Assemblyman Pringle: Well, I would ask Madam Speaker that we might—that this not be on my time bit. This is, I think, a very vital part of the discussion, to hear what has to be done from the bankruptcy point of view in terms of how to get an agreement with all the other entities—

Chair Archie-Hudson: Well, Mr. Pringle, I would assume that that is a part of the whole reorganizationn plan, which, when it's presented, will be detailed out.

Assemblyman Pringle: Well, I believe Mr. Popejoy may have misunderstood your question a moment ago in terms of the restructuring of county government. I believe that is what he was referencing, not necessarily the workout plan, which is going to be required by the courts, by I believe March 30th or sometime there-around, and I think the bankruptcy counsel needs to share with you what—

Chair Archie-Hudson: But I don't think Mr. Popejoy—he can speak for himself, of course—I don't think he misunderstood my question, I think he said that he's not prepared to answer the question, and that at some future date, he would like to fully inform us of that and I think he ought to have the opportunity to do that. I would think that the question you're asking is a part of that whole issue, Mr. Pringle.

Assemblyman Pringle: Really, on my question, I don't care you would want to respond, be it through Mr. Popejoy or the other folks that are here. The question is just to try to isolate what the time-frame is to see that we have deadlines coming up that are not only the deadlines for the presented year budget—

Chair Archie-Hudson: I understand.

Assemblyman Pringle:— (inaudible) the deadlines for the workout plan and the deadlines for the bonds. That's what I'm—

Chair Archie-Hudson: I understand. Mr. Popejoy, are you prepared to respond to those questions?

Mr. Popejoy: Absolutely. The question that I understood earlier was, I thought, regarding the organization or the new organization that we see for county government. I think, now, your question is different.

Here is a timeline. I'm sure you can't read all of this so I'll read it to you:

March 15—School layoff notices;

March 20—Pool plan response; Board approval of pool plan; consent to pool plan; 40 days for Bankruptcy Court approval;

March 30th—Bankruptcy Court approval of pool plan—hope that's the case;

May 15—Pool cash distributed; recovery notes monetized;

June 30th—Schools need to meet reserve requirements (we have at that point a deficiency in our (inaudible) of \$70 million);

July 30th—More bonds come due—this is not involved with the bankruptcy—well, it is involved with the bankruptcy, but I don't know that it actually answers your question, but it is part of our bankruptcy timeline going forward.

July 30—We have \$132 million deficiency on taxable notes that are coming due.

July 19th—We have \$148 million deficiency on Series A bond financing, tax-exempt securities coming due.

August 10th—We have no reserves; we have \$32 million coming due, more tax-exempt securities. Yes?

Chair Archie-Hudson: Mr. Pringle, your time has expired. Sorry. Mr. Caldera.

Assemblyman Pringle: I believe there may be (inaudible) . . . ?

Chair Archie-Hudson: I am advised that your time has expired.

Mr. Popejoy: April. April. It is in error.

Chair Archie-Hudson: Thank you. Mr. Caldera.

Mr. Popejoy: We put these things together very quickly, I apologize. By the way—

Chair Archie-Hudson: We'll forgive you.

Mr. Popejoy: Well, thank you. We will be available afterwards to answer your questions and provide more information. Thank you very much.

Chair Archie-Hudson: Thank you for correcting that error, Mr. Pringle.

Mr. Caldera.

Assemblyman Louis Caldera: Thank you, Madam Chair. Mr. Popejoy, one thing that I would ask is that any of the charts that you use today, if you would please provide copies of those to the members. I have a question for Mr. Bennett, and the question is that in other municipal bankruptcy proceedings, a court has held that before the municipality could be found to be insolvent for bankruptcy purposes, that they had to have exhausted all of their options for raising revenues and paying their obligations, and specifically, I'm referring to a bankruptcy filing of Bridgeport, Connecticut that was dismissed for that purpose. I'd like to know how this applies to the Orange County situation and what revenue options the county considered before filing for this bankruptcy.

Mr. Bruce Bennett: First of all, the Bridgeport case is quite a bit different from the Orange County case, because I think, in that case, the state indicated that the moneys would be available, provided that Bridgeport made certain budget cuts. Orange County did not have the ability to raise any revenue within the time necessary to meet maturing obligations. Orange County, on December 6th of 1994,

could not pay its debts as they became due, no matter what it did. So it is a considerably different case than Bridgeport.

Assemblyman Caldera: But Orange County does have the ability to raise revenue to pay its obligations as part of its reorganization plan, is that correct?

Mr. Bennett: (small portion of his testimony missing—while tape turned over??)—hit without a very real and consequential budgetary cutback required to make it up.

Chair Archie-Hudson: Thank you. Mr. Granlund.

Assemblyman Brett Granlund: Thank you, Madam Chair.

Mr. Popejoy, we have not heard yet what effect this has had, if any, on public safety. What type of cuts are you making there and, by comparison, L.A. County is discharging several thousand prisoners because of overcrowding in the jails and budget problems, and what, in relationship, is happening in Orange County?

Mr. Popejoy: Why don't I give to you members the budget information that shows the exact cuts by department. One of the things that we had that was somewhat difficult, that over the weekend when we watched the—last Friday, we were supposed to get the new budgets and the new budgets basically weren't satisfactory and we had to go back—they worked over the weekend—there were additional cuts—I didn't get a chance to review exactly what happened in the area of public safety, but the person who was doing that, amongst others, was Sheriff Brad Gates. They did suffer cuts; I don't believe—but don't hold me to this—that those cuts included turning prisoners loose on the public. We are still concerned, very much concerned about public safety.

Assemblyman Granlund: Okay, and the other question, if we're to take any action, and I am assuming that this needs to be done before March 30th, and what is the urgency of our action?

Mr. Popejoy: Well, there is urgency, and I know how difficult it is for this body or for state government to have something done that quickly, but the answer that I give to you is, yes, give us some relief with the schools. We need at least an indication that we're making progress in Sacramento, if not a completion of the problem, resolving the problem with your help by March 30th.

Chair Archie-Hudson: Thank you. Okay, members, I have five minutes and six mikes. Let's see what we can do.

Mr. Knox.

Assemblyman Wally Knox: Thank you, Madam Chair. Mr. Popejoy, there's been rumors of contracting out as a portion of your

solution; are you currently contemplating contracting out; if so, what services, if so, what projected savings; if projected savings, on what basis?

Mr. Popejoy: Well, as I mentioned before, tomorrow, we will list specifically, the first wave of services that we plan to subcontract or privatize, and we'll also list the first wave of assets we plan to sell. So I'd like not to get ahead of that, but I will have that information sent to your offices promptly tomorrow, when we have submitted them to our Board of Supervisors.

Chair Archie-Hudson: Thank you. Ms. Brewer.

Assemblyman Marilyn Brewer: Yes, I—something that is overwhelming here is that there is a sense of urgency, that time is of the essence, that the further we go beyond March 31st, the greater the impact. It is my sense that the seventy-seven cents will make the schools temporarily whole, that they will be able to move forward into the next school year. Schools are a number one priority in this. Are we reaching consensus with the Orange County schools to move forward with the seventy-seven cents with the caveat that we will restore the balance of the money as we restructure.

Mr. Popejoy: Boy, your understanding is pretty far from our understanding. Hold on. Bruce, you're negotiating with those people more than I.

Mr. Bennett: Our information is somewhat imperfect because we get it through several layers of representation, and we think that on the whole the schools have become convinced that ninety cents, as opposed to seventy-seven cents, will be enough to avoid what I call commercial insolvency of the schools. That is the ability to pay their debts as they become due. I don't think any of them believe that they could make it on seventy-seven cents cash. There may be a few, but it's not very many. As to the remaining ten cents, there are many schools that will not be able to meet the statutory reserve requirements, unless they're permitted to book and treat as having full value, the subordinated note, or the subordinated claim. It is probably true under existing state law that they cannot book the subordinated claim and treat it as having a value equal to its full amount, and they will likely need some legislative relief so that at least they get some period of time in which to work that item off their books and gradually diminish its value over time, as opposed to taking a hit right away.

As to whether the plan is becoming accepted by schools, the deadlines really haven't approached close enough yet to really know. Our sense is that there is a greater and greater sense of acceptance and approval for this approach, with definite qualifications to the extent that they need assurances that, number one, the recovery notes can really be turned into cash; and number two, that the

subordinated claim will, in fact, have a value that they can record on their books for purposes of meeting the reserve requirements imposed by the state.

Chair Archie-Hudson: Thank you.

Ms. Brewer: What will be the effect on this state and individual counties if Orange County is forced to repudiate on its loan in August?

Mr. Bennett: Are you referring to all the Barr bonding debts of the county? It's an awful problem. I suspect it's been a problem already, in that the Orange County insolvency has revealed weaknesses in bond security structures that weren't apparent prior to Orange County's problems, and I think one of the things that we've proposed in the bills that Mr. Popejoy referred to earlier is a series of what I think are really correctly regarded as technical changes to the rules under which counties and other subdivisions raise money, so that the bonds that are issued by counties and other (glitch in recording and then a repeat of prior testimony on tape) . . . things that we've proposed in the bills that Mr. Popejoy referred to earlier is a series of what I think are really correctly regarded as technical changes to the rules under which counties and other subdivisions raise money, so that the bonds that are issued by counties and other municipalities are regarded as safer in the marketplace. So I think that's one area that will definitely help that, but it's a problem already and a default will make it far worse.

Chair Archie-Hudson: Mr. Takasugi—Mr. Popejoy, did you want to respond?

Mr. Popejoy: Well, no, I really want to correct some misinformation. We malign Mountain View. Mountain View School District is not in the City of Mountain View. We have Lowell Joint School District (and that's in Los Angeles County) and we have Shandon Unified (and I'm not sure which county that is in).

Unidentified Voice Off-Mike: San Luis Obispo.

Mr. Popejoy: The gentleman says it's in San Luis Obispo.

Chair Archie-Hudson: We have Mr. Takasugi to be followed by Ms. Napolitano, to be followed by Ms. Martinez, and then I'm going to recognize Mr. Hannigan for a motion.

Assemblyman Nao Takasugi: Thank you, Madam Chair.

Mr. Popejoy, obviously you're on some very severe time constraints and deadlines. It's been brought to my attention that there may be a proposal out there from a financial institution that could be willing to offer up to \$2–3 billion of resources on a short-term basis at 4 percent to help carry you over this short-term, fiscal crisis period. Is that something that Orange County would be willing to consider?

Mr. Popejoy: Well, I'm not familiar with what you are referring to. There have been several financial proposals that have been submitted to us; one that would lend us \$2–3 billion at 4 percent would certainly be looked at most quickly. I think someone is probably using your office as an entree to have us look at something,

and I welcome that, so if you tell us who it is that has \$3 billion they'll lend us at 4 percent, we'll cancel all the rest of our hearings here. (laughter)

Assemblyman Takasugi: I have certain documents that I just transferred over to the office of Chairwoman Marguerite Archie-Hudson, and I guess she hasn't seen these yet, but they'll be up for perusal and for your consideration.

Mr. Popejoy: Thank you very much.

Chair Archie-Hudson: Thank you. Ms. Napolitano.

Assemblywoman Grace Napolitano: Thank you, Madam Chair.

Mr. Popejoy, one of my entities has invested a substantial amount in Orange County, and they're out looking for a loan at this point. Now in my recent conversation with them, my understanding is they stand to lose in the realm of \$10 million. How does that, your being able to do through the bankruptcy procedure and afterwards be able to assure these people that they will eventually get their money back or are they out that amount of money—this is not just my entity but other entities—of course this is taxpayers' money also, and yes, they were not—they invested because they believed in it, for whatever reason—and my concern, of course, is that they not—because they're going to be paying interest on the loan they're going to be seeking, plus what they're losing, so in essence, they're out more than the ten. I would like you to address that.

Mr. Popejoy: Well, I suspect they fall in either the school group or the other group and we're talking about that portion above seventy-seven cents that we could pay them back if the settlement is approved, and if I understand your question correctly, the twenty-three cents that we don't have right now represents to that entity a \$10 million loss—

Assemblywoman Napolitano: Roughly.

Mr. Popejoy: And essentially, what we're talking about, if it's a school—

Assemblywoman Napolitano: It's not.

Mr. Popejoy: Okay, if it's not a school, then right now we hope to pay them—and I say "hope" to pay them back over time. We have no identifiable cash flow at this point to do so, and we are hopeful—and I hate to use that word so often, but hope is a big part of our program here—that by the 28th of this month, we can at least put together some financing programs that are conditional, and other things happening that will, over time, pay them back 100 cents on the

dollar. It is not contemplated at this point that they'll also get interest on their money during the absence of the money being in their hands.

Assemblywoman Napolitano: They were due \$33 million and my concern is that if they are able to get their money back, even long-term, is that still possible? and how do you expect to address that?

Mr. Popejoy: Well, we have made a commitment to all investors that we will repay them over time. Whether or not it is possible short-term, it is not; long-term, this county should be able to pay back this debt unless the choice is made to repudiate it and that's not a choice I want to be part of.

Chair Archie-Hudson: For a final question, Ms. Martinez.

Assemblywoman Diane Martinez: Mr. Popejoy, state law doesn't currently require school districts to borrow money to invest in counties, is that right?

Mr. Popejoy: Does not?

Assemblywoman Martinez: Does not require them to borrow money to invest in counties.

Mr. Popejoy: That's my understanding, that state law does not require school districts to borrow money to reinvest.

Assemblywoman Martinez: Did some school districts do that?

Mr. Popejoy: Yes.

Assemblywoman Martinez: Thank you.

Chair Archie-Hudson: Thank you very much.

Members, thank you very much. Let me thank Mr. Popejoy and the rest of the delegation for a very informative presentation. I believe the work of the Committee of the Whole is now completed and I would like to turn to Mr. Hannigan for the proper motion.

Assemblyman Hannigan: Madam Chair and Members, I do now make the motion that the Committee of the Whole do now rise and report back to the Assembly.

Chair Archie-Hudson: Second? All in favor, voice vote. (eyes heard) Any objection? Thank you, that will be the order. Now we return this house back to Mr. Speaker. Thank you.

* * * * *

Speaker Brown: Thank you, members, you were attentive and dutiful and that now starts the process by which I believe we can effectively begin to address the needs of Orange County in whatever steps the state may take. I'm advised by Senator Lucy Killea that she has some proposal. I would call to the attention of the committee that Ms. Archie-Hudson chairs, and I hope you'll have an opportunity to chat with Ms. Killea so that maybe we can move this agenda, keeping in mind that timelines that Orange County has set out and the lawyers have advised with reference to the Bankruptcy Court and the comments made today. This house may very well be in session of the whole again for purposes of, sooner than later, for purposes of addressing this issue.

The testimony will be printed in the Journal. Mr. Brulte requests that the testimony be printed in the Journal and Ms. Mazzoni seconds

that request, and without objection, such will be the order, and that testimony will be available. Mr. Popejoy indicated that he will be forwarding documentations of what they intend to do with reference to the additional plans as he responded to Mr. Knox's question and to the questions of several other members. I would ask Ms. Archie-Hudson that as she receives material from Orange County, share it with the entire membership, not just the members of your respective committee. See that it's appropriately distributed to all 79 members of this house.

Mr. Brulte?

Speaker Brown: If there's no other business to come before this house, Mr. Brulte moves, Mr. Kevin Murray seconds that this house stands adjourned until Friday morning at 8:30 a.m. Promptly at 8:30 members; on time at 8:30 a.m. Quorum call is lifted. This house stands adjourned until 8:30, Friday morning.

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Volume 6

Journal of the Assembly

Legislature of the State of California

1995–96 Third Extraordinary Session

January 4, 1996 to March 15, 1996



HON. CURT PRINGLE
Speaker

HON. FRED AGUIAR
Speaker pro Tempore

HON. JAMES E. ROGAN
Majority Floor Leader

HON. RICHARD KATZ
Minority Floor Leader

E. DOTSON WILSON
Chief Clerk of the Assembly

Volume 6

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CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 4, 1996

FIRST SESSION DAY

FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 4, 1996

At 2:03 p.m., the Assembly met pursuant to the provisions of the Proclamation of the Honorable Pete Wilson, Governor of the State of California, dated December 28, 1995, convening the Legislature of the State of California in extraordinary session.

In conformity with Government Code Section 9150, the following officers of the 1995-96 Regular Session were present and performing their respective duties: E. Dotson Wilson, Chief Clerk and Pam Cavileer, Minute Clerk.

Hon. Curt Pringle, Speaker of the 1995-96 Regular Session, presiding.

Assistant Clerk Sue Parker reading.

ROLL CALL

The roll call was called, and the following answered to their names—79:

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Pringle
Baca	Davis	Knowles	Rainey
Baldwin	Ducheny	Knox	Richter
Bates	Escutia	Kuehl	Rogan
Battin	Figueroa	Kuykendall	Sher
Baugh	Firestone	Lee	Speier
Boland	Friedman	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McDonald	Vasconcellos
Brown	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker
Caldera	Hoge	Murray, Kevin	

Quorum present.

PRAYER

The following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord, This afternoon we lift up our hearts to You, for You are sovereign; You govern and sanctify all creation; We acknowledge, Holy Master that if You do not build the house of virtue in our hearts, then we labor in vain. Accept our prayer at this hour. Strengthen us and grant us wisdom in all that we seek to accomplish this day.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Assembly Member Harvey then led the Assembly in the pledge of allegiance to the Flag.

PROCLAMATION OF THE GOVERNOR

The Presiding Officer directed the clerk to read the following Proclamation of the Governor convening the Legislature in extraordinary session:

A PROCLAMATION

by the

Governor of the 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, PETE WILSON, Governor of the State of California, by virtue of the power and authority vested in me by Section 3 (b) 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 3rd day of January, 1996, at 12:00 p.m. of said day for the following purpose and to legislate upon the following subject:

To consider and act upon legislation that would protect the economic interest of the state by continuing the registrations of methyl bromide and pentachlorophenol during the period that studies required by Chapter 669 of the Statutes of 1984 are being completed. These pest control agents are of vital interest to the agricultural, trade, workforce, utility and consumer sectors of the state.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 28th day of December 1995.

PETE WILSON
Governor of California

[SEAL]

ATTEST
BILL JONES
Secretary of State

ELECTION OF OFFICERS

Assembly Member Pringle was granted unanimous consent that the officers elected in the 1995-96 Regular Session be elected in the 1995-96 Third Extraordinary Session.

ELECTION OF SPEAKER

The roll was called, with the following results:

For Assembly Member Curt Pringle:

Ackerman, Aguiar, Alby, Baldwin, Battin, Baugh, Boland, Bordonaro, Bowler, Brewer, Brulte, Conroy, Cunneen, Firestone, Frusetta, Goldsmith, Granlund, Harvey, Hawkins, Hoge, House, Kaloogian, Knight, Knowles, Kuykendall, Margett, McPherson, Miller, Morrissey, Morrow, Olberg, Poochigian, Pringle, Rainey, Richter, Rogan, Takasugi, Thompson, Weggeland, and Woods—40.

For Assembly Member Brian Setencich:

Alpert, Archie-Hudson, Baca, Bates, Bowen, Brown, Burton, Bustamante, Caldera, Campbell, Cannella, Davis, Ducheny, Escutia, Figueroa, Friedman, Gallegos, Hauser, Katz, Knox, Kuehl, Lee, Machado, Martinez, Mazzoni, McDonald, Kevin Murray, Willard Murray, Napolitano, Sher, Speier, Sweeney, Tucker, Vasconcellos, Villaraigosa, Setencich, and Cortese—37.

Whereupon Assembly Member Curt Pringle was declared the choice of the Assembly for the Office of Speaker of the Assembly.

OATH OF OFFICE

By unanimous consent the following Oath for the Office of Speaker of the Assembly in the Regular Session, administered by Chief Clerk E. Dotson Wilson, was deemed to have occurred in the Third Extraordinary Session, and ordered printed in the Journal:

OATH

for the Office of Speaker of the Assembly

I, Curt Pringle 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.

COMMUNICATIONS

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

January 3, 1996

E. Dotson Wilson
Chief Clerk, State Assembly
State Capitol, Room 3196

Dear Mr. Wilson, Pursuant to the Rules adopted by the Assembly on January 3, 1996, the Assembly Republican Caucus has selected the following members to serve on the Committee on Rules:

Curt Pringle, Chair
Marilyn Brewer
Barbara Alby
William "Pete" Knight
Jan Goldsmith

Sincerely,

CURT PRINGLE
Assembly Republican Leader

January 3, 1996

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Pursuant to the Rules adopted by the Assembly on January 3, 1996, the Assembly Democratic Caucus has selected the following members to serve on the Committee on Rules: John Burton, Martha Escutia, Barbara Lee and Kevin Murray.

Sincerely,

RICHARD KATZ
Assembly Democratic Leader

January 4, 1996

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

Dear Dotson: Please be advised that the Assembly Rules Committee appointed Assembly Member Fred Aguiar as the Speaker pro Tempore. Also, Jim Richardson was appointed as the Chief Administrative Officer of the Rules Committee.

Sincerely,

CURT PRINGLE
Chair, Assembly Rules Committee

SPEAKER PRO TEMPORE OF THE ASSEMBLY ANNOUNCED

Speaker Pringle announced Assembly Member Fred Aguiar as the Speaker pro Tempore of the Assembly.

OATH OF OFFICE

By unanimous consent the following Oath for the Office of Speaker pro Tempore of the Assembly in the Regular Session, administered by Chief Clerk E. Dotson Wilson, was deemed to have occurred in the Third Extraordinary Session, and ordered printed in the Journal:

OATH*for the Office of Speaker pro Tempore of the Assembly*

I, Fred Aguiar 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.

AGUIAR MOTION TO AFFIRM APPOINTMENT OF CHIEF CLERK

The motion by Assembly Member Aguiar that the Assembly affirm the appointment of E. Dotson Wilson as Chief Clerk of the Assembly carried by unanimous consent.

OATH OF OFFICE

By unanimous consent the following Oath for the Office of Chief Clerk of the Assembly in the Regular Session, administered by Speaker Curt Pringle, was deemed to have occurred in the Third Extraordinary Session, and ordered printed in the Journal:

OATH*for the Office of Chief Clerk of the Assembly*

I, E. Dotson Wilson 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.

BRUTE MOTION TO APPOINT ACTING SERGEANT-AT-ARMS

The motion by Assembly Member Brulte to appoint Ron Pane as Acting Sergeant-at-Arms carried by the following vote:

AYES—74

Ackerman	Campbell	Kaloogian	Napolitano
Aguiar	Cannella	Katz	Olberg
Alby	Conroy	Knight	Poochigian
Alpert	Cortese	Knowles	Rainey
Archie-Hudson	Cunneen	Knox	Richter
Baca	Davis	Kuehl	Rogan
Baldwin	Ducheny	Kuykendall	Setencich
Bates	Escutia	Lee	Sher
Battin	Figueroa	Machado	Speier
Baugh	Firestone	Margett	Sweeney
Boland	Friedman	Martinez	Takasugi
Bordonaro	Frusetta	Mazzoni	Thompson
Bowen	Gallegos	McDonald	Vasconcellos
Brewer	Goldsmith	McPherson	Villaraigosa
Brown	Hannigan	Miller	Weggeland
Brulte	Harvey	Morrissey	Woods
Burton	Hawkins	Morrow	Mr. Speaker
Bustamante	Hoge	Murray, Kevin	
Caldera	House	Murray, Willard	

NOES—None**ADOPTION OF RULES**

The following rules relative to Legislative Powers and Duties were adopted in the 1995–96 Regular Session on January 3, 1996 on motion of Assembly Member Richter:

LEGISLATIVE POWERS AND DUTIES**Speaker of the Assembly**

The Speaker is responsible for the efficient conduct of the legislative and administrative affairs of the Assembly so as to be able to carry out the decisions and directives of the Rules Committee. The Speaker shall be elected upon organization of the Assembly at the beginning of each regular or special session and shall serve until adjournment sine die of the session, unless removed and a successor chosen pursuant to the rules of the Assembly.

Assembly General Officers

(a) The five general officers of the Assembly whose names and titles shall appear on the frontispiece of all publications are:

Speaker
 Speaker Pro Tempore
 Majority Floor Leader
 Minority Floor Leader
 Chief Clerk
 Sergeant at Arms

(b) The Majority Floor Leader shall be the duly elected caucus leader of the registered political party having the largest number of members in the Assembly.

(c) The Minority Floor Leader shall be the duly elected caucus leader of the registered political party having the second largest number of members in the Assembly.

(d) No other officers or offices shall be created without a vote of two-thirds of the duly elected members concurring in the creation of such office.

Assembly Committee on Rules

There is hereby created in the Assembly a Committee on Rules, with nine Members of the Assembly, five to be elected by the registered political party having the largest number members in the Assembly, with one elected as Chair by the majority caucus and four to be elected by the registered political party having the second largest number of Members. The Assembly Committee on Rules has a continuing existence and may meet and act during sessions of the Legislature or any recess thereof and in the interim periods between sessions. The committee shall have all the powers and authority provided in Section 11 of Article IV of the Constitution of California, in this article, and as provided in the rules of the Assembly. One alternate member of the Rules Committee shall be selected by the majority and minority caucus; however, there shall be no more than two alternate members to the Rules committee. No member of the Committee on Rules shall simultaneously serve as a Chair of any standing committee.

Powers of the Assembly Committee on Rules

(a) The Assembly Committee on Rules shall have the power:

(1) To organize standing committees and determine their jurisdiction and size.

(2) To assign all bills to Assembly committees.

(3) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by Members as private offices.

(4) To allocate all funds, staffing and other resources necessary for the effective operation of the Assembly.

(5) To choose one Chief Administrative Officer.

(6) To choose one Speaker Pro Tempore.

(7) To exercise such other powers and perform such duties as may be provided by statute enacted in accordance with the provisions of this chapter, or in the rules of the Assembly.

(b) Notwithstanding any other provision of law or rule, neither the Chairman nor any member or agent of the Assembly Committee on Rules shall have the power to perform any action on behalf of the committee, including but not limited to the making of contracts, the payments of claims, the allocation of office space, or the hiring or dismissal of staff, without the express authorization of a majority of the total membership of the committee. Such authorization shall apply only to the matter or matters under immediate consideration. To the extent that there is a conflict between the authority granted to the Rules Committee and the authority granted to any other member of the house, the decision of the Rules Committee shall prevail.

(c) Unless otherwise specified, these rules shall require a majority vote of the membership of the Committee on Rules to implement any power granted to the Committee on Rules.

Appointments by the speaker; confirmation of Assembly Committee on Rules

All statutory and non-statutory appointments delegated to the Speaker of the Assembly who serve at the Speaker's pleasure shall be vacated upon adoption of these rules; in addition, the Speaker shall officially request the resignation of every Speaker-appointee currently serving a fixed term. Notwithstanding any other provision of law, all statutory and non-statutory appointments delegated to the Speaker of the Assembly shall be made from a list of nominees selected by the Rules Committee.

Joint rules committee

(a) There is hereby created the Joint Rules Committee which shall be comprised of the combined membership of the Assembly Committee on Rules and the Senate Committee on Rules as specified in this article and four other Members of the Senate, two to be elected by the party having the largest number of Members in the Senate and two to be elected by the party having the second largest number of Members. The committee herein created has a continuing existence and may meet and act during sessions of the Legislature or any recess thereof and in the interim periods between sessions. The committee shall have all the powers and authority provided in Section 11 of Article IV of the Constitution of California, this title, and in the joint rules of the Legislature. Any action of the committee shall require an affirmative vote of not less than a majority of the Senate members and a majority of the Assembly members of the committee, except that any action which involves or anticipates the expenditure or allocation of funds shall require an affirmative vote of at least two thirds of the Senate members and two thirds of the Assembly members. Any reference in any code or statute to the Joint Committee on Legislative Organization shall be deemed a reference to the Joint Rules Committee.

(b) Notwithstanding any other provision of law or rule, neither the Chairman nor any member or agent of the Joint Rules Committee shall have the power to perform any action on behalf of the committee, including but not limited to the making of contracts, the payments of claims, the allocation of office space, or the hiring or dismissal of staff, without express authorization of two thirds of the membership of the committee. Such authorization shall apply only to the matter or matters under immediate consideration.

LEGISLATIVE RULES AND PROCEDURES**Rules**

The Assembly shall adopt rules for its proceedings for each regular and special session by resolution adopted by an affirmative recorded vote of majority of the house. No rule of the Assembly shall be amended except by resolution adopted by an affirmative recorded vote of majority of the Members. Any standing rule of the Assembly may be suspended temporarily by a vote of two thirds of the Members present and voting; provided, that in no case may a rule be suspended in the absence of a quorum. Any such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

Standing committees

All standing committees of the Assembly, except the Assembly Committee on Rules, shall be created and the size and jurisdiction thereof established through the adoption of or amendment to the rules by resolution, a majority of the membership of the Committee on Rules concurring. Committee membership shall be determined in the following manner:

(a) The chair, vice-chair and membership of each committee of the Assembly shall be appointed by the Committee on Rules.

(b) The Assembly Committee on Rules shall provide for the necessary and reasonable expenses of all committees of their respective houses.

Special and select committees, subcommittees

No special or select committees nor any subcommittee shall be established in the Assembly except by affirmative vote of a majority of the Committee on Rules. For purposes of this section, "special" and "select" committees or subcommittees include all committees or subcommittees which are not standing committees of the Assembly or joint committees.

Joint committees

No joint committee shall be established except by passage of concurrent resolution, two thirds of the membership of each house concurring. The membership of each joint committee shall be allocated equally between the Senate and the Assembly, and the delegation from each house shall be chosen pursuant to the procedures set forth in for the standing committees.

Member voting

The Assembly Committee on Rules shall provide for appropriate voting procedures on the floor and in committees or subcommittees; provided, that no Member shall be allowed to cast a vote for another Member.

Open and public meetings; public notice

Except as otherwise provided in this article, all meetings of the Assembly and the committees, subcommittees, and conference committees, shall be open and public and all the proceedings shall be conducted openly so that the public may remain informed. All such meetings shall be held only after full and timely notice to the public published in the Journal at least two working days prior to the hearing unless longer notice is required by the Joint Rules of the Assembly, except notice may be dispensed with on extraordinary occasions by two thirds affirmative recorded vote of the membership of the Assembly.

Executive sessions

Nothing contained in this article shall be construed to prevent the Assembly or a committee or subcommittee thereof, except a conference committee, from holding executive sessions to consider matters relating to the appointment, employment or dismissal of a public officer or matters affecting the safety and security of the State

Capitol or Members of the Legislature, its staff and employees. Members of the Assembly shall not be prevented from meeting privately in caucus with members of their own political party.

Conference committees

The Committee on Rules shall appoint Assembly membership of committees on conference. Notwithstanding any other provision of law, no Member of the Assembly shall sign a conference committee report unless a full and public meeting of the conference committee has been held in accordance with the adopted provisions of the "Open and Public Meetings; Public Notice" section of these Rules. No report of a conference committee shall be adopted until the same, with amendments, has been printed and made available to the public for a minimum of two days, except that a house may dispense with this requirement by roll call vote entered in the journal, two thirds of the Assembly membership concurring. Any conference report adopted in violation of this provisions shall be void.

Independent audit of contingent funds

The Assembly Rules Committee shall annually contract for an independent audit of the revenues and expenditures, for each fiscal year, from the Assembly Contingent Fund, and the Contingent Funds of the Assembly. The organization performing the audit shall be subject to the Fair Political Practices Commission. The audit shall include, but need not be limited to, an evaluation of the accuracy and appropriateness of the expenditures described in section on Reports to public on expenditures made from contingent funds and an evaluation of the effectiveness of the internal auditing procedures of the individual rules committees.

The audit shall be completed and made available to the public within 180 calendar days following the completion of the fiscal year for which the audit is performed.

Conflict with Other Rules

To the extent that these rules are in conflict with any previously adopted Rules of the Assembly, or with previous custom and usage of Assembly Rules, these rules shall prevail. In all cases not otherwise provided by the California Constitution, by statute, by these rules, or by the Joint Rules of the Senate and Assembly, the authority shall be Mason's Manual (1979 edition).

Roll Call

Motion carried and rules adopted by the following vote:

AYES—41

Ackerman	Conroy	Kaloogian	Pringle
Aguiar	Cortese	Knigh	Rainey
Alby	Cunneen	Knowles	Richter
Baldwin	Firestone	Kuykendall	Rogan
Battin	Frusetta	Margett	Takasugi
Baugh	Goldsmith	McPherson	Thompson
Boland	Granlund	Miller	Weggeland
Bordonaro	Harvey	Morrissey	Woods
Bowler	Hawkins	Morrow	
Brewer	Hoge	Olberg	
Brulte	House	Poochigian	

NOES—36

Alpert	Campbell	Hauser	McDonald
Archie-Hudson	Cannella	Isenberg	Murray, Kevin
Baca	Davis	Katz	Murray, Willard
Bates	Ducheny	Knox	Napolitano
Bowen	Escutia	Kuehl	Sher
Brown	Figuroa	Lee	Speier
Burton	Friedman	Machado	Sweeney
Bustamante	Gallegos	Martinez	Tucker
Caldera	Hannigan	Mazzoni	Villaraigosa

RESOLUTIONS

The following resolution was offered:

House Resolution No. 1

By Assembly Member Pringle.

*Relative to the organization of the Assembly for the
1995–96 Third Extraordinary Session.*

Resolved by the Assembly of the State of California,

(a) That the Chief Clerk or the Sergeant at Arms is authorized to receipt to the Controller for all warrants for the payment of Members, Officers, and Attaches of the Assembly.

(b) That the Chief Clerk shall provide copies of the Assembly Weekly Histories to the Legislative Counsel, Governor, Attorney General, and accredited newspaper representatives.

Resolution read and presented by Speaker Pringle, without objection.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 2:07 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. 1**

At 2:10 p.m., on motion of Assembly Member Harvey, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

House Resolution No. 1 adopted by the following vote:

AYES—73

Ackerman	Caldera	House	Napolitano
Aguiar	Campbell	Kaloogian	Olberg
Alby	Cannella	Katz	Poochigian
Alpert	Conroy	Knight	Rainey
Archie-Hudson	Cortese	Knowles	Richter
Baca	Cunneen	Knox	Rogan
Baldwin	Davis	Kuehl	Sher
Bates	Ducheny	Kuykendall	Speier
Battin	Escutia	Lee	Sweeney
Baugh	Figueroa	Machado	Takasugi
Boland	Firestone	Margett	Thompson
Bordonaro	Friedman	Martinez	Vasconcellos
Bowen	Frusetta	McDonald	Villaraigosa
Bowler	Gallegos	McPherson	Weggeland
Brewer	Goldsmith	Miller	Woods
Brown	Granlund	Morrissey	Mr. Speaker
Brulte	Harvey	Morrow	
Burton	Hawkins	Murray, Kevin	
Bustamante	Hoge	Murray, Willard	

NOES—None

MESSAGES FROM THE SENATE

Senate Chamber, January 4, 1996

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

Senate Concurrent Resolution No. 1

JOHN W. ROVANE, Acting Secretary of the Senate

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 1—Relative to the Joint Rules for the 1995–96 Third Extraordinary Session.

**SENATE CONCURRENT RESOLUTION NO. 1 TAKEN UP
BY UNANIMOUS CONSENT**

Senate Concurrent Resolution No. 1 was taken up.

SENATE CONCURRENT RESOLUTION NO. 1—Relative to the Joint Rules for the 1995–96 Third Extraordinary Session.

Resolution read, and adopted by the following vote:

AYES—73

Ackerman	Caldera	House	Napolitano
Aguiar	Campbell	Kaloogian	Olberg
Alby	Cannella	Katz	Poochigian
Alpert	Conroy	Knight	Rainey
Archie-Hudson	Cortese	Knowles	Richter
Baca	Cunneen	Knox	Rogan
Baldwin	Davis	Kuehl	Sher
Bates	Ducheny	Kuykendall	Speier
Battin	Escutia	Lee	Sweeney
Baugh	Figuroa	Machado	Takasugi
Boland	Firestone	Margett	Thompson
Bordonaro	Friedman	Martinez	Vasconcellos
Bowen	Frusetta	McDonald	Villaraigosa
Bowler	Gallegos	McPherson	Weggeland
Brewer	Goldsmith	Miller	Woods
Brown	Granlund	Morrissey	Mr. Speaker
Brulte	Harvey	Morrow	
Burton	Hawkins	Murray, Kevin	
Bustamante	Hoge	Murray, Willard	

NOES—None

Resolution ordered transmitted to the Senate.

RECESS

By unanimous consent, at 2:12 p.m., Speaker Pringle declared the Assembly recessed.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 1—Frusetta and Harvey. An act to amend Sections 13127.31 and 13127.32 of the Food and Agricultural Code, relating to economic poisons.

ADJOURNMENT

At 2:20 p.m., the Assembly adjourned until 3:30 p.m., Monday, January 8, 1996.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 9, 1996

SECOND SESSION DAY

SIXTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, January 9, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—78:

Ackerman	Campbell	House	Napolitano
Aguiar	Cannella	Kaloogian	Olberg
Alby	Conroy	Katz	Poochigian
Alpert	Cortese	Knight	Rainey
Archie-Hudson	Cunneen	Knowles	Richter
Baca	Davis	Knox	Rogan
Baldwin	Ducheny	Kuehl	Setencich
Bates	Escutia	Kuykendall	Sher
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Tucker
Bowler	Goldsmith	McDonald	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Hannigan	Miller	Weggeland
Brulte	Harvey	Morrissey	Woods
Burton	Hauser	Morrow	Mr. Speaker
Bustamante	Hawkins	Murray, Kevin	
Caldera	Hoge	Murray, Willard	

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Isenberg.

(NOTE: For explanation of absence of Assembly Member Isenberg on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

Quorum present.

At 11:14 a.m., Hon. James E. Rogan, 43rd District, presiding

REGULAR BUSINESS DISPENSED WITH

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

COMMUNICATIONS

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

January 9, 1996

*Dotson Wilson, Chief Clerk
California State Assembly
Sacramento, California*

Dear Dotson: In the Assembly Rules Committee this morning I made a motion to give the Speaker the authority to call floor sessions, make statutory appointments, determine excuses for absences, determine per diem, administer house decorum functions, and the filling of temporary vacancies on committees.

This motion passed the Rules Committee with five affirmative votes.

Sincerely,

WM. J. "PETE" KNIGHT, Assembly Member
Thirty-sixth District

January 9, 1996

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

Dear Dotson: Please be advised that the Assembly Rules Committee created the Environmental Safety and Toxic Materials Committee and the Appropriations Committee in the Third Extraordinary Session. The following Assemblymembers were appointed to the committees:

Environmental Safety and Toxic Materials

Bernie Richter, Chairman
Kerry Mazzoni, Vice Chairwoman
Barbara Alby
Dede Alpert
Paula Boland
Debra Bowen
Denise Moreno Ducheny

Peter Frusetta
Gary Miller
Jim Morrissey
Grace Napolitano
Richard K. Rainey
Michael Sweeney

Appropriations

Charles Poochigian, Chairman
Valerie Brown, Vice Chairwoman
Fred Aguiar
Joe Baca
Tom Bates
Tom J. Bordonaro, Jr.
Marilyn Brewer
John Burton
Cruz Bustamante
Barbara Friedman

Peter Frusetta
Jan Goldsmith
Barbara Lee
Kevin Murray
Keith Olberg
James E. Rogan
Nao Takasugi
Antonio R. Villaraigosa
Vacancy

Sincerely,

CURT PRINGLE
Chairman

January 9, 1996

E. Dotson Wilson
Chief Clerk, State Assembly
State Capitol, Room 3196

Dear Mr. Wilson, Please be advised that Trice Harvey has been appointed to the Appropriations Committee in the 3rd Extraordinary Session for any hearings this week.

Sincerely,

CURT PRINGLE
 Chair, Committee on Rules

REFERENCE OF BILLS TO COMMITTEE

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

<i>Assembly</i>	<i>Committee</i>
<i>Bill No.</i>	
1	----- E.S. & T.M.

AUTHOR'S AMENDMENTS

Committee on Environmental Safety and Toxic Materials

January 9, 1996

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

Assembly Bill No. 1

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

RICHTER, Chairman

ASSEMBLY BILL NO. 1—An act to amend Sections 13127.31 and 13127.32 of the Food and Agricultural Code, relating to economic poisons.

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

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, January 10, 1996.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 9, 1996**

The following measure was amended in the Assembly on this day:

AB RN
1 9600256

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 10, 1996

THIRD SESSION DAY

SEVENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 10, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Kaloogian	Napolitano
Alby	Conroy	Katz	Olberg
Alpert	Cortese	Knight	Poochigian
Archie-Hudson	Cunneen	Knowles	Rainey
Baca	Davis	Knox	Richter
Baldwin	Ducheny	Kuehl	Rogan
Bates	Escutia	Kuykendall	Setencich
Battin	Figueroa	Lee	Sher
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Tucker
Bowler	Granlund	McDonald	Vasconcellos
Brewer	Hannigan	McPherson	Villaraigosa
Brown	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker
Caldera	Hoge	Murray, Kevin	

Quorum present.

At 3:15 p.m., Hon. Brett Granlund, 65th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Brulte.

Because of illness: Assembly Members Gallegos and Speier.

The following Assembly Member was excused for the day, and his pro diem was waived: Isenberg.

(NOTE: For explanation of absence of Assembly Member Brulte on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 10, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

AUTHOR'S AMENDMENTS

Committee on Environmental Safety and Toxic Materials

January 10, 1996

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

Assembly Bill No 1

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

RICHTER, Chairman

ASSEMBLY BILL NO. 1—An act to amend Section 13127.32 of the Food and Agricultural Code, relating to economic poisons.

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 10, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Safety and Toxic Materials

Date of Hearing: January 10, 1996

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:
Assembly Bill No. 1

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

RICHTER, Chairman

Above bill re-referred to the Committee on Appropriations.

ADJOURNMENT

At 3:20 p.m., the Assembly adjourned until 7 a.m., Thursday, January 11, 1996.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 10, 1996**

The following measure was amended in the Assembly on this day:

AB RN
1 9600634

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 11, 1996

**FOURTH SESSION DAY
EIGHTH CALENDAR DAY**

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 11, 1996

The Assembly met at 7 a.m.
Hon. Dick Ackerman, Assembly Member, 72nd District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—74:

Ackerman	Caldera	Hoge	Napolitano
Aguiar	Campbell	House	Olberg
Alby	Cannella	Kaloogian	Poochigian
Alpert	Conroy	Katz	Rainey
Archie-Hudson	Cortese	Knight	Richter
Baca	Cunneen	Knowles	Rogan
Baldwin	Davis	Knox	Setencich
Bates	Ducheny	Kuehl	Sher
Battin	Escutia	Kuykendall	Sweeney
Baugh	Figueroa	Lee	Takasugi
Boland	Firestone	Machado	Thompson
Bordonaro	Friedman	Margett	Tucker
Bowen	Frusetta	Martinez	Vasconcellos
Bowler	Goldsmith	Mazzoni	Villaraigosa
Brewer	Granlund	McDonald	Weggeland
Brown	Hannigan	McPherson	Woods
Brulte	Harvey	Morrissey	Mr. Speaker
Burton	Hauser	Morrow	
Bustamante	Hawkins	Murray, Kevin	

Quorum present.

At 1:47 p.m., Hon. Tom Bates, 14th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Miller, Willard Murray, and Speier.

Because of illness: Assembly Member Gallegos.

The following Assembly Member was excused for the day, and his per diem was waived: Isenberg.

(NOTE: For explanations of absences of Assembly Members Miller, Willard Murray, and Speier on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

January 11, 1996

E. Dotson Wilson
Chief Clerk, State Assembly
State Capitol, Room 3196

Dear Mr. Wilson, Please be advised that Assemblyman Keith Olberg is removed from the Committee on Appropriations for today's hearing in the 3rd Extraordinary Session, and will be replaced by Assemblyman Jim Battin.

Sincerely,

CURT PRINGLE
Chair, Committee on Rules

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Date of Hearing: January 11, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1

With the recommendation: Do pass.

POOCHIGIAN, Chairman

Above bill ordered to second reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Friday, January 12, 1996.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, January 12, 1996

FIFTH SESSION DAY

NINTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, January 12, 1996

The Assembly met at 8:30 a.m.
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—72:

Ackerman	Bustamante	Hoge	Murray, Willard
Aguiar	Caldera	House	Napolitano
Alby	Campbell	Isenberg	Olberg
Alpert	Cannella	Kaloogian	Poochigian
Archie-Hudson	Conroy	Katz	Rainey
Baca	Cunneen	Knight	Richter
Baldwin	Davis	Knowles	Setencich
Bates	Ducheny	Knox	Sher
Battin	Escutia	Kuehl	Speier
Baugh	Figuroa	Kuykendall	Sweeney
Boland	Firestone	Lee	Takasugi
Bordonaro	Friedman	Machado	Thompson
Bowen	Frusetta	Margett	Tucker
Bowler	Gallegos	Martinez	Vasconcellos
Brewer	Hannigan	Mazzoni	Villaraigosa
Brown	Harvey	McDonald	Weggeland
Brulte	Hauser	Morrissey	Woods
Burton	Hawkins	Murray, Kevin	Mr. Speaker

Quorum present.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Cortese, Granlund, McPherson, Miller, Morrow, and Rogan.

Because of illness: Assembly Member Goldsmith.

(NOTE: For letters explaining the absences of Assembly Members Cortese, Granlund, McPherson, Morrow, and Rogan on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the regular session for this day; for letter explaining the absence of Assembly Member Miller on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Thursday, January 11, 1996.)

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1—An act to amend Section 13127.32 of the Food and Agricultural Code, relating to economic poisons.

Bill read second time, and ordered to third reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 11 a.m., Tuesday, January 16, 1996.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 16, 1996

SIXTH SESSION DAY

THIRTEENTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, January 16, 1996

The Assembly met at 12:20 p.m.
Hon. Curt Pringle, Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Akiba H. Howard reading.

ROLL CALL

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

Ackerman	Campbell	House	Olberg
Aguiar	Cannella	Isenberg	Poochigian
Alby	Conroy	Katz	Rainey
Alpert	Cortese	Knight	Richter
Archie-Hudson	Cunneen	Knowles	Rogan
Baca	Davis	Knox	Setencich
Baldwin	Ducheny	Kuehl	Sher
Bates	Escutia	Kuykendall	Speier
Battin	Figueroa	Lee	Sweeney
Baugh	Firestone	Machado	Takasugi
Boland	Friedman	Margett	Thompson
Bordonaro	Frusetta	Martinez	Tucker
Bowen	Gallegos	Mazzoni	Vasconcellos
Bowler	Goldsmith	McDonald	Villaraigosa
Brewer	Granlund	McPherson	Weggeland
Brown	Hannigan	Miller	Woods
Brulte	Harvey	Morrissey	Mr. Speaker
Burton	Hauser	Morrow	
Bustamante	Hawkins	Murray, Kevin	
Caldera	Hoge	Napolitano	

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Gracious Lord, You cause the rain to fall and the sun to shine on Your whole creation. The rain falls and the sun shines on all the earth and its people: those who love You and those who don't, those who believe in You and those who don't. Accept our prayer this morning, O Lord. Give us grace and guide our steps along the road of peace, for You are the King of Peace and we glorify You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Kaloogian and Willard Murray.

(NOTE: For explanations of absences of Assembly Members Kaloogian and Willard Murray on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

January 16, 1996

*E. Dotson Wilson
Chief Clerk, State Assembly
State Capitol, Room 3196*

Dear Mr. Wilson, Please be advised that the Republican Caucus today elected Assemblyman James Rogan as the Majority Floor Leader.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

**CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 1 (Frusetta)—An act to amend Section 13127.32 of the Food and Agricultural Code, relating to economic poisons.

Bill read third time.

Motion to Amend by Assembly Member Villaraigosa—Set 1

Assembly Member Villaraigosa moved the adoption of amendments.

Amendments read.

**Motion to Table Villaraigosa Amendments
to Assembly Bill No. 1**

Assembly Member Thompson moved that the amendments offered by Assembly Member Villaraigosa to Assembly Bill No. 1 be laid upon the table.

Assembly Member Olberg seconded the motion.

Motion carried by the following vote:

AYES—38

Ackerman	Brulte	Knowles	Richter
Aguiar	Conroy	Kuykendall	Rogan
Alby	Firestone	Margett	Setencich
Baldwin	Frustetta	McPherson	Takasugi
Battin	Goldsmith	Miller	Thompson
Baugh	Harvey	Morrissey	Weggeland
Boland	Hawkins	Morrow	Woods
Bordonaro	Hoge	Olberg	Mr. Speaker
Bowler	House	Poochigian	
Brewer	Knight	Rainey	

NOES—34

Alpert	Cunneen	Isenberg	Napolitano
Archie-Hudson	Davis	Katz	Sher
Baca	Ducheny	Knox	Speier
Bates	Escutia	Kuehl	Sweeney
Bowen	Figuroa	Lee	Tucker
Burton	Friedman	Machado	Vasconcellos
Caldera	Gallegos	Martinez	Villaraigosa
Campbell	Hannigan	Mazzoni	
Cannella	Hauser	Murray, Kevin	

Motion to Amend by Assembly Member Sweeney—Set 2

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

**Motion to Table Sweeney Amendments
to Assembly Bill No. 1**

Assembly Member Olberg moved that the amendments offered by Assembly Member Sweeney to Assembly Bill No. 1 be laid upon the table.

Assembly Member Miller seconded the motion.

Motion carried by the following vote:

AYES—38

Ackerman	Brulte	Knowles	Richter
Aguiar	Conroy	Kuykendall	Rogan
Alby	Firestone	Margett	Setencich
Baldwin	Frusetta	McPherson	Takasugi
Battin	Goldsmith	Miller	Thompson
Baugh	Harvey	Morrissey	Weggeland
Boland	Hawkins	Morrow	Woods
Bordonaro	Hoge	Olberg	Mr. Speaker
Bowler	House	Poochigian	
Brewer	Knight	Rainey	

NOES—34

Alpert	Cunneen	Isenberg	Napolitano
Archie-Hudson	Davis	Katz	Sher
Baca	Ducheny	Knox	Speier
Bates	Escutia	Kuehl	Sweeney
Bowen	Figuroa	Lee	Tucker
Burton	Friedman	Machado	Vasconcellos
Caldera	Gallegos	Martinez	Villaraigosa
Campbell	Hannigan	Mazzoni	
Cannella	Hauser	Murray, Kevin	

**Further Consideration of Assembly Bill No. 1
Demand for Previous Question**

Assembly Members Burton, Machado, Tucker, Alpert, and Margett demanded the previous question. Demand sustained.

Time for Closing Debate Yielded

Assembly Member Frusetta yielded to Assembly Member Richter to close debate on Assembly Bill No. 1.

Parliamentary Inquiry

Assembly Member Bowen arose to the following parliamentary inquiry:

The previous question having been demanded, is it not in order for the author to close debate?

Reply by Speaker

The Speaker replied that Assembly Member Frusetta yielded to Assembly Member Richter to close debate on Assembly Bill No. 1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—45

Ackerman	Bustamante	House	Rainey
Aguiar	Cannella	Knight	Richter
Alby	Conroy	Knowles	Rogan
Alpert	Cortese	Kuykendall	Setencich
Baldwin	Firestone	Machado	Takasugi
Battin	Frusetta	Margett	Thompson
Baugh	Goldsmith	McPherson	Weggeland
Boland	Granlund	Miller	Woods
Bordonaro	Hannigan	Morrissey	Mr. Speaker
Bowler	Harvey	Morrow	
Brewer	Hawkins	Olberg	
Brulte	Hoge	Poochigian	

NOES—29

Archie-Hudson	Davis	Knox	Speier
Baca	Escutia	Kuehl	Sweeney
Bates	Figueroa	Lee	Tucker
Bowen	Friedman	Martinez	Vasconcellos
Brown	Gallegos	Mazzoni	Villaraigosa
Burton	Hauser	Murray, Kevin	
Caldera	Isenberg	Napolitano	
Campbell	Katz	Sher	

Bill ordered transmitted to the Senate immediately.

VOTE ADDS

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

Assembly Bill No. 1, Motion to Table Villaraigosa Amendments:
Boland—Aye; Cunneen—No.

Assembly Bill No. 1, Motion to Table Sweeney Amendments:
Cunneen—No.

Assembly Bill No. 1: Brown—No.

RECESS

By unanimous consent, at 1:15 p.m., Speaker Pringle declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Monday, January 22, 1996.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 16, 1996**

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

Assembly Bill

- 1 (Villaraigosa amendments—Set 1, laid upon the table)
(Sweeney amendments—Set 2, laid upon the table)

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 22, 1996

SEVENTH SESSION DAY

NINETEENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

③

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 22, 1996

The Assembly met at 3:35 p.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

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

Ackerman	Campbell	House	Napolitano
Aguiar	Cannella	Isenberg	Olberg
Alby	Conroy	Kaloogian	Poochigian
Alpert	Cortese	Katz	Rainey
Archie-Hudson	Cunneen	Knight	Richter
Baca	Davis	Knowles	Rogan
Baldwin	Ducheny	Knox	Setencich
Bates	Escutia	Kuehl	Sher
Battin	Figueroa	Kuykendall	Speier
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Callegos	Martinez	Tucker
Bowler	Goldsmith	Mazzoni	Vasconcellos
Brewer	Granlund	McPherson	Villaraigosa
Brown	Hannigan	Miller	Weggeland
Brulte	Harvey	Morrissey	Woods
Burton	Hauser	Morrow	Mr. Speaker
Bustamante	Hawkins	Murray, Kevin	
Caldera	Hoge	Murray, Willard	

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O God, Grant us faith invincible, hope unshakable, love unfeigned; bless our comings and our goings, our deeds and works, our words and desires. Grant also, O Lord that we may come to the close of this day, praising Your ineffable bounty.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member McDonald.

(NOTE: For explanation of absence of Assembly Member McDonald on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

January 16, 1996

*E. Dotson Wilson
Chief Clerk, State Assembly
State Capitol, Room 3196*

Dear Mr. Wilson, Please be advised that the Republican Caucus today elected Assemblyman James Rogan as the Majority Floor Leader.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

January 18, 1996

*Dotson Wilson
Chief Clerk of the Assembly
State Capitol
Sacramento, California*

Dear Dotson,

I am pleased to announce the following Assembly Members were elected by the Republican Caucus to serve in the following Republican leadership positions.

Hon. Jim Battin Majority Caucus Chair
Hon. Bruce Thompson Assistant Majority Leader
Hon. Keith Olberg Assistant Majority Leader
Hon. Steve Kuykendall Majority Whip
Hon. Tom Bordonaro Assistant Whip

Sincerely,

JAMES E. ROGAN
Majority Leader

January 22, 1996

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

Dear Mr. Wilson: Please be advised that the following three committees shall also apply to the 1995-96 Third Extraordinary Session to coincide with the Regular Session:

Assembly Appropriations Committee
Assembly Environmental Safety and Toxic Materials
Assembly Rules Committee

Sincerely,

CURT PRINGLE
Chair, Committee on Rules

ADJOURNMENT

At 3:36 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 24, 1996

EIGHTH SESSION DAY

TWENTY-FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

③

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 24, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Campbell	Hoge	Murray, Willard
Aguiar	Cannella	House	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Knox	Rogan
Battin	Escutia	Kuehl	Setencich
Baugh	Figuroa	Kuykendall	Sher
Boland	Firestone	Machado	Speier
Bordonaro	Friedman	Margett	Sweeney
Bowen	Frusetta	Martinez	Takasugi
Bowler	Gallegos	Mazzoni	Thompson
Brewer	Goldsmith	McDonald	Tucker
Brown	Granlund	McPherson	Vasconcellos
Brulte	Hannigan	Miller	Villaraigosa
Burton	Harvey	Morrissey	Weggeland
Bustamante	Hauser	Morrow	Woods
Caldera	Hawkins	Murray, Kevin	Mr. Speaker

Quorum present.

At 2:47 p.m., Hon. David Knowles, 4th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Member Lee.

Because of illness: Assembly Member Bates.

The following Assembly Member was excused for the day, and his per diem was waived: Isenberg.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, January 31, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 1, 1996
NINTH SESSION DAY
TWENTY-NINTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 1, 1996

The Assembly met at 9:05 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—78:

Ackerman	Cannella	Isenberg	Napolitano
Aguiar	Conroy	Kaloogian	Olberg
Alby	Cortese	Katz	Poochigian
Alpert	Cunneen	Knight	Rainey
Archie-Hudson	Davis	Knowles	Richter
Baca	Ducheny	Knox	Rogan
Baldwin	Escutia	Kuehl	Setencich
Bates	Figueroa	Kuykendall	Sher
Battin	Firestone	Lee	Speier
Baugh	Friedman	Machado	Sweeney
Boland	Frusetta	Margett	Takasugi
Bordonaro	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McDonald	Vasconcellos
Brown	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker
Caldera	Hoge	Murray, Kevin	
Campbell	House	Murray, Willard	

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

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

On legislative business: Assembly Member Bowen.

(NOTE: For explanation of absence of Assembly Member Bowen on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

January 18, 1996

Dotson Wilson
Chief Clerk of the Assembly
State Capitol
Sacramento, California

Dear Dotson, I am pleased to announce the following Assembly Members were elected by the Republican Caucus to serve in the following Republican leadership positions.

Hon. Jim Battin Majority Caucus Chair
Hon. Bruce Thompson Assistant Majority Leader
Hon. Keith Olberg Assistant Majority Leader
Hon. Steve Kuykendall Majority Whip
Hon. Tom Bordonaro Assistant Whip

Sincerely,

JAMES E. ROGAN
Majority Leader

January 25, 1996

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

Dear Mr. Wilson: Please be advised that the Rules Committee authorized the Chair and Vice Chair of the Rules Committee to appoint conferees to conference committees.

Sincerely,

CURT PRINGLE
Chair, Assembly Rules Committee

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, February 7, 1996.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 7, 1996

TENTH SESSION DAY

THIRTY-FIFTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 7, 1996

The Assembly met at 7 a.m.

Hon. Dick Ackerman, Assembly Member, 72nd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Caldera	Hawkins	Murray, Kevin
Aguiar	Campbell	Hoge	Murray, Willard
Alby	Cannella	House	Napolitano
Alpert	Conroy	Isenberg	Olberg
Archie-Hudson	Cortese	Kaloogian	Poochigian
Baca	Cunneen	Katz	Rainey
Baldwin	Davis	Knight	Richter
Bates	Ducheny	Knowles	Rogan
Battin	Escutia	Knox	Setencich
Baugh	Figueroa	Kuehl	Sher
Boland	Firestone	Kuykendall	Speier
Bordonaro	Friedman	Lee	Sweeney
Bowen	Frusetta	Machado	Takasugi
Bowler	Gallegos	Margett	Thompson
Brewer	Goldsmith	Mazzoni	Tucker
Brown	Granlund	McDonald	Vasconcellos
Brulte	Hannigan	Miller	Villaraigosa
Burton	Harvey	Morrissey	Woods
Bustamante	Hauser	Morrow	Mr. Speaker

Quorum present.

At 11:25 a.m., Hon. Jan Goldsmith, 75th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Martinez and Weggeland.

On personal business, and waiving per diem: Assembly Member McPherson.

(NOTE: For letter explaining the absence of Assembly Member Weggeland on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for February 6, 1996; for letter explaining the absence of Assembly Member Martinez on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, February 14, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 14, 1996
ELEVENTH SESSION DAY
FORTY-SECOND CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 14, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—71:

Ackerman	Campbell	Hoge	Murray, Kevin
Aguiar	Cannella	House	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cunneen	Katz	Poochigian
Archie-Hudson	Davis	Knight	Rainey
Baca	Ducheny	Knowles	Richter
Baldwin	Escutia	Knox	Setencich
Bates	Figueroa	Kuehl	Speier
Battin	Firestone	Kuykendall	Sweeney
Baugh	Friedman	Lee	Takasugi
Bordonaro	Frusetta	Machado	Thompson
Bowen	Callegos	Margett	Tucker
Bowler	Goldsmith	Martinez	Vasconcellos
Brewer	Granlund	Mazzoni	Villaraigosa
Brown	Hannigan	McPherson	Weggeland
Brulte	Harvey	Miller	Woods
Burton	Hauser	Morrissey	Mr. Speaker
Bustamante	Hawkins	Morrow	

Quorum present.

At 1:20 p.m., Hon. Martha M. Escutia, 50th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Boland, Caldera, Isenberg, McDonald, Rogan, and Sher.

On personal business, and waiving per diem: Assembly Member Willard Murray.

Because of illness: Assembly Member Cortese.

(NOTE: For explanations of absences of Assembly Members Boland, Caldera, Isenberg, McDonald, Rogan, and Sher on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ADJOURNMENT

At 4 p.m., the Assembly adjourned until Wednesday, February 21, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

ROCEL BETTENCOURT, Acting Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 21, 1996
TWELFTH SESSION DAY
FORTY-NINTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 21, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—68:

Ackerman	Burton	Harvey	Morrow
Aguiar	Bustamante	Hauser	Murray, Willard
Alby	Campbell	Hawkins	Napolitano
Alpert	Cannella	Hoge	Olberg
Archie-Hudson	Conroy	House	Poochigian
Baca	Cortese	Kaloogian	Rainey
Baldwin	Cunneen	Katz	Richter
Bates	Davis	Knight	Rogan
Battin	Ducheny	Knowles	Setencich
Baugh	Escutia	Kuehl	Sher
Boland	Figueroa	Kuykendall	Sweeney
Bordonaro	Firestone	Machado	Takasugi
Bowen	Friedman	Margett	Thompson
Bowler	Frusetta	Mazzoni	Tucker
Brewer	Gallegos	McPherson	Weggeland
Brown	Goldsmith	Miller	Woods
Brulte	Granlund	Morrissey	Mr. Speaker

Quorum present.

At 1:25 p.m., Hon. Martin Gallegos, 57th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Caldera, Knox, Martinez, McDonald, Kevin Murray, and Villaraigosa.

To attend a funeral in his district: Assembly Member Hannigan.

Funeral delegation attending services for former Governor Edmund G. "Pat" Brown: Assembly Members Isenberg, Lee, Speier, and Vasconcellos.

(NOTE: For explanations of absences of Assembly Members Caldera, Knox, Martinez, McDonald, Kevin Murray, and Villaraigosa on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

February 21, 1996

E. Dotson Wilson
Chief Clerk, State Assembly
State Capitol, Room 3196

Dear Mr. Wilson, Please be advised that Assemblyman Jim Rogan is removed from the Appropriations Committee. For purposes of the hearing today, the vacancy will be filled by Assemblyman Gary Miller.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, February 28, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, February 26, 1996
THIRTEENTH SESSION DAY
FIFTY-FOURTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, February 26, 1996

The Assembly met at 11:14 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called, and the following answered to their names—73:

Ackerman	Campbell	Isenberg	Olberg
Aguiar	Cannella	Kaloogian	Poochigian
Alby	Conroy	Katz	Rainey
Alpert	Cortese	Knight	Richter
Archie-Hudson	Cunneen	Knowles	Rogan
Baca	Davis	Kuehl	Setencich
Bates	Ducheny	Kuykendall	Sher
Battin	Figueroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Tucker
Bowler	Granlund	McDonald	Vasconcellos
Brewer	Hannigan	McPherson	Weggeland
Brown	Harvey	Miller	Woods
Brulte	Hauser	Morrissey	Mr. Speaker
Burton	Hawkins	Morrow	
Bustamante	Hoge	Murray, Willard	
Caldera	House	Napolitano	

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Several days ago, the Roman Catholic Church began its Lenten season with Ash Wednesday and today the Orthodox Christian Church begins Great Lent with Pure Monday. This forty day period for both Churches is a time of quiet reflection and spiritual self-examination marked by fasting and prayer.

On this Pure Monday then let us then pray:

Gracious Father in Heaven, As we begin this holy season, make us shine with the bright radiance of Your holy commandments, with the brightness of love and the splendor of prayer, with the purity of holiness and the strength of good courage. Set us free from everything that troubles us and save our souls, O Loving God.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Escutia, Knox, Kevin Murray, and Villaraigosa.

On personal business, and waiving per diem: Assembly Member Baldwin.

Because of illness: Assembly Member Gallegos.

(NOTE: For explanations of absences of Assembly Members Escutia, Knox, Kevin Murray, and Villaraigosa on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

MESSAGES FROM THE SENATE

Senate Chamber, February 22, 1996

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

Senate Bill No. 1

JOHN W. ROVANE, Acting Secretary of the Senate

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 1—An act to repeal and add Section 13127.32 of the Food and Agricultural Code, relating to economic poisons.

**MOTION TO AMEND RULES TO
INCREASE MEMBERSHIP OF RULES COMMITTEE**

Assembly Member Rogan moved that the Rules in the Third Extraordinary Session be amended, consistent with the Rules adopted in the Regular Session, to read as follows:

The Committee on Rules shall consist of twelve Members of the Assembly, seven to be elected by the registered political party having the largest number of members in the Assembly, with one elected as Chair by the majority caucus, and five to be elected by the registered political party having the second largest number of Members; and further that the membership of the Committee be consistent with those members appointed in the Regular Session.

Motion carried by the following vote:

AYES—62

Ackerman	Cortese	Isenberg	Napolitano
Aguiar	Cunneen	Kaloogian	Olberg
Alby	Davis	Katz	Poochigian
Bates	Ducheny	Knight	Rainey
Battin	Figueroa	Knowles	Richter
Baugh	Firestone	Kuehl	Rogan
Boland	Friedman	Kuykendall	Sher
Bordonaro	Frusetta	Lee	Speier
Bowler	Goldsmith	Machado	Sweeney
Brewer	Granlund	Margett	Takasugi
Brulte	Hannigan	Mazzoni	Thompson
Burton	Harvey	McDonald	Weggeland
Bustamante	Hauser	McPherson	Woods
Campbell	Hawkins	Morrissey	Mr. Speaker
Cannella	Hoge	Morrow	
Conroy	House	Murray, Willard	

NOES—None

COMMITTEE MEETING ANNOUNCEMENTS

Speaker pro Tempore Aguiar announced that the Committee on Rules would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

VOTE ADDS

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

Motion to Increase Membership of Rules Committee: Granlund and Speier—Aye.

RECESS

By unanimous consent, at 11:15 a.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

COMMUNICATIONS

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

February 26, 1996

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

Dear Mr. Wilson: Please be advised that the Assembly Rules Committee created the Agriculture Committee in the 1995-96 Third Extraordinary Session. The committee membership and chair of the Agriculture Committee will be the same as in the Regular Session.

Sincerely,

CURT PRINGLE
Chair, Committee on Rules

REFERENCE OF BILLS TO COMMITTEE

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

<i>Senate</i>	<i>Committee</i>
<i>Bill No.</i>	<i>Agri.</i>
1	-----

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 28, 1996
FOURTEENTH SESSION DAY
FIFTY-SIXTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 28, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—74:

Ackerman	Campbell	Hoge	Olberg
Aguiar	Cannella	House	Poochigian
Alby	Conroy	Kaloogian	Rainey
Alpert	Cortese	Katz	Richter
Archie-Hudson	Cunneen	Knight	Rogan
Baca	Davis	Knowles	Setencich
Baldwin	Ducheny	Kuehl	Sher
Bates	Escutia	Kuykendall	Speier
Battin	Figuroa	Machado	Sweeney
Baugh	Firestone	Margett	Takasugi
Boland	Friedman	Martinez	Thompson
Bordonaro	Frusetta	Mazzoni	Tucker
Bowler	Gallegos	McDonald	Vasconcellos
Brewer	Goldsmith	McPherson	Villaraigosa
Brown	Granlund	Miller	Weggeland
Brulte	Hannigan	Morrissey	Woods
Burton	Harvey	Morrow	Mr. Speaker
Bustamante	Hauser	Murray, Willard	
Caldera	Hawkins	Napolitano	

Quorum present.

At 2:05 p.m., Hon. Curtis R. Tucker, Jr., 51st District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Bowen, Isenberg, Knox, and Kevin Murray.

On personal business, and waiving per diem: Assembly Member Lee.

(NOTE: For letter explaining the absence of Assembly Member Isenberg on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, February 27, 1996; for letters explaining the absences of Assembly Members Bowen, Knox, and Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

REPORTS OF STANDING COMMITTEES
Committee on Agriculture

Date of Hearing: February 28, 1996

Mr. Speaker: Your Committee on Agriculture reports:

Senate Bill No. 1

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

HARVEY, Chairman

Above bill re-referred to the Committee on Appropriations.

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until Wednesday, March 6, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

ROCEL BETTENCOURT, Acting Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 4, 1996
FIFTEENTH SESSION DAY
SIXTY-FIRST CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, March 4, 1996

The Assembly met at 11:09 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Ackerman	Caldera	Hoge	Murray, Kevin
Aguiar	Campbell	House	Napolitano
Alby	Cannella	Isenberg	Olberg
Alpert	Conroy	Kaloogian	Poochigian
Archie-Hudson	Cortese	Katz	Rainey
Baca	Cunneen	Knight	Richter
Baldwin	Davis	Knowles	Rogan
Bates	Ducheny	Knox	Setencich
Battin	Figueroa	Kuehl	Sher
Baugh	Firestone	Kuykendall	Speier
Boland	Friedman	Lee	Sweeney
Bordonaro	Frusetta	Machado	Takasugi
Bowen	Gallegos	Margett	Thompson
Bowler	Goldsmith	Martinez	Tucker
Brewer	Granlund	Mazzoni	Vasconcellos
Brown	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker

Quorum present.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Willard Murray.

On personal business, and waiving per diem: Assembly Member McDonald.

Because of illness in her family: Assembly Member Escutia.

(NOTE: For explanation of absence of Assembly Member Willard Murray on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

March 4, 1996

E. Dotson Wilson
Chief Clerk, State Assembly
State Capitol, Room 3196

Dear Mr. Wilson, Please be advised that Assemblyman Trice Harvey is appointed to the Appropriations Committee for the purpose of the hearing today in the 3rd Extraordinary Session.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Date of Hearing: March 4, 1996

Mr. Speaker: Your Committee on Appropriations reports:
Senate Bill No. 1

With the recommendation: Do pass.

POOCHIGIAN, Chairman

Above bill ordered to second reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, March 6, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 6, 1996

SIXTEENTH SESSION DAY

SIXTY-THIRD CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 6, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—72:

Ackerman	Campbell	Hawkins	Morrow
Aguiar	Cannella	Hoge	Napolitano
Alby	Conroy	House	Olberg
Alpert	Cortese	Kaloogian	Poochigian
Archie-Hudson	Cunneen	Katz	Rainey
Baca	Davis	Knight	Richter
Baldwin	Ducheny	Knowles	Setencich
Bates	Escutia	Knox	Sher
Battin	Figueroa	Kuehl	Speier
Baugh	Firestone	Kuykendall	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowler	Gallegos	Martinez	Tucker
Brewer	Goldsmith	Mazzoni	Vasconcellos
Brown	Granlund	McDonald	Villaraigosa
Burton	Hannigan	McPherson	Weggeland
Bustamante	Harvey	Miller	Woods
Caldera	Hauser	Morrissey	Mr. Speaker

Quorum present.

At 1:47 p.m., Hon. Cruz M. Bustamante, 31st District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Brulte and Kevin Murray.

On personal business, and waiving per diem: Assembly Members Lee, Willard Murray, and Rogan.

Because of jury duty: Assembly Member Bowen.

The following Assembly Member was excused for the day: Isenberg.

NOTE: For letter explaining the absence of Assembly Member Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, March 5, 1996; for letter explaining the absence of Assembly Member Bowen on this day on jury duty and legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Tuesday, March 5, 1996; and for letter explaining the absence of Assembly Member Brulte on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 1—The Committee on Agriculture (Harvey (Chairman), Alpert, Battin, Bordonaro, Brulte, Cannella, Frusetta, Granlund, Hoge, McPherson, and Setencich.) Relative to final adjournment of the 1995–96 Third Extraordinary Session of the Legislature.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

SENATE BILL NO. 1—An act relating to economic poisons.

Bill read second time, and ordered to third reading.

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until Thursday, March 7, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 7, 1996
SEVENTEENTH SESSION DAY
SIXTY-FOURTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 7, 1996

The Assembly met at 10:09 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The roll was called, and the following answered to their names—72:

Ackerman	Caldera	Hawkins	Morrow
Aguiar	Campbell	Hoge	Napolitano
Alby	Cannella	House	Olberg
Alpert	Conroy	Isenberg	Poochigian
Archie-Hudson	Cortese	Kalooigian	Rainey
Baca	Cunneen	Katz	Richter
Baldwin	Davis	Knight	Rogan
Bates	Ducheny	Knox	Setencich
Battin	Escutia	Kuykendall	Speier
Baugh	Figuroa	Lee	Sweeney
Boland	Firestone	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowler	Gallegos	Martinez	Tucker
Brewer	Goldsmith	Mazzoni	Vasconcellos
Brown	Granlund	McDonald	Villaraigosa
Brulte	Hannigan	McPherson	Weggeland
Burton	Harvey	Miller	Woods
Bustamante	Hauser	Morrissey	Mr. Speaker

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O Lord Who Loves Us All, You know our created nature; You know our infirmity. Though we have sinned, we have not forsaken You, O God, nor have we stretched out our hands to a strange god. Free us then, O Heavenly Master, from every bond of iniquity and spare us in Your love.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Friedman, Knowles, Kevin Murray, and Willard Murray.

On personal business, and waiving per diem: Assembly Member Sher.

Because of jury duty and legislative business: Assembly Member Bowen.

Because of illness in her family: Assembly Member Kuehl.

(NOTE: For letter explaining the absence of Assembly Member Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, March 5, 1996; for letter explaining the absence of Assembly Member Bowen on this day on jury duty and legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, March 5, 1996; and for explanations of absences of Assembly Members Friedman, Knowles, and Willard Murray on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS**

SENATE BILL NO. 1 (Mello)—An act to repeal and add Section 13127.32 of the Food and Agricultural Code, relating to economic poisons.

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

Demand for Previous Question

Assembly Members Brewer, Alby, Baldwin, Knight, and Battin demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Parliamentary Inquiry

Assembly Member Bates arose to the following parliamentary inquiry:

Did the Chair not recognize five Members to speak in support of the bill?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that Assembly Member Machado opened debate on the bill, two Members were recognized to speak in support and two Members were recognized to speak in opposition, and that Assembly Member Harvey closed debate on the bill after the previous question was demanded.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—46

Ackerman	Bustamante	Hoge	Poochigian
Aguiar	Cannella	House	Rainey
Alby	Conroy	Kalooagian	Richter
Alpert	Cortese	Knight	Rogan
Baldwin	Cunneen	Kuykendall	Setencich
Battin	Firestone	Machado	Takasugi
Baugh	Frusetta	Margett	Thompson
Boland	Goldsmith	McPherson	Weggeland
Bordonaro	Granlund	Miller	Woods
Bowler	Hannigan	Morrissey	Mr. Speaker
Brewer	Harvey	Morrow	
Brulte	Hawkins	Olberg	

NOES—25

Archie-Hudson	Davis	Katz	Sweeney
Baca	Ducheny	Knox	Tucker
Bates	Escutia	Lee	Vasconcellos
Brown	Figueroa	Martinez	Villaraigosa
Burton	Gallegos	Mazzoni	
Caldera	Hauser	Napolitano	
Campbell	Isenberg	Speier	

Bill ordered transmitted to the Senate.

VOTE ADDS

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

Senate Bill No. 1: Cunneen—Aye; Campbell and Knox—No.

RECESS

By unanimous consent, at 10:26 a.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to Committee:

Assembly Concurrent

Resolution No.

Committee

1 ----- Rls.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: March 7, 1996

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 1

With the recommendation: Be adopted.

PRINGLE, Chairman

Above resolution ordered to third reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Monday, March 11, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 7, 1996
SEVENTEENTH SESSION DAY
SIXTY-FOURTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 7, 1996

The Assembly met at 10:09 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The roll was called, and the following answered to their names—72:

Ackerman	Caldera	Hawkins	Morrow
Aguiar	Campbell	Hoge	Napolitano
Alby	Cannella	House	Olberg
Alpert	Conroy	Isenberg	Poochigian
Archie-Hudson	Cortese	Kaloojian	Rainey
Baca	Cunneen	Katz	Richter
Baldwin	Davis	Knight	Rogan
Bates	Ducheny	Knox	Setencich
Battin	Escutia	Kuykendall	Speier
Baugh	Figuroa	Lee	Sweeney
Boland	Firestone	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowler	Gallegos	Martinez	Tucker
Brewer	Goldsmith	Mazzoni	Vasconcellos
Brown	Granlund	McDonald	Villaraigosa
Brulte	Hannigan	McPherson	Weggeland
Burton	Harvey	Miller	Woods
Bustamante	Hauser	Morrissey	Mr. Speaker

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O Lord Who Loves Us All, You know our created nature; You know our infirmity. Though we have sinned, we have not forsaken You, O God, nor have we stretched out our hands to a strange god. Free us then, O Heavenly Master, from every bond of iniquity and spare us in Your love.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Friedman, Knowles, Kevin Murray, and Willard Murray.

On personal business, and waiving per diem: Assembly Member Sher.

Because of jury duty and legislative business: Assembly Member Bowen.

Because of illness in her family: Assembly Member Kuehl.

(NOTE: For letter explaining the absence of Assembly Member Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, March 5, 1996; for letter explaining the absence of Assembly Member Bowen on this day on jury duty and legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, March 5, 1996; and for explanations of absences of Assembly Members Friedman, Knowles, and Willard Murray on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS**

SENATE BILL NO. 1 (Mello)—An act to repeal and add Section 13127.32 of the Food and Agricultural Code, relating to economic poisons.

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

Demand for Previous Question

Assembly Members Brewer, Alby, Baldwin, Knight, and Battin demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Parliamentary Inquiry

Assembly Member Bates arose to the following parliamentary inquiry:

Did the Chair not recognize five Members to speak in support of the bill?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that Assembly Member Machado opened debate on the bill, two Members were recognized to speak in support and two Members were recognized to speak in opposition, and that Assembly Member Harvey closed debate on the bill after the previous question was demanded.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—46

Ackerman	Bustamante	Hoge	Poochigian
Aguiar	Cannella	House	Rainey
Alby	Conroy	Kalooagian	Richter
Alpert	Cortese	Knight	Rogan
Baldwin	Cunneen	Kuykendall	Setencich
Battin	Firestone	Machado	Takasugi
Baugh	Frusetta	Margett	Thompson
Boland	Goldsmith	McPherson	Weggeland
Bordonaro	Granlund	Miller	Woods
Bowler	Hannigan	Morrissey	Mr. Speaker
Brewer	Harvey	Morrow	
Brulte	Hawkins	Olberg	

NOES—25

Archie-Hudson	Davis	Katz	Sweeney
Baca	Ducheny	Knox	Tucker
Bates	Escutia	Lee	Vasconcellos
Brown	Figueroa	Martinez	Villaraigosa
Burton	Gallegos	Mazzoni	
Caldera	Hauser	Napolitano	
Campbell	Isenberg	Speier	

Bill ordered transmitted to the Senate.

VOTE ADDS

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

Senate Bill No. 1: Cunneen—Aye; Campbell and Knox—No.

RECESS

By unanimous consent, at 10:26 a.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to Committee:

Assembly Concurrent

Resolution No.

Committee

1 ----- Rls.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: March 7, 1996

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 1

With the recommendation: Be adopted.

PRINGLE, Chairman

Above resolution ordered to third reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Monday, March 11, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 11, 1996
EIGHTEENTH SESSION DAY
SIXTY-EIGHTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, March 11, 1996

The Assembly met at 11:10 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—74:

Ackerman	Campbell	Hoge	Napolitano
Aguiar	Cannella	House	Olberg
Alby	Conroy	Isenberg	Poochigian
Alpert	Cortese	Kaloogian	Rainey
Archie-Hudson	Cunneen	Katz	Richter
Baca	Davis	Knight	Rogan
Baldwin	Ducheny	Knowles	Setencich
Bates	Escutia	Knox	Speier
Battin	Figuroa	Kuykendall	Sweeney
Baugh	Firestone	Lee	Takasugi
Boland	Friedman	Machado	Thompson
Bordonaro	Frusetta	Margett	Tucker
Bowen	Gallegos	Martinez	Vasconcellos
Bowler	Goldsmith	Mazzoni	Villaraigosa
Brewer	Granlund	McDonald	Weggeland
Brown	Hannigan	McPherson	Woods
Brulte	Harvey	Miller	Mr. Speaker
Burton	Hauser	Morrissey	
Bustamante	Hawkins	Morrow	

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Caldera, Kevin Murray, and Willard Murray.

On personal business, and waiving per diem: Assembly Member Sher.

Because of illness in her family: Assembly Member Kuehl.

(NOTE: For letters explaining the absences of Assembly Members Caldera, Kevin Murray, and Willard Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 11, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 1
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 14, 1996
NINETEENTH SESSION DAY
SEVENTY-FIRST CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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Vol. 6 54-616

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 14, 1996

The Assembly met at 9:17 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The roll was called, and the following answered to their
names—72:

Ackerman	Caldera	Hauser	Morrissey
Aguiar	Campbell	Hawkins	Morrow
Alby	Cannella	Hoge	Olberg
Alpert	Conroy	House	Poochigian
Archie-Hudson	Cortese	Isenberg	Rainey
Baca	Cunneen	Kaloogian	Richter
Baldwin	Davis	Katz	Rogan
Bates	Ducheny	Knight	Setenchich
Battin	Escutia	Knowles	Speier
Baugh	Figueroa	Knox	Sweeney
Boland	Firestone	Kuykendall	Takasugi
Bordonaro	Friedman	Lee	Thompson
Bowler	Frusetta	Machado	Tucker
Brewer	Gallegos	Margett	Vasconcellos
Brown	Goldsmith	Martinez	Villaraigosa
Brulte	Granlund	Mazzoni	Weggeland
Burton	Hannigan	McPherson	Woods
Bustamante	Harvey	Miller	Mr. Speaker

Quorum present.

PRAYER

The following prayer was offered by Monsignor Edward J. Kavanagh, of Saint Patrick's Home for Children, in Sacramento:

It has been said by many an eminent historian that the greatest Irishman of them all was not an Irishman at all.

The birth place of St. Patrick was not in Ireland. Some people say he was born in Gaul, others that he was born by the mouth of the Seven River in Wales; but regardless of his birth place he was the one that was commissioned by Pope Celestine I to bring the Catholic faith to Ireland and he did so very successfully.

And so as we are gathered here this morning in our State Capitol, we pray

Heavenly Father, We thank You for the many gifts that You have given to us. We thank You for the gift of life itself. May we always reverence it and respect it. We thank You for the life of St. Patrick whom we celebrate and honor today.

We thank You for this wonderful State of California in this United States, where so many spiritual and adopted sons and daughters of St. Patrick and Ireland, and other cultures, races, and nations of the world have come and founded, new homes, new families and new lives.

Lord, we pray that You bestow rich blessings on California and all its people.

We ask You to bless all the Members of the California Legislature, and especially today bless the spiritual sons and daughters of St. Patrick, and inspire and strengthen them all to always seek the truth in their deliberations and always act for the true good of all persons.

In the spirit of St. Patrick, we ask You to bring peace and harmony to Ireland, to Bosnia, to the Middle East, and throughout the world.

Through our Lord Jesus Christ, we pray that You bless Californians of every race and creed and bring peace and prosperity to their families and our state.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Assembly Member Conroy then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Kevin Murray, Willard Murray, and Napolitano.

On personal business, and waiving per diem: Assembly Members Bowen, McDonald, and Sher.

Because of illness in her family: Assembly Member Kuehl.

(NOTE: For explanations of absences of Assembly Members Kevin Murray, Willard Murray, and Napolitano on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS**

ASSEMBLY CONCURRENT RESOLUTION NO. 1 (Committee on Agriculture)—Relative to final adjournment of the 1995–96 Third Extraordinary Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—57

Ackerman	Bustamante	Hoge	Poochigian
Aguiar	Cannella	House	Rainey
Alby	Conroy	Isenberg	Richter
Alpert	Cortese	Kaloogian	Rogan
Archie-Hudson	Cunneen	Knight	Setencich
Baca	Ducheny	Kuykendall	Sweeney
Baldwin	Escutia	Lee	Takasugi
Battin	Firestone	Machado	Thompson
Baugh	Frusetta	Margett	Villaraigosa
Boland	Goldsmith	Mazzoni	Weggeland
Bordonaro	Granlund	McPherson	Woods
Bowler	Hannigan	Miller	Mr. Speaker
Brewer	Harvey	Morrissey	
Brulte	Hauser	Morrow	
Burton	Hawkins	Olberg	

NOES—4

Bates	Gallegos	Katz	Tucker
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Resolution ordered transmitted to the Senate immediately.

VOTE ADDS

The following Assembly Member was granted unanimous consent to record his vote on the following item:

Assembly Concurrent Resolution No. 1: Goldsmith—Aye.

RECESS

By unanimous consent, at 9:19 a.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

COMMUNICATIONS

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

March 14, 1996

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

Dear Mr. Wilson: Although I am recorded as being present on the attendance roll for today, I did not arrive for session until 12 noon. By that time votes had been recorded on several measures, and unanimous consent had already been withheld for anyone to add or change their votes on those measures.

Therefore, I would like the record to reflect that I arrived too late to have my vote recorded on any measures taken up today.

Sincerely,

LOUIS CALDERA, Assembly Member
Forty-sixth District

MESSAGES FROM THE SENATE

Senate Chamber, March 14, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate returns without further action:

Assembly Bill No. 1

JOHN W. ROVANE, Acting Secretary of the Senate

Senate Chamber, March 14, 1996

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

Assembly Concurrent Resolution No. 1

JOHN W. ROVANE, Acting Secretary of the Senate

Above resolution ordered enrolled.

ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 1

Assembly Chamber, Sacramento
Friday, March 15, 1996

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 15, 1996

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

Assembly Concurrent Resolution No. 1

And reports the same correctly enrolled, and presented to the Secretary of State on the 15th day of March, 1996, at 2:15 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

Pursuant to the provisions of Assembly Concurrent Resolution No. 1, Resolution Chapter 2, Statutes of 1996, the 1995-96 Third Extraordinary Session of the Legislature was adjourned *sine die*.

CURT PRINGLE, Speaker

ROCEL BETTENCOURT, Acting Minute Clerk

Volume 6

Journal of the Assembly

Legislature of the State of California

1995–96 Fourth Extraordinary Session

February 13, 1996 to March 28, 1996



HON. CURT PRINGLE
Speaker

HON. FRED AGUIAR
Speaker pro Tempore

HON. JAMES E. ROGAN
Majority Floor Leader

HON. RICHARD KATZ
Minority Floor Leader

E. DOTSON WILSON
Chief Clerk of the Assembly

Volume 6

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CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 13, 1996

FIRST SESSION DAY

FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, February 13, 1996

At 2:41 p.m., the Assembly met pursuant to the provisions of the Proclamation of the Honorable Pete Wilson, Governor of the State of California, dated January 29, 1996, convening the Legislature of the State of California in extraordinary session.

In conformity with Government Code Section 9150, the following officers of the 1995–96 Regular Session were present and performing their respective duties: E. Dotson Wilson, Chief Clerk and Pam Cavileer, Minute Clerk.

Hon. Fred Aguiar, Speaker pro Tempore of the 1995–96 Regular Session, presiding.

Assistant Clerk Sue Parker reading.

ROLL CALL

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

Ackerman	Caldera	Hoge	Murray, Willard
Aguiar	Campbell	House	Napolitano
Alby	Cannella	Isenberg	Olberg
Alpert	Conroy	Kaloogian	Poochigian
Archie-Hudson	Cortese	Katz	Rainey
Baca	Cunneen	Knight	Richter
Baldwin	Davis	Knowles	Rogan
Bates	Ducheny	Knox	Setencich
Battin	Escutia	Kuehl	Sher
Baugh	Figueroa	Kuykendall	Speier
Boland	Firestone	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Callegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McPherson	Vasconcellos
Brown	Hannigan	Miller	Villaraigosa
Brulte	Harvey	Morrissey	Weggeland
Burton	Hauser	Morrow	Woods
Bustamante	Hawkins	Murray, Kevin	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Presiding Officer Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord, Guide us with Your strengthening hand as we continue to serve our communities and this great state. Help us remain steadfast in our desire to love our neighbor as ourselves and to love You with all our heart. We send up joyful praise to You, Lord and we thank You for blessing us with the freedom to worship You freely and openly. Grant us lasting oneness with You, O God, and be beside us always.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Presiding Officer Aguiar, Assembly Member Harvey then led the Assembly in the pledge of allegiance to the Flag.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Members Lee and McDonald.

Because of illness in her family: Assembly Member Friedman.

PROCLAMATION OF THE GOVERNOR

The Presiding Officer directed the Clerk to read the following Proclamation of the Governor convening the Legislature in extraordinary session:

A PROCLAMATION

by the

Governor of the 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, PETE WILSON, Governor of the State of California, by virtue of the power and authority vested in me by Section 3 (b) 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 1st day of February, 1996, at a time appointed by each house of the Legislature of said day for the following purpose and to legislate upon the following subject:

To consider and act upon legislation relative to making permanent prior year reductions in health and welfare programs which otherwise would have been temporary, including but not limited to prior year welfare grant reductions and elimination of automatic cost-of-living increases for health and welfare programs.

IN WITNESS WHEREOF I have hereunto set my hand
and caused the Great Seal of the State of
California to be affixed this 29th day of
January 1996.

PETE WILSON
Governor of California

[SEAL]

ATTEST:
BILL JONES
Secretary of State

ELECTION OF OFFICERS AND ADOPTION OF RULES

Assembly Member Brulte moved that the officers be deemed elected in the Fourth Extraordinary Session as in the 1995-96 Regular Session (January 4, 1996, Assembly Journal, pages 4277, 4279, and 4280) and that the adoption of Rules in the 1995-96 Regular Session (January 3, 1996, Assembly Journal, page 4264; January 25, 1996, Assembly Journal, page 4502) be deemed adopted in the 1995-96 Fourth Extraordinary Session.

Assembly Member Hoge seconded the motion.

Motion carried.

ELECTION OF SPEAKER*For Assembly Member Curt Pringle:*

Ackerman, Aguiar, Alby, Baldwin, Battin, Baugh, Boland, Bordonaro, Bowler, Brewer, Brulte, Conroy, Cunneen, Firestone, Frusetta, Goldsmith, Granlund, Harvey, Hawkins, Hoge, House, Kaloogian, Knight, Knowles, Kuykendall, Margett, McPherson, Miller, Morrissey, Morrow, Olberg, Poochigian, Pringle, Rainey, Richter, Rogan, Takasugi, Thompson, Weggeland, Woods, and Cortese—41

For Assembly Member Brian Setencich:

Alpert, Archie-Hudson, Baca, Bates, Bowen, Brown, Burton, Bustamante, Caldera, Campbell, Cannella, Davis, Ducheny, Escutia, Figueroa, Gallegos, Hauser, Katz, Knox, Kuehl, Machado, Martinez, Mazzone, Kevin Murray, Willard Murray, Napolitano, Sher, Speier, Sweeney, Tucker, Vasconcellos, Villaraigosa, and Setencich—33

Vote Changes

By unanimous consent, the following vote change was permitted on the election of Speaker in the Fourth Extraordinary Session: Assembly Member Cortese, for Assembly Member Pringle.

(NOTE: Assembly Members Friedman, Lee, and McDonald are excused on this day.)

COMMUNICATIONS

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

February 13, 1996

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

Dear Mr. Wilson: Please be advised that the following Republican members of the Assembly Rules Committee are appointed to serve in the 1995-96 Fourth Extraordinary Session to coincide with the Regular Session:

Curt Pringle, Chairman
 Fred Aguiar
 Barbara Alby
 Jim Battin
 Marilyn C. Brewer
 William J. "Pete" Knight
 Bruce Thompson

Sincerely,

CURT PRINGLE
 Chair, Committee on Rules

February 13, 1996

E. Dotson Wilson
Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Dotson: The Assembly Democratic Caucus has selected the following members to serve on the Committee of Rules for the Fourth Extraordinary Session:

John Burton, Vice Chair
 Joe Baca,
 Martha Escutia,
 Barbara Lee,
 Kevin Murray
 Susan Davis, alternate
 Sincerely,

RICHARD KATZ
 Assembly Democratic Leader

February 13, 1996

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

Dear Mr. Wilson: Please be advised that the Assembly Rules Committee appointed Assembly Member Fred Aguiar as the Speaker pro Tempore for the 1995-96 Fourth Extraordinary Session to coincide with the Regular Session. Also, Jim Richardson was appointed as the Chief Administrative Officer of the Rules Committee for the 1995-96 Fourth Extraordinary Session to coincide with the Regular Session.

Sincerely,

CURT PRINGLE
 Chair, Committee on Rules

OTHER OFFICERS OF THE ASSEMBLY

Pursuant to the motion by Assembly Member Brulte, the following officers shall serve in the 1995-96 Fourth Extraordinary Session, as in the 1995-96 Regular Session:

Assembly Member James E. Rogan, Majority Floor Leader
 Assembly Member Richard Katz, Minority Floor Leader
 E. Dotson Wilson, Chief Clerk
 Ron Pane, Acting Sergeant-at-Arms.

OATHS OF OFFICE

Without objection the following Oaths of Office for Speaker of the Assembly and Speaker pro Tempore of the Assembly, administered by Chief Clerk E. Dotson Wilson, and Oath of Office for Chief Clerk of the Assembly, administered by Speaker Pringle, were deemed to have occurred in the Fourth Extraordinary Session, and ordered printed in the Journal:

OATH*for the Office of Speaker of the Assembly*

I, Curt Pringle 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.

OATH*for the Office of Speaker pro Tempore of the Assembly*

I, Fred Aguiar 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.

OATH*for the Office of Chief Clerk of the Assembly*

I, E. Dotson Wilson 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.

ADOPTION OF RULES

The following rules relative to Legislative Powers and Duties were adopted in the 1995–96 Regular Session on January 3, 1996 on motion of Assembly Member Richter:

LEGISLATIVE POWERS AND DUTIES**Speaker of the Assembly**

The Speaker is responsible for the efficient conduct of the legislative and administrative affairs of the Assembly so as to be able to carry out the decisions and directives of the Rules Committee. The Speaker shall be elected upon organization of the Assembly at the

beginning of each regular or special session and shall serve until adjournment sine die of the session, unless removed and a successor chosen pursuant to the rules of the Assembly.

Assembly General Officers

(a) The five general officers of the Assembly whose names and titles shall appear on the frontispiece of all publications are:

Speaker
Speaker Pro Tempore
Majority Floor Leader
Minority Floor Leader
Chief Clerk
Sergeant at Arms

(b) The Majority Floor Leader shall be the duly elected caucus leader of the registered political party having the largest number of members in the Assembly.

(c) The Minority Floor Leader shall be the duly elected caucus leader of the registered political party having the second largest number of members in the Assembly.

(d) No other officers or offices shall be created without a vote of two-thirds of the duly elected members concurring in the creation of such office.

Assembly Committee on Rules

There is hereby created in the Assembly a Committee on Rules, with nine Members of the Assembly, seven to be elected by the registered political party having the largest number of members in the Assembly, with one elected as Chair by the majority caucus and five to be elected by the registered political party having the second largest number of Members. The Assembly Committee on Rules has a continuing existence and may meet and act during sessions of the Legislature or any recess thereof and in the interim periods between sessions. The committee shall have all the powers and authority provided in Section 11 of Article IV of the Constitution of California, in this article, and as provided in the rules of the Assembly. One alternate member of the Rules Committee shall be selected by the majority and minority caucus; however, there shall be no more than two alternate members to the Rules committee. No member of the Committee on Rules shall simultaneously serve as a Chair of any standing committee.

(NOTE: Pursuant to motion by Assembly Member Aguiar on January 25, 1996, (Assembly Journal, p. 4502) Rules amended to increase membership of the Committee on Rules from nine members to twelve members.)

Powers of the Assembly Committee on Rules

(a) The Assembly Committee on Rules shall have the power:

(1) To organize standing committees and determine their jurisdiction and size.

(2) To assign all bills to Assembly committees.

(3) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by Members as private offices.

(4) To allocate all funds, staffing and other resources necessary for the effective operation of the Assembly.

- (5) To choose one Chief Administrative Officer.
- (6) To choose one Speaker Pro Tempore.
- (7) To exercise such other powers and perform such duties as may be provided by statute enacted in accordance with the provisions of this chapter, or in the rules of the Assembly.

(b) Notwithstanding any other provision of law or rule, neither the Chairman nor any member or agent of the Assembly Committee on Rules shall have the power to perform any action on behalf of the committee, including but not limited to the making of contracts, the payments of claims, the allocation of office space, or the hiring or dismissal of staff, without the express authorization of a majority of the total membership of the committee. Such authorization shall apply only to the matter or matters under immediate consideration. To the extent that there is a conflict between the authority granted to the Rules Committee and the authority granted to any other member of the house, the decision of the Rules Committee shall prevail.

(c) Unless otherwise specified, these rules shall require a majority vote of the membership of the Committee on Rules to implement any power granted to the Committee on Rules.

Appointments by the speaker; confirmation of Assembly Committee on Rules

All statutory and non-statutory appointments delegated to the Speaker of the Assembly who serve at the Speaker's pleasure shall be vacated upon adoption of these rules; in addition, the Speaker shall officially request the resignation of every Speaker-appointee currently serving a fixed term. Notwithstanding any other provision of law, all statutory and non-statutory appointments delegated to the Speaker of the Assembly shall be made from a list of nominees selected by the Rules Committee.

Joint rules committee

(a) There is hereby created the Joint Rules Committee which shall be comprised of the combined membership of the Assembly Committee on Rules and the Senate Committee on Rules as specified in this article and four other Members of the Senate, two to be elected by the party having the largest number of Members in the Senate and two to be elected by the party having the second largest number of Members. The committee herein created has a continuing existence and may meet and act during sessions of the Legislature or any recess thereof and in the interim periods between sessions. The committee shall have all the powers and authority provided in Section 11 of Article IV of the Constitution of California, this title, and in the joint rules of the Legislature. Any action of the committee shall require an affirmative vote of not less than a majority of the Senate members and a majority of the Assembly members of the committee, except that any action which involves or anticipates the expenditure or allocation of funds shall require an affirmative vote of at least two thirds of the Senate members and two thirds of the

Assembly members. Any reference in any code or statute to the Joint Committee on Legislative Organization shall be deemed a reference to the Joint Rules Committee.

(b) Notwithstanding any other provision of law or rule, neither the Chairman nor any member or agent of the Joint Rules Committee shall have the power to perform any action on behalf of the committee, including but not limited to the making of contracts, the payments of claims, the allocation of office space, or the hiring or dismissal of staff, without express authorization of two thirds of the membership of the committee. Such authorization shall apply only to the matter or matters under immediate consideration.

LEGISLATIVE RULES AND PROCEDURES

Rules

The Assembly shall adopt rules for its proceedings for each regular and special session by resolution adopted by an affirmative recorded vote of majority of the house. No rule of the Assembly shall be amended except by resolution adopted by an affirmative recorded vote of majority of the Members. Any standing rule of the Assembly may be suspended temporarily by a vote of two thirds of the Members present and voting; provided, that in no case may a rule be suspended in the absence of a quorum. Any such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

Standing committees

All standing committees of the Assembly, except the Assembly Committee on Rules, shall be created and the size and jurisdiction thereof established through the adoption of or amendment to the rules by resolution, a majority of the membership of the Committee on Rules concurring. Committee membership shall be determined in the following manner:

(a) The chair, vice-chair and membership of each committee of the Assembly shall be appointed by the Committee on Rules.

(b) The Assembly Committee on Rules shall provide for the necessary and reasonable expenses of all committees of their respective houses.

Special and select committees, subcommittees

No special or select committees nor any subcommittee shall be established in the Assembly except by affirmative vote of a majority of the Committee on Rules. For purposes of this section, "special" and "select" committees or subcommittees include all committees or subcommittees which are not standing committees of the Assembly or joint committees.

Joint committees

No joint committee shall be established except by passage of concurrent resolution, two thirds of the membership of each house concurring. The membership of each joint committee shall be

allocated equally between the Senate and the Assembly, and the delegation from each house shall be chosen pursuant to the procedures set forth in for the standing committees.

Member voting

The Assembly Committee on Rules shall provide for appropriate voting procedures on the floor and in committees or subcommittees; provided, that no Member shall be allowed to cast a vote for another Member.

Open and public meeting; public notice

Except as otherwise provided in this article, all meetings of the Assembly and the committees, subcommittees, and conference committees, shall be open and public and all the proceedings shall be conducted openly so that the public may remain informed. All such meetings shall be held only after full and timely notice to the public published in the Journal at least two working days prior to the hearing unless longer notice is required by the Joint Rules of the Assembly, except notice may be dispensed with on extraordinary occasions by two thirds affirmative recorded vote of the membership of the Assembly.

Executive sessions

Nothing contained in this article shall be construed to prevent the Assembly or a committee or subcommittee thereof, except a conference committee, from holding executive sessions to consider matters relating to the appointment, employment or dismissal of a public officer or matters affecting the safety and security of the State Capitol or Members of the Legislature, its staff and employees. Members of the Assembly shall not be prevented from meeting privately in caucus with members of their own political party.

Conference committees

The Committee on Rules shall appoint Assembly membership of committees on conference. Notwithstanding any other provision of law, no Member of the Assembly shall sign a conference committee report unless a full and public meeting of the conference committee has been held in accordance with the adopted provisions of the "Open and Public Meetings; Public Notice" section of these Rules. No report of a conference committee shall be adopted until the same, with amendments, has been printed and made available to the public for a minimum of two days, except that a house may dispense with this requirement by roll call vote entered in the journal, two thirds of the Assembly membership concurring. Any conference report adopted in violation of this provisions shall be void.

Independent audit of contingent funds

The Assembly Rules Committee shall annually contract for an independent audit of the revenues and expenditures, for each fiscal year, from the Assembly Contingent Fund, and the Contingent Funds of the Assembly. The organization performing the audit shall be subject to the Fair Political Practices Commission. The audit shall include, but need not be limited to, an evaluation of the accuracy and appropriateness of the expenditures described in section on Reports

to public on expenditures made from contingent funds and an evaluation of the effectiveness of the internal auditing procedures of the individual rules committees.

The audit shall be completed and made available to the public within 180 calendar days following the completion of the fiscal year for which the audit is performed.

Conflict with Other Rules

To the extent that these rules are in conflict with any previously adopted Rules of the Assembly, or with previous custom and usage of Assembly Rules, these rules shall prevail. In all cases not otherwise provided by the California Constitution, by statute, by these rules, or by the Joint Rules of the Senate and Assembly, the authority shall be Mason's Manual (1979 edition).

Roll Call

Rules adopted by the following vote:

AYES—41

Ackerman	Conroy	Kaloojian	Pringle
Aguiar	Cortese	Knight	Rainey
Alby	Cunneen	Knowles	Richter
Baldwin	Firestone	Kuykendall	Rogan
Battin	Frusetta	Margett	Takasugi
Baugh	Goldsmith	McPherson	Thompson
Boland	Granlund	Miller	Weggeland
Bordonaro	Harvey	Morrissey	Woods
Bowler	Hawkins	Morrow	
Brewer	Hoge	Olberg	
Brulte	House	Poochigian	

NOES—33

Alpert	Campbell	Isenberg	Napolitano
Archie-Hudson	Cannella	Katz	Sher
Baca	Davis	Knox	Speier
Bates	Ducheny	Kuehl	Sweeney
Bowen	Escutia	Machado	Tucker
Brown	Figuroa	Martinez	Villaraigosa
Burton	Gallegos	Mazzoni	
Bustamante	Hannigan	Murray, Kevin	
Caldera	Hauser	Murray, Willard	

RESOLUTIONS

The following resolution was offered:

House Resolution No. 1

By Assembly Member Rogan:

*Relative to the organization of the Assembly for the
1995-96 Fourth Extraordinary Session.*

Resolved by the Assembly of the State of California,

(a) That the Chief Clerk or the Sergeant at Arms is authorized to receipt to the Controller for all warrants for the payment of Members, Officers, and Attaches of the Assembly.

(b) That the Chief Clerk shall provide copies of the Assembly Weekly Histories to the Legislative Counsel, Governor, Attorney General, and accredited newspaper representatives.

Resolution read and presented by Speaker pro Tempore Aguiar, without objection.

Resolution adopted by the following vote:

AYES—76

Ackerman	Caldera	Hoge	Murray, Willard
Aguiar	Campbell	House	Napolitano
Alby	Cannella	Isenberg	Olberg
Alpert	Conroy	Kaloogian	Poochigian
Archie-Hudson	Cortese	Katz	Rainey
Baca	Cunneen	Knight	Richter
Baldwin	Davis	Knowles	Rogan
Bates	Ducheny	Knox	Setencich
Battin	Escutia	Kuehl	Sher
Baugh	Figueroa	Kuykendall	Speier
Boland	Firestone	Machado	Sweeney
Bordonaro	Frusetta	Margett	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McPherson	Vasconcellos
Brown	Hannigan	Miller	Villaraigosa
Brulte	Harvey	Morrissey	Weggeland
Burton	Hauser	Morrow	Woods
Bustamante	Hawkins	Murray, Kevin	Mr. Speaker

NOES—None

(NOTE: Assembly Members Friedman, Lee, and McDonald are excused on this day.)

INTRODUCTION OF BILLS—SUSPENSION OF RULES

Speaker pro Tempore Aguiar was granted unanimous consent to suspend the Rules (usage and custom) to permit the introduction of bills in the order in which they are received at the Desk, rather than in alphabetical order by author.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 1—Bordonaro. An act to amend Sections 4643, 4791, 11450.01, 11450.015, 11450.017, 11450.018, 11452, 11453, 11462, 12200.01, 12200.015, 12200.017, 12200.018, 12201.03, and 19355.5 of, to repeal Section 12201 of, to repeal Article 3 (commencing with Section 12550) of, and to repeal and add Article 1 (commencing with Section 12500) of, Chapter 4 of Part 3 of Division 9 of, the Welfare and Institutions Code, and to repeal Section 37 of Chapter 722 of the Statutes of 1992, relating to human services, and declaring the urgency to take effect immediately.

MESSAGES FROM THE SENATE

Senate Chamber, February 1, 1996

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

Senate Concurrent Resolution No. 1

JOHN W. ROVANE, Acting Secretary of the Senate

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 1—Relative to the Joint Rules for the 1995–96 Fourth Extraordinary Session.

RECESS

By unanimous consent, at 2:50 p.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, February 14, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 14, 1996
SECOND SESSION DAY
SECOND CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 14, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—71:

Ackerman	Campbell	Hoge	Murray, Kevin
Aguiar	Cannella	House	Napolitano
Alby	Conroy	Kaloojian	Olberg
Alpert	Cunneen	Katz	Poochigian
Archie-Hudson	Davis	Knight	Rainey
Baca	Ducheny	Knowles	Richter
Baldwin	Escutia	Knox	Setencich
Bates	Figueroa	Kuehl	Speier
Battin	Firestone	Kuykendall	Sweeney
Baugh	Friedman	Lee	Takasugi
Bordonaro	Frusetta	Machado	Thompson
Bowen	Gallegos	Margett	Tucker
Bowler	Goldsmith	Martinez	Vasconcellos
Brewer	Granlund	Mazzoni	Villaraigosa
Brown	Hannigan	McPherson	Weggeland
Brulte	Harvey	Miller	Woods
Burton	Hauser	Morrissey	Mr. Speaker
Bustamante	Hawkins	Morrow	

Quorum present.

At 1:20 p.m., Hon. Martha M. Escutia, 50th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Boland, Caldera, Isenberg, McDonald, Rogan, and Sher.

On personal business, and waiving per diem: Assembly Member Willard Murray.

Because of illness: Assembly Member Cortese.

(NOTE: For explanations of absences of Assembly Members Boland, Caldera, Isenberg, McDonald, Rogan, and Sher on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ADJOURNMENT

At 4 p.m., the Assembly adjourned until Wednesday, February 21, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

ROCEL BETTENCOURT, Acting Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, February 16, 1996

THIRD SESSION DAY

FOURTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, February 16, 1996

The Assembly met at 8:30 a.m.
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—61:

Ackerman	Brulte	Kaloogian	Murray, Kevin
Aguiar	Bustamante	Katz	Murray, Willard
Alby	Caldera	Knight	Napolitano
Alpert	Campbell	Knowles	Olberg
Archie-Hudson	Cannella	Kuehl	Poochigian
Baca	Conroy	Kuykendall	Rainey
Baldwin	Cunneen	Lee	Richter
Bates	Davis	Machado	Setencich
Battin	Ducheny	Margett	Sweeney
Baugh	Figueroa	Martinez	Takasugi
Boland	Friedman	Mazzoni	Vasconcellos
Bordonaro	Hannigan	McDonald	Villaraigosa
Bowen	Harvey	McPherson	Woods
Bowler	Hauser	Miller	
Brewer	Hoge	Morrissey	
Brown	House	Morrow	

Quorum present.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Burton, Escutia, Frusetta, Gallegos, Goldsmith, Granlund, Knox, Pringle, Rogan, Sher, Speier, Thompson, and Weggeland.

On personal business, and waiving per diem: Assembly Members Firestone and Hawkins.

Because of illness: Assembly Members Cortese and Tucker.

The following Assembly Member was excused for the day, and his per diem was waived: Isenberg.

(NOTE: For explanations of absences of Assembly Members Burton, Escutia, Frusetta, Gallegos, Goldsmith, Granlund, Knox, Pringle, Speier, Thompson, and Weggeland on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day; for letters explaining the absences of Assembly Members Rogan and Sher on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Wednesday, February 14, 1996.)

ANNOUNCEMENTS

Speaker pro Tempore Aguiar announced that the Rules Committee would convene on Tuesday, February 20, 1996 to establish the appropriate committees in the Fourth Extraordinary Session; and, further, that upon the establishment of the Committee on Human Services, Assembly Bill No. 1 would be heard on Wednesday, February 21, 1996.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Tuesday, February 20, 1996.

FRED AGUIAR, Speaker pro Tempore

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 20, 1996

FOURTH SESSION DAY

EIGHTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, February 20, 1996

The Assembly met at 2:11 p.m.
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

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

Ackerman	Campbell	House	Murray, Willard
Aguiar	Cannella	Isenberg	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Knox	Rogan
Bates	Escutia	Kuehl	Setencich
Battin	Figueroa	Kuykendall	Sher
Baugh	Firestone	Lee	Sweeney
Boland	Friedman	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowen	Gallegos	Martinez	Tucker
Bowler	Goldsmith	Mazzoni	Vasconcellos
Brewer	Granlund	McDonald	Villaraigosa
Brown	Hannigan	McPherson	Weggeland
Brulte	Harvey	Miller	Woods
Burton	Hauser	Morrissey	Mr. Speaker
Bustamante	Hawkins	Morrow	
Caldera	Hoge	Murray, Kevin	

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Lord Our God, You abide in unapproachable light and are the source of wisdom and learning. It is You, Lord, Who said: "Let light shine out of the darkness." Let Your everlasting light and the knowledge of Your truth shine in our hearts. Grant us the spirit of wisdom, the spirit of judgement; illumine our spiritual eyes, that we may perceive and do Your will, now and forever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Speier.

(NOTE: For explanation of absence of Assembly Member Speier on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

SENATE CONCURRENT RESOLUTION NO. 1 TAKEN UP

On motion of Assembly Member Rogan, Senate Concurrent Resolution No. 1 was taken up.

SENATE CONCURRENT RESOLUTION NO. 1—Relative to the Joint Rules for the 1995–96 Fourth Extraordinary Session.

Resolution read, and adopted by the following vote:

AYES—72

Ackerman	Conroy	Isenberg	Murray, Willard
Aguiar	Cortese	Kaloogian	Napolitano
Alby	Cunneen	Katz	Olberg
Alpert	Ducheny	Knight	Poochigian
Archie-Hudson	Escutia	Knowles	Rainey
Baca	Figueroa	Kuehl	Richter
Baldwin	Firestone	Kuykendall	Rogan
Battin	Friedman	Lee	Setencich
Baugh	Frusetta	Machado	Sher
Boland	Gallegos	Margett	Sweeney
Bordonaro	Goldsmith	Martinez	Takasugi
Bowen	Granlund	Mazzoni	Thompson
Bowler	Hannigan	McDonald	Tucker
Brewer	Harvey	McPherson	Vasconcellos
Brown	Hauser	Miller	Villaraigosa
Brulte	Hawkins	Morrissey	Weggeland
Bustamante	Hoge	Morrow	Woods
Cannella	House	Murray, Kevin	Mr. Speaker

NOES—None

Resolution ordered transmitted to the Senate.

COMMUNICATIONS

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

February 20, 1996

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

Dear Mr. Wilson: Please be advised that the Assembly Rules Committee created the Human Services Committee and the Appropriations Committee in the 1995-96 Fourth Extraordinary Session. The committee membership and chair of the Human Services Committee and the Appropriations Committee will be the same as the committees established in the Regular Session.

Also, the same committee jurisdictions as established in the Regular Session were established in the 1995-96 Fourth Extraordinary Session.

Sincerely,

CURT PRINGLE
 Chair, Committee on Rules

Committee Jurisdiction**Appropriations**

Fiscal bills
 General obligation bond acts
 Revenue bonds

Human Services

Children's programs and services
 Developmental centers
 Foster care
 Licensing and regulations of child care facilities
 Public assistance (General Assistance, AFDC, and SSI/SSP)
 Senior and handicapped services
 Services for the handicapped under the
 Department of Rehabilitation
 Department of Social Services programs

Rules

Business of the Legislature

REFERENCE OF BILLS TO COMMITTEE

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

<i>Assembly</i>	<i>Committee</i>
<i>Bill No.</i>	
1	----- Hum. S.

COMMITTEE MEETING ANNOUNCEMENTS

Speaker pro Tempore Aguiar announced that the Committee on Human Services would meet tomorrow at 2 p.m. for the purpose of hearing Assembly Bill No. 1.

VOTE ADDS

The following Assembly Member was granted unanimous consent to record her vote on the following item:

Senate Concurrent Resolution No. 1: Bowen—Aye.

RECESS

By unanimous consent, at 2:13 p.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, February 21, 1996.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 21, 1996

FIFTH SESSION DAY

NINTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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Vol. 6 56—616

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 21, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—68:

Ackerman	Burton	Harvey	Morrow
Aguiar	Bustamante	Hauser	Murray, Willard
Alby	Campbell	Hawkins	Napolitano
Alpert	Cannella	Hoge	Olberg
Archie-Hudson	Conroy	House	Poochigian
Baca	Cortese	Kaloogian	Rainey
Baldwin	Cunneen	Katz	Richter
Bates	Davis	Knight	Rogan
Battin	Ducheny	Knowles	Setencich
Baugh	Escutia	Kuehl	Sher
Boland	Figueroa	Kuykendall	Sweeney
Bordonaro	Firestone	Machado	Takasugi
Bowen	Friedman	Margett	Thompson
Bowler	Frusetta	Mazzoni	Tucker
Brewer	Gallegos	McPherson	Weggeland
Brown	Goldsmith	Miller	Woods
Brulte	Granlund	Morrissey	Mr. Speaker

Quorum present.

At 1:25 p.m., Hon. Martin Gallegos, 57th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Caldera, Knox, Martinez, McDonald, Kevin Murray, and Villaraigosa.

To attend a funeral in his district: Assembly Member Hannigan.

Funeral delegation attending services for former Governor Edmund G. "Pat" Brown: Assembly Members Isenberg, Lee, Speier, and Vasconcellos.

(NOTE: For explanations of absences of Assembly Members Caldera, Knox, Martinez, McDonald, Kevin Murray, and Villaraigosa on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

February 21, 1996

E. Dotson Wilson
Chief Clerk, State Assembly
State Capitol, Room 3196

Dear Mr. Wilson, Please be advised that Assemblyman Jim Rogan is removed from the Appropriations Committee. For purposes of the hearing today, the vacancy will be filled by Assemblyman Gary Miller.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, February 28, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 22, 1996

SIXTH SESSION DAY

TENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 22, 1996

The Assembly met at 8:30 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—63:

Ackerman	Campbell	House	Poochigian
Aguiar	Cannella	Isenberg	Rainey
Alby	Conroy	Kaloogian	Richter
Alpert	Cortese	Knight	Rogan
Baca	Cunneen	Knowles	Setencich
Baldwin	Davis	Kuykendall	Sher
Bates	Ducheny	Lee	Speier
Battin	Escutia	Machado	Sweeney
Baugh	Figueroa	Margett	Takasugi
Boland	Frusetta	Martinez	Thompson
Bordonaro	Granlund	Mazzoni	Tucker
Bowler	Hannigan	McPherson	Vasconcellos
Brewer	Harvey	Miller	Weggeland
Brown	Hauser	Morrissey	Woods
Brulte	Hawkins	Morrow	Mr. Speaker
Burton	Hoge	Olberg	

Quorum present.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Firestone and Goldsmith.

Funeral delegation attending memorial services for Jim Wood: Archie-Hudson, Bowen, Bustamante, Caldera, Friedman, Gallegos, Katz, Knox, Kuehl, McDonald, Kevin Murray, Willard Murray, Napolitano, Villaraigosa.

(NOTE: For explanations of absences of Assembly Members Firestone and Goldsmith on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

REPORTS OF STANDING COMMITTEES

Committee on Human Services

Date of Hearing: February 21, 1996

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 1

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

BORDONARO, Chairman

Above bill ordered to second reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Monday, February 26, 1996.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, February 26, 1996

SEVENTH SESSION DAY

FOURTEENTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, February 26, 1996

The Assembly met at 11:14 a.m.
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called, and the following answered to their names—73:

Ackerman	Campbell	Isenberg	Olberg
Aguiar	Cannella	Kaloogian	Poochigian
Alby	Conroy	Katz	Rainey
Alpert	Cortese	Knight	Richter
Archie-Hudson	Cunneen	Knowles	Rogan
Baca	Davis	Kuehl	Setencich
Bates	Ducheny	Kuykendall	Sher
Battin	Figuroa	Lee	Speier
Baugh	Firestone	Machado	Sweeney
Boland	Friedman	Margett	Takasugi
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Goldsmith	Mazzoni	Tucker
Bowler	Granlund	McDonald	Vasconcellos
Brewer	Hannigan	McPherson	Weggeland
Brown	Harvey	Miller	Woods
Brulte	Hauser	Morrissey	Mr. Speaker
Burton	Hawkins	Morrow	
Bustamante	Hoge	Murray, Willard	
Caldera	House	Napolitano	

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Several days ago, the Roman Catholic Church began its Lenten season with Ash Wednesday and today the Orthodox Christian Church begins Great Lent with Pure Monday. This forty day period for both Churches is a time of quiet reflection and spiritual self-examination marked by fasting and prayer.

On this Pure Monday then let us then pray:

Gracious Father in Heaven, As we begin this holy season, make us shine with the bright radiance of Your holy commandments, with the brightness of love and the splendor of prayer, with the purity of holiness and the strength of good courage. Set us free from everything that troubles us and save our souls, O Loving God.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Aguiar, Assembly Member House then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Baca, seconded by Assembly Member Cannella.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Escutia, Knox, Kevin Murray, and Villaraigosa.

On personal business, and waiving per diem: Assembly Member Baldwin.

Because of illness: Assembly Member Gallegos.

(NOTE: For explanations of absences of Assembly Members Escutia, Knox, Kevin Murray, and Villaraigosa on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 1—An act to amend Sections 4643, 4791, 11450.01, 11450.015, 11450.017, 11450.018, 11452, 11453, 11462, 12200.01, 12200.015, 12200.017, 12200.018, 12201.03, and 19355.5 of, to repeal Section 12201 of, to repeal Article 3 (commencing with Section 12550) of, and to repeal and add Article 1 (commencing with Section 12500) of, Chapter 4 of Part 3 of Division 9 of, the Welfare and Institutions Code, and to repeal Section 37 of Chapter 722 of the Statutes of 1992, relating to human services, and declaring the urgency to take effect immediately.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

RECESS

By unanimous consent, at 11:15 a.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 26, 1996**

The following measure was amended in the Assembly on this day:

AB	RN
1	9606675

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 27, 1996

EIGHTH SESSION DAY

FIFTEENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, February 27, 1996

The Assembly met at 7 a.m.

Hon. Dick Ackerman, Assembly Member, 72nd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—73:

Ackerman	Campbell	House	Poochigian
Aguiar	Cannella	Kaloogian	Rainey
Alby	Conroy	Katz	Richter
Archie-Hudson	Cortese	Knight	Rogan
Baca	Cunneen	Knowles	Setencich
Baldwin	Davis	Knox	Sher
Bates	Ducheny	Kuehl	Speier
Battin	Escutia	Kuykendall	Sweeney
Baugh	Figueroa	Machado	Takasugi
Boland	Firestone	Margett	Thompson
Bordonaro	Friedman	Martinez	Tucker
Bowen	Frusetta	Mazzoni	Vasconcellos
Bowler	Goldsmith	McDonald	Villaraigosa
Brewer	Granolund	Miller	Weggeland
Brown	Hannigan	Morrissey	Woods
Brulte	Harvey	Morrow	Mr. Speaker
Burton	Hauser	Murray, Kevin	
Bustamante	Hawkins	Napolitano	
Caldera	Hoge	Olberg	

Quorum present.

At 1:22 p.m., Hon. Sal Cannella, 26th District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Alpert, Isenberg, and Willard Murray.

On personal business, and waiving per diem: Assembly Members Lee and McPherson.

Because of illness: Assembly Member Gallegos.

(NOTE: For explanations of absences of Assembly Members Alpert, Isenberg, and Willard Murray on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until Wednesday, February 28, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 28, 1996

NINTH SESSION DAY

SIXTEENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 28, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—74:

Ackerman	Campbell	Hoge	Olberg
Aguiar	Cannella	House	Poochigian
Alby	Conroy	Kaloogian	Rainey
Alpert	Cortese	Katz	Richter
Archie-Hudson	Cunneen	Knight	Rogan
Baca	Davis	Knowles	Setencich
Baldwin	Ducheny	Kuehl	Sher
Bates	Escutia	Kuykendall	Speier
Battin	Figueroa	Machado	Sweeney
Baugh	Firestone	Margett	Takasugi
Boland	Friedman	Martinez	Thompson
Bordonaro	Frusetta	Mazzoni	Tucker
Bowler	Gallegos	McDonald	Vasconcellos
Brewer	Goldsmith	McPherson	Villaraigosa
Brown	Granlund	Miller	Weggeland
Brulte	Hannigan	Morrissey	Woods
Burton	Harvey	Morrow	Mr. Speaker
Bustamante	Hauser	Murray, Willard	
Caldera	Hawkins	Napolitano	

Quorum present.

At 2:05 p.m., Hon. Curtis R. Tucker, Jr., 51st District, presiding

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Bowen, Isenberg, Knox, and Kevin Murray.

On personal business, and waiving per diem: Assembly Member Lee.

(NOTE: For letter explaining the absence of Assembly Member Isenberg on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, February 27, 1996; for letters explaining the absences of Assembly Members Bowen, Knox, and Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 28, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: February 28, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1

With the recommendation: Do pass.

POOCHIGIAN, Chairman

Above bill ordered to second reading.

ADJOURNMENT

At 5:45 p.m., the Assembly adjourned until Wednesday, March 6, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

ROCEL BETTENCOURT, Acting Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 29, 1996
TENTH SESSION DAY
SEVENTEENTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 29, 1996

The Assembly met at 8:53 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The roll was called, and the following answered to their names—72:

Ackerman	Caldera	Hauser	Murray, Willard
Aguiar	Campbell	Hawkins	Napolitano
Alby	Cannella	Hoge	Olberg
Alpert	Conroy	House	Poochigian
Archie-Hudson	Cortese	Kaloogian	Rainey
Baca	Cunneen	Katz	Richter
Baldwin	Davis	Knight	Setencich
Bates	Ducheny	Knowles	Sher
Battin	Escutia	Kuehl	Speier
Baugh	Figueroa	Kuykendall	Sweeney
Boland	Firestone	Lee	Takasugi
Bordonaro	Friedman	Machado	Thompson
Bowler	Frusetta	Margett	Tucker
Brewer	Gallegos	Martinez	Vasconcellos
Brown	Goldsmith	Mazzoni	Villaraigosa
Brulte	Granlund	McPherson	Weggeland
Burton	Hannigan	Morrissey	Woods
Bustamante	Harvey	Morrow	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O Great God, It is fitting at all times to raise a song of praise in measured melody to You, O Giver of Life. Behold, the universe sings Your glory. Having arrived at the dawn of a new day, we give You thanks, we praise You, we glorify You and we ask that Your mighty hand guide us this day and always.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Aguiar, Assembly Member Napolitano then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Takasugi, seconded by Assembly Member Baca.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Bowen, Isenberg, Knox, McDonald, Miller, Kevin Murray, and Rogan.

(NOTE: For letters explaining the absences of Assembly Members Bowen and Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Wednesday, February 28, 1996; for letters explaining the absences of Assembly Members Isenberg, Knox, McDonald, Miller, and Rogan on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 1—An act to amend Sections 4643, 4791, 11450.01, 11450.015, 11450.017, 11450.018, 11452, 11453, 11462, 12200.01, 12200.015, 12200.017, 12200.018, 12201.03, and 19355.5 of, to repeal Section 12201 of, to repeal Article 3 (commencing with Section 12550) of, and to repeal and add Article 1 (commencing with Section 12500) of, Chapter 4 of Part 3 of Division 9 of, the Welfare and Institutions Code, and to repeal Section 37 of Chapter 722 of the Statutes of 1992, relating to human services.

Bill read second time, and ordered to third reading.

RECESS

By unanimous consent, at 8:54 a.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, March 6, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 4, 1996

ELEVENTH SESSION DAY

TWENTY-FIRST 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, March 4, 1996

The Assembly met at 12:36 p.m.
Hon. Curt Pringle, Speaker of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The roll was called, and the following answered to their names—76:

Ackerman	Caldera	Hoge	Murray, Kevin
Aguiar	Campbell	House	Napolitano
Alby	Cannella	Isenberg	Olberg
Alpert	Conroy	Kaloogian	Poochigian
Archie-Hudson	Cortese	Katz	Rainey
Baca	Cunneen	Knight	Richter
Baldwin	Davis	Knowles	Rogan
Bates	Ducheny	Knox	Setencich
Battin	Figueroa	Kuehl	Sher
Baugh	Firestone	Kuykendall	Speier
Boland	Friedman	Lee	Sweeney
Bordonaro	Frusetta	Machado	Takasugi
Bowen	Gallegos	Margett	Thompson
Bowler	Goldsmith	Martinez	Tucker
Brewer	Granlund	Mazzoni	Vasconcellos
Brown	Hannigan	McPherson	Villaraigosa
Brulte	Harvey	Miller	Weggeland
Burton	Hauser	Morrissey	Woods
Bustamante	Hawkins	Morrow	Mr. Speaker

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Assembly Member Susan Davis, of the 76th Assembly District:

Father, We live in a world of great confusion, despair, and problems. We need, therefore, the strength to recognize our weaknesses and the vision to identify what needs to be done. Give us, Lord, the wisdom to do that which is right, the will and the determination to stand for truth even though it may be at times unpopular. But above all, Father, help us serve with dignity and honor the good people of this great state.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Aguiar, Assembly Member Baldwin then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Villaraigosa, seconded by Assembly Member Granlund.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Willard Murray.

On personal business, and waiving per diem: Assembly Member McDonald.

Because of illness in her family: Assembly Member Escutia.

(NOTE: For explanation of absence of Assembly Member Willard Murray on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 1 (Bordonaro)—An act to amend Sections 4643, 4791, 11450.01, 11450.015, 11450.017, 11450.018, 11452, 11453, 11462, 12200.01, 12200.015, 12200.017, 12200.018, 12201.03, and 19355.5 of, to repeal Section 12201 of, to repeal Article 3 (commencing with Section 12550) of, and to repeal and add Article 1 (commencing with Section 12500) of, Chapter 4 of Part 3 of Division 9 of, the Welfare and Institutions Code, and to repeal Section 37 of Chapter 722 of the Statutes of 1992, relating to human services.

Bill read third time.

Consideration of Amendments by Unanimous Consent

Assembly Member Bordonaro was granted unanimous consent to take up Set 9 amendments to Assembly Bill No. 1, out of order.

Motion to Amend by Assembly Member Bordonaro—Set 9

Assembly Member Bordonaro moved the adoption of amendments.

Amendments read.

Demand for Previous Question

Assembly Members Battin, Hawkins, Hoge, Brewer, and Baldwin demanded the previous question. Demand sustained.

The question being on the Bordonaro motion to amend Assembly Bill No. 1—Set 9.

Parliamentary Inquiry

Assembly Member Kuehl arose to the following parliamentary inquiry:

Is it not true that the proposed amendment to Assembly Bill No. 1 has no statutory effect?

Reply by Speaker

The Speaker replied in the affirmative.

Roll Call Demanded

Assembly Members Hannigan, Katz, and Kuehl, demanded a roll call.

The roll was called, and the Bordonaro motion to amend Assembly Bill No. 1—Set 9 carried by the following vote:

AYES—36

Ackerman	Brewer	Hoge	Olberg
Aguiar	Brulte	House	Poochigian
Alby	Conroy	Kaloogian	Rainey
Baldwin	Cunneen	Knight	Richter
Battin	Firestone	Kuykendall	Rogan
Baugh	Goldsmith	Margett	Takasugi
Boland	Granlund	Miller	Weggeland
Bordonaro	Harvey	Morrissey	Woods
Bowler	Hawkins	Morrow	Mr. Speaker

NOES—31

Alpert	Caldera	Isenberg	Napolitano
Archie-Hudson	Campbell	Katz	Sher
Baca	Ducheny	Knox	Speier
Bates	Figueroa	Kuehl	Sweeney
Bowen	Friedman	Lee	Tucker
Brown	Callegos	Martinez	Vasconcellos
Burton	Hannigan	Mazzoni	Villaraigosa
Bustamante	Hauser	Murray, Kevin	

Bill ordered reprinted, and to be returned to the third reading file.

VOTE ADDS

The following Assembly Member was granted unanimous consent to record his vote on the following item:

Assembly Bill No. 1, Bordonaro Amendment—Set 9: Sher—No.

MOTION TO ADJOURN

At 12:53 p.m., Assembly Member Bustamante moved that the Assembly do now adjourn.

Assembly Member Rogan seconded the motion.

Motion carried.

RECESS

By unanimous consent, at 12:53 p.m., Speaker Pringle declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Bustamante the Assembly adjourned until Thursday, March 7, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 4, 1996**

The following measure was amended in the Assembly on this day:

AB	RN
1	9607156

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 7, 1996
TWELFTH SESSION DAY
TWENTY-FOURTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 7, 1996

The Assembly met at 11:16 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The roll was called, and the following answered to their names—72:

Ackerman	Caldera	Hawkins	Morrow
Aguiar	Campbell	Hoge	Napolitano
Alby	Cannella	House	Olberg
Alpert	Conroy	Isenberg	Poochigian
Archie-Hudson	Cortese	Kalooogian	Rainey
Baca	Cunneen	Katz	Richter
Baldwin	Davis	Knight	Rogan
Bates	Ducheny	Knox	Setencich
Battin	Escutia	Kuykendall	Speier
Baugh	Figueroa	Lee	Sweeney
Boland	Firestone	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowler	Gallegos	Martinez	Tucker
Brewer	Goldsmith	Mazzoni	Vasconcellos
Brown	Granlund	McDonald	Villaraigosa
Brulte	Hannigan	McPherson	Weggeland
Burton	Harvey	Miller	Woods
Bustamante	Hauser	Morrissey	Mr. Speaker

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O Lord Who Loves Us All, You know our created natures; You know our infirmity. Though we have sinned, we have not forsaken You, O God, nor have we stretched out our hands to a strange god. Free us then, O Heavenly Master, from every bond of iniquity and spare us in Your love.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Aguiar, Assembly Member Rainey then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Sweeney, seconded by Assembly Member Burton.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Friedman, Knowles, Kevin Murray, and Willard Murray.

On personal business, and waiving per diem: Assembly Member Sher.

Because of jury duty and legislative business: Assembly Member Bowen.

Because of illness in her family: Assembly Member Kuehl.

(NOTE: For letter explaining the absence of Assembly Member Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, March 5, 1996; for letter explaining the absence of Assembly Member Bowen on this day on jury duty and legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, March 5, 1996; for explanations of absences of Assembly Members Friedman, Knowles, and Willard Murray on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 7, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

**CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 1 (Bordonaro)—An act to amend Sections 4643, 4791, 11450.01, 11450.015, 11450.017, 11450.018, 11452, 11453, 11462, 12200.01, 12200.015, 12200.017, 12200.018, 12201.03, and 19355.5 of, to repeal Section 12201 of, to repeal Article 3 (commencing with Section 12550) of, and to repeal and add Article 1 (commencing with Section 12500) of, Chapter 4 of Part 3 of Division 9 of, the Welfare and Institutions Code, and to repeal Section 37 of Chapter 722 of the Statutes of 1992, relating to human services.

Consideration of Amendments by Unanimous Consent

Assembly Member Bordonaro was granted unanimous consent to take up Set 9 amendments to Assembly Bill No. 1, out of order.

Parliamentary Inquiry

Assembly Member Bates arose to the following parliamentary inquiry:

Is an analysis of the proposed amendments on the Members' desks?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that an analysis of the proposed amendments is not available at this time.

Assembly Bill No. 1 Passed Temporarily

By unanimous consent Assembly Bill No. 1 was passed temporarily on file.

RECESS

By unanimous consent, at 11:40 a.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

REASSEMBLED

At 12 noon the Assembly reconvened.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1

ASSEMBLY BILL NO. 1 (Bordonaro)—An act to amend Sections 4643, 4791, 11450.01, 11450.015, 11450.017, 11450.018, 11452, 11453, 11462, 12200.01, 12200.015, 12200.017, 12200.018, 12201.03, and 19355.5 of, to repeal Section 12201 of, to repeal Article 3 (commencing with Section 12550) of, and to repeal and add Article 1 (commencing with Section 12500) of, Chapter 4 of Part 3 of Division 9 of, the Welfare and Institutions Code, and to repeal Section 37 of Chapter 722 of the Statutes of 1992, relating to human services.

Bill read third time.

Motion to Amend by Assembly Member Bordonaro—Set 9.1

Assembly Member Bordonaro moved the adoption of amendments.

Amendments read.

Demand for Previous Question

Assembly Members Brewer, Ackerman, Conroy, Knight, and Boland demanded the previous question. Demand sustained.

The question being on the Bordonaro motion to amend Assembly Bill No. 1—Set 9.1.

Motion carried by the following vote:

AYES—37

Ackerman	Conroy	Knight	Richter
Aguiar	Cunneen	Kuykendall	Rogan
Baldwin	Firestone	Margett	Takasugi
Battin	Goldsmith	McPherson	Thompson
Baugh	Granlund	Miller	Weggeland
Boland	Harvey	Morrissey	Woods
Bordonaro	Hawkins	Morrow	Mr. Speaker
Bowler	Hoge	Olberg	
Brewer	House	Poochigian	
Brulte	Kaloogian	Rainey	

NOES—28

Alpert	Caldera	Isenberg	McDonald
Archie-Hudson	Campbell	Katz	Napolitano
Baca	Davis	Knox	Speier
Bates	Ducheney	Lee	Sweeney
Brown	Escutia	Machado	Tucker
Burton	Figueroa	Martinez	Vasconcellos
Bustamante	Gallegos	Mazzoni	Villaraigosa

Bill ordered reprinted, and to be returned to the third reading file.

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 Bordonaro amendments—Set 9.1, to Assembly Bill No. 1.

Request for Unanimous Consent

Assembly Member Mazzoni requested unanimous consent to add her vote to the roll call vote taken on Assembly Bill No. 1.

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that unanimous consent had been withheld.

RECESS

By unanimous consent, at 12:14 p.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Monday, March 11, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 7, 1996**

The following measure was amended in the Assembly on this day:

AB	RN
1	9607407

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 11, 1996
THIRTEENTH SESSION DAY
TWENTY-EIGHTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, March 11, 1996

The Assembly met at 11:10 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—74:

Ackerman	Campbell	Hoge	Napolitano
Aguiar	Cannella	House	Olberg
Alby	Conroy	Isenberg	Poochigian
Alpert	Cortese	Kaloogian	Rainey
Archie-Hudson	Cunneen	Katz	Richter
Baca	Davis	Knight	Rogan
Baldwin	Ducheny	Knowles	Setencich
Bates	Escutia	Knox	Speier
Battin	Figueroa	Kuykendall	Sweeney
Baugh	Firestone	Lee	Takasugi
Boland	Friedman	Machado	Thompson
Bordonaro	Frusetta	Margett	Tucker
Bowen	Gallegos	Martinez	Vasconcellos
Bowler	Goldsmith	Mazzoni	Villaraigosa
Brewer	Granlund	McDonald	Weggeland
Brown	Hannigan	McPherson	Woods
Brulte	Harvey	Miller	Mr. Speaker
Burton	Hauser	Morrissey	
Bustamante	Hawkins	Morrow	

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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Caldera, Kevin Murray, and Willard Murray.

On personal business, and waiving per diem: Assembly Member Sher.

Because of illness in her family: Assembly Member Kuehl.

(NOTE: For letters explaining the absences of Assembly Members Caldera, Kevin Murray, and Willard Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 11, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon Call of the
Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 14, 1996
FOURTEENTH SESSION DAY
THIRTY-FIRST 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 14, 1996

The Assembly met at 9:20 a.m.

Hon. Curt Pringle, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The roll was called, and the following answered to their names—72:

Ackerman	Caldera	Hauser	Morrissey
Aguiar	Campbell	Hawkins	Morrow
Alby	Cannella	Hoge	Olberg
Alpert	Conroy	House	Poochigian
Archie-Hudson	Cortese	Isenberg	Rainey
Baca	Cunneen	Kaloogian	Richter
Baldwin	Davis	Katz	Rogan
Bates	Ducheny	Knight	Setencich
Battin	Escutia	Knowles	Speier
Baugh	Figueroa	Knox	Sweeney
Boland	Firestone	Kuykendall	Takasugi
Bordonaro	Friedman	Lee	Thompson
Bowler	Frusetta	Machado	Tucker
Brewer	Gallegos	Margett	Vasconcellos
Brown	Goldsmith	Martinez	Villaraigosa
Brulte	Granlund	Mazzoni	Weggeland
Burton	Hannigan	McPherson	Woods
Bustamante	Harvey	Miller	Mr. Speaker

Quorum present.

PRAYER

The following prayer was offered by Monsignor Edward J. Kavanagh, of Saint Patrick's Home for Children, in Sacramento:

It has been said by many an eminent historian that the greatest Irishman of them all was not an Irishman at all.

The birth place of St. Patrick was not in Ireland. Some people say he was born in Gaul, others that he was born by the mouth of the Seven River in Wales; but regardless of his birth place he was the one that was commissioned by Pope Celestine I to bring the Catholic faith to Ireland and he did so very successfully.

And so as we are gathered here this morning in our State Capitol, we pray

Heavenly Father, We thank You for the many gifts that You have given to us. We thank You for the gift of life itself. May we always reverence it and respect it. We thank You for the life of St. Patrick whom we celebrate and honor today.

We thank You for this wonderful State of California in this United States, where so many spiritual and adopted sons and daughters of St. Patrick and Ireland, and other cultures, races, and nations of the world have come and founded, new homes, new families and new lives.

Lord, we pray that You bestow rich blessings on California and all its people.

We ask You to bless all the Members of the California Legislature, and especially today bless the spiritual sons and daughters of St. Patrick, and inspire and strengthen them all to always seek the truth in their deliberations and always act for the true good of all persons.

In the spirit of St. Patrick, we ask You to bring peace and harmony to Ireland, to Bosnia, to the Middle East, and throughout the world.

Through our Lord Jesus Christ, we pray that You bless Californians of every race and creed and bring peace and prosperity to their families and our state.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Assembly Member Conroy then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Hoge, seconded by Assembly Member Davis.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Kevin Murray, Willard Murray, and Napolitano.

On personal business, and waiving per diem: Assembly Members Bowen, McDonald, and Sher.

Because of illness in her family: Assembly Member Kuehl.

(NOTE: For explanations of absences of Assembly Members Kevin Murray, Willard Murray, and Napolitano on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 1 (Bordonaro)—An act to amend Sections 4643, 4791, 11450.01, 11450.015, 11450.017, 11450.018, 11452, 11453, 11462, 12200.01, 12200.015, 12200.017, 12200.018, 12201.03, and 19355.5 of, to repeal Section 12201 of, to repeal Article 3 (commencing with Section 12550) of, and to repeal and add Article 1 (commencing with Section 12500) of, Chapter 4 of Part 3 of Division 9 of, the Welfare and Institutions Code, and to repeal Section 37 of Chapter 722 of the Statutes of 1992, relating to human services.

Bill read third time.

Consideration of Amendments by Unanimous Consent

Assembly Member Burton was granted unanimous consent to take up Set 8 amendments to Assembly Bill No. 1, out of order.

Motion to Amend by Assembly Member Burton—Set 8

Assembly Member Burton moved the adoption of amendments.
Amendments read.

**Motion to Table Burton Amendments
to Assembly Bill No. 1—Set 8**

Assembly Member Thompson moved that the amendments offered by Assembly Member Burton to Assembly Bill No. 1—Set 8 be laid upon the table.

Assembly Member Battin seconded the motion.

Motion carried by the following vote:

AYES—36

Ackerman	Brewer	House	Poochigian
Aguiar	Brulte	Kaloogian	Rainey
Alby	Conroy	Knight	Richter
Baldwin	Firestone	Kuykendall	Rogan
Battin	Goldsmith	Margett	Takasugi
Baugh	Granlund	Miller	Thompson
Boland	Harvey	Morrissey	Weggeland
Bordonaro	Hawkins	Morrow	Woods
Bowler	Hoge	Olberg	Mr. Speaker

NOES—23

Alpert	Campbell	Callegos	Machado
Archie-Hudson	Cannella	Hannigan	Mazzoni
Baca	Ducheny	Hauser	Sweeney
Bates	Escutia	Isenberg	Tucker
Burton	Figueroa	Katz	Villaraigosa
Bustamante	Friedman	Lee	

Objection to Vote Adds

Assembly Member Burton withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on his amendments to Assembly Bill No. 1—Set 8.

Consideration of Amendments by Unanimous Consent

Assembly Member Machado was granted unanimous consent to take up his amendments to Assembly Bill No. 1—Set 2, out of order.

Motion to Amend by Assembly Member Machado—Set 2

Assembly Member Machado moved the adoption of amendments. Amendments read.

Motion to Table Machado Amendments to Assembly Bill No. 1—Set 2

Assembly Member Thompson moved that the amendments offered by Assembly Member Machado to Assembly Bill No. 1—Set 2 be laid upon the table.

Assembly Member Battin seconded the motion.

Motion carried by the following vote:

AYES—37

Ackerman	Brulte	Knight	Rogan
Aguiar	Conroy	Kuykendall	Sweeney
Alby	Firestone	Margett	Takasugi
Baldwin	Goldsmith	Miller	Thompson
Battin	Granlund	Morrissey	Weggeland
Baugh	Harvey	Morrow	Woods
Boland	Hawkins	Olberg	Mr. Speaker
Bordonaro	Hoge	Poochigian	
Bowler	House	Rainey	
Brewer	Kaloogian	Richter	

NOES—26

Alpert	Cannella	Hannigan	Martinez
Archie-Hudson	Davis	Hauser	Mazzoni
Baca	Ducheny	Isenberg	Speier
Bates	Escutia	Katz	Tucker
Burton	Figueroa	Knox	Villaraigosa
Bustamante	Friedman	Lee	
Campbell	Gallegos	Machado	

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 his amendments to Assembly Bill No. 1—Set 2.

Motion to Amend by Assembly Member Davis—Set 1

Assembly Member Davis moved the adoption of amendments. Amendments read.

**Motion to Table Davis Amendments
to Assembly Bill No. 1—Set 1**

Assembly Member Thompson moved that the amendments offered by Assembly Member Davis to Assembly Bill No. 1—Set 1 be laid upon the table.

Assembly Member Olberg seconded the motion.

Motion carried by the following vote:

AYES—36

Ackerman	Brewer	House	Poochigian
Aguiar	Brulte	Kaloogian	Rainey
Alby	Conroy	Knight	Richter
Baldwin	Firestone	Kuykendall	Rogan
Battin	Goldsmith	Margett	Takasugi
Baugh	Granlund	Miller	Thompson
Boland	Harvey	Morrissey	Weggeland
Bordonaro	Hawkins	Morrow	Woods
Bowler	Hoge	Olberg	Mr. Speaker

NOES—26

Alpert	Davis	Hauser	Mazzoni
Archie-Hudson	Ducheny	Isenberg	Speier
Baca	Escutia	Katz	Sweeney
Bates	Figueroa	Knox	Tucker
Burton	Friedman	Lee	Villaraigosa
Bustamante	Gallegos	Machado	
Campbell	Hannigan	Martinez	

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 Davis amendments to Assembly Bill No. 1—Set 1.

Motion to Amend by Assembly Member Friedman—Set 4

Assembly Member Friedman moved the adoption of amendments. Amendments read.

**Motion to Table Friedman Amendments
to Assembly Bill No. 1—Set 4**

Assembly Member Thompson moved that the amendments offered by Assembly Member Friedman to Assembly Bill No. 1—Set 4 be laid upon the table.

Assembly Member Olberg seconded the motion.

Motion carried by the following vote:

AYES—35

Ackerman	Brewer	Kaloogian	Rainey
Aguiar	Conroy	Knight	Richter
Alby	Firestone	Kuykendall	Rogan
Baldwin	Goldsmith	Margett	Takasugi
Battin	Granlund	Miller	Thompson
Baugh	Harvey	Morrissey	Weggeland
Boland	Hawkins	Morrow	Woods
Bordonaro	Hoge	Olberg	Mr. Speaker
Bowler	House	Poochigian	

NOES—25

Alpert	Ducheny	Isenberg	Speier
Archie-Hudson	Escutia	Katz	Sweeney
Baca	Figueroa	Knox	Tucker
Bates	Friedman	Lee	Villaraigosa
Burton	Gallegos	Machado	
Campbell	Hannigan	Martinez	
Davis	Hauser	Mazzoni	

Objection to Vote Adds

Assembly Member Friedman withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on her amendments to Assembly Bill No. 1—Set 4.

Motion to Amend by Assembly Member Archie-Hudson—Set 5

Assembly Member Archie-Hudson moved the adoption of amendments.

Amendments read.

**Motion to Table Archie-Hudson Amendments
to Assembly Bill No. 1—Set 5**

Assembly Member Thompson moved that the amendments offered by Assembly Member Archie-Hudson to Assembly Bill No. 1—Set 5 be laid upon the table.

Assembly Member Olberg seconded the motion.

Motion carried by the following vote:

AYES—37

Ackerman	Brulte	Kaloogian	Richter
Aguiar	Conroy	Knight	Rogan
Alby	Cunneen	Kuykendall	Takasugi
Baldwin	Firestone	Margett	Thompson
Battin	Goldsmith	Miller	Weggeland
Baugh	Granlund	Morrissey	Woods
Boland	Harvey	Morrow	Mr. Speaker
Bordonaro	Hawkins	Olberg	
Bowler	Hoge	Poochigian	
Brewer	House	Rainey	

NOES—26

Alpert	Ducheny	Isenberg	Speier
Archie-Hudson	Escutia	Katz	Sweeney
Baca	Figueroa	Knox	Tucker
Bates	Friedman	Lee	Vasconcellos
Burton	Gallegos	Machado	Villaraigosa
Campbell	Hannigan	Martinez	
Cannella	Hauser	Mazzoni	

Objection to Vote Adds

Assembly Member Archie-Hudson withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on her amendments to Assembly Bill No. 1—Set 5.

Motion to Amend by Assembly Member Villaraigosa—Set 6

Assembly Member Villaraigosa moved the adoption of amendments.

Amendments read and refused adoption by the following vote:

AYES—23

Archie-Hudson	Cannella	Hauser	Mazzoni
Baca	Ducheny	Isenberg	Speier
Bates	Escutia	Katz	Sweeney
Burton	Figuroa	Lee	Tucker
Bustamante	Friedman	Machado	Villaraigosa
Campbell	Hannigan	Martinez	

NOES—42

Ackerman	Brulte	House	Poochigian
Aguiar	Conroy	Kaloogian	Rainey
Alby	Cunneen	Knight	Richter
Alpert	Davis	Knowles	Rogan
Baldwin	Firestone	Kuykendall	Takasugi
Battin	Frusetta	Margett	Thompson
Baugh	Goldsmith	McPherson	Weggeland
Boland	Granlund	Miller	Woods
Bordonaro	Harvey	Morrissey	Mr. Speaker
Bowler	Hawkins	Morrow	
Brewer	Hoge	Olberg	

Objection to Vote Adds

Assembly Members Rogan and Bustamante withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Villaraigosa amendments to Assembly Bill No. 1—Set 6.

**Amendments by Assembly Member Brown—Set 7
as presented by Assembly Member Hannigan**

Assembly Member Hannigan moved the adoption of amendments.
Amendments read.

**Motion to Table Brown Amendments
to Assembly Bill No. 1—Set 7**

Assembly Member Thompson moved that the amendments offered by Assembly Member Hannigan to Assembly Bill No. 1—Set 7 be laid upon the table.

Assembly Member Battin seconded the motion.

Motion carried by the following vote:

AYES—38

Ackerman	Brulte	Kaloogian	Rainey
Aguiar	Conroy	Knight	Richter
Alby	Cunneen	Knowles	Rogan
Baldwin	Firestone	Kuykendall	Takasugi
Battin	Goldsmith	Margett	Thompson
Baugh	Granlund	Miller	Weggeland
Boland	Harvey	Morrissey	Woods
Bordonaro	Hawkins	Morrow	Mr. Speaker
Bowler	Hoge	Olberg	
Brewer	House	Poochigian	

NOES—25

Archie-Hudson	Ducheny	Isenberg	Sweeney
Baca	Escutia	Katz	Tucker
Bates	Figueroa	Lee	Vasconcellos
Burton	Friedman	Machado	Villaraigosa
Bustamante	Gallegos	Martinez	
Campbell	Hannigan	Mazzoni	
Cannella	Hauser	Speier	

Objection to Vote Adds

Assembly Members Rogan and Bustamante withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Brown amendments to Assembly Bill No. 1—Set 7.

Consideration of Amendments by Unanimous Consent

Assembly Member Villaraigosa was granted unanimous consent to take up Bowen amendments to Assembly Bill No. 1—Set 3, out of order.

**Amendments by Assembly Member Bowen—Set 3
as Presented by Assembly Member Villaraigosa**

Assembly Member Villaraigosa moved the adoption of amendments.

Amendments read.

**Motion to Table Bowen Amendments
to Assembly Bill No. 1—Set 3**

Assembly Member Thompson moved that the amendments offered by Assembly Member Villaraigosa to Assembly Bill No. 1—Set 3 be laid upon the table.

Assembly Member Olberg seconded the motion.

Motion carried by the following vote:

AYES—37

Ackerman	Brulte	Kaloogian	Richter
Aguiar	Conroy	Knight	Rogan
Alby	Firestone	Kuykendall	Takasugi
Baldwin	Frusetta	Margett	Thompson
Battin	Goldsmith	Miller	Weggeland
Baugh	Granlund	Morrissey	Woods
Boland	Harvey	Morrow	Mr. Speaker
Bordonaro	Hawkins	Olberg	
Bowler	Hoge	Poochigian	
Brewer	House	Rainey	

NOES—28

Alpert	Cannella	Hannigan	Martinez
Archie-Hudson	Davis	Hauser	Mazzoni
Baca	Ducheny	Isenberg	Speier
Bates	Escutia	Katz	Sweeney
Burton	Figuroa	Knox	Tucker
Bustamante	Friedman	Lee	Vasconcellos
Campbell	Gallegos	Machado	Villaraigosa

Objection to Vote Adds

Assembly Members Rogan and Bustamante withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Bowen amendments to Assembly Bill No. 1—Set 3.

Further Consideration of Assembly Bill No. 1

The question being on the passage of the bill.

Point of Order

Assembly Member Burton arose to the following point of order:

That Assembly Member Richter is reading a statement on the Floor of the Assembly.

Reply by Speaker

The Speaker replied that he did not observe Assembly Member Richter reading a statement on the Floor.

Point of Order

Assembly Member Speier arose to the following point of order:

That Assembly Member Richter is reading a statement on the Floor of the Assembly.

Reply by Speaker

The Speaker replied that a Member may refer to notes during Floor debate.

Point of Personal Privilege

Assembly Member Martinez arose to a point of personal privilege.

Ruling by Speaker

The Speaker ruled the point of personal privilege out of order.

Point of Order

Assembly Member Tucker arose to the following point of order:

That Assembly Member Richter speak to the merits of Assembly Bill No. 1.

Reply by Speaker

The Speaker replied that Assembly Member Richter is speaking to the merits of Assembly Bill No. 1, and is permitted to reference historical information in his debate.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—41

Ackerman	Conroy	Kaloogian	Rainey
Aguiar	Cortese	Knight	Richter
Alby	Cunneen	Knowles	Rogan
Baldwin	Firestone	Kuykendall	Takasugi
Battin	Frusetta	Margett	Thompson
Baugh	Goldsmith	McPherson	Weggeland
Boland	Granlund	Miller	Woods
Bordonaro	Harvey	Morrissey	Mr. Speaker
Bowler	Hawkins	Morrow	
Brewer	Hoge	Olberg	
Brulte	House	Poochigian	

NOES—30

Alpert	Cannella	Hauser	Setencich
Archie-Hudson	Davis	Isenberg	Speier
Baca	Ducheny	Katz	Sweeney
Bates	Escutia	Knox	Tucker
Brown	Figueroa	Lee	Vasconcellos
Burton	Friedman	Machado	Villaraigosa
Bustamante	Gallegos	Martinez	
Campbell	Hannigan	Mazzoni	

Bill ordered transmitted to the Senate immediately.

MOTION TO ADJOURN

At 11:22 a.m., Assembly Member Katz moved that the Assembly do now adjourn.

Assembly Member Rogan seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Archie-Hudson and Brulte arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Katz that the Assembly adjourn.

Motion carried.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

March 14, 1996

Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Mr. Wilson: Although I am recorded as being present on the attendance roll for today, I did not arrive for session until 12 noon. By that time votes had been recorded on several measures, and unanimous consent had already been withheld for anyone to add or change their votes on those measures.

Therefore, I would like the record to reflect that I arrived too late to have my vote recorded on any measures taken up today.

Sincerely,

LOUIS CALDERA, Assembly Member
Forty-sixth District

ADJOURNMENT

At 11:26 a.m., pursuant to the motion by Assembly Member Katz the Assembly adjourned until 9:30 a.m., Monday, March 18, 1996 or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 14, 1996

Amendments were considered by the Assembly, but not adopted, to the following measure:

Assembly Bill

- 1 (Davis amendments—Set 1, RN 9607499, laid upon the table)
(Machado amendments—Set 2, RN 9607495, laid upon the table)
(Bowen amendments—Set 3, RN 9607496, laid upon the table)
(Friedman amendments—Set 4, RN 9607804, laid upon the table)
(Archie-Hudson amendments—Set 5, RN 9607493, laid upon the table)
(Villaraigosa amendments—Set 6, RN 9607500)
(Brown amendments—Set 7, RN 9607503, laid upon the table)
(Burton amendments—Set 8, RN 9607549, laid upon the table)

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 20, 1996
FIFTEENTH SESSION DAY
THIRTY-SEVENTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 20, 1996

The Assembly met at 9:07 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—72:

Ackerman	Bustamante	Hauser	Morrow
Aguiar	Caldera	Hawkins	Napolitano
Alby	Campbell	Hoge	Olberg
Alpert	Cannella	House	Poochigian
Archie-Hudson	Conroy	Isenberg	Rainey
Baca	Cortese	Kaloojian	Richter
Baldwin	Cunneen	Katz	Rogan
Bates	Davis	Knight	Setencich
Battin	Ducheny	Knowles	Sher
Baugh	Escutia	Knox	Speier
Boland	Figueroa	Kuykendall	Sweeney
Bordonaro	Firestone	Machado	Takasugi
Bowen	Frusetta	Margett	Thompson
Bowler	Gallegos	Martinez	Vasconcellos
Brewer	Goldsmith	Mazzoni	Villaraigosa
Brown	Granlund	McPherson	Weggeland
Brulte	Hannigan	Miller	Woods
Burton	Harvey	Morrissey	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

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Friedman and Kevin Murray.

On legislative business, and waiving per diem: Assembly Member Tucker.

On personal business, and waiving per diem: Assembly Members Lee, McDonald, and Willard Murray.

Because of a death in her family: Assembly Member Kuehl.

(NOTE: For explanations of absences of Assembly Members Friedman, Kevin Murray, and Tucker on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Wednesday, March 27, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 28, 1996

SIXTEENTH SESSION DAY

FORTY-FIFTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 28, 1996

The Assembly met at 1:22 p.m.
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called, and the following answered to their names—75:

Ackerman	Caldera	Hawkins	Morrow
Aguiar	Campbell	Hoge	Napolitano
Alby	Cannella	House	Olberg
Alpert	Conroy	Kaloogian	Poochigian
Archie-Hudson	Cortese	Katz	Rainey
Baca	Cunneen	Knight	Richter
Baldwin	Davis	Knowles	Rogan
Bates	Ducheny	Knox	Setencich
Battin	Escutia	Kuehl	Speier
Baugh	Figueroa	Kuykendall	Sweeney
Boland	Firestone	Lee	Takasugi
Bordonaro	Friedman	Machado	Thompson
Bowen	Frusetta	Margett	Tucker
Bowler	Gallegos	Martinez	Vasconcellos
Brewer	Goldsmith	Mazzoni	Villaraigosa
Brown	Granlund	McPherson	Weggeland
Brulte	Hannigan	Migden *	Woods
Burton	Harvey	Miller	Mr. Speaker
Bustamante	Hauser	Morrissey	

(*NOTE: Assembly Member Migden took and subscribed to the Oath of Office on this day, at 11:05 a.m., in the Regular Session.)

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Assembly Member Brooks Firestone, of the 35th Assembly District:

Lord and Savior, Giver of light and wisdom, You have promised an abundance of blessings to those who follow You faithfully. Bless our endeavors this day, Lord and fill our hearts with Your grace, that we may act with faith and courage in all our dealings. Guide us that we may abound in every good work to Your praise and glory.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Aguiar, Assembly Member Hauser then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Frusetta, seconded by Assembly Member Katz.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members McDonald and Kevin Murray.

On personal business, and waiving per diem: Assembly Member Isenberg.

Because of illness: Assembly Member Willard Murray.

(For letter explaining the absence of Assembly Member Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Wednesday, March 27, 1996; for explanation of absence of Assembly Member McDonald, see the Assembly Daily Journal for the Regular Session for this day.)

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

March 28, 1996

*Honorable Curt Pringle
Speaker of the Assembly
Room 219
State Capitol*

Dear Speaker Pringle: As a result of my election to the unexpired term of office for the Eleventh Senatorial District, I hereby respectfully submit my resignation as State Assemblyman of the Twenty-first Assembly District effective upon taking the oath of office for the Eleventh Senate District on March 28, 1996.

Sincerely,

BYRON D. SHER, Assembly Member
Twenty-first District

CERTIFICATE OF ELECTION

The following Certificate of Election was presented, and ordered printed in the Journal:

Certificate of Election

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That according to the semi-official returns of the Special Election held on the 26th day of March, 1996,

CAROLE MIGDEN

was elected to the office of

MEMBER OF THE ASSEMBLY—DISTRICT 13

for the term prescribed by law.

IN WITNESS WHEREOF,
I hereunto set my hand
and affix the Great Seal
of the State of California
at Sacramento, this 27th
day of March, 1996.

[SEAL]

BILL JONES
Secretary of State

OATH OF OFFICE

The following Oath of Office was administered by Hon. J. Anthony Kline, Presiding Justice, Court of Appeals, First Appellate District:

OATH

*for the Office of Member of the Assembly
13th Assembly District*

I, Carole Migden, 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.

CAROLE MIGDEN

Subscribed and sworn to before me,
this 28th day of March
A.D. 1996

J. ANTHONY KLINE
Presiding Justice, Court of Appeals

MESSAGES FROM THE SENATE

Senate Chamber, March 28, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 1

And respectfully requests the Assembly to concur in said amendments.

JOHN W. ROVANE, Acting Secretary of the Senate

Above bill ordered to unfinished business file.

Senate Chamber, March 28, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 2

JOHN W. ROVANE, Acting Secretary of the Senate

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 2—Relative to final adjournment of the 1995–96 Fourth Extraordinary Session of the Legislature.

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP
ASSEMBLY BILL NO. 1**

Assembly Member Bordonaro requested unanimous consent to take up Assembly Bill No. 1, without reference to file.

Parliamentary Inquiry

Assembly Member Burton arose to the following parliamentary inquiry:

By what procedure can Assembly Bill No. 1 be taken up for consideration?

Reply to Speaker pro Tempore

The Speaker pro Tempore replied that Assembly Bill No. 1 may be taken up for consideration in the absence of any objection; or by a temporary suspension of the Rules with $\frac{2}{3}$ of the membership present and voting.

Parliamentary Inquiry

Assembly Member Burton arose to the following parliamentary inquiry:

Is Assembly Member Bordonaro requesting waiver of Assembly Rule 77 requiring the bill to remain on the unfinished business file for one legislative day?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the rule Assembly Member Burton refers to is contained in the Standing Rules adopted by the House in the 1995–96 Regular Session, and those Rules have not been adopted in the 1995–96 Fourth Extraordinary Session.

Objection to Bordonaro Request

Assembly Member Martinez withheld unanimous consent to the request by Assembly Member Bordonaro to take up Assembly Bill No. 1, without reference to file.

CAUCUS ANNOUNCEMENTS

At 1:25 p.m., Assembly Members Martinez and Burton were granted unanimous consent that the Democratic Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 1:25 p.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

REASSEMBLED

At 1:40 p.m., the Assembly reconvened.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

OBJECTION WITHDRAWN

Objection was withdrawn to the request by Assembly Member Bordonaro to take up Assembly Bill No. 1, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Bordonaro was granted unanimous consent to take up Assembly Bill No. 1, without reference to file, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 1 (Bordonaro)—An act to amend Sections 4643, 4791, 11450.01, 11450.015, 11450.017, 11450.018, 11452, 11453, 11462, 12200.01, 12200.015, 12200.017, 12200.018, 12550, and 19355.5 of, the Welfare and Institutions Code, and to amend Section 37 of Chapter 722 of the Statutes of 1992, 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—49

Ackerman	Conroy	House	Rainey
Aguiar	Cortese	Kaloogian	Richter
Alby	Cunneen	Knight	Rogan
Alpert	Davis	Knowles	Speier
Baldwin	Ducheny	Kuykendall	Sweeney
Battin	Figueroa	Machado	Takasugi
Baugh	Firestone	Margett	Thompson
Boland	Frusetta	McPherson	Weggeland
Bordonaro	Goldsmith	Miller	Woods
Bowen	Cranlund	Morrissey	Mr. Speaker
Bowler	Harvey	Morrow	
Brewer	Hawkins	Olberg	
Brulte	Hoge	Poochigian	

NOES—21

Archie-Hudson	Caldera	Katz	Setencich
Baca	Campbell	Kuehl	Vasconcellos
Bates	Cannella	Lee	Villaraigosa
Brown	Escutia	Martinez	
Burton	Friedman	Mazzoni	
Bustamante	Gallegos	Migden	

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 1: Assembly Member Setencich, from "Aye" to "No".

Above bill ordered enrolled immediately.

COMMUNICATIONS

The following explanation of vote was presented by the Chief Clerk, and ordered printed in the Journal:

Explanation of Vote—Assembly Bill No. 1

March 28, 1996

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Although I was present on the Assembly Floor today, I was unable to vote on AB 1 (Bordonaro) in the Assembly 4th Extraordinary Session. I was not on the floor at the time of the vote, and was unable to return in time to cast my vote.

Had I been present, I would have voted NO on this measure.

Sincerely,

WALLY KNOX, Assembly Member
 Forty-second District

**SENATE CONCURRENT RESOLUTION NO. 2 TAKEN UP
 BY UNANIMOUS CONSENT**

Without objection Senate Concurrent Resolution No. 2 was taken up, without reference to committee, print, or file.

SENATE CONCURRENT RESOLUTION NO. 2—Relative to final adjournment of the 1995-96 Fourth Extraordinary Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—63

Ackerman	Caldera	Hoge	Olberg
Aguiar	Campbell	House	Poochigian
Alby	Cannella	Kaloogian	Rainey
Alpert	Conroy	Knight	Richter
Baca	Cortese	Knowles	Rogan
Baldwin	Cunneen	Kuehl	Setencich
Battin	Davis	Kuykendall	Speier
Baugh	Ducheny	Lee	Sweeney
Boland	Escutia	Machado	Takasugi
Bordonaro	Figuroa	Margett	Thompson
Bowen	Firestone	Mazzoni	Vasconcellos
Bowler	Friedman	McPherson	Villaraigosa
Brewer	Frusetta	Migden	Weggeland
Brown	Goldsmith	Miller	Woods
Brulte	Harvey	Morrissey	Mr. Speaker
Burton	Hawkins	Morrow	

NOES—2

Bates Martinez

Resolution ordered transmitted to the Senate.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items:

Assembly Bill No. 1, Concurrence: Brewer, Goldsmith, and Hoge—Aye; Caldera—No.

Senate Concurrent Resolution No. 2: Goldsmith—Aye.

ADJOURNMENT

At 1:40 p.m., pursuant to the provisions of Senate Concurrent Resolution No. 2, the 1995-96 Fourth Extraordinary Session of the Legislature was adjourned *sine die*.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

APPENDIX TO THE ASSEMBLY JOURNAL
FOR THE
1995-96 FOURTH EXTRAORDINARY SESSION

Assembly Chamber, Sacramento
Friday, March 29, 1996

The following is an appendix to the Assembly Journal for the 1995-96 Fourth Extraordinary Session containing information received subsequent to adjournment *sine die* of the session.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 29, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1

And reports the same correctly enrolled, and presented to the Governor at 10 a.m.,
March 29, 1996.

E. DOTSON WILSON, Chief Clerk

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

