

Volume 6

# Journal of the Assembly

Legislature of the State of California

1997–98 Regular Session

December 2, 1996 to November 30, 1998

1997–98 First Extraordinary Session

January 14, 1997 to August 31, 1998



HON. ANTONIO R. VILLARAIGOSA  
Speaker

HON. SHEILA JAMES KUEHL  
Speaker pro Tempore

HON. JOE BACA  
Assistant Speaker pro Tempore

HON. KEVIN SHELLEY  
Majority Floor Leader

HON. BILL LEONARD  
Minority Floor Leader

E. DOTSON WILSON  
Chief Clerk of the Assembly

PAM CAVILEER  
Minute Clerk

# Volume 6

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CALIFORNIA LEGISLATURE  
1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, August 24, 1998**

**TWO HUNDRED SIXTY-FIRST SESSION DAY  
SIX HUNDRED THIRTY-FIRST CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, August 24, 1998

The Assembly met at 10:30 a.m.  
Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Migden moved a quorum call of the Assembly.  
Motion carried. Time, 10:31 a.m.

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

#### Quorum Present

At 11:05 a.m., Speaker pro Tempore Kuehl declared a quorum of the  
Assembly present.

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

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

**PRAYER**

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

*Lord, At this time of prayer, we acknowledge Your sovereignty. Preserve us from superficial symbols of reverence, from praying with our lips only and not from our hearts and minds. Lord, You have created us with a living soul, destined for prayer. Make our hearts homes of love and purity and honesty. In times of tension and stress keep us calm, clear our mind and give us sound judgment.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Ashburn 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 Washington, seconded by Assembly Member Ackerman.

**LEAVES OF ABSENCE FOR THE DAY**

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

*Because of illness: Assembly Member Takasugi.*

*Because of illness in the family: Assembly Member Perata.*

*Because of a death in his family: Assembly Member Machado.*

**REQUEST FOR PHOTOGRAPHER**

Speaker pro Tempore Kuehl was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

**COMMUNICATIONS**

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

August 24, 1998

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol*

*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Torlakson to the Appropriations Committee in place of Assemblymember Martha Escutia for the hearing on August 25, 1998 only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 24, 1998

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

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to the Appropriations Committee in place of Assemblymember Mike Machado for the hearing on Tuesday, August 25, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 24, 1998

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

Dear Dotson: Please be advised that I have appointed Assemblymember Lou Papan to the Water, Parks and Wildlife Committee in place of Assemblymember Mike Machado for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 24, 1998

*E. Dotson Wilson**Chief Clerk**State Capitol**Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Wally Knox to the Water, Parks and Wildlife Committee in place of Assemblymember Martha Escutia for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 24, 1998

*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 Revenue and Taxation Committee in place of Assemblymember Nao Takasugi for all hearings this week.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following resolution was referred to Committee:

*Senate Concurrent*

*Resolution No.*

*Committee*

**102** ----- Rls.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 24, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Concurrent Resolution No. 188

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to third reading.

**REQUEST TO SUSPEND JOINT RULES**

The following request was received, and read:

Assembly Chamber, August 24, 1998

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12), (13), and (14) as it relates to Senate Bill No. 1250.

KEVIN MURRAY

Above request ordered transmitted to the Committee on Rules.

**MESSAGES FROM THE SENATE**

August 24, 1998

*Hon. E. Dotson Wilson*

*Chief Clerk of the Assembly*

*Assembly Chamber*

Dear Dotson: By direction of the Senate I am returning Senate Bill 277 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT

Secretary of the Senate

Above bill held at the Desk.

**SPECIAL RECOGNITION**

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

**ADJOURN IN MEMORY**

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

**SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committee was permitted to meet:

Revenue and Taxation, on August 25, 1998.

**ASSEMBLY BILL NO. 2197 REMOVED FROM SPECIAL CONSENT  
CALENDAR AND RETURNED TO SENATE**

Assembly Member Washington was granted unanimous consent that Assembly Bill No. 2197 be removed from the Special Consent Calendar, and returned to the Senate for further action.

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 1645 to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**JOINT RULE 62(a) WAIVED**

Assembly Member Shelley was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting the following bills for hearing in committee, as noted:

Senate Bill No. 1645, in the Committee on Consumer Protection, Governmental Efficiency and Economic Development;

Assembly Bill No. 2521, in the Committee on Natural Resources;

Assembly Bills Nos. 227, 1333, and 1338 and Senate Bill No. 1541, in the Committee on Health;

Senate Bills Nos. 326 and 779, in the Committee on Judiciary.

**ACTION RESCINDED ON SENATE BILL NO. 19**

Upon request of Assembly Member Shelley, Assembly Member Kuehl was granted unanimous consent to rescind the action whereby the Assembly, on April 23, 1998 (Assembly Journal, page 6398), passed Senate Bill No. 19, and whereby the bill was ordered transmitted to the Senate.

**ACTION RESCINDED ON SENATE BILL NO. 1361**

Upon request of Assembly Member Shelley, Assembly Member Davis was granted unanimous consent to rescind the action whereby the Assembly, on August 17, 1998 (Assembly Journal, page 8461), passed Senate Bill No. 1361, and whereby the bill was ordered transmitted to the Senate.

**ACTION RESCINDED ON SENATE BILL NO. 2074**

Upon request of Assembly Member Shelley, Assembly Member Scott was granted unanimous consent to rescind the action whereby the Assembly, on July 7, 1998 (Assembly Journal, page 7834), passed Senate Bill No. 2074, and whereby the bill was ordered transmitted to the Senate.

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred ~~Assembly Bill No. 96 and Senate Bill No. 1250~~ to the Committee on Transportation.

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 1250 was re-referred to the Committee on Transportation. See page 8866. On August 26, 1998, the action was rescinded whereby Assembly Bill No. 96 was re-referred to the Committee on Transportation. See page 8998.)

**REQUEST FOR PHOTOGRAPHER**

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

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

Pursuant to Assembly Rule 78, Assembly Member Gallegos announced his intention to request that Senate Bill No. 1292 be removed from the inactive file.

**GOVERNOR'S VETO STRICKEN FROM FILE**

Assembly Member Knox was granted unanimous consent that the Governor's veto of Assembly Bill No. 1956 be stricken from file.

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

**ASSEMBLY CONCURRENT RESOLUTION NO. 182**—Relative to highways.

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

**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. 116, 378, 487, 489, 537, 591, 619, 648, 694, 956, 1194, 1403, 1412, 1468, 1481, 1485, 1540, 1701, 1715, 1768, 1829, 1856, 1879, 1897, 1923, 1941, 1947, 1955, 1999, 2042, 2083, 2196, 2224, and 1696,** ordered to third reading.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 157**—An act to add Section 1803 to the Fish and Game Code, relating to wildlife habitat, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 270**—An act to add Sections 2418 and 2418.1 to the Vehicle Code, relating to vehicles.

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

**SENATE BILL NO. 309**—An act to add Article 10.5 (commencing with Section 8264.6) to Chapter 2 of Part 6 of the Education Code, and to add Article 9 (commencing with Section 124172) to Chapter 3 of Part 2 of Division 6 of the Health and Safety Code, relating to the California Child Care Health Linkages Program.

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. 409**—An act to add Chapter 4.5 (commencing with Section 18800) to Part 11 of, and to repeal Chapter 4 (commencing with Section 18700) of Part 11 of, the Education Code, relating to libraries, and making an appropriation therefor.

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

**SENATE BILL NO. 1397**—An act to amend Section 17155 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

**SENATE BILL NO. 1453**—An act to add Chapter 10 (commencing with Section 66406) to Division 1 of Title 7 of the Government Code, to add Sections 21083.10 and 30412.1 to the Public Resources Code, and to add Chapter 5.4 (commencing with Section 13369) to Division 7 of 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 returned to the second reading file.

**SENATE BILL NO. 1500**—An act to add Chapter 1.3 (commencing with Section 12125) to Title 2 of Part 4 of the Penal Code, relating to firearms.

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. 1530**—An act to amend Section 1523 of the Code of Civil Procedure, and to amend Section 12936 of, and to add Sections 790.15 and 12967 to, the Insurance Code, relating to insurance practices, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 1681**—An act relating to school district reorganization.

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. 1697**—An act to add and repeal Chapter 8 (commencing with Section 60830) of Part 33 of the Education Code, relating to the College Preparation Partnership Program.

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. 1712**—An act relating to forest resources, and making an appropriation therefor.

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

**SENATE BILL NO. 1896**—An act to amend Section 66025 of the Education Code, relating to postsecondary education, and making an appropriation therefor.

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

**SENATE BILL NO. 1901**—An act to amend Sections 361.5, 366.21, 366.22, 366.3, and 15200 of, and to add Article 4.5 (commencing with Section 11360) to Chapter 2 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to guardianship, and making an appropriation therefor.

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

**SENATE BILL NO. 1950**—An act to add Sections 50800.7 and 50800.9 to the Health and Safety Code, relating to housing, and making an appropriation therefor.

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

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 1950 was read a second time, amendments adopted, and the bill ordered reprinted and returned to the second reading file. See page 8880.)

**SENATE BILL NO. 2030**—An act to add Section 10609.5 to the Welfare and Institutions Code, relating to child welfare services.

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

**SENATE BILL NO. 281**—An act to amend Section 1091 of the Government Code, relating to conflicts of interest.

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

**SENATE BILL NO. 1676**—An act to add Section 12209.6 to the Business and Professions Code, relating to weights and measures.

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

**SENATE BILL NO. 555**—An act to add Article 6.5 (commencing with Section 124115) to Chapter 3 of Part 2 of Division 106 of the Health and Safety Code, relating to child health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 1393**—An act to add Section 14170.05 to the Welfare and Institutions Code, relating to health.

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. 1462**—An act to amend Section 10783 of the Revenue and Taxation Code, and to amend Sections 5101.5 and 9105 of the Vehicle Code, relating to vehicles.

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

**SENATE BILL NO. 1700**—An act to amend Sections 13825.2, 13825.4, and 13825.6 of the Penal Code and to amend Section 1915 of the Welfare and Institutions Code, relating to crime prevention, and making an appropriation therefor.

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

**SENATE BILL NO. 2049**—An act to amend Section 13519.2 of, and to add Section 13603 to, the Penal Code, relating to crime prevention.

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. 2180**—An act to add Section 18924 to the Welfare and Institutions Code, relating to human services.

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

**SENATE BILL NO. 2199**—An act to amend Sections 15610.07, 15610.10, 15610.17, 15610.30, 15610.55, 15610.57, 15630, 15633, 15640, 15650, 15658, and 15659 of, to add Section 15653.5 to, and to add Chapter 13.5 (commencing with Section 15760) to Part 3 of Division 9 of, the Welfare and Institutions Code, relating to adult abuse.

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. 2238**—An act to amend Sections 1207, 1264, 2532.2, 2960, 2960.1, 3356, 4826.1, 4980.40, 4980.80, 4980.90, 4982.25, 4984.1, 4984.4, 4984.7, 4986.70, 4986.80, 4992.36, 4996.3, 4996.4, 4996.6, 4996.7, 5615, 5616, 5621, 5622, 5624, 5626, 5629, 5630, 5640, 5641, 5642, 5644, 5652, 5653, 5654, 5655, 5656, 5657, 5659, 5660, 5662, 5665, 5666, 5667, 5668, 5669, 5670, 5671, 5672, 5673, 5676, 5678.5, 5679.5, 5680, 5680.05, 5680.1, 5680.2, 5681, 7536, 8698.6, 9880.1, 9882.5, 9884.7, 13660, and 18643 of, to add Sections 138, 2532.3, 2532.5, 4980.31, 4984.8, 4986.41, 4986.82, 4997, 5675.5, and 22448 to, to repeal Sections 5677, 5678, and 5679 of, and to repeal Article 10 (commencing with Section 9889.30) of Chapter 20.3 of Division 3 of, the Business and Professions Code, to amend Sections 8214.1, 8214.15, 8219.5, and 8223 of the Government Code, and to amend Section 803 of the Penal Code, relating to professions, and making an appropriation therefor.

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

### THIRD READING OF SENATE BILLS

**SENATE BILL NO. 704 (Polanco)**—An act to amend Section 7159 of the Business and Professions Code, and to amend Section 3260.1 of the Civil Code, relating to contracting.

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

Bill passed by the following vote:

#### AYES—74

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

#### NOES—1

McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1823 (Kelley)**—An act to add Section 11466.24 to the Welfare and Institutions Code, relating to foster care.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 1823 was passed, and whereby the bill was ordered transmitted to the Senate. See page 8901.)

**SENATE BILL NO. 2194 (Wright)**—An act to amend Sections 1522, 1568.02, 1568.09, 1569.17, and 1569.725 of, and to add Section 1507.1 to, the Health and Safety Code, relating to community care.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1664 (Sher)**—An act to amend Section 2773.1 of, and to add Section 2773.15 to, the Public Resources Code, relating to mining.

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

Bill passed by the following vote:

**AYES—73**

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

**NOES—2**

McClintock                      Thomson

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1652 (Kopp)**—An act to amend Sections 312, 6715, 16728, 22391, and 22443.1 of the Business and Professions Code, to amend Sections 1798.24, 1812.54, 1812.66, 1812.105, 1812.129, 1812.503, 1812.510, 1812.515, 1812.525, and 1812.600 of the Civil Code, to amend Sections 995.710 and 1279 of the Code of Civil Procedure, to amend Section 318 of the Corporations Code, to amend Sections 12511, 18342, and 19420 of the Education Code, to amend Sections 113, 126, 12302, 12402, 23600, 23713, 25004, 34460, 61230, 65584.3, 68083, and 68116 of the Government Code, to amend Sections 2224, 2226, 4739.5, 6501, 13830, 13876, 32137, 33102, and 34116 of the Health and Safety Code, to amend Sections 9626, 29728, 29731, and 30150 of the Public Resources Code, to amend Sections 7578, 11895, 22258, and 30205 of, and to repeal Sections 7579, 29254, 30944, and 100464 of, the Public Utilities Code, to amend Section 27123 of the Streets and Highways Code, to amend Sections 30321.5, 30322, 30323, 31006, 34501, and 71598 of, and to repeal Section 34503 of, the Water Code, and to amend Sections 10 and 10.2 of Chapter 545 of the Statutes of 1943, relating to the Secretary of State, and making an appropriation therefor.

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

Bill passed by the following vote:

**AYES—75**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1702 (Rosenthal)**—An act to add Section 1373.21 to the Health and Safety Code, relating to health care coverage.

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

Bill passed by the following vote:

**AYES—74**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1874 (Solis)**—An act to add Chapter 16 (commencing with Section 18998) to Part 6 of Division 9 of the Welfare and Institutions Code, relating to foster youth, and making an appropriation therefor.

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

Bill passed by the following vote:

**AYES—69**

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

**NOES—5**

Baldwin	House	Morrow
Baugh	McClintock	

Bill ordered transmitted to the Senate.

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

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

Bill passed by the following vote:

**AYES—74**

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

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2240 (Committee on Environmental Quality)**—An act to amend Sections 25173.6, 25173.7, 25174, 25187.5, 25205.6, 25205.7, 25205.15, 25354, and 25354.5 of, to amend and repeal Section 25174.8 of, and to add Section 25174.9 to, the Health and Safety Code, to amend Section 43551 of, to add Sections 43055 and 43552 to, the Revenue and Taxation Code, and to amend Section 53 of Chapter 870 of the Statutes of 1997, relating to hazardous waste and substances.

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

Bill passed by the following vote:

**AYES—75**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1965 (Peace)**—An act to amend Sections 4646 and 5100.6 of the Labor Code, relating to workers' compensation vocational rehabilitation services.

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

Bill passed by the following vote:

**AYES—74**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 730 (Alpert)**—An act to add Section 96.18 to the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—72**

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

**NOES—1**

Kaloogian

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—72**

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

**NOES—1**

Kaloogian

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2023 (Alpert)**—An act to amend, repeal, and add Section 33128 of the Education Code, relating to school finance.

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

Bill passed by the following vote:

**AYES—51**

Aguiar	Cedillo	Knox	Scott
Alquist	Cunneen	Kuehl	Shelley
Aroner	Davis	Lempert	Strom-Martin
Ashburn	Ducheny	Martinez	Sweeney
Baca	Escutia	Mazzoni	Thomson
Battin	Figueroa	Migden	Torlakson
Bordonaro	Floyd	Morrissey	Vincent
Bowen	Frusetta	Morrow	Washington
Brown	Gallegos	Murray	Wayne
Bustamante	Goldsmith	Napolitano	Wildman
Campbell	Hertzberg	Olberg	Wright
Cardenas	Honda	Ortiz	Mr. Speaker
Cardoza	Keeley	Papan	

**NOES—24**

Ackerman	Firestone	Leonard	Poochigian
Alby	Granlund	Margett	Prenter
Baldwin	Havice	McClintock	Pringle
Baugh	House	Miller	Runner
Bowler	Kaloogian	Oller	Thompson
Brewer	Leach	Pacheco	Woods

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 2023: Assembly Member Morrissey, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 971 (Watson)**—An act to add Section 14105.36 to the Welfare and Institutions Code, relating to Medi-Cal.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—1**

Oller

Bill ordered transmitted to the Senate.

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

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

Bill passed by the following vote:

**AYES—77**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 55 (Kopp)**—An act to amend Section 1275 of, and to add Section 1275.1 to, the Penal Code, relating to bail.

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

Bill passed by the following vote:

**AYES—75**

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

**NOES—1**

Pacheco

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1911 (Vasconcellos)**—An act to add Section 9101.5 to the Welfare and Institutions Code, relating to aging, and making an appropriation therefor.

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

Bill passed by the following vote:

**AYES—73**

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

**NOES—3**

Kaloogian                      McClintock                      Morrow

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1522 (Rainey)**—An act to amend Sections 8277.5 and 8277.6 of the Education Code, relating to child care and development, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—76**

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

**NOES—None**

The question being on the passage of the bill:

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 1522 was passed, and whereby the bill was ordered transmitted to the Senate. See page 8834.)

**SENATE BILL NO. 1642 (Rosenthal)**—An act to add Section 22790.6 to the Government Code, and to add Section 14016.8 to the Welfare and Institutions Code, relating to health.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 645 (Polanco)**—An act to amend Section 361.3 of, and to add Sections 324.5 and 361.4 to, the Welfare and Institutions Code, relating to children.

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

Bill passed by the following vote:

**AYES—77**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1665 (Brulte)**—An act to add Section 74265 to the Education Code, relating to postsecondary education.

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

Bill passed by the following vote:

**AYES—70**

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

**NOES—2**

Ashburn                      Scott

Bill ordered transmitted to the Senate.

(NOTE: Later this day, the Assembly rescinded the action whereby the above vote on Senate Bill No. 1665 was rescinded.)

**SENATE BILL NO. 2103 (Haynes)**—An act to amend Sections 13575, 13580, 13581, and 13582 of, and to add Sections 13580.5, 13580.7, 13580.8, 13580.9, 13581.2, and 13583 to, the Water Code, relating to recycled water service.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1754 (Johannessen)**—An act to add Section 44011.3 to the Health and Safety Code, and to amend Sections 4000.3 and 25108 of the Vehicle Code, relating to air resources.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1927 (Schiff)**—An act to add Section 1054.8 to the Penal Code, relating to criminal procedure.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2070 (Watson)**—An act to amend Sections 14009.5 and 14015 of the Welfare and Institutions Code, relating to health.

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

Bill passed by the following vote:

**AYES—77**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 559 (Wright)**—An act to amend Sections 11713 and 24007 of the Vehicle Code, relating to vehicles.

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

Bill passed by the following vote:

**AYES—73**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1430 (Solis)**—An act to amend Section 138.7 of the Labor Code, relating to workers' compensation.

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

Bill passed by the following vote:

**AYES—68**

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

**NOES—9**

Ackerman	House	Pacheco
Baldwin	McClintock	Pringle
Baugh	Kaloogian	Richter

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 1430: Assembly Member Oller, from "No" to "Aye".

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1649 (Committee on Local Government)**—An act to amend Sections 1481, 5956.3, 6505, 14670.15, 24352, 25332, 25537, 29065.5, 53750, 54954.5, and 61601.25 of, and to repeal Section 17580 of, the Government Code, to amend Section 6840 of, to add Section 6835.1 to, and to repeal Sections 6831 and 6842 of, the Harbors and Navigation Code, to amend Section 40002 of, and to add Sections 39014.3 and 39014.5 to, the Health and Safety Code, to amend Sections 1600 and 21061 of the Public Contract Code, to amend Sections 5540.5 and 6217 of the Public Resources Code, to amend Section 95.31 of the Revenue and Taxation Code, to amend Sections 8320, 8322, 8323, and 8324 of the Streets and Highways Code, to amend Section 21101 of the Vehicle Code, and to amend Section 1 of Chapter 213 of the Statutes of 1907, relating to local and state agencies.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1606 (Lewis)**—An act to amend Section 1261.5 of, and to add Section 1261.6 to, the Health and Safety Code, relating to health facilities.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 1606 was passed, and whereby the bill was ordered transmitted to the Senate. See page 8835.)

**SENATE BILL NO. 1869 (Haynes)**—An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—1**

Alquist

Bill ordered transmitted to the Senate.

**At 12:18 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

**SENATE BILL NO. 1827 (Monteith)**—An act to amend Sections 4501.1, 7516.5, and 7555 of the Penal Code, relating to prisoners.

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

Bill passed by the following vote:

**AYES—75**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 256 (Costa)**—An act to amend Section 65588 of the Government Code, relating to local planning.

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

Bill passed by the following vote:

**AYES—75**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ACTION RESCINDED ON SENATE BILL NO. 1522**

Assembly Member Ashburn was granted unanimous consent to rescind the action whereby the Assembly, earlier this day (Assembly Journal, page 8826), adopted the urgency clause and passed Senate Bill No. 1522, and whereby the bill was ordered transmitted to the Senate.

**ACTION RESCINDED ON SENATE BILL NO. 1666**

Assembly Member Cardoza was granted unanimous consent to rescind the action whereby the Assembly, earlier this day (Assembly Journal, page 8828), passed Senate Bill No. 1665, and whereby the bill was ordered transmitted to the Senate.

(NOTE: Later this day, the action was rescinded whereby the above action relative to Senate Bill No. 1665 was rescinded. See page 8857.)

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

**SENATE BILL NO. 28 (Maddy)**—An act to amend Section 19607 of the Business and Professions Code, relating to horse racing.

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

Bill passed by the following vote:

**AYES—69**

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

**NOES—2**

Baldwin                      Martinez

Bill ordered transmitted to the Senate.

**ACTION RESCINDED ON SENATE BILL NO. 1606**

Assembly Member Baugh was granted unanimous consent to rescind the action whereby the Assembly, earlier this day (Assembly Journal, page 8833), passed Senate Bill No. 1606, and whereby the bill was ordered transmitted to the Senate.

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

**ASSEMBLY BILL NO. 1944 (Runner)**—An act to amend Sections 43021, 43032, and 43033 of 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—72**

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

**NOES—3**

Havice	Martinez	McClintock
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2329 (Firestone)**—An act to amend Section 70901 of the Education Code, and to amend Sections 10295, 10430, 12100.5, and 12120 of, and to add Sections 20661 and 20662 to, the Public Contract Code, relating to community colleges.

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

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

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

**AYES—74**

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

**NOES—3**

Havice	Martinez	Wildman
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Above bill ordered enrolled.

**JOINT RULE 62(a) WAIVED**

Assembly Member Shelley was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 1173 for hearing in the Committee on Judiciary.

**CONSIDERATION OF SENATE BILL NO. 1194 WITHOUT REFERENCE TO FILE**

Assembly Member Shelley was granted unanimous consent to take up Senate Bill No. 1194, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1194 (Rosenthal)**—An act to amend Section 14087.325 of the Welfare and Institutions Code, relating to public social services.

Bill read third time.

**Motion to Amend**

Assembly Member Shelley moved the adoption of amendments.

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

**ACTION RESCINDED ON SENATE BILL NO. 277**

Upon request of Assembly Member Shelley, Assembly Member Gallegos was granted unanimous consent to rescind the action whereby the Assembly, on August 20, 1998 (Assembly Journal, page 8650), passed Senate Bill No. 277, and whereby the bill was ordered transmitted to the Senate.

**ACTION RESCINDED ON ASSEMBLY BILL NO. 2377**

Upon request of Assembly Member Shelley, Assembly Member Frusetta was granted unanimous consent to rescind the action whereby the Assembly, on August 20, 1998 (Assembly Journal, page 8635), refused to concur in Senate amendments to Assembly Bill No. 2377, and that the bill be returned to the Senate for further action.

**BILL RETURNED TO SENATE**

Upon request of Assembly Member Shelley, Assembly Member Keeley was granted unanimous consent that Assembly Bill No. 1182 be returned to the Senate for further action.

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

**ASSEMBLY BILL NO. 2102 (Alby)**—An act to amend Sections 44237, 44332.6, 44830.1, 44836, 45125, and 45125.1 of, and to add Sections 33192, 33193, 44830.2, 45125.01, and 45125.2 to, the Education Code, relating to school employees, and declaring the urgency thereof, to take effect immediately.

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

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

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

**AYES—75**

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

**NOES—None**

Above bill ordered enrolled immediately.

**ASSEMBLY BILL NO. 2268 (Leach)**—An act to amend Sections 715, 731, 734, and 737 of, and to add Section 735.1 to, the Harbors and Navigation Code, to amend Section 650 of the Unemployment Insurance Code, and to amend Section 9863 of the Vehicle Code, relating to boats.

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

**NOES—2**

Havice                      Martinez

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2275 (Kuykendall)**—An act to add Chapter 4.5 (commencing with Section 927) to Part 3 of Division 3.6 of Title 1 of, and to repeal Sections 926.15, 926.17, and 926.18 of, the Government Code, relating to state contracts.

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2506 (Battin)**—An act to add Sections 13100.1 and 13100.2 to the Penal Code, relating to law 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—76**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 966 (Ackerman)**—An act to amend Sections 25123.5 and 25150.6 of, and to add Sections 25143.14 and 25200.3.1 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—76**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1951 (Hertzberg)**—An act to amend Sections 56705 and 56706 of the Government Code, relating to local government, 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—76**

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

**NOES—1**

Wright

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

**AYES—76**

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

**NOES—1**

Wright

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 930 (Thomson)**—An act to amend Sections 21201 and 21450 of, and to add Sections 21402, 21456.2, and 21456.3 to, the Vehicle Code, relating to transportation.

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

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

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

**AYES—67**

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

**NOES—8**

Ackerman	Baldwin	Bowler	Morrow
Alby	Baugh	McClintock	Pringle

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2416 (Committee on Governmental Organization)**—An act to amend Sections 23355.1, 23357.2, 23399.5, 23405, 23405.1, 23951, 23953, 24045.12, 24071.1, 25503.11, 25503.12, and 25608 of, to amend and renumber Section 23405.3 of, and to repeal Section 23405.2 of, the Business and Professions Code, relating to alcoholic beverages.

Bill presented by Assembly Member Brown.

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

**NOES—5**

Havice	Miller	Woods
House	Thompson	

Above bill ordered enrolled.

**At 12:45 p.m., Hon. Fred Keeley, 27th District, presiding**

**ASSEMBLY BILL NO. 2557 (Alquist)**—An act to amend Section 94900 of the Education Code, relating to law 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—66**

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

**NOES—9**

Ackerman	Goldsmith	McClintock
Baldwin	House	Oller
Baugh	Kaloogian	Pringle

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 214 (Thomson)**—An act to add Article 5.6 (commencing with Section 14185) to Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to human services, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—77**

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

**NOES—None**

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

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 898 (Napolitano)**—An act relating to tourism, 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	Cunneen	Leach	Pringle
Aguiar	Davis	Lempert	Richter
Alby	Ducheny	Leonard	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Firestone	Mazzoni	Strom-Martin
Baca	Floyd	Migden	Sweeney
Battin	Frusetta	Miller	Thompson
Bordonaro	Gallegos	Morrissey	Thomson
Bowen	Goldsmith	Murray	Torlakson
Bowler	Granlund	Napolitano	Vincent
Brewer	Havice	Olberg	Washington
Brown	Hertzberg	Oller	Wayne
Bustamante	Honda	Ortiz	Wildman
Campbell	Keeley	Pacheco	Woods
Cardenas	Knox	Papan	Wright
Cardoza	Kuehl	Poochigian	Mr. Speaker
Cedillo	Kuykendall	Prenter	

**NOES—6**

Baldwin	House	McClintock
Baugh	Kaloogian	Morrow

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1730 (Wright)**—An act to amend Section 830.7 of the Penal Code, and to amend Sections 40202 and 40225 of, and to add and repeal Section 1808.25 of, the Vehicle Code, relating to the 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—77**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 789 (Cardenas)**—An act to add Sections 1339.9 and 1736.7 to the Health and Safety Code, relating to health, 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	Cedillo	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Richter
Aroner	Escutia	Margett	Runner
Ashburn	Figueroa	Martinez	Scott
Baca	Firestone	Mazzoni	Shelley
Baldwin	Frusetta	McClintock	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2023 (Gallegos)**—An act to amend Section 831.8 of, and to add and repeal Section 831.9 of, the Government Code, relating to liability.

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

**NOES—4**

Brewer	House	Martinez	Pacheco
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 284 (Baca)**—An act to amend Section 2889.5 of the Public Utilities Code, relating to telephone 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—75**

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

**NOES—1**

McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2438 (Murray)**—An act to add Section 1367.54 to the Health and Safety Code, and to add Section 10123.184 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—58**

Ackerman	Figueroa	Leonard	Shelley
Alquist	Firestone	Margett	Strom-Martin
Aroner	Floyd	Martinez	Sweeney
Ashburn	Frusetta	Mazzoni	Thompson
Baca	Gallegos	Migden	Thomson
Bowen	Goldsmith	Miller	Torlakson
Brown	Havice	Morrissey	Vincent
Bustamante	Hertzberg	Murray	Washington
Cardenas	Honda	Napolitano	Wayne
Cardoza	Keeley	Ortiz	Wildman
Cedillo	Knox	Pacheco	Woods
Cunneen	Kuehl	Papan	Wright
Davis	Kuykendall	Prenter	Mr. Speaker
Ducheny	Leach	Runner	
Escutia	Lempert	Scott	

**NOES—17**

Aguiar	Bowler	Kaloogian	Poochigian
Alby	Brewer	McClintock	Pringle
Baldwin	Campbell	Morrow	
Baugh	Granlund	Olberg	
Bordonaro	House	Oller	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2438: Assembly Member Aguiar, from "Aye" to "No".

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2597 (Murray)**—An act 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	Davis	Lempert	Pringle
Aguiar	Ducheny	Leonard	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Baca	Firestone	Mazzoni	Shelley
Baldwin	Frusetta	McClintock	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Murray	Torlakson
Brewer	Hertzberg	Napolitano	Vincent
Brown	Honda	Olberg	Washington
Bustamante	Kaloogian	Oller	Wayne
Campbell	Keeley	Ortiz	Wildman
Cardenas	Knox	Pacheco	Woods
Cardoza	Kuehl	Papan	Wright
Cedillo	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	

**NOES—5**

Alby	Bowler	Morrow
Ashburn	House	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2301 (Wright)**—An act to add Sections 7159.1 and 7159.2 to the Business and Professions Code, relating to contracts.

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

**NOES—4**

Baldwin	Baugh	McClintock	Pringle
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2473 (Strom-Martin)**—An act to amend Section 229.40 of the Streets and Highways Code, relating to highways.

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

**NOES—1**

Baldwin

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1692 (Bowen)**—An act to amend, repeal, and add Section 1347 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—73**

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

**NOES—None**

Above bill ordered enrolled.

**CONSIDERATION OF SENATE BILL NO. 1361  
WITHOUT REFERENCE TO FILE**

Assembly Member Davis was granted unanimous consent to take up Senate Bill No. 1361, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1361 (Alpert)**—An act to add Sections 1531.2 and 1584 to the Health and Safety Code, relating to day care centers.

Bill read third time.

**Motion to Amend**

Assembly Member Davis moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 19  
WITHOUT REFERENCE TO FILE**

Assembly Member Kuehl was granted unanimous consent to take up Senate Bill No. 19, without reference to file, for purpose of amendment.

**SENATE BILL NO. 19 (Lockyer)**—An act to amend Sections 639, 1033.5, and 1286.2 of, to add Sections 1280.1 and 1286.5 to, to add and repeal Title 11.5 (commencing with Section 1770) of Part 3 of, and to repeal Section 1775.16 of, the Code of Civil Procedure, and to amend Section 68616 of the Government Code, relating to alternative dispute resolution.

Bill read third time.

**Motion to Amend**

Assembly Member Kuehl moved the adoption of amendments.

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

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

**SENATE BILL NO. 1691 (Rainey)**—An act to amend Section 11100 of the Health and Safety Code, relating to controlled substances.

Bill read third time.

**Motion to Amend**

Assembly Member Pacheco moved the adoption of amendments.

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

**CONSIDERATION OF SPECIAL ORDER—SENATE BILL NO. 1574**

The hour having arrived, Senate Bill No. 1574 was taken up.

(NOTE: Special Order set for 10:30 a.m.)

**SENATE BILL NO. 1574 (Committee on Budget and Fiscal Review)**—An act to amend Section 8709.3 of the Water Code, relating water.

Bill read third time.

**Motion to Amend**

Assembly Member Kuykendall moved the adoption of amendments.

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

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

**SENATE BILL NO. 984 (Rosenthal)**—An act to amend Section 1348.6 of, and to add Section 1367.01 to, the Health and Safety Code, relating to health care service plans.

Bill read third time.

**Motion to Amend**

Assembly Member Gallegos moved the adoption of amendments.

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

**At 1:16 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**SENATE BILL NO. 955 (Rosenthal)**—An act to amend Sections 1386, 1388, 1391, 1392, and 1393 of the Health and Safety Code, relating to health care coverage.

Bill read third time.

**Motion to Amend**

Assembly Member Escutia moved the adoption of amendments.

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

**SENATE BILL NO. 1560 (Johnston)**—An act to amend Sections 10201, 10205, 10214.5, and 10214.7 of, and to add Section 10200.5 to, the Unemployment Insurance Code, relating to the Employment Training Panel.

Bill read third time.

**Motion to Amend**

Assembly Member Keeley moved the adoption of amendments.

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

**SENATE BILL NO. 1466 (Polanco)**—An act to add Section 4420.5 to the Government Code, relating to public construction, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Murray moved the adoption of amendments.

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

**SENATE BILL NO. 1454 (Leslie)**—An act to amend Sections 1786.2, 1786.10, 1786.12, 1786.16, 1786.18, 1786.20, 1786.24, 1786.26, 1786.30, 1786.40, and 1786.50 of, and to add Section 1786.11 to, the Civil Code, relating to investigative consumer reporting.

Bill read third time.

**Motion to Amend**

Assembly Member Bowler moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Re-Reference of Bills to Committee Pursuant to  
Assembly Rule 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 1454 to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

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

**SENATE BILL NO. 1785 (Hayden)**—An act to amend Sections 1815, 1816, 1834, 1840, 1845, 1846, 1847, and 2080 of, and to add Section 1834.4 to, the Civil Code, to amend Sections 31108, 31752, and 32001 of, and to add Sections 17005, 17006, 31752.5, 31753, 31754, 32002, and 32003 to, the Food and Agricultural Code, and to amend Sections 597.1 and 597t of, and to add Section 599d to, the Penal Code, relating to stray animals.

Bill read third time.

**Motion to Amend**

Assembly Member McClintock moved the adoption of amendments.

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

**SENATE BILL NO. 2085 (Burton)**—An act to amend Sections 22110.1, 22122.5, 22155.5, 22200, 22202, 22307, 22311, 22402, 22601.5, 22602, 22604, 26000, 26000.5, 26004, 26105, 26112, 26114, 26115, 26116, 26128, 26129, 26134, 26137, 26200, 26201, 26202, 26204, 26206, 26207.5, 26209, 26214, 26300, 26301, 26400, 26402, 26506, 26701, 26702, 26703, 26704, 27301, 27401, 27402, 27405, 27409, 27410, 28100, and 28101 of, to amend, repeal, and add Sections 26401, 26501, 26503, 26504, and 26603 to, to add Sections 22001.5, 22403, 26000.6, 26113.5, and 26139.5 to, to add Chapter 15.5 (commencing with Section 27500) to Part 14 of, and to repeal Sections 26111, 26207, and 26401.5 of, the Education Code, relating to the State Teachers' Retirement System, and making an appropriation therefor.

Bill read third time.

**Motion to Amend**

Assembly Member Honda moved the adoption of amendments.

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

**SENATE BILL NO. 610 (O'Connell)**—An act to amend Sections 22134, 23201, and 24201 of the Education Code, and to add Section 31840.8 to the Government Code, relating to public employees.

Bill read third time.

**Motion to Amend**

Assembly Member Honda moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 277 WITHOUT REFERENCE TO FILE**

Assembly Member Gallegos was granted unanimous consent to take up Senate Bill No. 277, without reference to file, for purpose of consideration.

**SENATE BILL NO. 277 (Maddy)**—An act to amend Section 1797.98f of the Health and Safety Code, relating to emergency medical services.

Bill read third time.

**Motion to Amend**

Assembly Member Gallegos moved the adoption of amendments.

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

**SENATE BILL NO. 324 (Rosenthal)**—An act to amend Section 2052 of the Business and Professions Code, relating to medicine.

Bill read third time.

**Motion to Amend**

Assembly Member Gallegos moved the adoption of amendments.

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

**SENATE BILL NO. 989 (Sher)**—An act to amend Sections 11126, 24008, 25639, 51102, 51113, 51133, and 61601.25 of the Government Code, to amend Sections 13132.7 and 42311.2 of the Health and Safety Code, to amend Section 1547 of the Penal Code, to amend Sections 700, 712, 730, 731.1, 4002, 4129, 4521.3, 4604, 4662, 4789.2, 5093.52, 5093.68, 30404, and 30417 of, and to amend the heading of Article 2 (commencing with Section 730) of Chapter 2.5 of Division 1 of, the Public Resources Code, and to amend Sections 431 and 434 of the Revenue and Taxation Code, relating to forestry.

Bill read third time.

**Motion to Amend**

Assembly Member Lempert moved the adoption of amendments.

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

**SENATE BILL NO. 1375 (Rosenthal)**—An act to amend Section 19596.1 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Bill read third time.

**Motion to Amend**

Assembly Member Margett moved the adoption of amendments.

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

**SENATE BILL NO. 924 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Keeley was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 924 was refused passage.

**Further Consideration of Senate Bill No. 924**

**SENATE BILL NO. 924 (Solis)**—An act to amend Section 3722 of the Labor Code, relating to workers' compensation, and making an appropriation therefor.

Bill read third time.

**Motion to Amend**

Assembly Member Keeley moved the adoption of amendments.

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

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

**SENATE BILL NO. 1951 (Brulte)**—An act to add Section 512 to the Business and Professions Code, to add Section 1395.5 to the Health and Safety Code, and to add Section 10127.4 to the Insurance Code, relating to health coverage.

Bill read third time.

**Motion to Amend**

Assembly Member Cedillo moved the adoption of amendments.

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

**BILLS RETURNED TO UNFINISHED BUSINESS FILE**

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

**Assembly Bill No. 368**, on request of Assembly Member Floyd.

**At 1:50 p.m., Hon. Fred Keeley, 27th District, presiding**

**ASSEMBLY BILL NO. 2569 WITHDRAWN FROM ENROLLMENT**

Assembly Member Kuehl was granted unanimous consent that Assembly Bill No. 2569 be withdrawn from enrollment and that the action be rescinded whereby on August 18, 1998 (Assembly Journal, page 8552), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be returned to the Senate for further action.

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

**ASSEMBLY BILL NO. 2067 (Cunneen)**—An act to amend Sections 25160, 25179.5, 25205.15, 25250.1, 25250.4, and 25250.7 of, and to add Sections 25121.1, 25160.3, and 25200.19 to, the Health and Safety Code, and to add and repeal Article 2.1 (commencing with Section 12170) of Chapter 4 of Part 2 of Division 2 of, the Public Contract Code, and to amend Sections 48620 and 71061 of the Public Resources Code, relating to recycling.

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

**NOES—None**

Above bill ordered enrolled.

**ACTION RESCINDED ON SENATE BILL NO. 1665**

Assembly Member Cardoza was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 8835), the action was rescinded whereby Senate Bill No. 1665 was passed and ordered transmitted to the Senate.

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

**SENATE BILL NO. 1900 (Schiff)**—An act to amend Sections 1170, 1170.1, 1170.13, 1170.15, and 1170.95 of the Penal Code, relating to sentencing.

Bill read third time.

**Motion to Amend**

Assembly Member Wayne moved the adoption of amendments.

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

**SENATE BILL NO. 1660 (Lewis)**—An act to amend Sections 66458, 66462, and 66477.1 of the Government Code, relating to local agencies.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2812 (Committee on Higher Education)**—An act to amend Sections 66604.5, 69769, 69769.3, 69769.4, 69769.5, 69769.7, 69980, 69982, 69984, 69986, 69989, 69990, 71092, 88064, 89048, 89701, 89702, 89704, 89720, 89721, and 89760 of, to add Sections 69993.5 and 72670.5 to, to repeal Sections 76361.5, 76390, and 76391 of, to repeal and add Sections 76360 and 76361 of, the Education Code, to amend Section 19815 of the Government Code, to amend Section 24306 of the Revenue and Taxation Code, and to amend Section 1 of Chapter 851 of the Statutes of 1997, 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—76**

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

**NOES—None**

Above bill ordered enrolled.

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

**SENATE BILL NO. 1646 (Ayala)**—An act to add Section 49471.5 to the Education Code, relating to school athletic injuries.

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

Bill passed by the following vote:

**AYES—72**

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

**NOES—5**

Alby	Bowler	Pacheco
Baldwin	McClintock	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1389 (Craven)**—An act to amend Section 18179 of the Education Code, and to amend Section 18816 of the Revenue and Taxation Code, relating to schools.

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

Bill passed by the following vote:

**AYES—72**

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

**NOES—5**

Ackerman	Kaloogian	Morrow
House	McClintock	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1666 (Solis)**—An act to amend Sections 69560, 69561, 69562, 69563, 69564, and 69566 of, and to repeal Section 69567 of, the Education Code, relating to the Student Opportunity and Access Program.

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

Bill passed by the following vote:

**AYES—74**

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

**NOES—3**

Baldwin	McClintock	Woods
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Bill ordered transmitted to the Senate.

**SENATE BILL NO. 791 (Costa)**—An act to amend Section 14550 of, and to add Section 14450.1 to, the Welfare and Institutions Code, relating to human services.

Bill read third time.

**Motion to Amend**

Assembly Member Thomson moved the adoption of amendments.

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

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

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1534 (Davis)**—An act to add Article 5.5 (commencing with Section 124010) to Chapter 3 of Part 2 of Division 106 of the Health and Safety Code, relating to human services, and making an appropriation therefor.

The 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**

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

**NOES—5**

Ackerman	House	Olberg
Baugh	McClintock	

Above bill ordered enrolled.

**BILL RETURNED TO SENATE**

Assembly Member Papan was granted unanimous consent that Assembly Bill No. 823 be returned to the Senate for further action.

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

**SENATE BILL NO. 2217 (O'Connell)**—An act to amend Sections 7030 and 7048 of the Business and Professions Code, relating to contractors.

Bill read third time.

**Motion to Amend**

Assembly Member Knox moved the adoption of amendments.

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

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 2204, on request of Assembly Member Washington.**

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 2204 was placed upon the inactive file. See page 8864.)

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Gallegos announced that the Committee on Health would meet today at 2:45 p.m. in the Tom Bane Rules Committee Room.

**RE-REFERENCE OF BILLS**

Assembly Member Migden was granted unanimous consent that Senate Bill No. 1757 be re-referred from the Committee on Appropriations to the Committee on Rules.

**BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE**

Assembly Member Migden was granted unanimous consent that Senate Bill No. 1988, be withdrawn from the Committee on Appropriations and placed on the second reading file.

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

Pursuant to Assembly Rule 78, Assembly Member Migden announced her intention to request that Senate Bill No. 535 be removed from the inactive file.

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

**SENATE BILL NO. 1615 (Lockyer)**—An act to amend Section 33492.127 of, and to add Sections 33492.21 and 33492.22 to, the Health and Safety Code, relating to redevelopment, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend by Assembly Member Perata  
as Presented by Assembly Member Wayne**

Assembly Member Wayne moved the adoption of amendments.

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

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 2:25 p.m., by unanimous consent, the members of the Committee on Consumer Protection, Governmental Efficiency and Economic Development were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

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

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

Bill read third time.

**Motion to Amend**

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

**Motion to Table Shelley Amendments  
to Senate Bill No. 233**

Assembly Member Thompson moved that the amendments offered by Assembly Member Shelley to Senate Bill No. 233 be laid upon the table.

Assembly Member Kuykendall seconded the motion.  
The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 2:27 p.m.

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

**SENATE BILL NO. 1770 (McPherson)**—An act to add Section 54761.3 to the Education Code, relating to school finance.

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

Bill passed by the following vote:

**AYES—75**

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

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

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

Bill read third time.

**Motion to Amend**

Assembly Member Davis moved the adoption of amendments.

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

**ACTION RESCINDED ON SENATE BILL NO. 2204**

Assembly Member Washington was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 8862), Senate Bill No. 2204 was placed upon the inactive file.

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

**SENATE BILL NO. 1970 (Schiff)**—An act to amend Sections 817 and 1526 of the Penal Code, relating to arrest warrants.

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

Bill passed by the following vote:

**AYES—72**

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

**NOES—3**

Alby                      Bowler                      House

Bill ordered transmitted to the Senate.

**At 2:41 p.m., Assistant Speaker pro Tempore Joe Baca,  
62nd District, presiding**

**SENATE BILL NO. 1984 (Greene)**—An act to amend Sections 7841 and 7887 of the Business and Professions Code, relating to regulated professions, and making an appropriation therefor.

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

Bill passed by the following vote:

**AYES—50**

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

**NOES—26**

Ackerman	Bowler	Leach	Pacheco
Alby	Brewer	Leonard	Poochigian
Ashburn	Frusetta	McClintock	Prenter
Baldwin	Goldsmith	Miller	Thompson
Battin	Granlund	Morrow	Woods
Baugh	House	Olberg	
Bordonaro	Kaloogian	Oller	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 1984: Assembly Member Frusetta, from “Aye” to “No”.

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1340 (Polanco)**—An act to add Section 40059.1 to the Public Resources Code, relating to solid waste.

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

Bill passed by the following vote:

**AYES—63**

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

**NOES—5**

Aroner	Kuehl	Sweeney
Havice	Morrow	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 262 (Burton)**—An act to add Section 1708.8 to the Civil Code, relating to privacy.

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

The roll was opened.

#### Call of the Assembly

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

Motion carried. Time, 3:10 p.m.

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

**SENATE BILL NO. 1405 (Polanco)**—An act to amend Section 13113.9 of, and to add Sections 13114.1, 13114.2, and 13114.3 to, the Health and Safety Code, relating to housing.

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

Bill passed by the following vote:

#### AYES—48

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

#### NOES—27

Ackerman	Bowler	Leonard	Pacheco
Aguiar	Brewer	Margett	Poochigian
Alby	Campbell	McClintock	Pringle
Ashburn	Goldsmith	Miller	Runner
Baldwin	Granlund	Morrow	Thompson
Battin	House	Olberg	Woods
Baugh	Kalooagian	Oller	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 930 (Rosenthal)**—An act to amend Sections 1785.16, 1758.19, 1785.31, and 1785.35 of, and to add Section 1747.82 to, the Civil Code, relating to consumer credit.

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

The roll was opened.

#### Call of the Assembly

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

Motion carried. Time, 3:19 p.m.

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

#### ACTION RESCINDED ON SENATE BILL NO. 1250

Assembly Member Murray was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 8812), Senate Bill No. 1250 was re-referred to the Committee on Transportation pursuant to Assembly Rule 77.2.

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

**SENATE BILL NO. 1535 (Kopp)**—An act to amend Sections 1024, 1028, 1028.1, and 1028.2 of, and to repeal Sections 1025 and 1027.5 of, the Government Code, and to repeal Chapter 9 (commencing with Section 540) of Title 13 of Part 1 of the Penal Code, relating to public officers and employees.

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

**Call of the Assembly**

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

Motion carried. Time, 3:32 p.m.

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

**SENATE BILL NO. 1902 (Vasconcellos)**—An act relating to public postsecondary education.

Bill read third time.

**Motion to Amend**

Assembly Member Keeley moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—39**

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

**NOES—35**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on the amendments offered by Assembly Member Keeley to Senate Bill No. 1902: Assembly Member Havice, from “Aye” to “Not Voting”.

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

**SENATE BILL NO. 1600 (Committee on Budget and Fiscal Review)**—An act relating to the State Air Resources Board, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Wildman moved the adoption of amendments.

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

**SENATE BILL NO. 218 (Knight)**—An act to amend Section 203 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

Bill passed by the following vote:

**AYES—79**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**Action Rescinded on Senate Bill No. 218**

Assembly Member Firestone was granted unanimous consent to rescind the action whereby the Assembly passed Senate Bill No. 218, and whereby the bill was ordered transmitted to the Senate.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Escutia announced that the Committee on Judiciary would meet today at 4 p.m., in the Tom Bane Rules Committee Room.

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

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

**SENATE BILL NO. 2177 (Wright)**—An act to amend Section 8353 of the Education Code, and to amend Section 11323.2 of the Welfare and Institutions Code, relating to welfare reform.

Bill read third time.

**Motion to Amend**

Assembly Member Washington moved the adoption of amendments.

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

**SENATE BILL NO. 988 (Sher)**—An act to amend Sections 40507, 40707, 40710, 40711, 40713, 40912, 41770, 41780.1, 44004, 44305, 45000, 45005, 45011, 45013, 45017, 45023, 48027, 48620, 48621, 48623, 48630, 48643, 48651, 48653, 48660.5, 48661, 48670, 48672, and 48673 of, and to add Sections 48645, 48671.8, and 48692 to, and to add Article 4 (commencing with Section 40985) to Chapter 1 of Part 2 of Division 30 of, the Public Resources Code, relating to recycling.

Bill read third time.

**Motion to Amend**

Assembly Member Bowen moved the adoption of amendments.

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

**SENATE BILL NO. 1878 (Kopp)**—An act to amend Section 190.2 of the Penal Code, relating to murder, and calling an election to be consolidated with the November 3, 1998, general election, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Hertzberg moved the adoption of amendments.

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

**SENATE BILL NO. 1250 (Kopp)**—An act to amend Section 10770 of, and to repeal Section 10707 of, the Revenue and Taxation Code, to amend Section 27565 of the Streets and Highways Code, and to amend Section 16000 of, and to repeal Section 677 of, the Vehicle Code, relating to vehicles.

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

Bill passed by the following vote:

**AYES—73**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 930**

At 3:58 p.m., on motion of Assembly Member Papan, and in the absence of any objection, further proceeding under the call of the Assembly were dispensed with.

Senate Bill No. 930 refused passage by the following vote:

**AYES—30**

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

**NOES—38**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 930: Assembly Member Hertzberg, from "Aye" to "Not Voting".

(NOTE: Later this day a motion to reconsider the above vote on Senate Bill No. 930 was offered by Assembly Member Bowen.)

**At 4:01 p.m., Assistant Speaker pro Tempore Joe Baca,  
62nd District, presiding**

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 1099**, on request of Assembly Member Cedillo.

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

**SENATE BILL NO. 1406 (Peace)**—An act to add Section 3212.8 to the Labor Code, relating to workers' compensation.

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

Bill passed by the following vote:

**AYES—55**

Aguiar	Cedillo	Knox	Richter
Alby	Cunneen	Kuehl	Scott
Alquist	Davis	Kuykendall	Shelley
Aroner	Ducheny	Lempert	Strom-Martin
Ashburn	Escutia	Margett	Sweeney
Baca	Figueroa	Martinez	Thomson
Battin	Floyd	Mazzoni	Torlakson
Bordonaro	Gallegos	Migden	Vincent
Bowen	Goldsmith	Morrissey	Washington
Bowler	Granlund	Murray	Wayne
Brown	Havice	Napolitano	Wildman
Bustamante	Hertzberg	Ortiz	Wright
Cardenas	Honda	Papan	Mr. Speaker
Cardoza	Keeley	Prenter	

**NOES—19**

Ackerman	Frusetta	McClintock	Poochigian
Baldwin	House	Miller	Runner
Baugh	Kaloogian	Olberg	Thompson
Brewer	Leach	Oller	Woods
Campbell	Leonard	Pacheco	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1658 (Peace)**—An act to amend Section 1345 of, and to add Section 1351.2 to, the Health and Safety Code, relating to health care service plans.

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

Bill passed by the following vote:

**AYES—52**

Aguiar	Davis	Knox	Scott
Alquist	Ducheny	Kuehl	Shelley
Aroner	Escutia	Kuykendall	Strom-Martin
Baca	Figueroa	Lempert	Sweeney
Baldwin	Floyd	Martinez	Thompson
Battin	Frusetta	Mazzoni	Thomson
Bordonaro	Gallegos	Migden	Torlakson
Bowen	Goldsmith	Morrissey	Vincent
Brown	Havice	Murray	Washington
Bustamante	Hertzberg	Napolitano	Wayne
Cardenas	Honda	Ortiz	Wildman
Cedillo	Kaloogian	Papan	Wright
Cunneen	Keeley	Prenter	Mr. Speaker

**NOES—22**

Ackerman	Campbell	McClintock	Poochigian
Alby	Granlund	Miller	Richter
Ashburn	House	Morrow	Runner
Baugh	Leach	Olberg	Woods
Bowler	Leonard	Oller	
Brewer	Margett	Pacheco	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1740 (Hayden)**—An act to add Article 8 (commencing with Section 66090) to Chapter 2 of Part 40 of the Education Code, relating to service learning for postsecondary students.

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

**Call of the Assembly**

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

Motion carried. Time, 4:14 p.m.

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

**SENATE BILL NO. 822 (Lockyer)**—An act to add Chapter 3 (commencing with Section 2050) to Division 2.5 of the Welfare and Institutions Code, relating to youth.

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

The roll was opened.

**Call of the Assembly**

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

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

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

**SENATE BILL NO. 1763 (Costa)**—An act to amend Sections 3008, 3202, 3204, 3205, 3205.5, 3206, and 3258 of the Public Resources Code, relating to oil and gas wells, and making an appropriation therefor.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1973 (Maddy)**—An act to amend Sections 128695, 128700, 128725, 128735, 128755, 128760, 128782, and 128815 of, to amend, add, and repeal Section 127280 of, and to add Sections 128681, 128736, 128737, 128738, and 128812 to, the Health and Safety Code, relating to health data, and making an appropriation therefor.

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

Bill passed by the following vote:

**AYES—74**

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

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

**JOINT RULE 62(a) WAIVED**

Assembly Member Shelley was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 1714 for hearing in the Committee on Utilities and Commerce.

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

Pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 2621 to the Committee on Local Government.

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

**SENATE BILL NO. 418 (Costa)**—An act to amend Section 6256 of the Penal Code, relating to correctional facilities.

Bill read third time.

**Motion to Amend**

Assembly Member Woods moved the adoption of amendments.

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

**SENATE BILL NO. 2241 (Brulte)**—An act to amend Sections 49520 and 49521 of, and to add Sections 49501.3, 49501.5, and 49524 to, the Public Resources Code, relating to solid waste, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—72**

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

**NOES—2**

Martinez                      Sweeney

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—72**

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

**NOES—2**

Martinez                      Sweeney

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1033 (Sher)**—An act to amend Section 116275 of, and to add Section 116611 to, the Health and Safety Code, relating to drinking water.

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

**Motion to Amend**

Assembly Member Margett moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1412  
WITHOUT REFERENCE TO FILE**

Assembly Member Bustamante was granted unanimous consent to take up Senate Bill No. 1412, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1412 (Schiff)**—An act to amend Sections 60242.5 and 60248 of, to add Section 60240.5 to, and to add Article 1.5 (commencing with Section 60007) to Chapter 1 of, Part 33 of, the Education Code, relating to education, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Bustamante moved the adoption of amendments.

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

**SENATE BILL NO. 557 (Leslie)**—An act to amend Section 1626 of, and to add Section 2052.1 to, the Business and Professions Code, relating to healing arts.

Bill read third time.

**Motion to Amend**

Assembly Member Prenter moved the adoption of amendments.

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

**SENATE BILL NO. 2119 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Morrissey was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 2119 was refused passage.

**Further Consideration of Senate Bill No. 2119**

**SENATE BILL NO. 2119 (Hurtt)**—An act to amend Section 9795 of the Government Code, relating to public records.

Bill read third time.

**Motion to Amend**

Assembly Member Bowen moved the adoption of amendments.

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

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

**SENATE BILL NO. 412 (Peace)**—An act to amend Section 10430 of, and to add Sections 10413 and 12122 to, the Public Contract Code, relating to state contracts.

Bill read third time.

**Motion to Amend**

Assembly Member Bowen moved the adoption of amendments.

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

**SENATE BILL NO. 715 (Sher)**—An act to amend Sections 21080.5, 21083, and 21159.9 of, and to add Section 21081.8 to, the Public Resources Code, relating to environmental quality.

Bill read third time.

**Motion to Amend**

Assembly Member Bowen moved the adoption of amendments.

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

**SENATE BILL NO. 248 (Watson)**—An act to amend Section 17929 of the Business and Professions Code, relating to business.

**Rules Suspended**

Assembly Member Wright was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 248.

Bill read third time.

**Motion to Amend**

Assembly Member Wright moved the adoption of amendments.

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

**SENATE BILL NO. 489 (Alpert)**—An act to add and repeal Section 2166.5 of the Elections Code, and to add and repeal Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code, relating to public records, and making an appropriation therefor.

Bill read third time.

**Motion to Amend**

Assembly Member Wayne moved the adoption of amendments of 25 words or less.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 822**

At 4:40 p.m., on motion of Assembly Member Washington, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 822 passed by the following vote:

**AYES—44**

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

**NOES—29**

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

Bill ordered transmitted to the Senate.

**MOTION TO RECONSIDER SENATE BILL NO. 930  
ON NEXT LEGISLATIVE DAY**

Assembly Member Bowen moved to reconsider on the next legislative day the vote whereby Senate Bill No. 930 was this day refused passage.

Senate Bill No. 930 ordered to the unfinished business file.

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

**ASSEMBLY CONCURRENT RESOLUTION NO. 188 (Davis)**—Relative to Obesity Awareness Month.

Resolution read.

Bill read third time.

**Motion to Amend**

Assembly Member Davis moved the adoption of amendments.

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

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

**SENATE BILL NO. 2239 (Committee on Business and Professions)**—An act to amend Sections 120, 125.7, 1621.1, 1632, 1633.5, 1763, 2067, 2103, 2225.5, 2239, 2242, 2350, 2355, 3512, 3516.5, 3517, 3519, 3520, 3521.2, 3523, 3524, 3526, 3527, 3528, 3530, 3534.1, 3534.3, 4301, 4322, 5053, 5055, 5056, 5060, 5070.6, 5072, 5073, 5104, 5134, 7622.3, 7651, 8742, 8773.1, 8773.2, and 13660 of, to add Sections 4301.5 and 5058.1 to, and to repeal Sections 1621.2, 5059, 5070.1, 5071, 5074, 5075, 5076, and 5153 of, the Business and Professions Code, to amend Sections 11371 and 11529 of the Government Code, and to amend Section 11166 of, and to repeal and add Section 11167 of, the Health and Safety Code, relating to professions and vocations.

**Rules Suspended**

Assembly Member Torlakson was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 2239.

Bill read third time.

**Motion to Amend**

Assembly Member Torlakson moved the adoption of amendments.

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

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

**ASSEMBLY BILL NO. 1726 (Bustamante)**—An act to add Section 1367.01 to the Health and Safety Code, relating to health care.

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—55**

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

**NOES—14**

Ackerman	Kaloogian	Miller	Thompson
Baugh	Leach	Morrow	Woods
Bowler	Leonard	Olberg	
Campbell	McClintock	Runner	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2620 (Davis)**—An act relating to preschool.

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

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

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

**AYES—51**

Aguiar	Ducheny	Lempert	Richter
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Strom-Martin
Baca	Floyd	McClintock	Sweeney
Battin	Frusetta	Migden	Thomson
Bowen	Gallegos	Morrissey	Torlakson
Bowler	Goldsmith	Murray	Vincent
Brown	Havice	Napolitano	Washington
Bustamante	Hertzberg	Oller	Wayne
Cardenas	Honda	Ortiz	Wildman
Cardoza	Kaloogian	Pacheco	Wright
Cunneen	Knox	Papan	Mr. Speaker
Davis	Kuehl	Prenter	

**NOES—21**

Ackerman	Brewer	Margett	Runner
Alby	Campbell	Miller	Thompson
Ashburn	Granlund	Morrow	Woods
Baldwin	House	Olberg	
Baugh	Leach	Poochigian	
Bordonaro	Leonard	Pringle	

Above bill ordered enrolled.

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Upon request of Assembly Member Shelley, Assembly Member Leach was granted unanimous consent that the following communication be printed in the Journal:

August 18, 1998

*The Honorable Antonio Villaraigosa  
Speaker of the California State Assembly  
State Capitol  
Sacramento, California*

RE: Assembly Bill 2620 (Davis)

Dear Mr. Speaker: The notation of Assemblywoman Lynne C. Leach as a joint author on Assembly Bill 2620 was in error. I have not supported this bill through the legislative process and had requested to be removed.

I, again in coordination with Assemblywoman Susan Davis, respectfully request to be removed as a joint author from Assembly Bill 2620.

Sincerely,

LYNNE C. LEACH  
Assemblywoman  
15th District

SUSAN DAVIS  
Assemblywoman  
76th District

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

**ASSEMBLY BILL NO. 2707 (Perata)**—An act to amend Sections 331, 331.1, 3060, 3062, 3066, 3067, and 11713.3 of the Vehicle Code, relating to vehicles.

Bill presented by Assembly Member Miller.

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

**NOES—1**

McClintock

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2707: Assembly Member Aroner, from “Aye” to “Not Voting”.

Above bill ordered enrolled.

**ACTION RESCINDED ON SENATE BILL NO. 1950**

Assembly Member Richter was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 8815), amendments proposed by the Committee on Appropriations were read a second time, adopted, and the bill ordered reprinted and to be returned to the second reading.

**Further Consideration of Senate Bill No. 1950**

**SENATE BILL NO. 1950 (Sher)**—An act to add Sections 50800.7 and 50800.9 to the Health and Safety Code, relating to housing, and making an appropriation therefor.

Bill read second time.

**Motion to Amend**

Assembly Member Richter moved the adoption of amendments.

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

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

**ASSEMBLY BILL NO. 1959 (Gallegos)**—An act to add Section 1380.1 to the Health and Safety Code, relating to health care coverage.

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

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

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

**AYES—57**

Aguiar	Escutia	Leonard	Strom-Martin
Alquist	Figueroa	Margett	Sweeney
Aroner	Firestone	Martinez	Thompson
Baca	Floyd	Mazzoni	Thomson
Bordonaro	Frusetta	Migden	Torlakson
Bowen	Gallegos	Miller	Vincent
Brown	Granlund	Morrissey	Washington
Bustamante	Havice	Murray	Wayne
Campbell	Hertzberg	Napolitano	Wildman
Cardenas	Honda	Ortiz	Woods
Cardoza	Knox	Pacheco	Wright
Cedillo	Kuehl	Papan	Mr. Speaker
Cunneen	Kuykendall	Prenter	
Davis	Leach	Scott	
Ducheny	Lempert	Shelley	

**NOES—17**

Ackerman	Bowler	McClintock	Pringle
Alby	Brewer	Morrow	Runner
Ashburn	Goldsmith	Olberg	
Baldwin	House	Oller	
Baugh	Kaloogian	Poochigian	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1389 (Perata)**—An act to amend Section 1808.4 of the Vehicle Code, relating to vehicles.

Bill presented by Assembly Member Murray.

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**

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

**NOES—4**

Ackerman	Brewer	Leonard	Thompson
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Above bill ordered enrolled.

**At 5:10 p.m., Hon. Fred Keeley, 27th District, presiding**

**ASSEMBLY BILL NO. 1931 (Murray)**—An act to add Article 9 (commencing with Section 1569.90) to Chapter 3.2 of Division 2 of the Health and Safety Code, relating to care facilities.

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

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

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

**AYES—48**

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

**NOES—28**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 497 (Wildman)**—An act to add Section 1368.2 to the Health and Safety Code, relating to health care coverage.

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

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

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

**AYES—50**

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

**NOES—21**

Ackerman	Granlund	Miller	Runner
Baldwin	House	Morrow	Thompson
Battin	Leach	Olberg	Woods
Baugh	Leonard	Oller	
Campbell	Margett	Prenter	
Goldsmith	McClintock	Pringle	

Above bill ordered enrolled.

**ANNOUNCEMENT OF CONFERENCE COMMITTEE MEETING**

Assembly Member Mazzoni announced that the Conference Committee on Senate Bill No. 50 would meet today, at 5:30 p.m., in Room 3191.

**At 5:20 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1205 (Wright)**—An act to amend Sections 94739, 94867, and 94870 of the Education Code, and to add Section 4115.5 to the Business and Professions Code, relating to private postsecondary education.

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

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 5:20 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. 1469 (Knight)**—An act to amend Sections 19801, 19834, and 19834A of, and to add Section 19851.5 to, the Business and Professions Code, relating to gambling, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Brown moved the adoption of amendments.

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

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 2181**, on request of Assembly Member Papan.

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

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 66 (Baca)**—An act to amend Section 7205 of, and to add Section 7204.03 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—62**

Ackerman	Cedillo	Keeley	Prenter
Aguiar	Cunneen	Knox	Pringle
Alby	Davis	Kuehl	Scott
Alquist	Ducheny	Kuykendall	Shelley
Ashburn	Escutia	Leonard	Strom-Martin
Baca	Figueroa	Mazzoni	Sweeney
Baldwin	Firestone	McClintock	Thompson
Battin	Floyd	Migden	Vincent
Baugh	Frusetta	Miller	Washington
Bordonaro	Gallegos	Morrissey	Wayne
Bowler	Goldsmith	Murray	Wildman
Brown	Granlund	Napolitano	Woods
Bustamante	Havice	Olberg	Wright
Campbell	Hertzberg	Oller	Mr. Speaker
Cardenas	Honda	Ortiz	
Cardoza	Kaloogian	Poochigian	

**NOES—9**

Bowen	Leach	Pacheco
Brewer	Martinez	Runner
House	Morrow	Torlakson

**Motion to Reconsider Assembly Bill No. 66  
on Next Legislative Day**

Assembly Member Torlakson moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Bill No. 66 were this day concurred in.

**Motion to Take Up Motion to Reconsider Vote**

Assembly Member Baca moved to take up on this day the motion to reconsider the vote on Assembly Bill No. 66.

Assembly Member Miller seconded the motion.

**Motion to Reconsider Withdrawn**

Assembly Member Torlakson withdrew his motion to reconsider Assembly Bill No. 66.

**Motion to Take Up Motion to Reconsider Vote Withdrawn**

Assembly Member Baca, with the consent of the second to the motion, withdrew his motion to take up on this day the motion to reconsider the vote on Assembly Bill No. 66.

Above bill ordered enrolled.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 5:43 p.m., by unanimous consent, the members of the Committee on Natural Resources were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

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

**SENATE BILL NO. 1169 (Hurt)**—An act to amend Section 15363.10 of the Government Code, relating to economic development.

Bill read third time.

**Motion to Amend**

Assembly Member Pringle moved the adoption of amendments.

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

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

**ASSEMBLY BILL NO. 1570 (Bustamante)**—An act to amend Section 450 of the Labor Code, relating to employment applications.

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	Ducheny	Leonard	Strom-Martin
Alquist	Escutia	Margett	Sweeney
Aroner	Figueroa	Martinez	Thompson
Baca	Frusetta	Mazzoni	Thomson
Battin	Gallegos	Migden	Torlakson
Baugh	Havice	Miller	Vincent
Bordonaro	Hertzberg	Morrissey	Washington
Bowen	Honda	Murray	Wayne
Brown	House	Napolitano	Wildman
Bustamante	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Papan	
Cedillo	Leach	Scott	
Davis	Lempert	Shelley	

**NOES—15**

Ackerman	Campbell	Kuykendall	Prenter
Alby	Firestone	McClintock	Runner
Baldwin	Granlund	Morrow	Woods
Bowler	Kaloogian	Poochigian	

Above bill ordered enrolled.

**At 5:56 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

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

**SENATE BILL NO. 1125 (Alpert)**—An act to amend Sections 127750 and 128760 of the Health and Safety Code, relating to health.

Bill read third time.

**Motion to Amend**

Assembly Member Kuehl moved the adoption of amendments.

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

**FURTHER CONSIDERATION OF SENATE BILL NO. 1606  
BY UNANIMOUS CONSENT**

**SENATE BILL NO. 1606 (Lewis)**—An act to amend Section 1261.5 of, and to add Section 1261.6 to, the Health and Safety Code, relating to health facilities.

Bill read third time.

**Motion to Amend**

Assembly Member Baugh moved the adoption of amendments of 25 words or less.

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

**Further Consideration of Senate Bill No. 1522 by Unanimous Consent**

**SENATE BILL NO. 1522 (Rainey)**—An act to amend Sections 8277.5 and 8277.6 of the Education Code, relating to child care and development, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Ashburn moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1696  
WITHOUT REFERENCE TO FILE**

Assembly Member Brown was granted unanimous consent to take up Senate Bill No. 1696, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1696 (Alpert)**—An act to amend Sections 25658 and 25659 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

**Motion to Amend**

Assembly Member Brown moved the adoption of amendments.

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

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

**SENATE BILL NO. 1981 (Greene)**—An act to amend Sections 651, 2001, 2020, 2066, 2102, 2135, 2151, 2185, 2225.5, 2428, 2460, 2462, 2472, 2475, 2496, 2569, 3501, 3504, 3505, and 3540 of, to amend and repeal Sections 3514 and 3515 of, to amend, repeal, and add Sections 2475 and 3535 of, to add Sections 473.17, 3503.5, and 3514.1 to, to repeal Sections 2101, 2148, 2473, and 2497.1 of, to repeal Article 23 (commencing with Section 2500) of Chapter 5 of Division 2 of, and to repeal and add Section 3513 of, the Business and Professions Code, relating to healing arts.

**Rules Suspended**

Assembly Member Davis was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1981.

Bill read third time.

**Motion to Amend**

Assembly Member Davis moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1425  
WITHOUT REFERENCE TO FILE**

Assembly Member Kaloogian was granted unanimous consent to take up Senate Bill No. 1425, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1425 (Hurtt)**—An act relating to taxation.

Bill read second time.

**Motion to Amend**

Assembly Member Kaloogian moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 2074  
WITHOUT REFERENCE TO FILE**

Assembly Member Scott was granted unanimous consent to take up Senate Bill No. 2074, without reference to file, for purpose of amendment.

**SENATE BILL NO. 2074 (Schiff)**—An act to amend Sections 202 and 742 of the Welfare and Institutions Code, relating to juvenile court law.

Bill read third time.

**Motion to Amend**

Assembly Member Scott moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1715  
WITHOUT REFERENCE TO FILE**

Assembly Member Hertzberg was granted unanimous consent to take up Senate Bill No. 1715, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1715 (Calderon)**—An act to amend Sections 237 and 368 of the Penal Code, to amend Section 2583 of, to amend the heading of Part 7 (commencing with Section 250) of Division 2 of, and to add Section 259 to, the Probate Code, relating to elder abuse.

Bill read third time.

**Motion to Amend**

Assembly Member Hertzberg moved the adoption of amendments.

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

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

**SENATE BILL NO. 1735 (Polanco)**—An act to add Section 11139.6 to the Government Code, relating to civil rights.

Bill read third time.

**Motion to Amend by Assembly Member Morrow**

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

**Motion to Table Morrow Amendments  
to Senate Bill No. 1735**

Assembly Member Shelley moved that the amendments offered by Assembly Member Morrow to Senate Bill No. 1735 be laid upon the table.

Assembly Member Escutia seconded the motion.

Motion carried by the following vote:

**AYES—38**

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

**NOES—30**

Ackerman	Campbell	Leach	Pacheco
Aguiar	Cunneen	Leonard	Poochigian
Alby	Firestone	Margett	Prenter
Baldwin	Frusetta	McClintock	Runner
Baugh	Granlund	Miller	Thompson
Bordonaro	House	Morrow	Woods
Bowler	Kalोगian	Olberg	
Brewer	Kuykendall	Oller	

**SENATE BILL NO. 1555 (Rosenthal)**—An act to amend Section 779.14 of, and to add Section 779.35 to, the Insurance Code, relating to insurance.

Bill read third time.

**Motion to Amend**

Assembly Member Wayne moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1500  
WITHOUT REFERENCE TO FILE**

Assembly Member Oller was granted unanimous consent to take up Senate Bill No. 1500, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1500 (Polanco)**—An act to add Chapter 1.3 (commencing with Section 12125) to Title 2 of Part 4 of the Penal Code, relating to firearms.

Bill read third time.

**Motion to Amend**

Assembly Member Oller moved the adoption of amendments.

Amendments read.

**Motion to Table Oller Amendments  
to Senate Bill No. 1500**

Assembly Member Shelley moved that the amendments offered by Assembly Member Oller to Senate Bill No. 1500 be laid upon the table.

Assembly Member Escutia seconded the motion.

Motion carried by the following vote:

**AYES—37**

Alquist	Ducheny	Lempert	Thomson
Aroner	Escutia	Martinez	Torlakson
Bowen	Figueroa	Migden	Vincent
Brown	Floyd	Murray	Washington
Bustamante	Gallegos	Napolitano	Wayne
Cardenas	Hertzberg	Papan	Wright
Cardoza	Honda	Scott	Mr. Speaker
Cedillo	Keeley	Shelley	
Cunneen	Knox	Strom-Martin	
Davis	Kuehl	Sweeney	

**NOES—30**

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

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON THOMPSON MOTION TO TABLE SHELLEY AMENDMENTS TO  
SENATE BILL NO. 233**

At 6:16 p.m., on motion of Assembly Member Shelley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Thompson motion to table Shelley amendments to Senate Bill No. 233 lost by the following vote:

**AYES—35**

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

**NOES—39**

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

**Further Consideration of Senate Bill No. 233**

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

The question being on adoption of Shelley amendments to Senate Bill No. 233.

**Roll Call Demanded**

Assembly Members Aguiar, Thompson, and Leonard, demanded a roll call.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 6:20 p.m.

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

**Motion to Amend by Assembly Member Prenter**

Assembly Member Prenter moved the adoption of amendments.

Amendments read.

**Motion to Table Prenter Amendments  
to Senate Bill No. 233**

Assembly Member Shelley moved that the amendments offered by Assembly Member Prenter to Senate Bill No. 233 be laid upon the table.

Assembly Member Washington seconded the motion.

Motion carried by the following vote:

**AYES—41**

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

**NOES—34**

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

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

**SENATE BILL NO. 2139 (Lockyer)**—An act to amend Sections 470.3, 6152, 6301, 6302.5, 6321, 6322, 6341, 7028.2, 17209, 17536.5, and 25762 of the Business and Professions Code, to amend Sections 798.61, 1181, 1719, 1780, 1812.10, 2984.4, and 3342.5 of the Civil Code, to amend Sections 77, 82, 84, 86, 86.1, 91, 116.120, 116.210, 116.231, 116.250, 116.760, 116.770, 116.940, 116.950, 134, 166, 170.5, 170.6, 170.7, 179, 194, 195, 198.5, 200, 215, 217, 234, 269, 274a, 274c, 392, 393, 395, 396, 396a, 400, 402, 422.30, 425.10, 425.11, 489.220, 564, 575, 575.1, 580, 581d, 594, 628, 631, 632, 655, 668, 670, 685.030, 688.010, 697.310, 697.350, 697.540, 703.600, 706.105, 708.180, 720.160, 720.260, 720.420, 871.3, 904.1, 904.2, 904.5, 911, 912, 996.430, 1014, 1033, 1052, 1052.5, 1060, 1068, 1085, 1103, 1134, 1140, 1141.11, 1141.12, 1161.2, 1167.2, 1171, 1206, 1281.5, 1283.05, 1287.4, 1710.20, 1775.1, and 2015.3 of, to amend the heading of Chapter 5 (commencing with Section 81) of Title 1 of Part 1 of, to add Sections 32.5, 38, 395.9, 399.5, 402.5, and 582.5 to, to add Chapter 5.1 (commencing with Section 85) to Title 1 of Part 1 of, and to add a heading to Article 1 (commencing with Section 85) and Article 2 (commencing with Section 90) to Chapter 5.1 of Title 1 of Part 1 of, and to repeal Sections 83, 85, 87, 88, 89, and 422.20 of, and to repeal the headings of Article 1 (commencing with Section 81) and Article 2 (commencing with Section 90) of Chapter 5 of Title 1 of Part 1 of, the Code of Civil Procedure, to amend Sections 44944, 45312, 48294, 48295, 87675, 87679, and 88131 of the Education Code, to amend Sections 325, 327, 8203, 13107, 13109, and 13111 of the Elections Code, to amend Section 300 of the Evidence Code, to amend Section 400 of the Family Code, to amend Sections 1785, 1824, 1893, 3102, 16154, 17335, 18415.2, 18495, 31713, and 34113 of the Financial Code, to amend Sections 210, 309, 2357, 4341, 4755, 5934, 12150, and 12151 of the Fish and Game Code, to amend Sections 7581, 12647, 25564, 27601, 29733, 30801, 31503, 31621, 31622, 43039, 52514, 53564, and 59289 of the Food and Agricultural Code, to amend Sections 910, 945.3, 990.2, 1770, 3501.6, 6701, 11189, 11511, 12965, 12972, 12980, 15422, 18671, 23220, 23296, 23398, 23579, 24055, 24057, 25351.3, 25560.4, 26299.008, 26524, 26665, 26806, 26820, 26820.4, 26824, 26826, 26826.01, 26863, 27082, 27647, 27706, 28003, 29603, 29610, 31469, 41606, 50920, 53069.4, 53075.6, 53075.61, 53679, 68071, 68072, 68074.1, 68081, 68084, 68086, 68090.7, 68093, 68098, 68108, 68112, 68114, 68114.5, 68114.6, 68115, 68152, 68206.2, 68505, 68513, 68540, 68542, 68542.5, 68546, 68551, 68620, 68902, 69510, 69744.5, 69746.5, 69753, 69957, 70141, 71002, 71004, 71010, 71040, 71042.5, 71045, 71080, 71083, 71085, 71088, 71091, 71092, 71093, 71094, 71095, 71098, 71099, 71100, 71140, 71141, 71143, 71145, 71180.5, 71181, 71220, 71221, 71264, 71267, 71280, 71280.1, 71280.2, 71280.3, 71280.4, 71280.5, 71340, 71341, 71381, 71382, 71384, 71386, 72055, 72056, 72056.01, 72056.1, 72060, 72190, 72190.1, 72190.2, 72193, 72194.5, 72196, 72197, 72198, 72301, 72302, 72604, 75101, 75103, 75602, 77003, and 77007 of, to amend the headings of Chapter 6 (commencing with Section 71001) of Title 8 of, Article 7 (commencing with Section 71260) of Chapter 6 of Title 8 of, Article 10 (commencing with Section 71380) of Chapter 6 of Title 8 of, and Chapter 8 (commencing with Section 72000) of Title 8 of, to add Section 3075 to, to repeal and add Chapter 5.1 (commencing with Section 70200) of Title 8 of, to repeal Sections 29605, 68078, 68202.5, 68541, 69741.7, 71080.5, 71080.6, 71080.7, 71084, 71087, 71091.1, 71096, 71097, 71180.3, 71180.4, 71181.1, and 72785 of, and to repeal Chapter 7 (commencing with Section 71600) of Title 8 of, the Government Code, to amend Sections 664 and 667 of the Harbors and Navigation Code, to amend Sections 108580, 111880, 111895, 117070, and 117120 of the Health and Safety Code, to amend Section 12961 of the Insurance Code, to amend Sections 98, 98.2, 3352, 5710, and 6613 of the Labor Code, to amend Section 467 of the Military and Veterans Code, to amend Sections 190.9, 682, 691, 726, 737, 740, 804, 806, 808, 810, 813, 827, 829, 830.1, 832.4, 851.8, 859, 859a, 860, 869, 949, 977, 977.2, 977.4, 987.1, 987.2, 988, 990, 1000, 1007, 1009, 1010, 1016, 1038, 1050, 1130, 1150, 1187, 1191, 1203.1, 1203.1c, 1214, 1235, 1269, 1269b, 1278, 1281a, 1327, 1368.1, 1382, 1424, 1427, 1428, 1429, 1429.5, 1447, 1449, 1458, 1459, 1462, 1462.2, 1463, 1463.1, 1463.22, 1466, 1468, 1471, 1538.5, 2620, 2621, 2623, 3076, 4004, 4022, 4024.1, 4112, 13125, 13151, and 14154 of, to amend the headings of Title 9 (commencing with Section 1235) and Title 11 (commencing with Section 1427) of Part 2 of, Chapter 1 (commencing with Section 1427), Chapter 2 (commencing with Section 1466), and Chapter 3 (commencing with Section 1471) of, Title 11 of Part 2 of, to add Sections 859c and 1039 to, and to repeal Sections 97, 1309, and 1462.1 of, the Penal Code, to amend Sections 3357, 3769, and 5560 of the Public Resources Code, to amend Sections 1794, 5411.5 and 103100 of the Public Utilities Code, to amend Sections 6776, 6777, 19232, 19233, and 19280 of the Revenue and Taxation Code, to amend Sections 1785 and 1786 of the Unemployment Insurance Code, to amend Sections 2802.5, 9872.1, 10751, 11205, 14607.6, 27360,

40230, 40256, 40502, 40506.5, 40508.6, 42008, and 42203 of the Vehicle Code, to amend Sections 310 and 1100 of the Water Code, to amend Sections 245, 255, 601.4, 603.5, 656, 661, 742.16, 3050, 3051, 3200, and 11350.7 of the Welfare and Institutions Code, to amend Section 22 of Chapter 201 of the Statutes of 1895, and to amend Section 4 of Chapter 238 of the Statutes of 1903, relating to courts, and declaring the urgency thereof, to take effect immediately.

**Rules Suspended**

Assembly Member Kuehl was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 2139.

Bill read third time.

**Motion to Amend**

Assembly Member Kuehl moved the adoption of amendments.

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

**At 6:26 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**SENATE BILL NO. 2145 (Maddy)**—An act to amend Section 2025 of the Code of Civil Procedure, relating to depositions.

**Rules Suspended**

Assembly Member Keeley was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 2145.

Bill read third time.

**Motion to Amend**

Assembly Member Keeley moved the adoption of amendments.

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

**OBJECTION TO VOTE ADDS**

Assembly Member Keeley 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. 1406.

**CONSIDERATION OF SENATE BILL NO. 956 WITHOUT REFERENCE TO FILE**

Assembly Member Brewer was granted unanimous consent to take up Senate Bill No. 956, without reference to file, for purpose of amendment.

**SENATE BILL NO. 956 (Rosenthal)**—An act to add Section 1348 to the Health and Safety Code, relating to insurance.

Bill read third time.

**Motion to Amend**

Assembly Member Brewer moved the adoption of amendments.

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

**ACTION RESCINDED ON SENATE BILL NO. 1587**

Assembly Member Baca was granted unanimous consent to rescind the action whereby the Assembly, on August 11, 1998 (Assembly Journal, page 8311), adopted the urgency clause and passed Senate Bill No. 1587, and whereby the bill was ordered transmitted to the Senate.

**Consideration of Senate Bill No. 1587 Without Reference to File**

Assembly Member Baca was granted unanimous consent to take up Senate Bill No. 1587, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1587 (Alpert)**—An act to add Article 3 (commencing with Section 11970) to Chapter 2 of Part 3 of Division 10.5 of the Health and Safety Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Baca moved the adoption of amendments.

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

**ACTION RESCINDED ON SENATE BILL NO. 1641**

Assembly Member Migden was granted unanimous consent to rescind the action whereby the Assembly, on August 20, 1998 (Assembly Journal, page 8667), passed Senate Bill No. 1641, and whereby the bill was ordered transmitted to the Senate.

**Consideration of Senate Bill No. 1641 Without Reference to File**

Assembly Member Migden was granted unanimous consent to take up Senate Bill No. 1641, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1641 (Burton)**—An act to repeal and add Section 5006.8 of the Public Resources Code, relating to Candlestick Park.

Bill read third time.

**Motion to Amend**

Assembly Member Migden moved the adoption of amendments.

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

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred:

Senate Bill No. 1425 to the Committee on Revenue and Taxation; and  
Senate Bill No. 1169 to the Committee on Consumer Protection,  
Governmental Efficiency and Economic Development.

**MOTION TO SUSPEND JOINT RULE 28.1**

Assembly Member Shelley moved that Joint Rule 28.1 be suspended to permit the appointment of conferees to the Conference Committee on Assembly Bill No. 2648.

Motion carried by the following vote:

**AYES—76**

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

**NOES—None****APPOINTMENT OF COMMITTEE ON CONFERENCE**

The Speaker appointed Assembly Member Gallegos as an alternate on the Committees on Conference concerning Assembly Bill No. 2648 and Senate Bill No. 2035.

**REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 1368**

Assembly Member Shelley was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 1368.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 262**

At 6:45 p.m., on motion of Assembly Member Battin, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 262 passed by the following vote:

**AYES—49**

Aguiar	Cunneen	Knox	Scott
Alby	Ducheny	Kuehl	Strom-Martin
Alquist	Escutia	Kuykendall	Sweeney
Aroner	Figueroa	Leonard	Thomson
Baca	Firestone	Martinez	Torlakson
Battin	Floyd	Miller	Vincent
Baugh	Frusetta	Morrissey	Washington
Bordonaro	Gallegos	Murray	Wayne
Bowler	Granlund	Napolitano	Woods
Brown	Havice	Ortiz	Mr. Speaker
Bustamante	Honda	Pacheco	
Cardoza	Kaloogian	Poochigian	
Cedillo	Keeley	Pringle	

**NOES—15**

Ackerman	Goldsmith	McClintock	Oller
Baldwin	Leach	Migden	Runner
Brewer	Margett	Morrow	Thompson
Campbell	Mazzoni	Olberg	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1535**

At 6:46 p.m., on motion of Assembly Member Torlakson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1535 refused passage by the following vote:

**AYES—28**

Alquist	Escutia	Knox	Sweeney
Aroner	Figueroa	Kuehl	Thomson
Bowen	Floyd	Martinez	Torlakson
Brown	Gallegos	Mazzoni	Vincent
Cardenas	Hertzberg	Migden	Washington
Cedillo	Honda	Murray	Wright
Ducheny	Keeley	Shelley	Mr. Speaker

**NOES—38**

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

**Motion to Reconsider Senate Bill No. 1535  
on Next Legislative Day**

Assembly Member Torlakson moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1535 was this day refused passage.

Senate Bill No. 1535 ordered to the unfinished business file.

**Objection to Vote Adds**

Assembly Member Thompson withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Senate Bill No. 1535.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1740**

At 6:47 p.m., on motion of Assembly Member Torlakson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1740 passed by the following vote:

**AYES—41**

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

**NOES—35**

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1205**

At 6:47 p.m., on motion of Assembly Member Wright, 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. 1205 by the following vote:

**AYES—41**

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

**NOES—35**

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

Above bill ordered enrolled.

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

At 6:49 p.m., on motion of Assembly Member Shelley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Shelley amendments to Senate Bill No. 233 refused adoption by the following vote:

**AYES—30**

Alquist	Ducheny	Knox	Sweeney
Aroner	Escutia	Kuehl	Torlakson
Baca	Figueroa	Lempert	Washington
Bowen	Floyd	Martinez	Wayne
Brown	Gallegos	Migden	Wildman
Cardenas	Havice	Napolitano	Mr. Speaker
Cedillo	Honda	Ortiz	
Davis	Keeley	Shelley	

**NOES—40**

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

**Vote Changes**

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

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 6:50 p.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF SENATE BILL NO. 1941  
WITHOUT REFERENCE TO FILE**

Assembly Member Bowen was granted unanimous consent to take up Senate Bill No. 1941, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1941 (Sher)**—An act to add Chapter 8.5 (commencing with Section 25720) to Division 15 of the Public Resources Code, relating to climate change.

Bill read third time.

**Motion to Amend**

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

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

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 6:55 p.m., by unanimous consent, the members of the Committee on Natural Resources were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**ACTION RESCINDED ON SENATE BILL NO. 1823**

Assembly Member Wayne was granted unanimous consent to rescind the action whereby the Assembly, earlier this day (Assembly Journal, page 8817), passed Senate Bill No. 1823, and whereby the bill was ordered transmitted to the Senate.

**Further Consideration of Senate Bill No. 1823**

**SENATE BILL NO. 1823 (Keeley)**—An act to add Section 11466.24 to the Welfare and Institutions Code, relating to foster care.

Bill read third time.

**Motion to Amend**

Assembly Member Wayne moved the adoption of amendments.

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

**UNANIMOUS CONSENT GRANTED**

Assembly Member Knox was granted unanimous consent to take up Senate Bill No. 1530 on August 25, 1998 for purpose of amendment, after today's deadline to amend bills on third reading.

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

**SENATE BILL NO. 1559 (Johnston)**—An act to amend Section 15037.1 of the Unemployment Insurance Code, relating to job training, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Knox moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1397  
WITHOUT REFERENCE TO FILE**

Assembly Member Lempert was granted unanimous consent to take up Senate Bill No. 1397, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1397 (Brulte)**—An act to amend Section 17155 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time.

**Motion to Amend**

Assembly Member Lempert moved the adoption of amendments.

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

**ACTION RESCINDED ON ASSEMBLY BILL NO. 1995**

Assembly Member Shelley was granted unanimous consent to rescind the action whereby the Assembly, on July 27, 1998 (Assembly Journal, page 8083), concurred in Senate amendments to Assembly Bill No. 1995, and whereby the bill was ordered enrolled; and that the bill be returned to the Senate for further action.

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Assembly Resolutions**

**ASSEMBLY CONCURRENT RESOLUTION NO. 180 (Oiler)**—Relative to Historic U.S. Highway Route 40.

Resolution read, adopted and ordered transmitted to the Senate.

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

**Consent Calendar—Senate Resolutions**

**SENATE CONCURRENT RESOLUTION NO. 44 (Calderon)**—Relative to apportionment of income for franchise tax purposes.

Resolution read, adopted and ordered transmitted to the Senate.

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

**SENATE CONCURRENT RESOLUTION NO. 99 (Kelley)**—Relative to the Quentin L. Kopp Freeway.

Resolution read, adopted and ordered transmitted to the Senate.

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

**Consent Calendar Roll Call**

The roll was called, and the above resolutions on the Consent Calendar adopted by the following vote:

**AYES—74**

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

**NOES—None**

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1735  
FROM COMMITTEE CONTINUED**

By unanimous consent the notice of motion to withdraw Assembly Bill No. 1735 from the Committee on Public Safety was continued until the next legislative day.

**BILLS RETURNED TO THIRD READING FILE**

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

**Senate Bill No. 1873**, on request of Assembly Member Papan;

**Senate Bill No. 184**, on request of Assembly Member Cardenas.

**MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 23; Senate Constitutional Amendment No. 13; Senate Bills Nos. 1427, 1450, 2048, 1203, and 507; Assembly Bills Nos. 562 and 2229 were continued until the next legislative day.

**VOTE ADDS**

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

**Senate Bill No. 704:** Alby, Ashburn, Baldwin, Battin, Baugh, Bordonaro, Brewer, Bustamante, Campbell, Cardenas, Cunneen, Frusetta, Goldsmith, Granlund, Lempert, Martinez, Morrow, Olberg, Pacheco, Poochigian, Prenter, and Sweeney—Aye.

**Senate Bill No. 1823:** Alby, Baldwin, Battin, Baugh, Bordonaro, Brewer, Bustamante, Campbell, Cunneen, Frusetta, Goldsmith, Granlund, Lempert, Martinez, Morrow, Pacheco, Pringle, Sweeney, and Wayne—Aye.

**Senate Bill No. 2194:** Alby, Baldwin, Baugh, Bordonaro, Brewer, Bustamante, Campbell, Cunneen, Frusetta, Goldsmith, Granlund, Lempert, Martinez, Morrow, Pacheco, Pringle, and Sweeney—Aye.

**Senate Bill No. 1664:** Alby, Ashburn, Baldwin, Baugh, Bordonaro, Brewer, Bustamante, Campbell, Cunneen, Frusetta, Goldsmith, Granlund, Lempert, Martinez, Morrow, Olberg, Pacheco, and Sweeney—Aye.

**Senate Bill No. 1652:** Alby, Baugh, Bordonaro, Brewer, Bustamante, Campbell, Cunneen, Ducheny, Frusetta, Goldsmith, Granlund, Knox, Lempert, Martinez, Morrow, Pacheco, and Sweeney—Aye.

**Senate Bill No. 1702:** Alby, Baugh, Bordonaro, Brewer, Bustamante, Campbell, Cunneen, Ducheny, Frusetta, Goldsmith, Granlund, Knox, Lempert, Martinez, Morrow, Oller, Pacheco, and Sweeney—Aye.

**Senate Bill No. 1874:** Alby, Bordonaro, Brewer, Bustamante, Campbell, Cunneen, Ducheny, Frusetta, Goldsmith, Granlund, Knox, Lempert, Martinez, and Sweeney—Aye; Baugh and Morrow—No.

**Senate Bill No. 750:** Alby, Baugh, Bordonaro, Brewer, Bustamante, Campbell, Cunneen, Ducheny, Frusetta, Gallegos, Goldsmith, Granlund, Knox, Lempert, Martinez, Mazzoni, Morrow, Pacheco, and Sweeney—Aye.

**Senate Bill No. 2240:** Aguiar, Alby, Baugh, Bordonaro, Brewer, Bustamante, Campbell, Cardenas, Cunneen, Ducheny, Frusetta, Goldsmith, Granlund, Knox, Lempert, Martinez, Mazzoni, Morrow, Pacheco, Runner, and Sweeney—Aye.

**Senate Bill No. 1965:** Alby, Baugh, Bordonaro, Brewer, Bustamante, Campbell, Cunneen, Goldsmith, Granlund, Lempert, Martinez, Morrow, Pacheco, Runner, and Sweeney—Aye.

**Senate Bill No. 730 and Urgency:** Alby, Baldwin Baugh, Bordonaro, Brewer, Bustamante, Campbell, Cunneen, Ducheny, Goldsmith, Granlund, Lempert, Martinez, Morrow, Runner, and Sweeney—Aye.

**Senate Bill No. 2023:** Bordonaro, Bustamante, Cunneen, Frusetta, Goldsmith, Lempert, Martinez, Morrow, and Sweeney—Aye; Alby, Baugh, Brewer, Granlund, Havice, Leach, and Margett—No.

**Senate Bill No. 971:** Alby, Baugh, Bordonaro, Bowler, Brewer, Bustamante, Cunneen, Frusetta, Goldsmith, Granlund, Kaloogian, Lempert, Martinez, Morrow, Pacheco, Pringle, and Sweeney—Aye; Oller—No.

**Senate Bill No. 235:** Alby, Ashburn, Baugh, Bordonaro, Bowler, Brewer, Bustamante, Cunneen, Goldsmith, Granlund, Lempert, Martinez, Morrow, Pacheco, Poochigian, Pringle, Runner, and Sweeney—Aye.

**Senate Bill No. 55:** Alby, Baugh, Bordonaro, Bowler, Brewer, Bustamante, Cunneen, Goldsmith, Granlund, Lempert, Martinez, Morrow, Pringle, and Sweeney—Aye; Pacheco—No.

**Senate Bill No. 1911:** Baldwin, Baugh, Bordonaro, Brewer, Bustamante, Cunneen, Goldsmith, Granlund, Lempert, Martinez, Pacheco, Pringle, Runner, and Sweeney—Aye; Morrow—No.

**Senate Bill No. 1522 and Urgency:** Baugh, Bordonaro, Brewer, Bustamante, Cunneen, Goldsmith, Granlund, Lempert, Martinez, Mazzoni, Morrow, Pacheco, Pringle, and Sweeney—Aye.

**Senate Bill No. 1642:** Baldwin, Battin, Baugh, Bordonaro, Bustamante, Cunneen, Goldsmith, Granlund, Lempert, Martinez, Morrow, Pacheco, Pringle, and Sweeney—Aye.

**Senate Bill No. 645:** Baugh, Bordonaro, Brewer, Bustamante, Cunneen, Goldsmith, Granlund, Lempert, Martinez, Morrow, Pacheco, Pringle, and Sweeney—Aye.

**Senate Bill No. 1665:** Aguiar, Baugh, Bordonaro, Bustamante, Cunneen, Goldsmith, Granlund, Knox, Lempert, Martinez, Morrow, Pacheco, Poochigian, and Pringle—Aye; Scott—No.

**Senate Bill No. 2103:** Baugh, Bordonaro, Bustamante, Cunneen, Escutia, Goldsmith, Granlund, Lempert, Martinez, Morrow, Pacheco, Pringle, and Sweeney—Aye.

**Senate Bill No. 1754:** Baugh, Bordonaro, Bustamante, Cardenas, Cunneen, Goldsmith, Granlund, Lempert, Martinez, Morrow, Pringle, and Sweeney—Aye.

**Senate Bill No. 1927:** Battin, Baugh, Bordonaro, Bustamante, Cunneen, Goldsmith, Granlund, Lempert, Martinez, Morrow, Pacheco, Poochigian, Pringle, and Sweeney—Aye.

**Senate Bill No. 2070:** Baugh, Bordonaro, Bustamante, Cunneen, Ducheny, Gallegos, Goldsmith, Granlund, Knox, Lempert, Martinez, Morrow, Pacheco, Pringle, and Sweeney—Aye.

**Senate Bill No. 559:** Baugh, Bordonaro, Bustamante, Cunneen, Ducheny, Goldsmith, Granlund, Knox, Lempert, Martinez, Mazzoni, Morrow, Pacheco, Pringle, and Sweeney—Aye.

**Senate Bill No. 1430:** Baca, Bordonaro, Bustamante, Cunneen, Granlund, Lempert, Martinez, Morrow, Shelley, and Sweeney—Aye; Baldwin, Kaloogian, Pacheco, and Pringle—No.

**Senate Bill No. 1649:** Baugh, Bordonaro, Bustamante, Cunneen, Lempert, Martinez, Migden, Morrow, Pacheco, Poochigian, Pringle, and Sweeney—Aye.

**Senate Bill No. 1606:** Bordonaro, Bustamante, Cunneen, Ducheny, Granlund, Knox, Lempert, Martinez, Morrow, Ortiz, Pacheco, Pringle, Sweeney, and Torlakson—Aye.

**Senate Bill No. 1869:** Bordonaro, Bustamante, Cunneen, Granlund, Kaloogian, Lempert, Martinez, Morrow, Oller, Pacheco, Pringle, and Sweeney—Aye; Alquist—No.

**Senate Bill No. 1827:** Baugh, Bordonaro, Bowen, Bustamante, Cunneen, Ducheny, Knox, Lempert, Martinez, Morrow, Poochigian, Pringle, and Sweeney—Aye.

**Senate Bill No. 256:** Baugh, Bordonaro, Bustamante, Cunneen, Ducheny, Knox, Lempert, Martinez, Morrow, Pacheco, Poochigian, Pringle, and Sweeney—Aye.

**Senate Bill No. 28:** Bordonaro, Bustamante, Cunneen, Ducheny, Knox, Lempert, Morrow, Poochigian, Pringle, and Sweeney—Aye; Martinez—No.

**Assembly Bill No. 1944, Concurrence:** Baugh, Bordonaro, Bustamante, Cunneen, Ducheny, Granlund, Kaloogian, Knox, Lempert, Morrow, Oller, Pringle, and Sweeney—Aye; Martinez and McClintock—No.

**Assembly Bill No. 2329, Concurrence:** Ashburn, Bordonaro, Bustamante, Cunneen, Ducheny, Goldsmith, Honda, Knox, Lempert, Morrow, Murray, Pacheco, Pringle, and Sweeney—Aye; Martinez—No.

**Assembly Bill No. 2102, Concurrence:** Ashburn, Bordonaro, Bustamante, Cunneen, Ducheny, Havice, Lempert, Martinez, Morrow, Pringle, and Sweeney—Aye.

**Assembly Bill No. 2268, Concurrence:** Baldwin, Bordonaro, Brewer, Bustamante, Cunneen, Ducheny, Knox, Lempert, Miller, Morrow, Pacheco, Pringle, Shelley, and Sweeney—Aye; Havice and Martinez—No.

**Assembly Bill No. 2275, Concurrence:** Baldwin, Bordonaro, Bustamante, Cunneen, Ducheny, Frusetta, Knox, Lempert, Martinez, Morrow, Pacheco, Pringle, Runner, Shelley, and Sweeney—Aye.

**Assembly Bill No. 2506, Concurrence:** Bordonaro, Bustamante, Cunneen, Lempert, Martinez, Morrow, Pringle, Runner, and Sweeney—Aye.

**Assembly Bill No. 966, Concurrence:** Alquist, Bordonaro, Bowen, Bustamante, Cardenas, Cardoza, Cunneen, Davis, Havice, Lempert, Martinez, Morrow, Pringle, and Sweeney—Aye.

**Assembly Bill No. 1951, Urgency and Concurrence:** Bordonaro, Bustamante, Cunneen, Davis, Lempert, Martinez, Morrow, Pringle, and Sweeney—Aye.

**Assembly Bill No. 930, Concurrence:** Bordonaro, Bustamante, Cunneen, Lempert, Martinez, Migden, Shelley, and Sweeney—Aye; Morrow and Pringle—No.

**Assembly Bill No. 2416, Concurrence:** Bordonaro, Bustamante, Cunneen, Lempert, Martinez, Morrow, Pringle, and Sweeney—Aye; Havice—No.

**Assembly Bill No. 2557, Concurrence:** Bordonaro, Bustamante, Campbell, Cunneen, Lempert, Martinez, Morrow, and Sweeney—Aye; Baldwin and Pringle—No.

**Assembly Bill No. 214, Urgency and Concurrence:** Baca, Bordonaro, Bustamante, Cunneen, Lempert, Martinez, Morrow, Pringle, Shelley, and Sweeney—Aye.

**Assembly Bill No. 898, Concurrence:** Bordonaro, Brewer, Bustamante, Cunneen, Goldsmith, Lempert, Martinez, Olberg, Oller, Pacheco, Pringle, and Sweeney—Aye; Baugh, Kaloogian, and Morrow—No.

**Assembly Bill No. 1730, Concurrence:** Baca, Baugh, Bordonaro, Bowen, Bustamante, Cunneen, Lempert, Martinez, Morrow, Pacheco, Pringle, Runner, and Sweeney—Aye.

**Assembly Bill No. 789, Concurrence:** Bordonaro, Bustamante, Cunneen, Lempert, Martinez, Morrow, Pringle, and Sweeney—Aye.

**Assembly Bill No. 2023, Concurrence:** Battin, Bordonaro, Bustamante, Campbell, Cunneen, Kaloogian, Lempert, Margett, Migden, Morrow, Olberg, Oller, Pringle, and Sweeney—Aye; Martinez—No.

**Assembly Bill No. 284, Concurrence:** Baldwin, Battin, Bordonaro, Bowen, Campbell, Cunneen, Davis, Lempert, Martinez, Migden, Morrow, Pringle, and Sweeney—Aye.

**Assembly Bill No. 2438, Concurrence:** Cunneen, Lempert, Margett, Martinez, Morrissey, Scott, and Sweeney—Aye; Alby, Baldwin, Bordonaro, Bowler, Campbell, Morrow, Poochigian, and Pringle—No.

**Assembly Bill No. 2597, Concurrence:** Ackerman, Bordonaro, Brewer, Campbell, Cunneen, Goldsmith, Leach, Lempert, Martinez, Olberg, Poochigian, Pringle, and Sweeney—Aye; Alby, Ashburn, Bowler, and Morrow—No.

**Assembly Bill No. 2301, Concurrence:** Ackerman, Bordonaro, Brewer, Campbell, Cunneen, Goldsmith, Leach, Lempert, Martinez, Migden, Morrow, Prenter, Runner, and Sweeney—Aye; Baldwin, Baugh, and Pringle—No.

**Assembly Bill No. 2473, Concurrence:** Ackerman, Baugh, Bordonaro, Bowen, Bustamante, Campbell, Cunneen, Figueroa, Lempert, Martinez, Morrow, Prenter, Pringle, and Sweeney—Aye; Baldwin—No.

**Assembly Bill No. 1692, Concurrence:** Ackerman, Bordonaro, Bustamante, Campbell, Cunneen, Havice, Lempert, Martinez, Mazzoni, Morrow, Olberg, Pacheco, Poochigian, Prenter, Pringle, and Sweeney—Aye.

**Assembly Bill No. 2067, Concurrence:** Ashburn, Bowen, Frusetta, Gallegos, Goldsmith, Martinez, Morrow, Poochigian, and Sweeney—Aye.

**Senate Bill No. 1660:** Ashburn, Bowen, Ducheny, Gallegos, Goldsmith, Knox, Martinez, Morrow, Pacheco, and Sweeney—Aye.

**Assembly Bill No. 2812, Concurrence:** Ashburn, Baldwin, Bowen, Gallegos, Goldsmith, Martinez, Morrow, Pacheco, and Sweeney—Aye.

**Senate Bill No. 1646:** Ackerman, Ashburn, Bowen, Goldsmith, Martinez, Morrow, Poochigian, Prenter, and Sweeney—Aye; Baldwin, McClintock, and Pacheco—No.

**Senate Bill No. 1389:** Baldwin, Gallegos, Martinez, Pacheco, Poochigian, and Sweeney—Aye; Ackerman and Morrow—No.

**Senate Bill No. 1666:** Bustamante, Campbell, Martinez, Morrow, Pacheco, Runner, and Sweeney—Aye; Baldwin and McClintock—No.

**Assembly Bill No. 1534, Concurrence:** Lempert, Martinez, Morrow, Oller, Pacheco, Pringle, Runner, Sweeney, and Wayne—Aye; Baugh and McClintock—No.

**Senate Bill No. 1770:** Bustamante, Honda, Martinez, Pacheco, and Sweeney—Aye; McClintock—No.

**Senate Bill No. 1970:** Baugh, Martinez, Morrow, Olberg, Pacheco, Runner, and Sweeney—Aye.

**Senate Bill No. 1984:** Alquist, Bustamante, Cunneen, Martinez, Runner, and Sweeney—Aye; Ackerman, Ashburn, Baldwin, Baugh, Bordonaro, Brewer, Leach, Pacheco, and Prenter—No.

**Senate Bill No. 1340:** Aguiar, Ashburn, Baugh, Ducheny, Granlund, Lempert, Martinez, and Wildman—Aye; Sweeney—No.

**Senate Bill No. 1405:** Bordonaro, Gallegos, Prenter, and Sweeney—Aye; Aguiar and Baugh—No.

**Senate Bill No. 1902, Keeley Amendments:** Mazzoni and Sweeney—Aye; Aguiar and Runner—No.

**Senate Bill No. 218:** Battin, Bowen, Bustamante, Martinez, Murray, Oller, Sweeney, and Torlakson—Aye.

**Senate Bill No. 1250:** Baca, Battin, Baugh, Bowen, Kaloogian, Martinez, Oller, Poochigian, and Sweeney—Aye.

**Senate Bill No. 930:** Honda and Sweeney—Aye; Baugh, Campbell, Kaloogian, Lempert, and Oller—No.

**Senate Bill No. 1406:** Aguiar, Ashburn, Battin, and Bordonaro—Aye; Baugh, Campbell, Kaloogian, Oller, Pacheco, Poochigian, and Runner—No.

**Senate Bill No. 1658:** Battin and Kaloogian—Aye; Baugh, Granlund, Oller, Pacheco, Poochigian, and Runner—No.

**Senate Bill No. 1763:** Figueroa, Granlund, Kaloogian, Martinez, Oller, Pacheco, and Shelley—Aye.

**Senate Bill No. 1773:** Pacheco—Aye; McClintock—No.

**Senate Bill No. 2241 and Urgency:** Baldwin, Ducheny, Granlund, Honda, Knox, Murray, and Pacheco—Aye; Martinez—No.

**Assembly Bill No. 1726, Concurrence:** Alby, Baldwin, Battin, Bordonaro, Davis, Ducheny, Frusetta, Knox, Martinez, Pacheco, Prenter, and Sweeney—Aye; Baugh, Bowler, Campbell, Kaloogian, and Morrow—No.

**Assembly Bill No. 2620:** Bowler and Frusetta—Aye; Alby, Baldwin, Baugh, Bordonaro, Brewer, and Morrow—No.

**Assembly Bill No. 2707, Concurrence:** Ducheny, Frusetta, and Knox—Aye.

**Assembly Bill No. 1959, Concurrence:** Aguiar and Frusetta—Aye; Baldwin, Baugh, Kaloogian, Morrow, and Runner—No.

**Assembly Bill No. 1389, Concurrence:** Baldwin, Frusetta, McClintock, and Runner—Aye.

**Assembly Bill No. 1931, Concurrence:** Aguiar, Baldwin, Baugh, Morrow, and Runner—No.

**Assembly Bill No. 497, Concurrence:** Cunneen—Aye; Baugh—No.

**Assembly Bill No. 66, Concurrence:** Ducheny, Honda, Knox, and Olberg—Aye; Martinez—No.

**Assembly Bill No. 1570, Concurrence:** Bordonaro, Bowen, Ducheny, Leach, Martinez, and Pacheco—Aye; Granlund, Kuykendall, Runner, and Woods—No.

**Senate Bill No. 1735, Motion to Table Morrow Amendments:** Runner—No.

**Senate Bill No. 1500, Motion to Table Oller Amendments:** Runner—No.

**Senate Bill No. 233, Motion to Table Prenter Amendments:** Runner—No.

**Senate Bill No. 262:** Bustamante—Aye; Brewer and McClintock—No.

**Senate Bill No. 1740:** Prenter and Pringle—No.

#### MOTION TO ADJOURN

At 7:13 p.m., Assembly Member Cedillo moved that the Assembly do now adjourn.

Assembly Member Washington seconded the motion.

Motion carried.

#### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 7:13 p.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

#### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 24, 1998

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

Assembly Bill No. 17	Assembly Bill No. 1941
Assembly Bill No. 231	Assembly Bill No. 2063
Assembly Bill No. 285	Assembly Bill No. 2199
Assembly Bill No. 508	Assembly Bill No. 2310
Assembly Bill No. 682	Assembly Bill No. 2410
Assembly Bill No. 1680	Assembly Bill No. 2426
Assembly Bill No. 1736	Assembly Bill No. 2428
Assembly Bill No. 1767	Assembly Bill No. 2647
Assembly Bill No. 1882	Assembly Bill No. 2700
Assembly Bill No. 1897	Assembly Bill No. 2774

And reports the same correctly enrolled, and presented to the Governor at 2 p.m., August 24, 1998.

E. DOTSON WILSON, Chief Clerk

#### RESOLUTIONS

The following resolution was offered:

**HOUSE RESOLUTION NO. 88—Aguiar and Sweeney.** Relative to the centennial year of the League of California Cities.

**AUTHOR'S AMENDMENTS  
Committee on Appropriations**

August 24, 1998

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

Senate Bill No. 1988

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

MIGDEN, Chairwoman

**SENATE BILL NO. 1988**—An act to amend Sections 1102, 1102.1, 1102.2, and 1102.9 of, and to add Sections 1102.3a and 1102.6e to, the Civil Code, and to amend Sections 18025 and 18046 of, and to add Section 18400.2 to, the Health and Safety Code, relating to property disclosures.

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

**AUTHOR'S AMENDMENTS  
Committee on Health**

August 24, 1998

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

Senate Bill No. 385

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

GALLEGOS, Chairman

**SENATE BILL NO. 385**—An act to amend Section 805.1 of the Business and Professions Code, relating to healing arts.

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

**AUTHOR'S AMENDMENTS  
Committee on Budget**

August 24, 1998

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

Senate Bill No. 2121

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

DUCHENY, Chairwoman

**SENATE BILL NO. 2121**—An act relating to the state fiscal year.

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

**AUTHOR'S AMENDMENTS  
Committee on Rules**

August 24, 1998

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

Senate Bill No. 1757

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

HERTZBERG, Chairman

**SENATE BILL NO. 1757**—An act to add Sections 341 and 383.7 to, and to add Chapter 2.2 (commencing with Section 328) to Part 1 of Division 1 of, the Public Utilities Code, relating to the Public Utilities Commission.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Public Safety**

August 24, 1998

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Senate Bill No. 1731

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

PERATA, Chairman

**SENATE BILL NO. 1731**—An act to add and repeal Chapter 3.6 (commencing with Section 13827) to Title 6 of Part 4 of the Penal Code, relating to gangs.

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: August 19, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 485

Senate Bill No. 1623

Senate Bill No. 491

Senate Bill No. 1624

Senate Bill No. 1038

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: August 19, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1690

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

**Committee on Consumer Protection, Governmental Efficiency and  
Economic Development**

Date of Hearing: August 24, 1998

Mr. Speaker: Your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Senate Bill No. 1645

With the recommendation: Do pass.

DAVIS, Chairwoman

Above bill ordered to second reading.

**Committee on Appropriations**

Date of Hearing: August 19, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1373

Senate Bill No. 2055

Senate Bill No. 1467

Senate Bill No. 2126

Senate Bill No. 1868

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

**Committee on Rules**

Date of Hearing: August 24, 1998

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 102

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

HERTZBERG, Chairman

Above resolution ordered on file.

**Committee on Transportation**

Date of Hearing: August 20, 1998

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 567

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

MURRAY, Chairman

Above bill ordered to second reading.

**Committee on Rules**

Date of Hearing: August 24, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Joint Resolution No. 77

With the recommendation: Be adopted.

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

HERTZBERG, Chairman

Above resolution ordered on file.

Date of Hearing: August 24, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 190

Assembly Concurrent Resolution No. 191

With the recommendation: Be adopted.

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

HERTZBERG, Chairman

Above resolutions ordered on file.

**Committee on Health**

Date of Hearing: August 24, 1998

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 227

Assembly Bill No. 1338

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

GALLEGOS, Chairman

Above bills ordered to unfinished business.

**Committee on Appropriations**

Date of Hearing: August 19, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1825

With the recommendation: Do pass, as amended.

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

**Committee on Judiciary**

Date of Hearing: August 24, 1998

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 326

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

ESCUTIA, Chairwoman

Above bill ordered to second reading.

Date of Hearing: August 24, 1998

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1173

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

ESCUTIA, Chairwoman

Above bill ordered to second reading.

**Committee on Natural Resources**

Date of Hearing: August 24, 1998

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 2521

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

BOWEN, Chairwoman

Above bill ordered to unfinished business.

**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. 182**

Governor's Office, Sacramento

August 21, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 182 without my signature.

This bill would authorize cities and counties, in addition to current local posting requirements, to notify the California Environmental Protection Agency (Cal/EPA) of any public meetings regarding the adoption or amendment of certain regulated substances. This bill would expand the mandate on local agencies by requiring them to also notice the repeal of those ordinances. Cal/EPA would then be required, to the extent local agencies voluntarily send that information to the Agency, to post it on the Agency's Internet site.

Existing law requires local agencies to provide public notice within the affected community prior to adopting or amending any such ordinance. In fact, many cities and counties already make this information available on their Internet website. Because this

information is readily available to the public, any additional requirements for the State to post that information would be unnecessarily duplicative.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2374**

Governor's Office, Sacramento

August 21, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2374 without my signature.

This bill would rename the California Tumor Registry as the California Cancer Registry. It would also state the Legislature's intent to appropriate in the Budget Act of 1998 an additional \$2.3 million for the Registry.

This bill is unnecessary because the \$2.5 million legislative augmentation for the Cancer Registry has been deleted from the Budget Act of 1998. The work done by the Cancer Registry is important. However, the program already is complying with current law and providing quality services.

Cordially,

PETE WILSON

**RECEIPT**

I acknowledge receipt this 24th day of August 1998, at 1:13 p.m., of Assembly Bills Nos. 182 and 2374, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**MESSAGES FROM THE SENATE**

Senate Chamber, August 24, 1998

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

Senate Bill No. 1517

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

Senate Chamber, August 24, 1998

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

**Senate Bill No. 1561.**

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

**CONFERENCE COMMITTEE REPORTS RECEIVED**

Assembly Chamber, August 24, 1998

Mr. Speaker: The Committee on Conference has met concerning:

**Senate Bill No. 50** as amended in Assembly on July 13, 1998, and agreed to recommend that the amendments of the Assembly be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

LEROY GREENE  
DEIRDRE ALPERT  
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KERRY MAZZONI  
KEITH OLBERG  
HELEN M. THOMSON

Senate Committee on Conference

Assembly Committee on Conference

Assembly Chamber, August 24, 1998

Mr. Speaker: The Committee on Conference has met concerning:

**Senate Bill No. 1885**, as amended in Assembly on June 29, 1998, and agreed to recommend that the amendments of the Assembly be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

RICHARD G. POLANCO  
RUBEN S. AYALA  
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BOB MARGETT  
ROBERT M. HERTZBERG  
DENNIS CARDOZA

Senate Committee on Conference

Assembly Committee on Conference

**INTRODUCTION OF GUESTS**

Assembly Member Miller, of the 60th Assembly District, introduced his wife Cathy and Charles and Judy Nichols.

Assembly Member Baldwin, of the 77th Assembly District, introduced Rick and Tammy Mathis, and Stephen and Amanda Mathis, of Santee.

**ADJOURNMENT**

At 11 p.m., pursuant to the motion by Assembly Member Cedillo, the Assembly adjourned until 10 a.m., Tuesday, August 25, 1998, out of respect to the memory of Richard Figone, on motion of Assembly Member Shelley.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON AUGUST 24, 1998

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

ACR	RN	SB	RN
182	9819514	1454	9819823
188	9820117	1462	9819513
		1466	9819869
		1469	9820180
		1500	9819181
		1500	9820197
		1522	9817413
		1530	9819534
		1555	9817376
		1559	9820216
		1560	9819347
		1574	9819796
		1587	9820026
		1600	9820096
		1606	*
		1615	9819841
		1641	9820206
		1676	9819607
		1681	9819533
		1691	9819662
		1696	9820099
		1697	9819520
		1700	9819510
		1712	9819325
		1715	9819919
		1731	9819772
		1757	9819907
		1785	9820068
		1823	9820233
		1878	9820033
		1885	9819537 (Conf.)
		1896	9817575
		1900	9819449
		1901	9819608
		1902	9819999
		1941	9820219
		1950	9820192
		<del>1950</del>	<del>9819522</del>
		1951	9819680
		1981	9819779
		1988	9819824
		2030	9819770

<b>SB</b>	<b>RN</b>	<b>SB</b>	<b>RN</b>
2049	9819511	2177	9819595
2074	9819885	2180	9819594
2085	9820051	2199	9819773
2119	9820177	2217	9819575
2121	9819793	2238	9819612
2139	9819610	2239	9819837
2145	9819960		

**Daily Total: 94**

**Cumulative Total: 7757**

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

**SB**

233 Set 1, RN 9815887  
 (Preter amendments—Set 2, RN 9816385, laid upon the table)

1500 (Oller amendments, RN 9818405, laid upon the table)

1735 (Morrow amendments, RN 9817890, laid upon the table)

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

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, August 25, 1998**

**TWO HUNDRED SIXTY-SECOND SESSION DAY  
SIX HUNDRED THIRTY-SECOND CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Tuesday, August 25, 1998

The Assembly met at 10:00 a.m.  
Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Ackerman 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 Kuehl declared a quorum of the  
Assembly present.

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

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

**PRAYER**

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

*Lord God, You are the fountain of mercy, the One Who fashioned all creation. Fill our souls with Your gladness, teach us to meditate upon You and to proclaim Your judgments. Lord, we continually give thanks to You and we ask that You direct the work of our hands to do those things that are pleasing and dear to You. So that through us, Your all-holy name may be glorified forever.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

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

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

**LEAVES OF ABSENCE FOR THE DAY**

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

*Because of illness: Assembly Member Takasugi.*

*Because of a death in the family: Assembly Members Machado and Perata.*

**COMMUNICATIONS**

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

August 25, 1998

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: Please be advised that I have appointed the following members to the Subcommittee on Insurance Reform:

Assemblymember Diane Martinez, Chair

Assemblymember Liz Figueroa

Assemblymember Martin Gallegos

Assemblymember Mike Honda

Assemblymember Jim Cunneen

Assemblymember Lynne Leach

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 25, 1998

*E. Dotson Wilson*  
*Chief Clerk*

*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Wally Knox to the Water, Parks and Wildlife Committee in place of Assemblymember Martha Escutia for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 25, 1998

*E. Dotson Wilson*  
*Chief Clerk*

*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Lou Papan to the Water, Parks and Wildlife Committee in place of Assemblymember Mike Machado for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 25, 1998

*E. Dotson Wilson*  
*Chief Clerk*

*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Torlakson to the Revenue and Taxation Committee in place of Assemblymember Mike Machado for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 25, 1998

*E. Dotson Wilson*  
*Chief Clerk*

*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Public Safety Committee in place of Assemblymember Don Perata for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 25, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to the Local Government Committee in place of Assemblymember Don Perata for the hearing on August 26, 1998 only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 25, 1998

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

Assembly Bill No. 1951

And reports the same correctly enrolled, and presented to the Governor at 9:30 a.m., August 25, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 25, 1998

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

Assembly Concurrent Resolution No. 182

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, August 25, 1998

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

Assembly Concurrent Resolution No. 190

Assembly Concurrent Resolution No. 191

Assembly Joint Resolution No. 77

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered to the Consent Calendar.

**REPORTS OF STANDING COMMITTEES**

**Committee on Appropriations**

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 25

Senate Bill No. 1064

Senate Bill No. 1190

Senate Bill No. 1679

Senate Bill No. 1832

Senate Bill No. 1835

Senate Bill No. 1909

Senate Bill No. 1933

Senate Bill No. 1934

Senate Bill No. 2138

Senate Bill No. 2186

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Concurrent Resolution No. 97

With the recommendation: Be adopted.

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

MIGDEN, Chairwoman

Above resolution ordered to Consent Calendar.

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 187

With the recommendation: Be adopted.

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

MIGDEN, Chairwoman

Above resolution ordered to Consent Calendar.

### **Committee on Public Safety**

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 280

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

PERATA, Chairman

Above bill re-referred to the Committee on Appropriations.

### **MESSAGES FROM THE SENATE**

Senate Chamber, August 24, 1998

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

Assembly Bill No. 20  
 Assembly Bill No. 93  
 Assembly Bill No. 118  
 Assembly Bill No. 146  
 Assembly Bill No. 191  
 Assembly Bill No. 228  
 Assembly Bill No. 341  
 Assembly Bill No. 423  
 Assembly Bill No. 434  
 Assembly Bill No. 462  
 Assembly Bill No. 466  
 Assembly Bill No. 509  
 Assembly Bill No. 535  
 Assembly Bill No. 805  
 Assembly Bill No. 826  
 Assembly Bill No. 910  
 Assembly Bill No. 947  
 Assembly Bill No. 984  
 Assembly Bill No. 1169  
 Assembly Bill No. 1339

Assembly Bill No. 1345  
 Assembly Bill No. 1397  
 Assembly Bill No. 1442  
 Assembly Bill No. 1569  
 Assembly Bill No. 1624  
 Assembly Bill No. 1630  
 Assembly Bill No. 1642  
 Assembly Bill No. 1651  
 Assembly Bill No. 1682  
 Assembly Bill No. 1687  
 Assembly Bill No. 1827  
 Assembly Bill No. 1967  
 Assembly Bill No. 2011  
 Assembly Bill No. 2022  
 Assembly Bill No. 2103  
 Assembly Bill No. 2154  
 Assembly Bill No. 2173  
 Assembly Bill No. 2231  
 Assembly Bill No. 2272  
 Assembly Bill No. 2282

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 24, 1998

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

Assembly Bill No. 2375  
Assembly Bill No. 2390  
Assembly Bill No. 2432  
Assembly Bill No. 2598  
Assembly Bill No. 2611

Assembly Bill No. 2643  
Assembly Bill No. 2725  
Assembly Bill No. 2732  
Assembly Bill No. 2737

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 24, 1998

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

Assembly Bill No. 80  
Assembly Bill No. 1664  
Assembly Bill No. 2171

Assembly Bill No. 2347  
Assembly Bill No. 2564  
Assembly Bill No. 2603

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

Above bills ordered enrolled.

August 25, 1998

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

Dear Dotson: The Senate this day rescinded the action whereby it concurred in Assembly amendments to Senate Bill 752. The Senate then ordered the bill returned to the Assembly.

Sincerely,

GREGORY SCHMIDT  
Secretary of the Senate

Above bill held at the Desk.

**ADJOURN IN MEMORY**

Assembly Member Lempert was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Paul Green, of Stanford; and Millicent Carskadon, of Menlo Park.

Assembly Member Napolitano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lauren Lawrence, of Whittier.

Assembly Member Wildman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Monsignor Laurence O'Brien, of Glendale.

**BILLS REMOVED FROM SPECIAL CONSENT CALENDAR**

The following bills were removed from the Special Consent Calendar pursuant to Joint Rule 22.2:

**Assembly Bills Nos. 469, 2580, and 576**, on request of Assembly Member Shelley.

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred:

Assembly Bills Nos. 469 and 2580 to the Committee on Consumer Protection, Governmental Efficiency and Economic Development;

Assembly Bill No. 576 to the Committee on Governmental Organization;

Assembly Bill No. 826 to the Committee on Revenue and Taxation;

Assembly Bill No. 509 to the Committee on Human Services;

Assembly Bill No. 462 to the Committee on Insurance;

Assembly Bills Nos. 146 and 2611 to the Committee on Local Government.

**SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committees were permitted to meet:

Insurance, on August 25, 1998.

**JOINT RULE 62(a) WAIVED**

Assembly Member Shelley was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting the following bills for hearing in committee, as noted:

Public Safety—Senate Bill No. 280;

Revenue and Taxation—Assembly Bills Nos. 826, 911, and 1155;

Local Government—Assembly Bills Nos. 146, 2611, and 2621;

Consumer Protection, Governmental Efficiency and Economic Development—Assembly Bills Nos. 469, 2580, and 1454.

**GOVERNOR'S VETO STRICKEN FROM FILE**

Assembly Member Richter was granted unanimous consent that the Governor's veto of Assembly Bill No. 183 be stricken from file.

**ACTION RESCINDED ON SENATE BILL NO. 710**

Assembly Member Shelley was granted unanimous consent to rescind the action whereby the Assembly, on September 3, 1997 (Assembly Journal, page 4062), refused passage of Senate Bill No. 710.

**SENATE BILL NO. 2082 RETURNED TO CONSENT CALENDAR**

Assembly Member Shelley was granted unanimous consent that Senate Bill No. 2082 be returned to the Consent Calendar.

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Senate Bills**

**SENATE BILL NO. 663 (Rosenthal)**—An act to repeal Chapter 1.5 (commencing with Section 1120) of Part 2 of Division 1 of the Insurance Code, relating to insurance.

Bill read third time.

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, 10:34 a.m.

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

**CONSIDERATION OF SPECIAL CONSENT CALENDAR**

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

**Consideration of Senate Amendments to Assembly Bills**

**ASSEMBLY BILL NO. 1068 (Campbell)**—An act to amend Sections 1265.5, 1276.5, 1337.9, 1338.5, 1522, 1736.5, and 1736.6 of the Health and Safety Code, relating to human services, and declaring the urgency thereof, to take effect immediately.

Assembly Bill No. 1068 read.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 10:34 a.m.

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

**At 10:43 a.m., Hon Fred Keeley, 27th District, presiding**

**PARLIAMENTARY INQUIRY**

Assembly Member Woods arose to the following parliamentary inquiry:

Is a Member not considered absent if he/she is not on the Assembly Floor within 30 minutes of the scheduled start of session?

**Reply by Acting Speaker Keeley**

The Acting Speaker replied that it has been the established custom and practice of the House to read the names of the excused Members.

**At 10:51 a.m., Speaker Antonio R. Villaraigosa, 45th District, presiding**

**SPECIAL CEREMONY HONORING RETIRING MEMBERS**

At 10:54 a.m., a special ceremony was convened to honor Members retiring from the California State Assembly.

The following resolution was read:

**House Resolution No. 79**

By Assembly Member Villaraigosa

*Relative to commending the Honorable Jan Goldsmith.*

WHEREAS, The tenure of the Honorable Jan Goldsmith with the California State Assembly is drawing to a close 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, The former Mayor of Poway, Jan Goldsmith was elected to the Assembly in 1992 and reelected in 1994 and 1996, as the representative of the 75th Assembly District, which encompasses parts of San Diego and Escondido, along with the Cities of Poway and Santee, the communities of Campo, Tecate, Alpine, Borrego Springs, Lakeside, Ramona, Rancho San Diego, and parts of Casa de Oro and Spring Valley; and

WHEREAS, During his first term, Assembly Member Goldsmith served as Freshman Republican Leader; he also has brought distinction to himself as Assistant Republican Leader, Majority Floor Leader, member of the powerful Assembly Rules Committee, Chair of the Banking and Finance Committee, the Subcommittee on Juvenile Justice, and the Subcommittee on Border Crime, and Vice Chair of the Public Safety Committee; and

WHEREAS, Most recently, he has provided leadership as a member of the Education Committee, the Human Services Committee, the Select Committee on California-Mexico Affairs, the Select Committee on School Safety, and the Joint Committee on Prison Construction and Operations; and

WHEREAS, Best known for his leadership in fighting fraud, government waste, over-regulation, and excessive taxation, Assembly Member Goldsmith brought public attention to fraudulent practices involving education, welfare, and Medi-Cal, saving California taxpayers millions of dollars, and he was named Legislator of the Year by the Law Enforcement Alliance of America; and

WHEREAS, A true deficit hawk, he authored Assembly Constitutional Amendment No. 1, a balanced budget amendment for California, and, in addition to fighting deficit spending, has strived for tax relief and opposed artificial economic controls; and

WHEREAS, Assembly Member Goldsmith has fought hard for improvements in the areas of child abuse, foster care, and children's health; calling for an end to racial divisions in government programs, he won passage of landmark legislation to eliminate the ban on trans-racial adoption and foster care placement, and he authored legislation to eliminate the archaic requirement that a medical professional be present to administer the blood-glucose "finger prick" test on children with diabetes; and

WHEREAS, In recognition of his tireless devotion to helping children, he was given "A True Friend of Children" award by the Foster Parents of Los Angeles, and he was named "Legislator of the Year" by

the California State Foster Parent Association, received a Distinguished Service in Advocacy award from the American Diabetes Association, and the California Children's Lobby honored him with their "Super Nova" award as the brightest star for children; and

WHEREAS, He completed his undergraduate studies at the American University in Washington, D.C., and is a magna cum laude graduate of the University of San Diego Law School; and

WHEREAS, Assembly Member Goldsmith and his wife, Christine, are the parents of three children, Brett, Scott, and Jennifer; and

WHEREAS, Through his public service activities, he has made a significant impact on the people of the 75th Assembly District and throughout the state, and he will be very much missed by those individuals with whom he has been associated; now, therefore, be it

*Resolved by the Assembly of the State of California,* That they express their commendations and appreciation to their colleague, the Honorable Jan Goldsmith, for his outstanding record of dedicated service to his constituents and to all of the people of California, and convey to him best wishes for every success in his future endeavors.

#### **House Resolution No. 79 Taken Up by Unanimous Consent**

Assembly Member Ashburn was granted unanimous consent to take up House Resolution No. 79, without reference to file.

**HOUSE RESOLUTION NO. 79**—Relative to commending the Honorable Jan Goldsmith.

Resolution read and adopted unanimously.

#### **Best Wishes Expressed**

Farewell remarks were offered by Assembly Members Ashburn, Pringle, Brown, Davis, Washington, Wildman, Woods, Wayne, Cunneen, Morrissey, and Leonard.

Speaker Villaraigosa then appointed Assembly Members Ackerman and Leach as a Select Committee on Escort to escort Assembly Member Jan Goldsmith 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 Goldsmith then addressed the assemblage

\* \* \*

#### **ADJOURN IN MEMORY**

Assembly Member Oller was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Monica Mader Aprea, of Gilroy.

#### **JOINT RULE 62(a) WAIVED**

Assembly Member Cunneen was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 280 for hearing in the Committee on Public Safety, at this time, in the Speaker's Conference Room.

**ADJOURN IN MEMORY**

Speaker Villaraigosa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard Nicholas Perata, father of Assembly Member Don Perata, and that the following be printed in the Journal:

*In Memoriam**Richard Nicholas Perata*

Please adjourn in memory of Richard Nicholas Perata, 87, who died early this morning following complications from brain surgery.

A native of Alameda, California, Dick was the owner of Alameda Dairy and Lakehurst Creamery.

He was active in local religious, youth and social activities for over 60 years.

He is survived by three children, Don, Judy and David, five grandchildren and one greatgrandchild.

Our prayers and thoughts are with Don Perata and the rest of his family.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Knox announced that the Committee on Revenue and Taxation would meet at 5 p.m. today, in the Tom Bane Rules Committee Room.

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

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

**Senate Bills Nos. 157, 270, 309, 409, 1453, 1500, 1530, 1681, 1697, 1712, 1896, 1901, 1950, 2030, 281, 1676, 555, 1393, 1462, 1700, 2049, 2180, 2199, and 2238,** ordered to third reading.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 1988**—An act to amend Sections 1102, 1102.1, 1102.2, and 1102.9 of, and to add Sections 1102.3a and 1102.6e to, the Civil Code, and to amend Sections 18025 and 18046 of, and to add Section 18400.2 to, the Health and Safety Code, relating to property disclosures.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 485**—An act to amend Sections 18400.1, 18424, and 18502 of the Health and Safety Code, relating to mobilehome parks, and making an appropriation therefor.

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

**SENATE BILL NO. 491**—An act to add Section 14672.14 to the Government Code, relating to state property.

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. 1038**—An act to amend Sections 4512, 4596.5, 4640, 4646, 4646.5, 4648, 4648.1, 4681.1, 4685, 4689, 4712, 4712.5, 4731, 4740, 4741, 4742, 4743, 4744, 4745, and 4747 of, to add Sections 4685.1, 4685.2, 4697, 4742.1, and 4847 to, to add and repeal Section 4685.5 of, to repeal Section 4541 of, and to repeal and add Section 4696.1 of, the Welfare and Institutions Code, relating to human services.

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

**SENATE BILL NO. 1623**—An act to add Sections 68705, 68706, 68707, 68708, and 68709 to the Government Code, relating to the Commission on Judicial Performance.

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. 1624**—An act to amend Sections 4828.3, 18000, 18003, 18023.1, 18061, 18100.5, 18190, 18266.1, 18293, 18315, 18563, and 18594 of, to add Section 18016.5 to, to add Article 4 (commencing with Section 18245) to Chapter 3 of Division 7 of, to repeal Sections 18057, 18059, 18230, 18266.2, 18266.3, and 18341 of, and to repeal and add Section 18003.5 of, the Financial Code, relating to industrial loan companies.

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. 1690**—An act to amend Sections 148.1, 148.5, 148.9, 150, 190, 12027, and 12031 of the Penal Code, relating to peace officers.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1645**—An act to amend Section 14664 of, and to add Section 14615.1 to, the Government Code, to add Article 6.5 (commencing with Section 10389.1) to Chapter 2 of Part 2 of Division 2 of the Public Contract Code, and to amend Section 2 of Chapter 625 of the Statutes of 1991, Section 1 of Chapter 648 of the Statutes of 1992, Section 1 of Chapter 317 of the Statutes of 1993, and Section 1 of Chapter 391 of the Statutes of 1994, relating to state property.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1373**—An act to add Sections 8760 and 8761 to the Government Code, relating to the California Arts Council.

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. 1467**—An act to amend Section 42249.4 of, and to add Section 42249.3 to, the Education Code, relating to school desegregation.

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

**SENATE BILL NO. 1868**—An act to add and repeal Chapter 4 (commencing with Section 2950) of Part 5 of Division 4 of the Probate Code, relating to elder and dependent adult abuse, and making an appropriation therefor.

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

**SENATE BILL NO. 2055**—An act to amend Sections 912 and 912.5 of, and to add Sections 912.1 and 912.6 to, the Welfare and Institutions Code, relating to the Department of the Youth Authority, and making an appropriation therefor.

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

**SENATE BILL NO. 2126**—An act to amend Sections 22801, 22803, 22820, and 24201 of, and to add Section 22147.5 to, the Education Code, relating to the State Teachers' Retirement System.

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 CONCURRENT RESOLUTION NO. 102**—Relative to the Richard Allen Flores Memorial Bridge.

Resolution read; amendments proposed by the Committee on Rules read and adopted, resolution ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 567**—An act to amend Section 130051 of the Public Utilities Code, relating to transportation.

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

**SENATE BILL NO. 1825**—An act to amend Sections 69904, 69905, 70044.5, 72608, 72627.5, 72762, 72776, 73348, 73349, 73351, 73353.2, 73354, 73355, 73356, 73363, 73365, 73366, 73399, 73523, 73524, 73525, 73528, 73529, 73565, 73566, 73567, 73568, 73604, 73649.1, 73681.1, 73682, 73584, 73691, 73692, 73695, 73699, 73736, 73759, 73772, 73773, 73794, 73798, 73822, 73823, 73954, 73960, 74000, 74001, 74001.5, 74002, 74004, 74005, 74344, 74345, 74346, 74355, 74368, 74370, 74603, 74604, 74607, 74610, 74642, 74643, 74663, 74665, 74743, 74745, 74749, 74765, 74905, 74907, 74909, 74910, 74911, 74912, 74913, 74921.11, and 74926.7 of, to amend, repeal, and add Section 72609 of, to add Sections 69894, 73586.1, 73785, 73957.5, 74727.5, and 74745.1 to, to add Article 1.5 (commencing with Section 73330) to Chapter 10 of Title 8 of, to repeal Sections 73364, 73665.5, 73665.6, 73775, 73778, 73778.5, 73780, 73795, 73799, 74006, 74356, 74357, 74358, 74359, 74921.9, 74922.5, and 74926.6 of, to repeal and add Sections 69894.1, 69899.5, 73353, 73358, 73644, 73665, 73666, 73683, 73699.1, 73957, 73959, 74921.5, 74921.6, 74921.7, 74921.8, and 74921.10 of, the Government Code, relating to courts.

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

**SENATE BILL NO. 326**—An act to amend Section 372 of, and to add Sections 374 and 374.5 to, the Code of Civil Procedure, and to amend Section 602 of the Welfare and Institutions Code, relating to minors, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 1173**—An act to add Title 17 (commencing with Section 3269) to Part 4 of Division 3 of the Civil Code, relating to liability, and declaring the urgency thereof, to take effect immediately.

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

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

**ASSEMBLY BILL NO. 1136 (Wildman)**—An act to add Part 6 (commencing with Section 22400) to Division 2 of the Public Contract Code, relating to public contracts.

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 Wildman moved a call of the Assembly.

Motion carried. Time, 11:48 a.m.

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

**ASSEMBLY BILL NO. 1338 (Alquist)**—An act to add Section 1569.156 to the Health and Safety Code, relating to care facilities.

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

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

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

**AYES—72**

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

**NOES—4**

Ackerman	Ashburn	McClintock	Richter
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2006 (Keeley)**—An act to add Article 2.85 (commencing with Section 1647.10) to Chapter 4 of Division 2 of the Business and Professions Code, relating to oral conscious sedation.

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 976 (Papan)**—An act to amend Sections 7471, 7476, and 7480 of the Government Code, to amend Section 939.6 of, and to add Sections 1326.1 and 1326.2 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—61**

Aguiar	Cunneen	Kuehl	Pringle
Alby	Davis	Kuykendall	Scott
Alquist	Escutia	Leach	Shelley
Aroner	Figueroa	Lempert	Strom-Martin
Ashburn	Firestone	Margett	Sweeney
Baca	Floyd	Martinez	Thomson
Battin	Frusetta	Mazzoni	Torlakson
Bordonaro	Gallegos	Migden	Vincent
Bowen	Goldsmith	Morrissey	Washington
Bowler	Granlund	Murray	Wayne
Brewer	Havice	Napolitano	Wildman
Brown	Hertzberg	Ortiz	Wright
Bustamante	Honda	Pacheco	Mr. Speaker
Cardenas	House	Papan	
Cardoza	Keeley	Poochigian	
Cedillo	Knox	Prenter	

**NOES—15**

Ackerman	Kaloogian	Morrow	Runner
Baldwin	Leonard	Olberg	Thompson
Baugh	McClintock	Oller	Woods
Campbell	Miller	Richter	

Above bill ordered enrolled.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 1802**, on request of Assembly Member Keeley.

**ACTION RESCINDED ON SENATE BILL NO. 752**

Assembly Member Pringle was granted unanimous consent to rescind the action whereby the Assembly, on August 11, 1998 (Assembly Journal, page 8359), adopted the urgency clause and passed Senate Bill No. 752, and whereby the bill was ordered transmitted to the Senate.

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

**ASSEMBLY BILL NO. 2280 (Papan)**—An act to add Section 3110.5 to the Civil Code, relating to works of improvement.

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 Papan moved a call of the Assembly.

Motion carried. Time, 12:08 p.m.

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

**REQUEST FOR PHOTOGRAPHER**

Assembly Member Cardenas was granted unanimous consent that a photographer be permitted on the Floor of the Assembly, and that his son Christian Cardenas be permitted to sit at his Desk on the Floor of the Assembly.

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

**SENATE BILL NO. 1403 (Polanco)**—An act to amend Section 27491.47 of the Government Code, to amend Sections 7055 and 7151.5 of the Health and Safety Code, and to amend, repeal, and add Sections 12811 and 13005 of, and to add Sections 1672.3 and 1672.5 to, the Vehicle Code, relating to anatomical gifts.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

(NOTE: On August 31, 1998, the action was rescinded whereby Senate Bill No. 1403 was passed, and whereby the bill was ordered transmitted to the Senate. See page 9423.)

**SENATE BILL NO. 1768 (Kopp)**—An act to amend, repeal, and add Section 2033.5 of the Code of Civil Procedure, and to amend Sections 2085.5 and 11177.2 of, and to amend, repeal, and add Sections 987, 1202.4, and 1214 of, the Penal Code, relating to criminal restitution.

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

Bill passed by the following vote:

**AYES—74**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1897 (Wright)**—An act to amend Section 16500.5 of, and to add Section 16500.51 to, the Welfare and Institutions Code, relating to child welfare services.

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

Bill passed by the following vote:

**AYES—59**

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

**NOES—14**

Ackerman	Brewer	Poochigian	Thompson
Ashburn	House	Pringle	Woods
Baldwin	Kaloogian	Richter	
Baugh	Olberg	Runner	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1923 (O'Connell)**—An act to add Title 7.75 (commencing with Section 67470) to the Government Code, and to add Chapter 4.6 (commencing with Section 33498) to Part 1 of Division 24 of the Health and Safety Code, relating to state government, and making an appropriation therefor.

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

Bill passed by the following vote:

**AYES—77**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2042 (Alpert)**—An act to amend Sections 44259, 44277, and 44279.1 of, to amend the heading of Article 4.5 (commencing with Section 44279.1) of Chapter 2 of Part 25 of, to add Section 44320.2 to, to repeal Section 44259.2 of, and to repeal and add Section 44259.1 of, the Education Code, relating to school employees.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

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

**ASSEMBLY BILL NO. 1873 (Baca)**—An act to add Section 14118 to the Welfare and Institutions Code, relating to health 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—53**

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

**NOES—20**

Ackerman	Bowler	Kuykendall	Oller
Alby	Brewer	McClintock	Poochigian
Ashburn	Campbell	Miller	Pringle
Baldwin	House	Morrow	Richter
Baugh	Kaloogian	Olberg	Runner

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1873: Assembly Member Thomson, from “No” to “Aye”.

Above bill ordered enrolled.

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

**SENATE BILL NO. 591 (Johnson)**—An act to amend Section 12076 of the Penal Code, relating to firearms.

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

Bill passed by the following vote:

**AYES—74**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2196 (Vasconcellos)**—An act to amend Sections 15365.53, 15365.55, and 15365.57 of the Government Code, relating to employment services.

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

Bill passed by the following vote:

**AYES—77**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 694 (Polanco)**—An act to add Part 7 (commencing with Section 122400) to Division 105 of the Health and Safety Code, relating to hepatitis.

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

Bill passed by the following vote:

**AYES—59**

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

**NOES—16**

Ackerman	Brewer	Margett	Poochigian
Ashburn	Campbell	Olberg	Richter
Baldwin	Kaloogian	Oller	Runner
Baugh	Leonard	Pacheco	Thompson

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1856 (Thompson)**—An act to add Section 4582.65 to the Public Resources Code, relating to forest practices.

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

Bill passed by the following vote:

**AYES—49**

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

**NOES—27**

Ackerman	Bowler	Leach	Pacheco
Aguiar	Brewer	Leonard	Poochigian
Alby	Campbell	Margett	Pringle
Ashburn	Goldsmith	McClintock	Richter
Baldwin	Granlund	Miller	Runner
Battin	House	Morrow	Thompson
Baugh	Kaloogian	Olberg	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1737 (McPherson)**—An act relating to the Bipartisan Commission on the Political Reform Act of 1974.

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

Bill passed by the following vote:

**AYES—77**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 619 (Peace)**—An act to amend Section 10856 of the Revenue and Taxation Code, and to amend Sections 4456 and 9553 of the Vehicle Code, relating to vehicles.

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

Bill passed by the following vote:

**AYES—77**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 116 (Peace)**—An act to add and repeal Section 25619 of the Public Resources Code, and to add and repeal Section 73 of the Revenue and Taxation Code, relating to energy programs.

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

Bill passed by the following vote:

**AYES—67**

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

**NOES—7**

Alby	Bowler	McClintock	Pacheco
Baugh	Kaloogian	Oller	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1742 (Karnette)**—An act to add and repeal Section 15318 of the Government Code, relating to the Alameda Corridor.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 12:35 p.m.

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

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

**ASSEMBLY BILL NO. 1857 (Escutia)**—An act to amend Sections 8208, 8278, 8289, and 8499.5 of the Education Code, relating to child care and development 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—47**

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

**NOES—28**

Ackerman	Bordonaro	Kuykendall	Oller
Aguiar	Bowler	Leonard	Pacheco
Alby	Brewer	Margett	Poochigian
Ashburn	Campbell	McClintock	Pringle
Baldwin	Granlund	Miller	Richter
Battin	House	Morrow	Runner
Baugh	Kaloogian	Olberg	Thompson

Above bill ordered enrolled.

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY CONCURRENT RESOLUTION NO. 188 (Davis)**—Relative to Obesity Awareness Month.

Resolution read, and adopted by the following vote:

**AYES—74**

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

**NOES—None**

Resolution ordered transmitted to the Senate.

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

**SENATE BILL NO. 1466 (Murray)**—An act to add Section 4420.5 to the Government Code, relating to public construction.

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

Bill passed by the following vote:

**AYES—59**

Aguiar	Escutia	Lempert	Runner
Alquist	Figueroa	Leonard	Scott
Aroner	Firestone	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Bordonaro	Gallegos	Migden	Thompson
Bowen	Goldsmith	Miller	Thomson
Brown	Havice	Morrissey	Torlakson
Bustamante	Hertzberg	Murray	Vincent
Cardenas	Honda	Napolitano	Washington
Cardoza	Keeley	Olberg	Wayne
Cedillo	Knox	Ortiz	Wildman
Cunneen	Kuehl	Pacheco	Wright
Davis	Kuykendall	Poochigian	Mr. Speaker
Ducheny	Leach	Prenter	

**NOES—15**

Ackerman	Baugh	Granlund	Morrow
Alby	Bowler	House	Oller
Baldwin	Brewer	Kaloogian	Pringle
Battin	Campbell	Margett	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2280**

At 12:49 p.m., on motion of Assembly Member Papan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Papan moved to continue the call of the Assembly. Motion carried. Time, 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  
SENATE BILL NO. 1742**

At 12:51 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.

Senate Bill No. 1742 passed by the following vote:

**AYES—44**

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

**NOES—33**

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

Bill ordered transmitted to the Senate.

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

**ASSEMBLY BILL NO. 2224 (Strom-Martin)**—An act to amend Sections 52122 and 52123 of the Education Code, relating to class size reduction.

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**

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

**NOES—7**

Ackerman	Baugh	Leonard	Prenter
Baldwin	Brewer	Morrow	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2224: Assembly Member Morrow, from "Aye" to "No".

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2650 (Cardenas)**—An act relating to gang violence, 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—67**

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

**NOES—7**

Alby	Bowler	Campbell	Morrow
Baldwin	Brewer	Kaloogian	

Above bill ordered enrolled.

**BILLS REMOVED FROM CONSENT CALENDAR**

The following bill was removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

**Senate Bill No. 2082**, on request of Assembly Member Davis.

**JOINT RULE 62(a) WAIVED**

Assembly Member Shelley was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of permitting the Committee on Water, Parks and Wildlife to meet jointly with Senate Agriculture and Water Resources, today.

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

**ASSEMBLY BILL NO. 1686 (Wildman)**—An act to add Sections 210 and 212 to, and to repeal Sections 215.5 and 215.6 of, the Streets and Highways Code, relating to highways.

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

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

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

**AYES—46**

Aguiar	Cedillo	Kuehl	Scott
Alquist	Ducheny	Kuykendall	Strom-Martin
Aroner	Escutia	Leach	Sweeney
Baca	Figueroa	Margett	Thomson
Bordonaro	Floyd	Martinez	Vincent
Bowen	Frusetta	Miller	Washington
Bowler	Gallegos	Morrissey	Wildman
Brown	Havice	Morrow	Woods
Bustamante	Hertzberg	Murray	Wright
Campbell	Honda	Napolitano	Mr. Speaker
Cardenas	Keeley	Ortiz	
Cardoza	Knox	Papan	

**NOES—27**

Ackerman	Cunneen	Leonard	Poochigian
Alby	Firestone	Mazzoni	Prenter
Ashburn	Goldsmith	McClintock	Richter
Baldwin	Granlund	Migden	Runner
Battin	House	Olberg	Thompson
Baugh	Kaloogian	Oller	Wayne
Brewer	Lempert	Pacheco	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1686: Assembly Member Bordonaro, from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1021 (Cedillo)**—An act relating to the Korean American Museum.

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

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

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

**AYES—62**

Aguiar	Ducheny	Leonard	Scott
Alquist	Escutia	Martinez	Shelley
Aroner	Figueroa	Mazzoni	Strom-Martin
Ashburn	Floyd	Migden	Sweeney
Baca	Frusetta	Miller	Thompson
Battin	Gallegos	Morrissey	Thomson
Bordonaro	Goldsmith	Murray	Torlakson
Bowen	Havice	Napolitano	Vincent
Brown	Hertzberg	Ortiz	Washington
Bustamante	Honda	Pacheco	Wayne
Campbell	Kalooagian	Papan	Wildman
Cardenas	Keeley	Poochigian	Woods
Cardoza	Knox	Prenter	Wright
Cedillo	Kuehl	Pringle	Mr. Speaker
Cunneen	Kuykendall	Richter	
Davis	Lempert	Runner	

**NOES—12**

Ackerman	Baugh	Granlund	McClintock
Alby	Bowler	House	Morrow
Baldwin	Brewer	Leach	Olberg

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1884 (Cedillo)**—An act to add Section 3032 to the Family Code, relating to interpreters.

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

**NOES—7**

Ashburn	Brewer	Leonard	Thompson
Baldwin	Granlund	Runner	

Above bill ordered enrolled.

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

**SENATE BILL NO. 896 (Alpert)**—An act to amend Section 60800 of the Education Code, relating to physical education.

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

Bill passed by the following vote:

**AYES—53**

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

**NOES—23**

Ackerman	Baugh	Margett	Poochigian
Aguiar	Bordonaro	McClintock	Pringle
Alby	Bowler	Miller	Richter
Ashburn	Brewer	Morrow	Runner
Baldwin	Granlund	Olberg	Woods
Battin	Kaloogian	Oller	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 814 (Leslie)**—An act to amend Section 1371 of the Health and Safety Code, relating to health care coverage.

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

Bill passed by the following with:

**AYES—74**

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

**NOES—3**

Baldwin	Bowler	House
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Bill ordered transmitted to the Senate.

**At 1:24 p.m., Hon. Fred Keeley, 27th District, presiding**

**SENATE BILL NO. 473 (Karnette)**—An act to amend Section 1442.5 of, and to add Sections 1442.6 and 32121.15 to, the Health and Safety Code, relating to health.

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, 1:25 p.m.

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

**SENATE BILL NO. 1647 (Maddy)**—An act to add Section 1367.63 to the Health and Safety Code, to add Section 10123.88 to the Insurance Code, and to add Section 14132.62 to the Welfare and Institutions Code, relating to reconstructive surgery.

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

**Call of the Assembly**

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

Motion carried. Time, 1:39 p.m.

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

**JOINT RULE 62(a) WAIVED**

Assembly Member Migden was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 520 for hearing in the Committee on Appropriations today.

Assembly Member Shelley was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 509 for hearing in the Committee on Human Services today.

**CONSIDERATION OF SENATE BILL NO. 1530 BY UNANIMOUS CONSENT**

Assembly Member Knox was granted unanimous consent to take up Senate Bill No. 1530, out of order.

**SENATE BILL NO. 1530 (Hayden)**—An act to amend Section 1523 of the Code of Civil Procedure, and to amend Section 12936 of, and to add Sections 790.15 and 12967 to, the Insurance Code, relating to insurance practices, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Knox moved the adoption of amendments.

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

(NOTE: Unanimous consent was granted on August 24, 1998 to take up Senate Bill No. 1530 for purpose of amendment, after the deadline to amend bills.)

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

**SENATE BILL NO. 1427 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Scott was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 1427 was refused passage.

**Further Consideration of Senate Bill No. 1427**

**SENATE BILL NO. 1427 (Rainey)**—An act to amend Section 48918 of the Education Code, relating to education

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 1:57 p.m.

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

**SENATE BILL NO. 1450 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given by Assembly Member Shelley, Assembly Member Washington was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 1450 was refused passage.

**Further Consideration of Senate Bill No. 1450**

**SENATE BILL NO. 1450 (Polanco)**—An act to amend Section 5058 of the Penal Code, relating to prisons.

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

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Washington 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.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 2 p.m., by unanimous consent, the members of the Committee on Appropriations were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

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

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1133 (Gallegos)**—An act to amend Sections 1423, 1424, 1428, and 1428.1 of, and to add Section 1417.3 to, the Health and Safety Code, relating to long-term health care facilities.

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

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

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

**AYES—49**

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

**NOES—18**

Ackerman	House	McClintock	Richter
Ashburn	Kaloogian	Morrow	Runner
Baugh	Leach	Olberg	Thompson
Brewer	Leonard	Oller	
Granlund	Margett	Pacheco	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 227 (Richter)**—An act to add Section 1373.17 to the Health and Safety Code, relating to health care service plans.

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

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

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

**AYES—71**

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

**NOES—1**

McClintock

Above bill ordered enrolled.

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

**SENATE BILL NO. 2004 (Kelley)**—An act to add Section 6527 to the Government Code, relating to joint powers agreement.

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

Bill passed by the following vote:

**AYES—71**

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

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

**At 2:12 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2554 (Murray)**—An act to amend Section 66737 of the Education Code, relating to postsecondary education.

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

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 2:17 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:

**Senate Bill No. 233**, on request of Assembly Member Shelley.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS  
TO ASSEMBLY BILL NO. 2554**

At 2:20 p.m., on motion of Assembly Member 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. 2554 by the following vote:

**AYES—43**

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

**NOES—31**

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

Above bill ordered enrolled.

**At 2:28 p.m., Hon. Fred Keeley, 27th District, presiding.**

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

**SENATE BILL NO. 1999 (Costa)**—An act to amend Sections 316, 340, 1000, 1001, 1201, 1202, 6020, 6041, 6061, 6084, 6086, 6122, 6180, 6320, 6323, 6340, 6343, 6520, 6523, 6540, 6543, 6568, 6721, 6722, 6725, 6740, 6742, 6743, 6787, and 6952 of the Elections Code, relating to presidential primaries.

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

**Point of Personal Privilege**

Assembly Member Floyd arose to a point of personal privilege.

**Point of Order**

Assembly Member Woods arose to the following point of order:

The Rules specifically state that a point of personal privilege must go to the malignment of a Member's dignity, integrity, or honor.

**Ruling by Acting Speaker Keeley**

The Acting Speaker ruled the point of order well-taken.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 2:54 p.m.

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

**ANNOUNCEMENT OF CONFERENCE COMMITTEE MEETING**

Assembly Member Escutia announced that the Conference Committee on Assembly Bill No. 278 would meet today at 3 p.m., in Room 126.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 2:55 p.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**GOVERNOR’S VETO STRICKEN FROM FILE**

Assembly Member Cedillo was granted unanimous consent that the Governor’s veto of Assembly Bill No. 2374 be stricken from file.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 7 (Brown)**—An act to add Section 1367.635 to the Health and Safety Code, and to add Section 10123.86 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—56**

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

**NOES—13**

Ackerman	Leonard	Olberg	Thompson
Baugh	Margett	Oller	
Brewer	McClintock	Richter	
Kaloojian	Morrow	Runner	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 7: Assembly Member Miller, from “No” to “Aye”.

Above bill ordered enrolled.

**REQUEST FOR UNANIMOUS CONSENT**

Acting Speaker Keeley was granted unanimous consent that the following bills amended on second reading today be ordered to the third reading or First Day Consent Calendar on Wednesday, August 26th:

Senate Bills Nos. 485, 491, 1038, 1173, 1373, 1467, 1623, 1624, 1868, 2055, and 2126; and that all bills reported from committees with amendments today, have amendments adopted and that the bills be ordered returned to the second reading file or First Day Consent Calendar for August 26th.

Senate Bill No. 1825 ordered to First Day Consent Calendar.

**RE-REFERENCE OF BILLS PURSUANT TO THE RULES**

On advice of the Legislative Counsel, and pursuant to the provisions of Joint Rule 10.5 and Assembly Rule 77.2 the following bills were ordered re-referred to the Committee on Appropriations:

**Senate Bills Nos. 1676, 1902, ~~1600~~, 248, 1574, and 1587.**

(NOTE: Later this day the action was rescinded whereby Senate Bill No. 1600 was re-referred to the Committee on Appropriations, Assembly Journal, p. 8969.)

**At 3:12 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**UNANIMOUS CONSENT GRANTED**

Speaker pro Tempore Kuehl announced that leadership had agreed to permit the following bills to be amended after the deadline to amend bills, by unanimous consent:

Senate Bills Nos. 752, 687, 1540, 1697, 520, 2199, 1901, 1873, and 1825.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2233 (Honda)**—An act to amend Section 44225 of the Education Code, relating to teacher credentialing.

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

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

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

**AYES—44**

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

**NOES—28**

Ackerman	Bordonaro	Leach	Poochigian
Aguiar	Bowler	Margett	Prenter
Alby	Brewer	Miller	Pringle
Ashburn	Firestone	Morrow	Richter
Baldwin	Frusetta	Olberg	Runner
Battin	House	Oller	Thompson
Baugh	Kaloogian	Pacheco	Woods

Above bill ordered enrolled.

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

**SENATE BILL NO. 1947 (Lockyer)**—An act to add Section 68550 to the Government Code, relating to courts.

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

Bill passed by the following vote:

**AYES—74**

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

**NOES—1**

Brewer

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2217 (O'Connell)**—An act to amend Sections 7028.6, 7030, and 7048 of the Business and Professions Code, relating to contractors.

**Rules Suspended**

Assembly Member Knox was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 2217.

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

Bill passed by the following vote:

**AYES—72**

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

**NOES—1**

Mazzoni

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1520 (Kopp)**—An act to amend Section 631.3 of the Code of Civil Procedure, and to repeal Section 27081.5 of the Government Code, relating to jury fees.

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

Bill passed by the following vote:

**AYES—75**

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

**NOES—None**

Bill ordered transmitted to the Senate.

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

At 3:28 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 following items on the Consent Calendar were read:

**SENATE JOINT RESOLUTION NO. 45 (Polanco)**—Relative to federal transportation funding.

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

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

**SENATE BILL NO. 663 (Rosenthal)**—An act to repeal Chapter 1.5 (commencing with Section 1120) of Part 2 of Division 1 of the Insurance Code, relating to insurance.

Bill read third time, passed, and ordered transmitted to the Senate.

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

**Consent Calendar Roll Call**

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

**AYES—77**

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

**NOES—None**

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

At 3:29 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 following items on the Special Consent Calendar were read:

**ASSEMBLY BILL NO. 1068 (Campbell)**—An act to amend Sections 1265.5, 1276.5, 1337.9, 1338.5, 1522, 1736.5, and 1736.6 of the Health and Safety Code, relating to human services, 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. 1650 (Richter)**—An act to amend Section 13480 of the Business and Professions Code, relating to gasoline.

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. 1838 (Kuykendall)**—An act to amend Section 1831 of the Military and Veterans Code, relating to the POW/MIA flag.

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. 2002 (Kuykendall)**—An act to add Section 17592.5 to the Education Code, relating to regional occupational centers, 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. 2052 (Firestone)**—An act to amend Sections 8855, 27000.8, and 27000.9 of, and to add Section 8858 to, the Government Code, relating to the California Debt and Investment Advisory Commission.

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. 2061 (Granlund)**—An act to add and repeal Section 1596.7926 of the Health and Safety Code, relating to child care, 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. 2292 (Ackerman)**—An act to amend Sections 301.5 and 2115 of the Corporations Code, and to amend Section 29 of Chapter 57 of the Statutes of 1996, relating to legal entities.

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. 2407 (Alby)**—An act to amend Sections 1797.172 and 1798.200 of the Health and Safety Code, relating to emergency medical 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. 2693 (Migden)**—An act to add Section 11159.2 to the Health and Safety Code, relating to controlled substances.

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. 1392 (Scott)**—An act to amend Section 44237 of the Education Code, relating to school employees.

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. 1605 (Committee on Utilities and Commerce)**—An act to amend Section 830.11 of the Penal Code, to amend Sections 308.5, 309.5, 309.6, 314.5, 421, 454, 454.2, 458, 459, 461.5, 486, 488, 491, 493, 494, 527, 530, 556, 559, 703, 728.5, 730, 732, 733, 740.8, 763, 765.5, 788, 853, 874, 882, 1701.1, 1757.1, 1904, 2881, 2881.1, 2889.8, 4006, 4007, 4021, 4458, 5001.5, 5002, 5003.2, 5009, 5012, 5102, 5109, 5112, 5113, 5133, 5191, 5259.5, 5326, 5328, 5329, 5331, 7531.5, 7711, and 9202 of, to add Sections 224.8, 248, 3950, and 5137 to, and to repeal Sections 3, 454.5, 457, 460, 461, 496, 526, 557, 706, 707, 731, 739.9, 746, 747, 763.1, 764, 765, 769, 769.5, 1823, 1824, 2851, 2882, 2882.5, 5195, 7532, 7532.5, 7902, and 7902.5 of, and to repeal Chapter 4 (commencing with Section 2739) of Part 2 of Division 1 of, the Public Utilities Code, and to amend Section 7232 of the Revenue and Taxation Code, and to amend Sections 34505.6, 34601, and 34622 of the Vehicle Code, relating to public utilities, 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. 2172 (Sweeney)**—An act to amend Sections 13519 and 13701 of 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. 2401 (Shelley)**—An act to add Section 12316 to the Welfare and Institutions Code, relating to human services.

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

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

**ASSEMBLY BILL NO. 2633 (Murray)**—An act to add Chapter 11.5 (commencing with Section 21800) to Division 8 of the Business and Professions Code, relating to optical discs.

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. 2682 (Thomson)**—An act to amend Sections 5675, 5768, 5771, 5771.3, 5771.5, and 5772 of the Welfare and Institutions Code, relating to mental health.

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

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

**ASSEMBLY BILL NO. 2771 (Committee on Consumer Protection, Governmental Efficiency and Economic Development)**—An act to amend Sections 5081.1 and 5084 of, to add Section 5082.4 to, and to repeal and add Section 5082.3 of, the Business and Professions Code, and to amend Section 912.8 of the Government Code, relating to state administration.

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. 2801 (Committee on Judiciary)**—An act to amend Sections 366.2, 527.6, and 527.8 of the Code of Civil Procedure, to amend Sections 2020, 2101, 2103, 2104, 2105, 2106, 2110, 2330, 2330.1, 2336, 2337, 4055, 6203, 6380, and 7541 of the Family Code, and to amend Sections 810, 811, 1826, 2620, 2640, 8250, and 8271 of the Probate Code, relating to civil proceedings.

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. 133 (Strom-Martin)**—Relative to Korean War Veterans Memorial 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 CONCURRENT RESOLUTION NO. 171 (Lempert)**—Relative to the Military Servicewomen's Memorial Highway.

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

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

**Special Consent Calendar Roll Call**

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

**AYES—77**

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

**NOES—None**

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1136**

At 3:29 p.m., on motion of Assembly Member Wildman, 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. 1136 by the following vote:

**AYES—44**

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

**NOES—32**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2280**

At 3:30 p.m., on motion of Assembly Member Papan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2280 by the following vote:

**AYES—44**

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

**NOES—30**

Ackerman	Bowler	Leach	Poochigian
Aguiar	Brewer	Leonard	Prenter
Alby	Campbell	McClintock	Pringle
Ashburn	Firestone	Miller	Richter
Baldwin	Goldsmith	Morrow	Runner
Battin	House	Olberg	Thompson
Baugh	Kalooagian	Oller	
Bordonaro	Kuykendall	Pacheco	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 473**

At 3:31 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 Granlund moved to continue the call of the Assembly.

Motion carried. Time, 3:31 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1427**

At 3:33 p.m., on motion of Assembly Member Scott, and the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1427 passed by the following vote:

**AYES—49**

Ackerman	Cedillo	Kuykendall	Preter
Aguiar	Cunneen	Leach	Richter
Alby	Davis	Lempert	Runner
Ashburn	Ducheny	Leonard	Scott
Baldwin	Firestone	Margett	Sweeney
Battin	Floyd	Miller	Thomson
Baugh	Frusetta	Morrissey	Torlakson
Bordonaro	Gallegos	Morrow	Wayne
Bowler	Goldsmith	Olberg	Woods
Brewer	Granlund	Oller	Wright
Brown	Hertzberg	Ortiz	
Cardenas	House	Papan	
Cardoza	Kaloogian	Poochigian	

**NOES—18**

Alquist	Havice	Mazzoni	Strom-Martin
Aroner	Honda	McClintock	Thompson
Baca	Keeley	Migden	Washington
Bowen	Kuehl	Murray	
Escutia	Martinez	Pacheco	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1647**

At 3:34 p.m., on motion of Assembly Member Figueroa, 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 a call of the Assembly.

Motion carried. Time, 3:35 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. 473**

At 3:35 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 Pringle moved to continue the call of the Assembly.

Motion carried. Time, 3:35 p.m.

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

**At 3:37 p.m., Assistant Speaker pro Tempore Joe Baca,  
62nd District, presiding**

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

**SENATE BILL NO. 2058 (Greene)**—An act to amend Sections 1113 and 1129 of the Unemployment Insurance Code, relating to employers.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 3:40 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. 473**

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.

Senate Bill No. 473 refused passage by the following vote:

**AYES—40**

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

**NOES—34**

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

**Motion to Reconsider Senate Bill No. 473  
on Next Legislative Day**

Assembly Member Granlund moved to reconsider on the next legislative day the vote whereby Senate Bill No. 473 was this day refused passage.

Senate Bill No. 473 ordered to the unfinished business file.

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

**SENATE BILL NO. 2239 (Committee on Business and Professions)**—An act to amend Sections 120, 125.7, 1621.1, 1632, 1633.5, 1763, 2067, 2103, 2225.5, 2239, 2242, 2350, 2355, 3512, 3516.5, 3517, 3519, 3520, 3521.2, 3523, 3524, 3526, 3527, 3528, 3530, 3534.1, 3534.3, 4301, 4322, 5053, 5055, 5056, 5060, 5070.6, 5072, 5073, 5104, 5134, 7301, 7348, 7358, 7362.1, 7362.2, 7362.3, 7390, 7391, 7392, 7393, 7394, 7395, 7423.5, 7622.3, 7651, 8742, 8773.1, 8773.2, and 13660 of, to add Sections 4115.5, 4301.5, 5058.1, and 7427 to, and to repeal Sections 1621.2, 5059, 5070.1, 5071, 5074, 5075, 5076, 5153, and 7303 of, the Business and Professions Code, to amend Sections 11371 and 11529 of the Government Code, and to amend Section 11166 of, and to repeal and add Section 11167 of, the Health and Safety Code, relating to professions and vocations.

**Rules Suspended**

Assembly Member Torlakson was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 2239.

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

Bill passed by the following vote:

**AYES—71**

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

**NOES—1**

Thompson

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 378 (Peace)**—An act to add and repeal Section 2890 of the Public Utilities Code, relating to public utilities.

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

Bill passed by the following vote:

**AYES—72**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1951 (Brulte)**—An act to add Section 512 to the Business and Professions Code, to add Section 1395.5 to the Health and Safety Code, and to add Section 10127.4 to the Insurance Code, relating to health coverage.

**Rules Suspended**

Assembly Member Cedillo was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 1951.

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

Bill passed by the following vote:

**AYES—73**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1606 (Lewis)**—An act to amend Section 1261.5 of, and to add Section 1261.6 to, the Health and Safety Code, relating to health facilities.

**Rules Suspended**

Assembly Member Baugh was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 1606.

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

Bill passed by the following vote:

**AYES—73**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE BILL NO. 752 WITHOUT REFERENCE TO FILE**

Assembly Member Pringle was granted unanimous consent to take up Senate Bill No. 752, without reference to file, for purpose of amendment.

**SENATE BILL NO. 752 (Maddy)**—An act to amend Sections 26863, 68090.7, and 77212 of, to amend, repeal, and add Section 77201.1 of, to add Section 77201 to, and to add and repeal Section 77201.3 of, the Government Code, and to amend Section 100 of the Welfare and Institutions Code, relating to trial court funding, and declaring the urgency thereof, to take effect immediately.

**Rules Suspended**

Assembly Member Pringle was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 752.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend**

Assembly Member Pringle moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Further Consideration of Senate Bill No. 752, as Amended,  
by Unanimous Consent**

Assembly Member Pringle was granted unanimous consent to take up Senate Bill No. 752, as amended, without reference to file.

**SENATE BILL NO. 752 (Maddy)**—An act to amend Sections 26863, 68090.7, and 77212 of, to amend, repeal, and add Section 77201.1 of, to add Section 77201 to, and to add and repeal Section 77201.3 of, the Government Code, and to amend Section 100 of the Welfare and Institutions Code, relating to trial court funding making an appropriation therefor., and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Re-Reference of Bills to Committee Pursuant to  
Assembly Rule 77.2**

Pursuant to Assembly Rule 77.2, the Speaker re-referred Senate Bill No. 752 to the Committee on Appropriations.

**JOINT RULE 62(a) WAIVED**

Assembly Member Aroner was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 131 for hearing in the Committee on Human Services.

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

**SENATE BILL NO. 1540 (Karnette)**—An act to amend Sections 1505, 11834.01, 11834.02, 11834.09, 11834.10, 11834.15, 11834.17, 11834.18, 11834.20, 11834.21, 11834.22, 11834.23, 11834.24, 11834.25, 11834.26, 11834.29, 11834.30, 11834.31, 11834.32, 11834.36, and 11834.50 of, and to add Sections 1520.4, 11834.11, and 11834.265 to, the Health and Safety Code, relating to residential facilities.

**Rules Suspended**

Assembly Member Kuykendall was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1540.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend**

Assembly Member Kuykendall moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1697  
WITHOUT REFERENCE TO FILE**

Assembly Member Pacheco was granted unanimous consent to take up Senate Bill No. 1697, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1697 (Hayden)**—An act to add and repeal Chapter 8 (commencing with Section 60830) of Part 33 of the Education Code, relating to the College Preparation Partnership Program.

**Rules Suspended**

Assembly Member Pacheco was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1697.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend**

Assembly Member Pacheco moved the adoption of amendments.

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

**ACTION RESCINDED ON SENATE BILL NO. 1600**

Assembly Member Shelley was granted unanimous consent to rescind the action whereby the Assembly, earlier this day (Assembly Journal, page 8954), Senate Bill No. 1600 was re-referred to the Committee on Appropriations pursuant to Joint Rule 10.5 and Assembly Rule 77.2.

**Further Consideration of Senate Bill No. 1600**

**SENATE BILL NO. 1600 (Rainey)**—An act to add Section 135.5 to the Penal Code, relating to public safety officers.

**Rules Suspended**

Assembly Member Wildman was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 1600.

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

Bill passed by the following vote:

**AYES—70**

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

**NOES—None**

Bill ordered transmitted to the Senate immediately.

**At 4:45 p.m., Hon. Fred Keeley, 27th District, presiding**

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

**SENATE BILL NO. 14 (Polanco)**—An act to add Chapter 11.5 (commencing with Section 21900) to Division 8 of the Business and Professions Code, relating to leaf blowers.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 5:11 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. 1999**

At 5:11 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.

The roll was opened.

**Call of the Assembly Continued**

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

Motion carried. Time, 5:12 p.m.

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

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

**ASSEMBLY BILL NO. 1635 (Migden)**—An act to add Chapter 13.6 (commencing with Section 25989.1) to Division 20 of the Health and Safety Code, relating to performing animals.

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—41**

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

**NOES—31**

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

Above bill ordered enrolled.

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

**SENATE BILL NO. 1873 (Alpert)**—An act to add Section 17053.55 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**Rules Suspended**

Assembly Member Papan was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1873.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend**

Assembly Member Papan moved the adoption of amendments.

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

**REPORTS OF STANDING COMMITTEES****Committee on Appropriations**

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 520

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

**SENATE BILL NO. 520 TAKEN UP BY UNANIMOUS CONSENT FOR SECOND READING**

Assembly Member Runner was granted unanimous consent to take up Senate Bill No. 520 without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

**SENATE BILL NO. 520**—An act to add Section 84305.7 to the Government Code, relating to Political Reform Act of 1974.

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

**Further Consideration of Senate Bill No. 520, as Amended, by Unanimous Consent**

Assembly Member Runner was granted unanimous consent to take up Senate Bill No. 520, as amended, without reference to file.

**SENATE BILL NO. 520 (Brulte)**—An act to add Section 84305.7 to the Government Code, relating to Political Reform Act of 1974.

**Rules Suspended**

Assembly Member Runner was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 520.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend**

Assembly Member Runner moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Further Consideration of Senate Bill No. 520, as Amended,  
by Unanimous Consent**

Assembly Member Runner was granted unanimous consent to take up Senate Bill No. 520, as amended, without reference to file.

**SENATE BILL NO. 520 (Rainey)**—An act relating to elections, to take effect immediately, as an act calling an election.

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

Bill passed by the following vote:

**AYES—53**

Ackerman	Cedillo	Margett	Strom-Martin
Aguiar	Cunneen	Mazzoni	Thompson
Alquist	Firestone	Migden	Thomson
Aroner	Frusetta	Miller	Torlakson
Ashburn	Gallegos	Murray	Vincent
Baca	Granlund	Napolitano	Washington
Baldwin	Hertzberg	Olberg	Wayne
Bordonaro	Honda	Oller	Wildman
Bowen	House	Ortiz	Woods
Bowler	Keeley	Papan	Wright
Brewer	Kuehl	Pringle	Mr. Speaker
Bustamante	Kuykendall	Richter	
Cardenas	Lempert	Runner	
Cardoza	Leonard	Shelley	

**NOES—9**

Baugh	Havice	McClintock
Floyd	Kaloogian	Morrow
Goldsmith	Leach	Sweeney

Bill ordered transmitted to the Senate immediately.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 5:27 p.m., by unanimous consent, the members of the Committee on Banking and Finance were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 368 (Floyd)**—An act to add Section 1966 to the Labor Code, relating to labor.

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

**NOES—1**

McClintock

Above bill ordered enrolled.

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

**SENATE BILL NO. 1610 (Burton)**—An act to amend Section 1776 of, and to add Article 6 (commencing with Section 1870) to Chapter 1 of Part 7 of Division 2 of, the Labor Code, relating to public works.

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

**Request For Unanimous Consent**

Assembly Member Pacheco was granted unanimous consent to read a paper on the Floor of the Assembly.

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 Floyd moved a call of the Assembly.

Motion carried. Time, 5:31 p.m.

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

**RE-REFERENCE OF BILLS FROM FILE TO COMMITTEE**

Assembly Member Shelley was granted unanimous consent that Senate Bill No. 1857 be referred from the third reading file to the Committee on Appropriations.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 5:34 p.m., by unanimous consent, the members of the Committee on Revenue and Taxation were excused for the purpose of attending a meeting of the committee at this time, in the Speaker's Conference Room, and without objection, the House was permitted to continue in Floor session.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1647**

At 5:43 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 Thompson moved to continue the 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.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1999**

At 5:43 p.m., on motion of Assembly Member Leonard, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1999 passed by the following vote:

**AYES—42**

Alquist	Escutia	Kuehl	Thomson
Aroner	Figueroa	Mazzoni	Torlakson
Baca	Firestone	Murray	Vincent
Bowen	Floyd	Napolitano	Washington
Bustamante	Gallegos	Ortiz	Wayne
Cardenas	Havice	Papan	Wildman
Cardoza	Hertzberg	Prenter	Woods
Cedillo	Honda	Scott	Wright
Cunneen	House	Shelley	Mr. Speaker
Davis	Keeley	Strom-Martin	
Ducheny	Knox	Sweeney	

**NOES—30**

Ackerman	Brown	Margett	Pacheco
Aguiar	Frusetta	McClintock	Poochigian
Alby	Granlund	Migden	Pringle
Ashburn	Kalোগian	Miller	Richter
Baldwin	Kuykendall	Morrissey	Runner
Battin	Leach	Morrow	Thompson
Baugh	Lempert	Olberg	
Bowler	Leonard	Oller	

**Motion to Reconsider Senate Bill No. 1999  
on Next Legislative Day**

Assembly Member Thompson moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1999 was this day passed.

Senate Bill No. 1999 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1450**

At 5:44 p.m., on motion of Assembly Member Washington, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1450 refused passage by the following vote:

**AYES—36**

Alquist	Figueroa	Lempert	Sweeney
Bowen	Floyd	Mazzoni	Thomson
Bustamante	Gallegos	Migden	Torlakson
Cardenas	Havice	Murray	Vincent
Cardoza	Hertzberg	Napolitano	Washington
Cedillo	Honda	Ortiz	Wayne
Davis	Keeley	Papan	Wildman
Ducheny	Knox	Scott	Wright
Escutia	Kuehl	Strom-Martin	Mr. Speaker

**NOES—31**

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1610**

At 5:45 p.m., on motion of Assembly Member Floyd, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1610 refused passage by the following vote:

**AYES—39**

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

**NOES—33**

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

**Motion to Reconsider Senate Bill No. 1610  
on Next Legislative Day**

Assembly Member Floyd moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1610 was this day refused passage.

Senate Bill No. 1610 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 2058**

At 5:46 p.m., on motion of Assembly Member Cedillo, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 2058 refused passage by the following vote:

**AYES—25**

Alquist	Figueroa	Migden	Vincent
Aroner	Floyd	Murray	Washington
Brown	Gallegos	Napolitano	Wright
Cardenas	Hertzberg	Ortiz	Mr. Speaker
Cedillo	Honda	Papan	
Ducheny	Knox	Thomson	
Escutia	Kuehl	Torlakson	

**NOES—38**

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 14**

At 5:46 p.m., on motion of Assembly Member Cedillo, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 14 passed by the following vote:

**AYES—41**

Alby	Ducheny	Leonard	Runner
Ashburn	Escutia	Margett	Thompson
Baca	Figueroa	McClintock	Torlakson
Baldwin	Floyd	Morrow	Vincent
Battin	Frusetta	Napolitano	Washington
Baugh	Gallegos	Olberg	Woods
Bustamante	Granlund	Oller	Wright
Cardenas	Havice	Pacheco	Mr. Speaker
Cardoza	Honda	Papan	
Cedillo	Kaloogian	Poochigian	
Cunneen	Leach	Pringle	

**NOES—25**

Ackerman	Brown	Kuykendall	Strom-Martin
Aguiar	Firestone	Lempert	Sweeney
Alquist	Goldsmith	Mazzoni	Thomson
Aroner	House	Migden	Wayne
Bordonaro	Keeley	Miller	
Bowen	Knox	Prenter	
Bowler	Kuehl	Scott	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 14: Assembly Member Wildman, from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

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

**ASSEMBLY BILL NO. 188 (Murray)**—An act to amend Section 18680 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.)*

**Motion to Re-refer Assembly Bill No. 188 to Committee**

Assembly Member Kuykendall moved that Assembly Bill No. 188 be re-referred to the Committee on Elections, Reapportionment and Constitutional Amendments.

Assembly Member Ackerman seconded the motion.

**Motion Withdrawn**

Assembly Member Kuykendall, with the consent of the second to the motion, withdrew his motion to re-refer Assembly Bill No. 188 to the Committee on Elections, Reapportionment and Constitutional Amendments.

**Re-Reference of Bills to Committee Pursuant to  
Assembly Rule 77.2**

Pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 188 to the Committee on Elections, Reapportionment and Constitutional Amendments.

**REQUEST TO SUSPEND JOINT RULES**

The following request was received, and read:

Assembly Chamber, August 25, 1998

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12), (13), and (14) as it relates to Senate Bill No. 1757.

DIANE MARTINEZ

Above request ordered transmitted to the Committee on Rules.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 5:53 p.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1647**

At 6 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. 1647 refused passage by the following vote:

**AYES—40**

Ackerman	Cardoza	Margett	Prenter
Aguiar	Cunneen	Mazzoni	Pringle
Alby	Firestone	Miller	Richter
Ashburn	Frusetta	Morrissey	Runner
Baldwin	Goldsmith	Morrow	Scott
Battin	Granlund	Olberg	Sweeney
Baugh	House	Oller	Thompson
Bowler	Kaloogian	Ortiz	Torlakson
Brewer	Kuykendall	Pacheco	Wayne
Campbell	Leonard	Poochigian	Woods

**NOES—4**

Figueroa	Gallegos	Honda	Knox
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**Motion to Reconsider Senate Bill No. 1647  
on Next Legislative Day**

Assembly Member Mazzoni moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1647 was this day refused passage.

Senate Bill No. 1647 ordered to the unfinished business file.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1735  
FROM COMMITTEE CONTINUED**

By unanimous consent the notice of motion to withdraw Assembly Bill No. 1735 from the Committee on Public Safety was continued until the next legislative day.

**MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 23, 2229, 562; Senate Constitutional Amendment No. 13; Senate Bills Nos. 2048, 1203, 507, 930, and 1535 were continued until the next legislative day.

**BILLS RETURNED TO THIRD READING FILE**

Pursuant to Assembly Rule 78, the following bills were withdrawn from the inactive file, and placed upon the third reading file:

**Senate Bill No. 1292**, on request of Assembly Member Gallegos;

**Senate Bill No. 535**, on request of Assembly Member Midgen.

**VOTE ADDS**

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

**Assembly Bill No. 1338, Concurrence:** Aroner, Baldwin, Battin, Brewer, Bustamante, Goldsmith, Granlund, Kaloogian, Kuehl, Martinez, Poochigian, Pringle, and Torlakson—Aye; Ackerman, Ashburn, McClintock, and Richter—No.

**Assembly Bill No. 2006, Concurrence:** Ackerman, Aroner, Ashburn, Baldwin, Battin, Bustamante, Goldsmith, Granlund, Kaloogian, Kuehl, Margett, Martinez, Poochigian, Prenter, Pringle, Richter, and Torlakson—Aye.

**Assembly Bill No. 976, Concurrence:** Alby, Aroner, Battin, Bordonaro, Bustamante, Cardoza, Davis, Frusetta, Granlund, Knox, Kuehl, Martinez, Poochigian, Pringle, Torlakson, and Wildman—Aye; Ackerman, Baldwin, Baugh, Kaloogian, McClintock, and Richter—No.

**Senate Bill No. 1403:** Aroner, Battin, Baugh, Bowen, Campbell, Cunneen, Ducheny, Granlund, Kaloogian, Knox, Kuehl, Margett, Martinez, Morrow, Oller, Poochigian, Pringle, and Richter—Aye.

**Senate Bill No. 1768:** Aroner, Battin, Baugh, Brown, Cardoza, Cunneen, Ducheny, Kaloogian, Knox, Margett, Martinez, Pacheco, Poochigian, Pringle, and Richter—Aye.

**Senate Bill No. 1897:** Aroner, Battin, Cardoza, Cunneen, Goldsmith, Margett, Martinez, and Pacheco—Aye; Ashburn, Baldwin, Baugh, Kaloogian, Poochigian, Pringle, Richter, and Runner—No.

**Senate Bill No. 1923:** Aroner, Battin, Baugh, Cunneen, Kaloogian, Knox, Margett, Martinez, Pacheco, Poochigian, Pringle, and Richter—Aye.

**Senate Bill No. 2042:** Aroner, Battin, Baugh, Cardoza, Cunneen, Kaloogian, Margett, Martinez, Pacheco, Poochigian, Pringle, and Richter—Aye.

**Assembly Bill No. 1873, Concurrence:** Aroner, Cardoza, Figueroa, Goldsmith, Margett, Martinez, Migden, and Washington—Aye; Baugh, Kaloogian, Kuykendall, Poochigian, Pringle, Richter, and Runner—No.

**Senate Bill No. 591:** Bowen, Brown, Cardoza, Davis, Havice, Kaloogian, Martinez, Miller, Poochigian, and Richter—Aye.

**Senate Bill No. 2196:** Aroner, Battin, Kaloogian, Martinez, Miller, Pacheco, Poochigian, Pringle, Richter, and Runner—Aye.

**Senate Bill No. 694:** Bowen, Brown, House, Martinez, Miller, Morrow, and Prenter—Aye; Baugh, Brewer, Campbell, Kaloogian, Oller, Pacheco, Poochigian, Richter, and Runner—No.

**Senate Bill No. 1856:** Cunneen, Kuykendall, and Martinez—Aye; Granlund, Kaloogian, Miller, Pacheco, Poochigian, and Richter—No.

**Senate Bill No. 1737:** Bowen, Kaloogian, Martinez, Pacheco, and Poochigian—Aye.

**Senate Bill No. 619:** Bowen, Kaloogian, Margett, Martinez, Miller, Pacheco, Poochigian, Richter, and Wright—Aye.

**Senate Bill No. 116:** Baldwin, Granlund, Lempert, Martinez, Poochigian, Richter, Washington, and Wildman—Aye; Kaloogian and Pacheco—No.

**Assembly Bill No. 1857, Concurrence:** Brown, Leach, and Martinez—Aye; Granlund, Kaloogian, Kuykendall, Miller, Pacheco, Poochigian, and Richter—No.

**Assembly Concurrent Resolution No. 188:** Kaloogian, Martinez, Murray, Poochigian, Richter, and Runner—Aye.

**Senate Bill No. 1466:** Bowen, Brown, Kuykendall, Martinez, Migden, Miller, Pacheco, Poochigian, and Washington—Aye; Baugh, Granlund, Kaloogian, and Oller—No.

**Senate Bill No. 1742:** Martinez—Aye; Granlund, Kaloogian, Miller, Pacheco, Poochigian, and Richter—No.

**Assembly Bill No. 2224, Concurrence:** Brown, Kaloogian, Knox, Martinez, Oller, Poochigian, and Richter—Aye; Baldwin—No.

**Assembly Bill No. 2650, Concurrence:** Ashburn, Goldsmith, Martinez, Oller, Poochigian, and Richter—Aye; Kaloogian—No.

**Assembly Bill No. 1686, Concurrence:** Brown, Figueroa, Martinez, and Morrissey—Aye; Ashburn, Battin, Baugh, Brewer, Goldsmith, and Richter—No.

**Assembly Bill No. 1021, Concurrence:** Ashburn, Brown, Cardoza, Davis, Figueroa, Goldsmith, Martinez, Pacheco, and Richter—Aye; Baugh—No.

**Assembly Bill No. 1884, Concurrence:** Brown, Davis, Figueroa, Goldsmith, Martinez, Pacheco, Richter, and Wright—Aye; Ashburn, Brewer, and Runner—No.

**Senate Bill No. 896:** Goldsmith, Martinez, and Pacheco—Aye; Ashburn, Baugh, Brewer, and Richter—No.

**Senate Bill No. 814:** Ashburn, Battin, Baugh, Ducheny, Goldsmith, Granlund, Martinez, Pacheco, Richter, and Runner—Aye.

**Assembly Bill No. 1133, Concurrence:** Bordonaro, Bowen, Brown, Frusetta, Knox, and Martinez—Aye; Ashburn, Baugh, Granlund, Leach, Morrow, Pacheco, and Runner—No.

**Assembly Bill No. 227, Concurrence:** Ackerman, Aguiar, Ashburn, Baldwin, Battin, Baugh, Brewer, Brown, Ducheny, Figueroa, Kaloogian, Knox, Leach, Martinez, Pacheco, Poochigian, Prenter, and Runner—Aye.

**Senate Bill No. 2004:** Baldwin, Battin, Baugh, Ducheny, Kaloogian, Knox, Martinez, Oller, Pacheco, Poochigian, and Runner—Aye.

**Assembly Bill No. 2554, Concurrence:** Martinez—Aye; Battin, Baugh, Pacheco, and Poochigian—No.

**Assembly Bill No. 7, Concurrence:** Ashburn, Battin, Cunneen, Knox, Martinez, and Pacheco—Aye; Kaloogian and Runner—No.

**Assembly Bill No. 2233, Concurrence:** Cunneen and Martinez—Aye; Ashburn, Baugh, Pacheco, Poochigian, Prenter, and Runner—No.

**Senate Bill No. 1947:** Ashburn, Baca, Baugh, Cunneen, Ducheny, Knox, Martinez, Pacheco, Poochigian, and Runner—Aye.

**Senate Bill No. 2217:** Havice, Kaloogian, Martinez, Murray, Oller, Ortiz, Poochigian, Runner, and Torlakson—Aye; Mazzoni—No.

**Senate Bill No. 1520:** Brown, Davis, Havice, Kaloogian, Martinez, Mazzoni, Oller, Pacheco, and Runner—Aye.

**Consent Calendar:** Martinez—Aye.

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

**Assembly Bill No. 1136, Concurrence:** Kuehl, Martinez, and Torlakson—Aye; Cunneen and Kaloogian—No.

**Assembly Bill No. 2280, Concurrence:** Granlund, Martinez, and Morrissey—Aye; Kaloogian—No.

**Senate Bill No. 1427:** Ducheny, Morrow, Poochigian, Prenter, and Runner—Aye; Bowen, Martinez, Murray, and Pacheco—No.

**Senate Bill No. 473:** Pacheco—No.

**Senate Bill No. 2239:** Granlund, Martinez, Morrow, Pacheco, and Runner—Aye.

**Senate Bill No. 378:** Granlund, Martinez, Morrow, and Pacheco—Aye.

**Senate Bill No. 1951:** Baca, Granlund, Kuehl, Martinez, Morrow, and Pacheco—Aye.

**Senate Bill No. 1606:** Bowen, Granlund, Martinez, Morrow, Murray, and Pacheco—Aye.

**Senate Bill No. 1600:** Havice, Martinez, and Runner—Aye.

**Assembly Bill No. 1635, Concurrence:** Baugh and Kaloogian—No.

**Senate Bill No. 520:** Brewer, Cunneen, Granlund, Mazzoni, Olberg, and Oller—Aye; Baugh, Havice, and Kaloogian—No.

**Assembly Bill No. 368, Concurrence:** Baugh, Cunneen, Granlund, Kaloogian, Knox, Olberg, Poochigian, and Runner—Aye.

**Senate Bill No. 1450:** Knox—Aye; Baugh and Poochigian—No.

**Senate Bill No. 1610:** Baugh, Granlund, and Kaloogian—No.

**Senate Bill No. 2058:** Ortiz and Torlakson—Aye; Lempert—No.

**Senate Bill No. 14:** Wright—Aye; Prenter—No.

**Senate Bill No. 1647:** Granlund—Aye.

#### MOTION TO ADJOURN

At 6 p.m., Assembly Member Shelley moved that the Assembly do now adjourn.

Assembly Member Bordonaro seconded the motion.

Motion carried.

#### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 6 p.m., Acting Speaker Keeley declared the quorum call of the Assembly dispensed with.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 192**—~~Runner, Aguiar, Alby, Alquist, Ashburn, Baca, Bordonaro, Bowler, Campbell, Cunneen, Davis, Ducheny, Figueroa, Firestone, Goldsmith, Granlund, House, Kuykendall, Leach, Lempert, Leonard, McClintock, Miller, Morrissey, Olberg, Oller, Pacheco, Papan, Prenter, Pringle, Thompson, Thomson, Vincent, Wayne, Woods, and Wright, (Senators Brulte, Haynes, Hughes, Hurtt, Johnson, Knight, Leslie, Maddy, McPherson, O'Connell, Rainey, Vasconcellos, and Wright, coauthors).~~ Relative to aerospace development.

**ASSEMBLY CONCURRENT RESOLUTION NO. 193**—~~Escutia.~~ Relative to the Honorable Frank K. Richardson.

**ASSEMBLY JOINT RESOLUTION NO. 78**—~~Richter.~~ Relative to the resignation of the President of the United States.

**HOUSE RESOLUTION NO. 89**—~~Takasugi.~~ Relative to old Oxnard High School site.

**HOUSE RESOLUTION NO. 90**—~~Murray.~~ Relative to slavery.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 25, 1998

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

Assembly Bill No. 88	Assembly Bill No. 2055
Assembly Bill No. 499	Assembly Bill No. 2069
Assembly Bill No. 697	Assembly Bill No. 2177
Assembly Bill No. 871	Assembly Bill No. 2183
Assembly Bill No. 1204	Assembly Bill No. 2369
Assembly Bill No. 1921	Assembly Bill No. 2372
Assembly Bill No. 1925	Assembly Bill No. 2465
Assembly Bill No. 1953	Assembly Bill No. 2690
Assembly Bill No. 1992	Assembly Bill No. 2721
Assembly Bill No. 1998	Assembly Bill No. 2764

And reports the same correctly enrolled, and presented to the Governor at 12:30 p.m., August 25, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 25, 1998

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

Assembly Concurrent Resolution No. 106  
 Assembly Concurrent Resolution No. 107  
 Assembly Concurrent Resolution No. 130  
 Assembly Concurrent Resolution No. 172  
 Assembly Joint Resolution No. 43  
 Assembly Joint Resolution No. 48

And reports the same correctly enrolled, and presented to the Secretary of State on the 25th day of August, 1998, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

**AUTHOR'S AMENDMENTS****Committee on Environmental Safety and Toxic Materials**

August 25, 1998

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

Senate Bill No. 913

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

WAYNE, Chairman

**SENATE BILL NO. 913**—An act to amend Section 25396.6 of the Health and Safety Code, relating to hazardous substances.

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

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

August 25, 1998

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

Senate Bill No. 2031

Senate Bill No. 2198

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

MIGDEN, Chairwoman

**SENATE BILL NO. 2031**—An act relating to victims of crime, 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.

**SENATE BILL NO. 2198**—An act amend Sections 25299.50, 25299.81, and 40440.8 of, to and to add Section 43830.5 to, and to repeal, add, and repeal Article 13 (commencing with Section 25299.99) of Chapter 6.75 of Division 20 of, the Health and Safety Code, relating to pollution.

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 Rules**

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Rules reports:

Senate Bill No. 1757

With the recommendation: That the bill be re-referred to the Committee on Utilities and Commerce.

AGUIAR, Vice Chair

Above bill re-referred to the Committee on Utilities and Commerce.

**Committee on Human Services**

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 131

Assembly Bill No. 509

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

ARONER, Chairwoman

Above bills ordered to unfinished business.

**Committee on Rules**

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 98

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation to Consent.

AGUIAR, Vice-Chair

Above resolutions re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly House Resolution No. 88

With the recommendation: Be adopted.

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

AGUIAR, Vice-Chair

Above resolution ordered on file.

#### **Committee on Revenue and Taxation**

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 826

Assembly Bill No. 911

Assembly Bill No. 1155

With the recommendation: That Senate amendments be concurred in.

KNOX, Chairman

Above bills ordered to unfinished business file.

#### **Committee on Banking and Finance**

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 2128

With the recommendation: That Senate amendments be concurred in.

PAPAN, Chairman

Above bill ordered to unfinished business.

#### **Committee on Consumer Protection, Governmental Efficiency and Economic Development**

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Senate Bill No. 1454

With the recommendation: Do pass.

DAVIS, Chairwoman

Above bill ordered to second reading.

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Bill No. 469

Assembly Bill No. 2580

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

DAVIS, Chairwoman

Above bills ordered to unfinished business.

### **REPORTS OF STANDING COMMITTEES**

#### **Committee on Appropriations**

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 479

Senate Bill No. 2108

Senate Bill No. 1771

Senate Bill No. 2234

Senate Bill No. 1913

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

**Committee on Judiciary**

Date of Hearing: August 24, 1998

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 779

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

ESCUZIA, Chairwoman

Above bill ordered to second reading.

**Committee on Appropriations**

Date of Hearing: August 19, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 2168

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 287

Senate Bill No. 2014

Senate Bill No. 1370

Senate Bill No. 2208

Senate Bill No. 1415

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

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1477

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

**SECOND READING OF BILLS BY UNANIMOUS CONSENT**

Pursuant to unanimous consent granted earlier this day, the following bills were taken up for second reading and adoption of committee amendments:

**SENATE BILL NO. 479**—An act to amend Section 21362 of the Government Code, relating to retirement.

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

**SENATE BILL NO. 1771**—An act to add Chapter 10.5 (commencing with Section 2850) to Division 3 of the Fish and Game Code, relating to wildlife, and making an appropriation therefor.

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

**SENATE BILL NO. 1913**—An act to amend Sections 6125, 6126, 6127, 6128, and 6129 of, and to add Sections 5066, 6126.1, and 6126.2 to, the Penal Code, relating to the office of the Inspector General, and making an appropriation therefor.

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

**SENATE BILL NO. 2108**—An act relating to corrections, and making an appropriation therefor.

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

**SENATE BILL NO. 2234**—An act to amend Sections 17053.45, 17053.46, 17053.49, 17276.2, 17302, 18622, 18711, 18721, 18741, 18763, 18782, 18793, 18801, 18812, 18821, 18841, 18871, 19059, 19060, 19311, 23456, 23645, 23646, 23649, and 24416.2 of the Revenue and Taxation Code, and to amend Sections 1088, 1185, 13021, and 13028 of the Unemployment Insurance Code, relating to taxation.

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. 779**—An act to amend Sections 311, 311.5, 1701.1, 1701.2, 1701.3, 1701.4, 1706, 1756, 1758, and 1759 of, to add Sections 1766.1 and 1766.2 to, to repeal Sections 311 and 1765 of, and to add and repeal Sections 1757 and 1757.1 of, the Public Utilities Code, and to repeal Section 26 of Chapter 855 of the Statutes of 1996, relating to the Public Utilities Commission.

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

**SENATE BILL NO. 2168**—An act to amend Sections 11370.2 and 11379.9 of the Health and Safety Code, to amend Sections 245.1, 286, 288a, 289, 290, 368, 422.75, 667.61, 667.7, 1170.11, 1174.4, 1192.7, 1269b, 2933.5, 2962, 3003, 3057, and 12022.53 of the Penal Code, and to amend Sections 676, 707, and 3052 of the Welfare and Institutions Code, relating to crimes, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 287**—An act to amend Sections 15273, 15275, and 21000 of the Elections Code, relating to elections.

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. 1370**—An act to amend Sections 37252 and 51216 of, to add Section 42239.2 to, and to add and repeal Section 42239.4 of the Education Code, relating to education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 1415**—An act relating to the Chabot Observatory and Science Center, and making an appropriation therefor.

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

**SENATE BILL NO. 2014**—An act to amend Section 25205.5 of, and to add Section 25205.9 to, the Health and Safety Code, relating to hazardous waste.

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

**SENATE BILL NO. 2208**—An act to add Chapter 6 (commencing with Section 104310) to Part 1 of Division 103 of the Health and Safety Code, relating to health.

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. 1477**—An act to add Sections 2126.5 and 2127.5 to, and to repeal Sections 2126 and 2127 of, the Streets and Highways Code, relating to streets, and making an appropriation therefor.

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

**MESSAGES FROM THE SENATE**

Senate Chamber, August 25, 1998

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. 50

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

Senate Chamber, August 25, 1998

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

Senate Bill No. 1073  
Senate Bill No. 1383  
Senate Bill No. 1385  
Senate Bill No. 1416  
Senate Bill No. 1644  
Senate Bill No. 1663

Senate Bill No. 1767  
Senate Bill No. 1796  
Senate Bill No. 1830  
Senate Bill No. 1866  
Senate Bill No. 2147

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

Senate Chamber, August 25, 1998

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

Assembly Bill No. 89  
Assembly Bill No. 324  
Assembly Bill No. 645  
Assembly Bill No. 734  
Assembly Bill No. 796  
Assembly Bill No. 821  
Assembly Bill No. 1613  
Assembly Bill No. 1655  
Assembly Bill No. 1791  
Assembly Bill No. 1803  
Assembly Bill No. 1859  
Assembly Bill No. 1910  
Assembly Bill No. 1988  
Assembly Bill No. 2053  
Assembly Bill No. 2066

Assembly Bill No. 2142  
Assembly Bill No. 2196  
Assembly Bill No. 2207  
Assembly Bill No. 2328  
Assembly Bill No. 2342  
Assembly Bill No. 2351  
Assembly Bill No. 2383  
Assembly Bill No. 2456  
Assembly Bill No. 2495  
Assembly Bill No. 2528  
Assembly Bill No. 2636  
Assembly Bill No. 2729  
Assembly Bill No. 2730  
Assembly Bill No. 2741

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 25, 1998

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

Assembly Bill No. 3  
 Assembly Bill No. 514  
 Assembly Bill No. 698

Assembly Bill No. 1450  
 Assembly Bill No. 1685  
 Assembly Bill No. 2421

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 25, 1998

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

Assembly Joint Resolution No. 76

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

**Above resolution ordered enrolled.**

Senate Chamber, August 25, 1998

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

Assembly Bill No. 1053  
 Assembly Bill No. 1966

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

**Above bills ordered enrolled.**

Senate Chamber, August 25, 1998

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

Assembly Bill No. 1789  
 Assembly Bill No. 2696

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

**Above bills ordered enrolled.**

#### **BILLS PLACED ON SPECIAL CONSENT CALENDAR**

The following bills were placed on the Special Consent Calendar:

Assembly Bills Nos. 2154, 2390, 2732, 324, 734, 796, 1613, 1803, 1859, 2053, 2142, 2196, 2207, 2328, 2342, 2351, 2383, 2456, 2495, 2729, and 2730.

#### **MESSAGES FROM THE SENATE**

Senate Chamber, August 25, 1998

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

Senate Constitutional Amendment No. 35

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

#### **FIRST READING OF SENATE BILLS**

The following resolution was read the first time:

**SENATE CONSTITUTIONAL AMENDMENT NO. 35**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (g) of Section 8 of Article III thereof, by amending Section 2 of Article IV thereof, and by amending Section 7 of Article XX thereof, relating to state government.

**CONFERENCE COMMITTEE REPORTS RECEIVED**

Assembly Chamber, Received at Desk: August 25, 1998

Mr. Speaker: The Committee on Conference has met concerning:

**Assembly Bill No. 278**, as amended in Senate September 9, 1997, and agreed to recommend that the amendments of the Senate be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

BYRON D. SHER	MARTHA ESCUTIA
DIANE E. WATSON	DEBRA BOWEN

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Senate Committee on Conference	Assembly Committee on Conference
Above bill ordered reprinted, as proposed by the Conference Committee.	

Assembly Chamber, Received at Desk: August 25, 1998

Mr. Speaker: The Committee on Conference has met concerning:

**Assembly Bill No. 399**, as amended in Senate July 17, 1997, and agreed to recommend that the amendments of the Senate be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

DIANE E. WATSON	MARTIN GALLEGOS
HERSCHEL ROSENTHAL	MICHAEL HONDA

Senate Committee on Conference	Assembly Committee on Conference
The undersigned Members dissenting to the report:	

JAMES L. BRULTE	BRETT GRANLUND
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Senate Committee on Conference	Assembly Committee on Conference
Above bill ordered reprinted, as proposed by the Conference Committee.	

Assembly Chamber, August 25, 1998

Mr. Speaker: The Committee on Conference has met concerning:

**Senate Bill No. 593**, as amended in Assembly on July 22, 1997, and agreed to recommend that the amendments of the Assembly be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

DIANE E. WATSON	MARTIN GALLEGOS
HERSCHEL ROSENTHAL	MICHAEL HONDA

Senate Committee on Conference	Assembly Committee on Conference
The undersigned Members dissenting to the report:	

JAMES L. BRULTE	BRETT GRANLUND
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Senate Committee on Conference	Assembly Committee on Conference
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Assembly Chamber, August 25, 1998

Mr. Speaker: The Committee on Conference has met concerning:

**Senate Bill No. 1561**, as amended in Assembly on July 7, 1998, and agreed to recommend that the amendments of the Assembly be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

TIM LESLIE	KERRY MAZZONI
DEIRDRE ALPERT	BROOKS FIRESTONE
JOHN VASCONCELLOS	VIRGINIA STROM-MARTIN
Senate Committee on Conference	Assembly Committee on Conference

Assembly Chamber, August 25, 1998

Mr. Speaker: The Committee on Conference has met concerning:

**Senate Bill No. 2170**, as amended in Assembly on June 10, 1998, and agreed to recommend that the amendments of the Assembly be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

BYRON D. SHER	HOWARD WAYNE
JACK O'CONNELL	DEBRA BOWEN
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Senate Committee on Conference	Assembly Committee on Conference

**INTRODUCTION OF GUESTS**

Assembly Member Oller, at the 4th Assembly District, introduced his dear friend Dan Roberts, of Valley Springs.

Assembly Member Wright, of the 48th Assembly District, introduced his daughter McKenzie Wright.

Assembly Member Oller, of the 4th Assembly District, introduced Juniper Bone, Pamela Bone, Tim Bone, Nick Andona, and Linda Carter, of Calaveras County.

**ADJOURNMENT**

At 9:30 p.m., pursuant to the motion by Assembly Member Shelley, the Assembly adjourned until 9:30 a.m., Wednesday, August 26, 1998, out of respect to the memory of Monica Mader Aprea, on motion of Assembly Member Oller; out of respect to the memory of Richard Nicholas Perata, on motion of Speaker Villaraigosa; out of respect to the memory of Monsignor Laurence O'Brien, on motion of Assembly Member Wildman; out of respect to the memory of Paul Green and Millicent Carskadon, on motion of Assembly Member Lempert; and out of respect to the memory of Lauren Lawrence, on motion of Assembly Member Napolitano.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk



CALIFORNIA LEGISLATURE  
1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, August 26, 1998**

**TWO HUNDRED SIXTY-THIRD SESSION DAY  
SIX HUNDRED THIRTY-THIRD CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, August 26, 1998

The Assembly met at 9:30 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Morrissey moved a quorum call of the Assembly. Motion carried. Time, 9:31 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 10:07 a.m., Speaker pro Tempore Kuehl declared a quorum of the Assembly present.

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

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

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rabbi Mona Alfi of Congregation B'nai Israel, in Sacramento:

In the book of Genesis [Gen. 1:26-28] we are taught that before creating humans God spoke, saying:

*“Let us create humankind in our image, after our likenes s . . . and God then created humanity in the Divine image. In the image of God each of us were created, male and female we were created, and God blessed us.”*

Each and every one of us is a physical and spiritual manifestation of the Divine presence. God can only begin to be seen when we can see the Divine in the face and deeds of every person, both male *and* female, in every shade, and shape and size.

Each of us is a reflection of the Divine, each one blessed by God, bringing our own unique gifts into the world.

The world will only know wholeness and peace when we can celebrate rather than denigrate our differences, and we can begin to rejoice in what makes each of us remarkable.

On this day in particular we celebrate the achievements of Women, and our success in moving closer to our goal for the full equality between women and men.

And we rejoice in the achievements of not only women, but how we as a society have begun the **revision** of the roles of women and men in our society.

And we look towards the day when both women and men will be seen as leaders and teachers, as well as creators, nurturers, and sustainers.

May the time not be distant when each of us will be able to look into the faces of our fellow humans and *always* see the spark of the Divine within them, as well as within ourselves.

For this we need strength and help. We turn therefore, to a Power beyond us. A Power that is known by many names, but is One Power. The Power that creates, sustains, and loves.

The Supreme Power that inspires us with the hope that we can one day see ourselves as One, one community with many faces, just as the Divine is One Power, known by many names.

May God bless us and keep us.

May God's countenance always look towards us with compassion.

And may God's presence always be with us, and bless us with peace.

And let us say: AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Davis 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 Shelley, 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:

*Because of illness: Assembly Member Takasugi.*

*Because of a death in his family: Assembly Member Machado.*

**REQUEST FOR PHOTOGRAPHER**

Speaker pro Tempore Kuehl was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

**At 10:12 a.m., Hon. Susan Davis, 76th District, presiding**

**REMARKS BY ASSEMBLY MEMBER DAVIS**

Assembly Member Davis addressed the assemblage in recognition and celebration of "Women's Equality Day".

**At 10:14 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 26, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Concurrent Resolution No. 187

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

**REQUEST TO SUSPEND JOINT RULES**

The following requests were received, and read:

Assembly Chamber, August 26, 1998

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12), (13), and (14) as it relates to Senate Bill No. 1518.

DENISE MORENO DUCHENY

Assembly Chamber, August 26, 1998

Mr. Speaker: I request permission to suspend Joint Rule 61(b) as it relates to Senate Bill No. 1425.

WALLY KNOX

Above requests ordered transmitted to the Committee on Rules.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

August 25, 1998

Mr. Speaker: Your Committee on Rules recommends that the request to suspend Joint Rule 61(b)(12), (13), and (14), as it relates to the following bill be granted:

Senate Bill No. 1757.

AGUIAR, Vice Chair

**REPORTS OF STANDING COMMITTEES****Committee on Health**

Date of Hearing: August 24, 1998

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 1541

With the recommendation: That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper committee for study.

GALLEGOS, Chairman

Subject matter of the above bill referred to the Committee on Rules.

**Committee on Rules**

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Rules reports:

Senate Bill No. 779

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

AGUIAR, Vice Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Local Government**

Date of Hearing: August 26, 1998

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 146

Assembly Bill No. 2611

Assembly Bill No. 2621

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

SWEENEY, Chairman

Above bills ordered to unfinished business.

**ADJOURN IN MEMORY**

Assembly Member Campbell was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ann VanHaun, of Lake Forest.

Assembly Member Frusetta was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alejandro "Alex" Pacheco, of Salinas; Dorothy Spencer, of Tres Pinos; Michael E. "Mikio" Costillo, of Salinas; Maria A. De La Torre, of Salinas; and Francesca Ramon, of Salinas.

Assembly Member Napolitano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kenneth L. Newland, of Whittier; DeLoss E. Williams, of Whittier; and Claudia Yanez, of Montebello.

**BILLS REMOVED FROM CONSENT CALENDAR**

The following resolution was removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

**House Resolution No. 88**, on request of Assembly Member Aguiar.

**ANNOUNCEMENTS**

Speaker pro Tempore Kuehl announced that today is the last day to notice intention to remove bills from the inactive file.

**BEST WISHES EXTENDED**

Assembly Member Bowler announced the 47th wedding anniversary of Assembly Member Bob Margett and his wife Beverly and extended best wishes on behalf of the Assembly.

**REQUEST FOR PHOTOGRAPHER**

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

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Assembly Bill No. 1345 to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**At 10:20 a.m., Hon. Fred Keeley, 27th District, presiding**

**JOINT RULE 62(a) WAIVED**

Assembly Member Shelley was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting the following bills for hearing in committee, as noted:

Consumer Protection, Governmental Efficiency and Economic Development—Assembly Bill No. 1345;

Governmental Organization—Assembly Bill No. 576.

**ACTION RESCINDED ON ASSEMBLY BILL NO. 96**

Assembly Member Shelley was granted unanimous consent to rescind the action whereby on August 24, 1998 (Assembly Journal, page 8812), Assembly Bill No. 96 was re-referred to the Committee on Transportation pursuant to Assembly Rule 77.2, and that Assembly Bill No. 96 be returned to the Senate for further action.

**BILLS RETURNED TO UNFINISHED BUSINESS FILE**

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

**Assembly Bill No. 1194**, on request of Assembly Member Villaraigosa.

**BILLS REMOVED FROM CONSENT CALENDAR**

The following bill was removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

**Senate Bill No. 1825**, on request of Assembly Member Escutia.

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

**SENATE BILL NO. 25**—An act to amend Sections 19805, 19842, and 19842A of the Business and Professions Code, and to amend Section 62 of Chapter 867 of the Statutes of 1997, relating to gambling establishments.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1064**—An act to amend Sections 2551.3, 17293, 49553, and 49559 of, to amend and renumber Section 8901 of, to add Article 7.1 (commencing with Section 54740) to Chapter 9 of Part 29 of, to repeal Sections 8900 and 8902 of, to repeal Article 17 (commencing with Section 8390) of Chapter 2 of, to repeal the heading of Chapter 6 (commencing with Section 8900) of, and to repeal Chapter 6.5 (commencing with Section 8910) of, Part 6 of, the Education Code, relating to education.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1190**—An act to add Section 42316.5 to the Health and Safety Code, relating to air pollution.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1679**—An act to amend and repeal Section 1001.65 of, the Penal Code, relating to crimes, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1832**—An act to amend Section 52488 of, and to add and repeal Article 9.5 (commencing with Section 52495) to Chapter 9 of Part 28 of, the Education Code, relating to an education incentive program.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1835**—An act to amend Sections 51201, 51243, 51243.5, 51255, 51257, 51290, 51290.5, 51291, and 51295 of the Government Code, relating to land use.

Bill read second time, and to third reading.

**SENATE BILL NO. 1909**—An act to amend Section 1280 of the Unemployment Insurance Code, relating to unemployment compensation, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1933**—An act to add Section 3202.3 to the Labor Code, and to add Section 2601.5 to the Unemployment Insurance Code, relating to alien workers, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1934**—An act to add Section 14669.20 to the Government Code, relating to state property.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 2138**—An act to add Sections 48645.8 and 51220.6 to the Education Code, and to add Sections 885.5, 896.5, 1124.5, and 1857.5 to the Welfare and Institutions Code, relating to parenting education.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 2186**—An act to add Section 1023.5 to the Military and Veterans Code, relating to veterans homes.

Bill read second time, and ordered to third reading.

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

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

**Senate Bills Nos. 479, 1771, 1913, 2108, 2234, 2168, 287, 1370, 1415, 2014, 2208, and 1477, ordered to third reading.**

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 1454**—An act to amend Sections 1786.2, 1786.10, 1786.12, 1786.16, 1786.18, 1786.20, 1786.24, 1786.26, 1786.30, 1786.40, and 1786.50 of, and to add Section 1786.11 to, the Civil Code, relating to investigative consumer reporting

Bill read second time, and ordered to third reading.

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Assembly Resolutions**

**ASSEMBLY CONCURRENT RESOLUTION NO. 182 (Perata)**—Relative to highways.

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

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

**ASSEMBLY JOINT RESOLUTION NO. 77 (Granlund)**—Relative to the Forest Tax Relief Act.

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

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

**ASSEMBLY CONCURRENT RESOLUTION NO. 190 (Kaloogian)**—Relative to Workplace Fitness Month.

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

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

**ASSEMBLY CONCURRENT RESOLUTION NO. 191 (Alquist)**—Relative to Nonsteroidal Anti-Inflammatory Drugs Awareness Day.

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

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

**Consent Calendar Roll Call**

The roll was called, and the above resolutions on the Consent Calendar adopted, by the following vote:

**AYES—75**

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

**NOES—None**

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Suspend Joint Rules**

By Assembly Member Martinez:

*Resolved*, That Joint Rule 61 be suspended to permit the Committee on Utilities and Commerce to meet, consider, and report Senate Bill No. 1757 for further action.

Resolution read, and adopted by the following vote:

**AYES—75**

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

**NOES—None****JOINT RULE 62(a) WAIVED**

Assembly Member Shelley was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bills Nos. 1757 and 1714 for hearing in the Committee on Utilities and Commerce.

**ANNOUNCEMENTS**

Acting Speaker Keeley announced the following:

All bills not taken up on this day would be recorded as “Pass on File” and those measures that are passed on file on two successive days would be placed upon the inactive file pursuant to the Rules; that by mutual agreement of leadership, debate would be limited today to 5 minutes to open debate and two minutes for all other debate; and that all concurrences on the unfinished business file would be deemed eligible for consideration, provided the analyses have been distributed.

**Parliamentary Inquiry**

Assembly Member McClintock arose to the following parliamentary inquiry:

Did the Presiding Officer announce that although controversial measures have been deferred to the final days of session, leadership has agreed to limit debate on the important issues before the Body?

**Reply by Acting Speaker Keeley**

The Acting Speaker replied that the mutual agreement by the leadership is an attempt to expedite the business of the House in the final 3 days of the legislative session and that such agreement is to limit the length of the debate and not a limit on the number of Members who wish to be recognized to debate.

**Parliamentary Inquiry**

Assembly Member McClintock arose to the following parliamentary inquiry:

Does the attempt to limit debate apply to the education bond measure and the measure impacting a ballot proposition on today's File?

**Reply by Acting Speaker Keeley**

The Acting Speaker replied that it was agreed by leadership of both Caucuses that debate would be limited as he had announced.

**Unanimous Consent Withheld**

Assembly Member McClintock withheld unanimous consent on a request to limit debate on measures on today's file.

**Announcement by Assembly Member Leonard**

Assembly Member Leonard announced that he did not object to a limitation of debate on noncontroversial measures on today's file and requested that the Presiding Officer permit Members to complete their debate on controversial measures.

**Reply by Acting Speaker Keeley**

Acting Speaker Keeley replied that the request by Assembly Member Leonard was consistent with Assembly Member McClintock's desire that debate not be limited on controversial measures on today's file.

**Unanimous Consent Withheld**

Assembly Member McClintock announced that if length of debate is to be determined by leadership, he would withhold unanimous consent on a request to limit debate until agreement is reached to assure Members an opportunity to debate on controversial measures on today's file.

**BILLS PASSED ON FILE**

**Assembly Bill No. 1059**—Passed on file.

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

**ASSEMBLY BILL NO. 1551 (Figueroa)**—An act to amend Sections 1030, 1032, 1256, and 1275 of the Unemployment Insurance Code, relating to unemployment 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—44**

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

**NOES—33**

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

Above bill ordered enrolled.

### Objection to Vote Adds

Assembly Member Pacheco 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. 1551.

### Point of Order

Assembly Member Mazzoni arose to the following point of order:

That Members will be called away from the Floor for purpose of committee hearings off the Floor today and will not have an opportunity to vote add if unanimous consent is withheld.

### Ruling by Acting Speaker Keeley

The Acting Speaker ruled the point of order well-taken.

### Parliamentary Inquiry

Assembly Member McClintock arose to the following parliamentary inquiry:

Do the Rules not prohibit the meeting of committees while the Assembly is in session?

### Reply by Acting Speaker Keeley

The Acting Speaker replied in the affirmative; however, such rule may be waived by unanimous consent of the House, and has routinely been done.

### CONSIDERATION OF SENATE BILL NO. 2139 BY UNANIMOUS CONSENT

Assembly Member Kuehl was granted unanimous consent to take up Senate Bill No. 2139, out of order.

**SENATE BILL NO. 2139 (Lockyer)**—An act to amend Sections 470.3, 6152, 6301, 6302.5, 6321, 6322, 6341, 7028.2, 17209, 17536.5, and 25762 of the Business and Professions Code, to amend Sections 798.61, 1181, 1719, 1780, 1812.10, 2984.4, and 3342.5 of the Civil Code, to amend Sections 77, 82, 84, 86, 86.1, 91, 116.120, 116.210, 116.231, 116.250, 116.760, 116.770, 116.940, 116.950, 134, 166, 170.5, 170.7, 179, 194, 195, 198.5, 200, 215, 217, 234, 269, 274a, 274c, 392, 393, 395, 396, 396a, 400, 402, 422.30, 425.10, 425.11, 489.220, 564, 575, 575.1, 580, 581d, 594, 628, 631, 632, 655, 668, 670, 685.030, 688.010, 697.310, 697.350, 697.540, 703.600, 706.105, 708.180, 720.160, 720.260, 720.420, 871.3, 904.1, 904.2, 904.5, 911, 912, 996.430, 1014, 1033, 1052, 1052.5, 1060, 1068, 1085, 1103, 1134, 1140, 1141.11, 1141.12, 1161.2, 1167.2, 1171, 1206, 1281.5, 1283.05, 1287.4, 1710.20, 1775.1, and 2015.3 of, to amend the heading of Chapter 5 (commencing with Section 81) of Title 1 of Part 1 of, to add Sections 32.5, 38, 395.9, 399.5, 402.5, and 582.5 to, to add Chapter 5.1 (commencing with Section 85) to Title 1 of Part 1 of, and to add a heading to Article 1 (commencing with Section 85) and Article 2 (commencing with Section 90) to Chapter 5.1 of Title 1 of Part 1 of, and to repeal Sections 83, 85, 87, 88, 89, and 422.20 of, and to repeal the headings of Article 1 (commencing with Section 81) and Article 2 (commencing with Section 90) of Chapter 5 of Title 1 of Part 1 of, the Code of Civil Procedure, to amend Sections 44944, 45312, 48294, 48295, 87675, 87679, and 88131 of the Education Code, to amend Sections 325, 327, 8203, 13107, 13109, and 13111 of the Elections Code, to amend Section 300 of the Evidence Code, to amend Section 400 of the Family Code, to amend Sections 1785, 1824, 1893, 3102, 17335, 18415.2, 18495, 31713, and 34113 of, and to amend and repeal Section 16154 of, the Financial Code, to amend Sections 210, 309, 2357, 4341, 4755, 5934, 12150, and 12151 of the Fish and Game Code, to amend Sections 7581, 12647, 25564, 27601, 29733, 30801, 31503, 31621, 31622, 43039, 52514, 53564, and 59289 of the Food and Agricultural Code, to amend Sections 910, 945.3, 990.2, 1770, 3501.6, 6701, 11189, 11511, 12965, 12972, 12980, 15422, 18671, 23220, 23296, 23398, 23579, 24055, 24057, 25351.3, 25560.4, 26299.008, 26524, 26665, 26806, 26820, 26820.4, 26824, 26826, 26826.01, 26863, 27082, 27647, 27706, 28003, 29603, 29610, 31469, 41606, 50920, 53069.4, 53075.6, 53075.61, 53679, 68071, 68072, 68074.1, 68081, 68084, 68086, 68090.7, 68093, 68098, 68108, 68112, 68114, 68114.5, 68114.6, 68115, 68152, 68206.2, 68505, 68513, 68540, 68542, 68542.5, 68546, 68547, 68551, 68620, 68902, 69510, 69744.5, 69746.5, 69753, 69957, 70141, 71002, 71004, 71010, 71040, 71042.5, 71045, 71080, 71083,

71085, 71088, 71091, 71092, 71093, 71094, 71095, 71098, 71099, 71100, 71140, 71141, 71143, 71145, 71180.5, 71181, 71220, 71221, 71264, 71267, 71280, 71280.1, 71280.2, 71280.3, 71280.4, 71280.5, 71340, 71341, 71380, 71381, 71382, 71384, 71386, 72055, 72056, 72056.01, 72056.1, 72060, 72190, 72190.1, 72190.2, 72193, 72194.5, 72196, 72197, 72198, 72301, 72302, 72604, 75101, 75103, 75602, 77003, and 77007 of, to amend the headings of Chapter 6 (commencing with Section 71001) of Title 8 of, Article 7 (commencing with Section 71260) of Chapter 6 of Title 8 of, Article 10 (commencing with Section 71380) of Chapter 6 of Title 8 of, and Chapter 8 (commencing with Section 72000) of Title 8 of, to add Sections 3075 and 70140 to, to repeal and add Chapter 5.1 (commencing with Section 70200) of Title 8 of, to repeal Sections 29605, 68078, 68202.5, 68541, 69741.7, 71080.5, 71080.6, 71080.7, 71084, 71087, 71091.1, 71096, 71097, 71180.3, 71180.4, 71181.1, and 72785 of, and to repeal Chapter 7 (commencing with Section 71600) of Title 8 of, the Government Code, to amend Sections 664 and 667 of the Harbors and Navigation Code, to amend Sections 108580, 111880, 111895, 117070, and 117120 of the Health and Safety Code, to amend Section 12961 of the Insurance Code, to amend Sections 98, 98.2, 3352, 5710, and 6613 of the Labor Code, to amend Section 467 of the Military and Veterans Code, to amend Sections 190.9, 682, 691, 726, 737, 740, 804, 806, 808, 810, 813, 827, 829, 830.1, 832.4, 851.8, 859, 859a, 860, 869, 949, 977, 977.2, 977.4, 987.1, 987.2, 988, 990, 1000, 1007, 1009, 1010, 1016, 1038, 1050, 1130, 1150, 1187, 1191, 1203.1, 1203.1c, 1214, 1235, 1269, 1269b, 1278, 1281a, 1327, 1368.1, 1382, 1424, 1427, 1428, 1429, 1429.5, 1447, 1449, 1458, 1459, 1462, 1462.2, 1463, 1463.1, 1463.22, 1466, 1468, 1471, 1538.5, 2620, 2621, 2623, 3076, 4004, 4022, 4024.1, 4112, 13125, 13151, and 14154 of, to amend the headings of Title 9 (commencing with Section 1235) and Title 11 (commencing with Section 1427) of Part 2 of, Chapter 1 (commencing with Section 1427), Chapter 2 (commencing with Section 1466), and Chapter 3 (commencing with Section 1471) of, Title 11 of Part 2 of, to add Sections 859c and 1039 to, and to repeal Sections 97, 1309, and 1462.1 of, the Penal Code, to amend Sections 3357, 3769, and 5560 of the Public Resources Code, to amend Sections 1794, 5411.5, and 103100 of the Public Utilities Code, to amend Sections 6776, 6777, 19232, 19233, and 19280 of the Revenue and Taxation Code, to amend Sections 1785 and 1786 of the Unemployment Insurance Code, to amend Sections 2802.5, 9872.1, 10751, 11205, 14607.6, 27360, 40230, 40256, 40502, 40506.5, 40508.6, 42008, and 42203 of the Vehicle Code, to amend Sections 310 and 1100 of the Water Code, to amend Sections 245, 255, 601.4, 603.5, 656, 661, 742.16, 3050, 3051, 3200, and 11350.7 of the Welfare and Institutions Code, to amend Section 22 of Chapter 201 of the Statutes of 1895, and to amend Section 4 of Chapter 238 of the Statutes of 1903, relating to courts, and declaring the urgency thereof, to take effect immediately.

#### **Rules Suspended**

Assembly Member Kuehl was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 2139.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

#### **Motion to Amend**

Assembly Member Kuehl moved the adoption of amendments.

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

#### **BILLS PASSED ON FILE**

**Assembly Bills Nos. 1424, 2491, 1096, and 1161—Passed on file.**

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

**ASSEMBLY BILL NO. 1112 (Hertzberg)**—An act to add Section 1367.25 to the Health and Safety Code, to add Section 10123.196 to the Insurance Code, and to amend Section 24003 of the Welfare and Institutions Code, relating to health care coverage.

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

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

**Demand for Previous Question**

Assembly Members Papan, Baca, Wayne, Vincent, and Thomson demanded the previous question.

**Roll Call Demanded**

Assembly Members Woods, Kuykendall, and Cunneen, demanded a roll call.

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

**AYES—40**

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

**NOES—33**

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

The question being on concurrence in Senate amendments.

Amendments concurred in by the following vote:

**AYES—46**

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

**NOES—29**

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

Above bill ordered enrolled.

**At 11:14 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**ASSEMBLY BILL NO. 2016 (Brown)**—An act to add Section 798.44 to the Civil Code, relating to mobilehomes.

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 Brown moved a call of the Assembly.

Motion carried. Time, 11:17 a.m.

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

**OBJECTION TO VOTE ADDS**

Assembly Member Cedillo 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. 1112.

**Parliamentary Inquiry**

Assembly Member Pringle arose to the following parliamentary inquiry:

Was it not requested earlier this day that Members not withhold unanimous consent on vote adds and vote changes?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that such request was made by a Member and further, unanimous consent for vote adds and vote changes may be withheld by any Member.

**Parliamentary Inquiry**

Assembly Member Shelley arose to the following parliamentary inquiry:

Is it not difficult to expedite the business of the House if leadership reaches agreement with respect to vote adds and vote changes, if the respective Caucuses do not respect the agreement?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that if agreement is breached, there is no longer agreement.

**Parliamentary Inquiry**

Assembly Member Floyd arose to the following parliamentary inquiry:

Would a motion that unanimous consent may not be withheld on vote adds and vote changes for the remainder of the session be in order?

Assembly Member Floyd then made such motion.

**Motion Ruled Out of Order**

Speaker pro Tempore Kuehl ruled the motion by Assembly Member Floyd out of order as he spoke prior to making the motion.

**OBJECTION WITHDRAWN**

Assembly Member Pacheco withdrew his objection to any requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Bill No. 1551.

Assembly Member Cedillo withdrew his objection to any requests for vote add or vote changes on the roll call vote taken on this day on Assembly Bill No. 1112.

**ANNOUNCEMENT**

Assembly Member McClintock announced his intention to withhold unanimous consent today on any requests to waive Assembly Rule 77 as it relates to consideration of concurrence measures on the unfinished business file.

**At 11:30 a.m., Speaker Antonio R. Villaraigosa, 45th District, presiding**

**SPECIAL CEREMONY HONORING RETIRING MEMBERS**

At 11:30 a.m., a special ceremony was convened to honor Members retiring from the California State Assembly.

**Announcement**

Without objection, family members and special guests of honorees were permitted on the Floor of the Assembly.

The following resolution was read:

**House Resolution No. 86**

By Assembly Member Villaraigosa

*Relative to commending the Honorable Joe Baca.*

WHEREAS, The tenure of the Honorable Joe Baca is drawing to a close with the California State Assembly following six years of exemplary service, and it is appropriate at this time to highlight his many achievements and to extend to him the highest commendation; and

WHEREAS, Before coming to Sacramento, Assembly Member Baca earned his bachelor's degree in sociology at California State University, Los Angeles, and later he worked for 15 years in community relations with GTE; in 1989, he and his wife, Barbara, began their own business as partners in Interstate World Travel in San Bernardino, and they have four children; and

WHEREAS, Assembly Member Joe Baca's career in Sacramento has been one of historic firsts; and

WHEREAS, First elected to the Assembly from the 62nd Assembly District in 1992, he became Speaker pro Tempore of the Assembly—the first Latino to serve in this capacity since California joined the Union in 1850—and most recently he has been the third ranking leader of the Assembly serving as Assistant Speaker pro Tempore, in which capacity he shares responsibility of presiding over the Assembly floor sessions with the Speaker pro Tempore; and

WHEREAS, In his role as the Speaker's Federal Government Liaison, Assembly Member Baca is in regular contact with officials from the White House and the Executive Branch, California's Congressional delegation, and other officials in Washington; as chair of the CSG-West Committee on the Future of Western Legislatures, he has spearheaded efforts to train new legislators about the legislative process and policy issues; and

WHEREAS, As a member of the powerful Rules Committee, Assembly Member Baca has been involved in the initial assignment of bills to policy committees, and the committee also is responsible for the administration of the Assembly including the funding for its standing committees and the employment rules governing Members and their staffs; and

WHEREAS, Assembly Member Baca plays an active role on the Appropriations Committee where he gives close review to spending for state programs and responsibilities in addition to the state's revenue; and

WHEREAS, He also chairs the Assembly Select Committee on Defense Conversion and is a member of the Committee on

Governmental Organization, the Labor and Employment Committee, the Transportation Committee, and the Committee on Utilities and Commerce; in addition, Assembly Member Baca is a member of the Joint Committee on Rules, the Select Committee on Aerospace, the Select Committee on Corridors of Economic Significance, and the Select Committee on Veterans Affairs; and

WHEREAS, Assembly Member Baca also has been extremely active in his community; in 1979 he was elected to the San Bernardino Community College Board of Trustees—the first Latino to serve in that office in the district's 53 years—and he has also given his time and energy to business, veterans, and other civic groups in the 62nd Assembly District; now, therefore, be it

*Resolved by the Assembly of the State of California,* That they take great pride in honoring Assembly Member Joe Baca for his outstanding service to the people of the 62nd District and the people of California during his tenure as a Member of the California State Assembly, and extend to him heartiest best wishes for happiness and success in his future endeavors.

**House Resolution No. 86 Taken Up by Unanimous Consent**

Assembly Member Ducheny was granted unanimous consent to take up House Resolution No. 86, without reference to file.

**HOUSE RESOLUTION NO. 86**—Relative to Commending the Honorable Joe Baca.

Resolution read and adopted unanimously.

**Best Wishes Expressed**

Farewell remarks were offered by Assembly Members Ducheny, Keeley, Brown, Washington, Aguiar, Escutia, Honda, House, Knox, Vincent, Napolitano, Shelley, Gallegos, Havice, and Bustamante.

Speaker Villaraigosa then appointed Assembly Members Bustamante and Alquist as a Select Committee on Escort to escort Assembly Member Joe Baca 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 Baca then addressed the assemblage.

\* \* \*

The following resolution was read:

**House Resolution No. 77**

By Assembly Member Villaraigosa

*Relative to commending the Honorable Cruz M. Bustamante.*

WHEREAS, Upon the occasion of his retirement as a Member of the California State Assembly, representing the 31st District, the Honorable Cruz M. Bustamante is deserving of special recognition and the highest commendation; and

WHEREAS, Assembly Member Cruz Bustamante was born to Dominga and Cruz Bustamante, Jr., in Dinuba in 1953, and he is a first-generation Californian and the first Latino to become Speaker of the Assembly; and

WHEREAS, In his term as Speaker, from December 1996 to February 1998, the California Legislature reduced class size in the

public schools, enacted a \$1.7 billion tax cut, extended health insurance coverage to 600,000 low-income children, rolled back student fees at state universities and colleges, and toughened penalties for home invasion and criminals who use guns, and he also led efforts to restore a safety net for legal immigrant children and seniors that had been cut under federal legislation; and

WHEREAS, Assembly Member Bustamante's current legislative efforts have included bills to provide sufficient textbooks for schools, ensure stable funding for higher education, reform the juvenile justice system, improve the quality of health care for managed care consumers, expand health care access for California families, and increase the emergency response and preparation capacity of the California Conservation Corps; and

WHEREAS, He is a prime backer of the University of California, Merced, the planned 10th University of California campus and the first to be built in the underserved Central Valley, and as Speaker, he served as a Regent of the University of California and a Trustee of the California State University; he has also been committed to ensuring that K-12 instruction in California fully prepares students to take advantage of the state's world-class higher education system and that the doors of the system remain open to all qualified students; and

WHEREAS, To increase jobs in California, Assembly Member Bustamante has worked to promote the state's businesses and created the Assembly's first Committee on International Trade and Development; he recently led a delegation of business, government, and academic leaders to Mexico, where they met with President Zedillo and other government leaders to improve relations and increase trade opportunities for California companies; and

WHEREAS, Cruz Bustamante was named Legislator of the Year by the Faculty Association of Community Colleges, the Association of Mexican American Educators, and the University of California Alumni Association, and he was bestowed the designation of Speaker Emeritus by the California State Assembly; and

WHEREAS, In 1997 Cruz and Arcelia Bustamante celebrated their 20th wedding anniversary, and they have three daughters and two grandchildren; and

WHEREAS, Through his professional, public, and community activities, Assembly Member Bustamante has made a significant impact on the people of the 31st Assembly district and throughout the state, 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 they take great pride in honoring Assembly Member Cruz M. Bustamante for his outstanding service to the people of the 31st Assembly District and the people of California during his tenure as a member of the Legislature, and extend to him heartiest best wishes for happiness and success in his future endeavors.*

**House Resolution No. 77 Taken Up by Unanimous Consent**

Assembly Member Pringle was granted unanimous consent to take up House Resolution No. 77, without reference to committee, or file.

**HOUSE RESOLUTION NO. 77**—Relative to commending the Honorable Cruz M. Bustamante.

Resolution read and adopted unanimously.

**Best Wishes Expressed**

Farewell remarks were offered by Assembly Members Pringle, Escutia, Cardoza, Cardenas, Mazzoni, Washington, House, Baca, Kuehl, Vincent, Honda, Wildman, Prenter, Havice, Shelley, and Napolitano.

Speaker Villaraigosa then appointed Assembly Members Baca and Havice as a Select Committee on Escort to escort Assembly Member Cruz M. Bustamante 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 Bustamante then addressed the assemblage.

\* \* \*

**MESSAGES FROM THE SENATE**

Senate Chamber, August 26, 1998

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

Senate Bill No. 1518

GREG P. SCHMIDT, 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. 1518**—An act relating to the payment of judgments and settlement claims against the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 496 (Lempert)**—An act to amend Section 69615.6 of, to add Section 69613.55 to, and to add and repeal Article 13 (commencing with Section 44400) of Chapter 2 of Part 25 of, and Education Code, relating to certificated school employees, 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—59**

Ackerman	Cunneen	Kuehl	Poochigian
Aguiar	Davis	Kuykendall	Prenter
Alquist	Ducheny	Leach	Scott
Aroner	Escutia	Lempert	Shelley
Baca	Figueroa	Margett	Strom-Martin
Battin	Firestone	Martinez	Sweeney
Bordonaro	Floyd	Mazzoni	Thomson
Bowen	Frusetta	Migden	Torlakson
Bowler	Gallegos	Morrissey	Vincent
Brown	Goldsmith	Morrow	Washington
Bustamante	Havice	Murray	Wayne
Campbell	Honda	Napolitano	Wildman
Cardenas	Kaloogian	Oller	Wright
Cardoza	Keeley	Ortiz	Mr. Speaker
Cedillo	Knox	Papan	

**NOES—15**

Alby	Brewer	McClintock	Pringle
Ashburn	Granlund	Miller	Runner
Baldwin	House	Olberg	Thompson
Baugh	Leonard	Pacheco	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2404 (Shelley)**—An act to add Chapter 10.5 (commencing with Section 2850) to Division 3 of the Fish and Game Code, relating to marine resources, 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—47**

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

**NOES—26**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2521 (Wayne)**—An act to amend Sections 44006, 44300, 44308, and 45017 of the Public Resources Code, relating to solid waste 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—43**

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

**NOES—33**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 20 (Migden)**—An act to add Section 14007.9 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—53**

Aguiar	Davis	Kuykendall	Strom-Martin
Alquist	Ducheny	Lempert	Sweeney
Aroner	Escutia	Martinez	Thompson
Baca	Figueroa	Mazzoni	Thomson
Battin	Firestone	Migden	Torlakson
Bordonaro	Floyd	Morrissey	Vincent
Bowen	Gallegos	Morrow	Washington
Brown	Granlund	Murray	Wayne
Bustamante	Havice	Napolitano	Wildman
Campbell	Hertzberg	Ortiz	Wright
Cardenas	Honda	Papan	Mr. Speaker
Cardoza	Keeley	Prenter	
Cedillo	Knox	Scott	
Cunneen	Kuehl	Shelley	

**NOES—23**

Ackerman	Brewer	Leonard	Pacheco
Alby	Frusetta	Margett	Poochigian
Ashburn	Goldsmith	McClintock	Richter
Baldwin	House	Miller	Runner
Baugh	Kaloogian	Olberg	Woods
Bowler	Leach	Oller	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 93 (Lempert)**—An act to amend Section 846.1 of the Civil Code, and to add Sections 30609.5, 31105.5, and 31105.6 to the Public Resources Code, relating to coastal resources.

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

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

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

**AYES—46**

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

**NOES—30**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 118 (Cardenas)**—An act to add Section 14133.95 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—76**

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

**NOES—1**

McClintock

Above bill ordered enrolled.

**At 1:33 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**ASSEMBLY BILL NO. 191 (Napolitano)**—An act to add Section 17018.7 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—49**

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

**NOES—28**

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

Above bill ordered enrolled.

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Assembly Bills Nos. 1339 and 89 to the Committee on Education.

**REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 1882**

Upon Request of Assembly Member Shelley, Assembly Member Cedillo was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 1882.

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

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 228 (Migden)**—An act to amend Sections 42825, 42835, 42850, and 42855 of the Public Resources Code, relating to waste tires.

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

**NOES—2**

McClintock                      Thompson

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1748 (Alquist)**—An act to add Chapter 1 (commencing with Section 125700) to Part 8 of Division 106 of the Health and Safety Code, relating to osteoporosis, 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—59**

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

**NOES—16**

Ackerman	Bowler	Leonard	Olberg
Ashburn	Brewer	McClintock	Poochigian
Baldwin	Campbell	Miller	Pringle
Baugh	Kaloogian	Morrow	Runner

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2739 (Mazzoni)**—An act to add Sections 1103 and 20101 to the Public Contract Code, relating to public contracts.

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

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

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

**AYES—44**

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

**NOES—34**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 341 (Sweeney)**—An act to add Section 1383.15 to the Health and Safety Code, and to add Section 10123.68 to the Insurance Code, relating to health care coverage.

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

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

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

**AYES—56**

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

**NOES—20**

Ackerman	Bowler	Margett	Oller
Alby	Brewer	McClintock	Pringle
Ashburn	Campbell	Miller	Runner
Baldwin	House	Morrow	Thompson
Baugh	Kaloogian	Olberg	Woods

**Vote Changes**

By unanimous consent, the following vote changes were permitted on concurrence in Senate amendments to Assembly Bill No. 341: Assembly Members Ashburn, Brewer, House, Miller, and Woods, from “Aye” to “No”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1024 (Davis)**—An act to amend Sections 44257 and 51220 of the Education Code, relating to education.

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

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

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Davis 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.

**ASSEMBLY BILL NO. 423 (Thomson)**—An act to add and repeal Section 11756.6 of the Health and Safety Code, relating to substance abuse, and making an appropriation therefor.

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

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

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

**AYES—68**

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

**NOES—9**

Ashburn	Frusetta	Pacheco
Baldwin	Kaloogian	Pringle
Baugh	McClintock	Richter

Above bill ordered enrolled.

**At 2:10 p.m., Hon. Fred Keeley, 27th District, presiding**

**ASSEMBLY BILL NO. 434 (Gallegos)**—An act to add Sections 1348.7 and 1348.8 to the Health and Safety Code, relating to health care.

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

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

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

**AYES—44**

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

**NOES—30**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1962 (Kuehl)**—An act to add Section 30628 to the Public Resources Code, relating to coastal resources.

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

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

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

**AYES—43**

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

**NOES—34**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 466 (Campbell)**—An act to amend Section 91.5 of, and to add and repeal Section 91.7 of, the Streets and Highways Code, relating to highways.

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

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

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

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 535 (Brown)**—An act to amend, repeal, and add Sections 13960, 13964, and 13965 of, and to add and repeal Section 13961.01 of, the Government Code, relating to victims of crime, 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—66**

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

**NOES—10**

Ackerman	Brewer	Miller	Thompson
Ashburn	Leonard	Morrow	
Baugh	McClintock	Olberg	

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

**AYES—66**

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

**NOES—10**

Ackerman	Brewer	Miller	Thompson
Ashburn	Leonard	Morrow	
Baugh	McClintock	Olberg	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 805 (Woods)**—An act relating to conservation camps, 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—75**

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

**NOES—2**

Baldwin	Kaloogian
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 947 (Gallegos)**—An act to amend and repeal Section 1316.5 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, and the Assembly concurred in Senate amendments by the following vote:

**AYES—72**

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

**NOES—3**

Brewer	Frusetta	Richter
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 984 (Davis)**—An act to amend Section 1345 of, and to add Sections 1363.2, 1371.5, and 1797.114 to, the Health and Safety Code, and to add Section 10126.6 to the Insurance Code, relating to emergency “911” telephone systems.

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**

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

**NOES—7**

Ackerman	Baugh	Kaloogian	Oller
Baldwin	Brewer	McClintock	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1169 (Shelley)**—An act to add Chapter 4 (commencing with Section 71070) to Part 2 of Division 34 of the Public Resources Code, relating to environmental protection.

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—48**

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

**NOES—29**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1397 (Gallegos)**—An act to add Section 1256.2 to the Health and Safety Code, and to add Section 14132.42 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—57**

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

**NOES—18**

Ackerman	Bowler	McClintock	Richter
Alby	Brewer	Miller	Runner
Ashburn	Campbell	Olberg	Thompson
Baldwin	Kaloogian	Oller	
Baugh	Leonard	Poochigian	

Above bill ordered enrolled.

**BILLS PASSED ON FILE**

**Assembly Bill No. 1624**—Passed on file.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1630 (Sweeney)**—An act to add Section 11010.7 to, and to add Chapter 14.8 (commencing with Section 7236) to Division 7 of Title 1 of, the Government Code, and to add Section 1088.7 to the Unemployment Insurance Code, relating to child support.

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

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

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

**AYES—48**

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

**NOES—29**

Ackerman	Bowler	Leonard	Pringle
Aguiar	Brewer	Margett	Richter
Alby	Campbell	Miller	Runner
Ashburn	Firestone	Morrow	Thompson
Baldwin	Goldsmith	Olberg	Woods
Battin	Granlund	Oller	
Baugh	House	Pacheco	
Bordonaro	Kalooagian	Poochigian	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1651 (Ortiz)**—An act to amend Section 340.1 of the Code of Civil Procedure, relating to commencement of actions.

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—55**

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

**NOES—20**

Ackerman	Brewer	Margett	Poochigian
Ashburn	Campbell	McClintock	Pringle
Baldwin	House	Miller	Richter
Baugh	Kaloogian	Olberg	Runner
Bowler	Leonard	Oller	Thompson

**Vote Changes**

By unanimous consent, the following vote changes were permitted on concurrence in Senate amendments to Assembly Bill No. 1651: Assembly Members Ashburn and Miller, from “Aye” to “No”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1682 (Ortiz)**—An act to add Chapter 14.7 (commencing with Section 7235) to Division 7 of Title 1 of the Government Code, and to add Section 1088.8 to the Unemployment Insurance Code, relating to child support.

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

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

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

**AYES—52**

Alquist	Figueroa	Leach	Scott
Aroner	Floyd	Lempert	Shelley
Baca	Frusetta	Martinez	Strom-Martin
Bowen	Gallegos	Mazzoni	Sweeney
Brown	Goldsmith	McClintock	Thomson
Bustamante	Granlund	Migden	Torlakson
Cardenas	Havice	Morrissey	Vincent
Cardoza	Hertzberg	Murray	Washington
Cedillo	Honda	Napolitano	Wayne
Cunneen	Keeley	Ortiz	Wildman
Davis	Knox	Papan	Woods
Ducheney	Kuehl	Perata	Wright
Escutia	Kuykendall	Prenter	Mr. Speaker

**NOES—26**

Ackerman	Bordonaro	Leonard	Poochigian
Aguiar	Bowler	Margett	Pringle
Alby	Brewer	Miller	Richter
Ashburn	Campbell	Morrow	Runner
Baldwin	Firestone	Olberg	Thompson
Battin	House	Oller	
Baugh	Kalooagian	Pacheco	

Above bill ordered enrolled.

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

Pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 514 to the Committee on Water, Parks and Wildlife.

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

**ASSEMBLY BILL NO. 1687 (Lempert)**—An act to add Sections 17072.40, 17074.30, and 32006 to the Education Code, relating to school facilities.

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

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

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

**AYES—68**

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

**NOES—7**

Ackerman	Baugh	McClintock	Runner
Baldwin	Brewer	Olberg	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1827 (Havice)**—An act to add Section 48900.9 to the Education Code, relating to pupil expulsion.

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

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

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

**AYES—42**

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

**NOES—34**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2022 (Wright)**—An act to amend Sections 12050, 12051, 12053, and 12054 of, and to add Sections 12050.2 and 12052.5 to, the Penal Code, relating to firearms.

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

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

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

**AYES—64**

Ackerman	Cedillo	Kuykendall	Perata
Aguiar	Cunneen	Leach	Poochigian
Alquist	Davis	Lempert	Prenter
Ashburn	Ducheny	Leonard	Pringle
Baca	Figueroa	Margett	Richter
Baldwin	Firestone	McClintock	Runner
Battin	Floyd	Miller	Scott
Baugh	Frusetta	Morrissey	Strom-Martin
Bordonaro	Gallegos	Morrow	Thompson
Bowen	Goldsmith	Murray	Thomson
Bowler	Granlund	Napolitano	Torlakson
Brewer	Havice	Olberg	Vincent
Bustamante	Honda	Oller	Wayne
Campbell	House	Ortiz	Wildman
Cardenas	Kaloogian	Pacheco	Woods
Cardoza	Keeley	Papan	Wright

**NOES—3**

Alby	Hertzberg	Martinez
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**Vote Changes**

By unanimous consent, the following vote changes were permitted on concurrence in Senate amendments to Assembly Bill No. 2022: Assembly Member Hertzberg, from “Aye” to “No”; Assembly Member Washington, from “Aye” to “Not Voting”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2103 (Gallegos)**—An act to amend Section 1300 of, and to add Sections 1255.1, 1255.2, 1255.3, and 1364.1 to, the Health and Safety Code, relating to emergency medical 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**

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

**NOES—17**

Ackerman	Campbell	Morrow	Runner
Aguiar	Goldsmith	Olberg	Thompson
Ashburn	Kaloogian	Oller	
Baldwin	Leonard	Poochigian	
Baugh	McClintock	Pringle	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2173 (Pacheco)**—An act to amend Section 1799.107 of the Health and Safety Code, and amend Section 3600.4 of the Labor Code, relating to firefighters.

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

**NOES—1**

McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1569 (Committee on Labor and Employment)**—An act to amend Section 1777.1 of the Labor Code, and to amend Section 4107 of, and to add Section 6109 to, the Public Contract Code, relating to public works.

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

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

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

**AYES—42**

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

**NOES—36**

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

Above bill ordered enrolled.

**JOINT RULE 62(a) WAIVED**

Assembly Member Shelley was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 918 for hearing in the Committee on Elections, Reapportionment and Constitutional Amendments.

**RE-REFERENCE OF BILLS**

Assembly Member Shelley was granted unanimous consent that Senate Bill No. 2121 be re-referred from the Committee on Budget to the Committee on Appropriations.

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Upon request of Assembly Member Shelley, Assembly Member Davis was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Bill No. 1024**

August 26, 1998

*E. Dotson Wilson, Chief Clerk  
California Assembly  
State Capitol  
Sacramento, California*

Dear Mr. Wilson: I respectfully request that this letter be printed in the Assembly Journal for purposes of clarifying the intent of my Assembly Bill 1024. This measure directs the California Commission

on Teacher Credentialing (CCTC) to adopt regulations that provide for the acquisition of significant preparation in teaching dance or theatre by holders of single subject credentials in any of the current credentials. The CCTC assures me that the preparation requirements for those voluntarily seeking dance and/or theatre concentrations would only be obtainable within the appropriate and relevant single subject credentials presently offered.

I introduced AB 1024 to adopt recommendations as a result of SCR 31, Chapter 128, Statutes of 1994. The report issued pursuant to SCR 31 by the CCTC is entitled *The Qualifications of Dance and Theater Teachers in California Schools: State Policy Issues and Options*. In its current form, AB 1024 reflects the options from the report that the Office of Child Development and Education and the CCTC believed were important first steps to take to improve the quality of theater and dance teaching in the state.

Sincerely,

SUSAN A. DAVIS, Assembly Member  
Seventy-sixth District

**REQUEST TO WAIVE JOINT RULE 62(a)**

Assembly Member Shelley requested unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 1731 for hearing in the Committee on Public Safety, today.

Assembly Member Thompson withheld unanimous consent.

**Motion to Waive Joint Rule 62(a)**

Assembly Member Shelley moved that Joint Rule 62(a) be waived to permit the Committee on Public Safety to hear Senate Bill No. 1731.

Assembly Member Baca seconded the motion.

Motion carried by the following vote:

**AYES—42**

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

**NOES—27**

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

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Shelley announced that the Committee on Utilities and Commerce would meet today at 4 p.m.

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

**ASSEMBLY BILL NO. 2231 (Aroner)**—An act to add Chapter 5.2 (commencing with Section 112300) to Part 6 of Division 104 of the Health and Safety Code, relating to fish.

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

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

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

**AYES—45**

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

**NOES—33**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2272 (Baca)**—An act relating to the Alameda Corridor Project.

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—48**

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

**NOES—25**

Ackerman	Brewer	McClintock	Pringle
Alby	Campbell	Morrissey	Runner
Ashburn	Frusetta	Morrow	Thompson
Baldwin	Goldsmith	Olberg	Woods
Battin	Granlund	Oller	
Baugh	Kaloogian	Poochigian	
Bowler	Leach	Prenter	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2282 (Escutia)**—An act to add Chapter 1.5 (commencing with Section 123370) to Part 2 of Division 106 of the Health and Safety Code, relating to health care.

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—56**

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

**NOES—19**

Ackerman	Brewer	McClintock	Poochigian
Ashburn	Campbell	Miller	Runner
Baldwin	House	Morrow	Thompson
Baugh	Kaloogian	Olberg	Woods
Bordonaro	Leonard	Oller	

Above bill ordered enrolled.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 3:16 p.m., by unanimous consent, the members of the Committee on Public Safety were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

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

**ASSEMBLY BILL NO. 2375 (Strom-Martin)**—An act to amend Sections 22112 and 22454 of the Vehicle Code, relating to vehicles.

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

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

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

**AYES—74**

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

**NOES—3**

Frusetta	Morrow	Pacheco
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2432 (Bowen)**—An act to amend Sections 15814.31 and 15814.34 of, to add Sections 15814.30.5 and 15814.31.5 to, and to amend, repeal, and add Section 15814.30 of, 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—45**

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

**NOES—33**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2598 (Aroner)**—An act to amend Section 16501.5 of, to add Sections 16501.2 and 16501.3 to, and to add Article 2.99 (commencing with Section 14096) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to child welfare 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—68**

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

**NOES—10**

Ackerman	Kaloogian	Morrow	Thompson
Baugh	Leonard	Olberg	
House	McClintock	Runner	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2643 (Lempert)**—An act to amend Sections 17089 and 17588 of, to amend and renumber Section 39619 of, and to add Section 17587.5 to, the Education Code, relating to school facilities, and making an appropriation therefor.

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

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

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

**AYES—76**

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

**NOES—2**

Baugh                      McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2725 (Cardoza)**—An act to add and repeal Section 1011.7 of the Military and Veterans Code, relating to veterans.

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

**NOES—23**

Ackerman	Brewer	Margett	Poochigian
Alby	Firestone	McClintock	Pringle
Ashburn	Goldsmith	Miller	Richter
Baldwin	House	Morrow	Runner
Battin	Kaloogian	Olberg	Thompson
Baugh	Leonard	Oller	

Above bill ordered enrolled.

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

~~Pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 1791 to the Committee on Health.~~

(NOTE: On August 27, 1998, the action was rescinded whereby Assembly Bill No. 1791 was re-referred to the Committee on Health. See page 9176.)

**REPORTS OF STANDING COMMITTEES**

**Committee on Public Safety**

Date of Hearing: August 26, 1998

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 1731

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

PERATA, Chairman

Above bill re-referred to the Committee on Appropriations.

**MOTION TO SUSPEND JOINT RULE 30**

Assembly Member Mazzoni moved that Joint Rules 30 and 68.8 be suspended, as they relate to the Conference Committee Report on Senate Bill No. 50 for the purpose of permitting consideration of the report prior to its being in print and being noticed in the Daily File for not less than one legislative day.

Motion carried by the following vote:

**AYES—75**

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

**NOES—None****CONFERENCE COMMITTEE REPORTS**

**SENATE BILL NO. 50 (As proposed by the Conference Committee)**—An act to amend Sections 17260, 17262, 17303, 17305, 17306, and 17620 of, to add Sections 17009.3, 17009.5, 81134, 81135, and 81136 to, to add Chapter 12.5 (commencing with Section 17070.10) to Part 10 of, to add Part 68 (commencing with Section 100400) to, to repeal Section 15101 of, and to repeal and add Section 17261 of, the Education Code, to amend Section 1003 of the Elections Code, to amend Sections 65995 and 65996 of, and to add Sections 4420.5, 65995.5, 65995.6, 65995.7, 65997, and 65998 to, the Government Code, and to add and repeal Chapter 9 (commencing with Section 51450) to Division 31 of the Health and Safety Code, relating to education facilities, making an appropriation therefor, and by providing the funds necessary therefor through an election for, and 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.

Conference Committee Report presented by Assembly Member Mazzoni.

**At 3:31 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**At 4:16 p.m., Speaker Antonio R. Villaraigosa, 45th District, presiding**

**At 4:19 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

Report adopted by the following vote:

**AYES—69**

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

**NOES—9**

Alby	Martinez	Pringle
Baugh	McClintock	Sweeney
Brown	Morrow	Thompson

**At 4:26 p.m., Hon. Valerie Brown, 7th District, presiding**

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 4:27 p.m., by unanimous consent, the members of the Committee on Utilities and Commerce were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 910 (Cardenas)**—An act to add Chapter 6 (commencing with Section 104310) to Part 1 of Division 103 of the Health and Safety Code, relating to prostate cancer.

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

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

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

**AYES—61**

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

**NOES—15**

Ackerman	Brewer	Miller	Pringle
Baldwin	Campbell	Morrow	Runner
Baugh	Leonard	Olberg	Thompson
Bowler	McClintock	Oller	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 910: Assembly Member Oller, from “Aye” to “No”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2737 (Aroner)**—An act to add Sections 53310 and 53315 to, and to repeal Chapter 4 (commencing with Section 53250) of Part 4 of Division 31 of, 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—59**

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

**NOES—15**

Ackerman	Brewer	Kaloogian	Pacheco
Alby	Campbell	McClintock	Poochigian
Baldwin	Granlund	Morrow	Runner
Baugh	House	Olberg	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 645 (Escutia)**—An act to amend, repeal, and add Sections 13960, 13964, and 13965 of the Government Code, relating to victims of crimes, 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—67**

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

**NOES—10**

Ackerman	Brewer	McClintock	Runner
Ashburn	Campbell	Miller	
Baugh	Leonard	Morrow	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1910 (Ashburn)**—An act to add Chapter 5 (commencing with Section 120480) to Part 2 of Division 105 of the Health and Safety Code, relating to disease prevention.

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1988 (Kuehl)**—An act to amend Sections 346 and 358.1 of, and to add Section 16003 to, the Welfare and Institutions Code, relating to foster parents.

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

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

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

**AYES—78**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2066 (Sweeney)**—An act to amend Section 2800.2 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—75**

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

**NOES—2**

Migden	Washington
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2636 (Alquist)**—An act to add Article 11 (commencing with Section 15270) to Chapter 1 of Part 10 of 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—78**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2741 (Miller)**—An act to add Sections 35179.1 and 35179.2 to, and to add the headings of Article 4.5 (commencing with Section 35179) and Article 4.7 (commencing with Section 35181) to Chapter 2 of Part 21 of, the Education Code, relating to interscholastic athletics.

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

**NOES—2**

McClintock                      Pacheco

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1450 (Shelley)**—An act to amend Section 422.6 of the Penal Code, relating to civil rights.

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

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

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

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1967 (Keeley)**—An act to amend Sections 41851.11 and 41851.12 of the Education Code, relating to transportation services for 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—68**

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

**NOES—9**

Ackerman	Goldsmith	Olberg
Baugh	McClintock	Pacheco
Campbell	Morrow	Runner

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2421 (Honda)**—An act to amend Section 50091 of, and to add Section 50091.1 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.

**Call of the Assembly**

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

Motion carried. Time, 4:37 p.m.

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

**ASSEMBLY BILL NO. 131 (Ortiz)**—An act to add Section 1203.049 to the Penal Code, and to amend Section 10980 of the Welfare and Institutions Code, relating to fraud.

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 509 (Floyd)**—An act to add Section 123302 to the Health and Safety Code, relating to supplemental food 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—71**

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

**NOES—5**

Baldwin	House	Morrow
Campbell	McClintock	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 826 (Thomson)**—An act to add Section 214.95 to the Revenue and Taxation Code, relating to property 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.

#### Call of the Assembly

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

Motion carried. Time, 4:42 p.m.

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

**ASSEMBLY BILL NO. 911 (Knox)**—An act to add Sections 40036 and 41041 to the Revenue and Taxation Code, relating to taxation.

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

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

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

#### AYES—48

Aalquist	Escutia	Leonard	Scott
Aroner	Figueroa	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Bowen	Gallegos	Migden	Sweeney
Brown	Havice	Morrissey	Thomson
Bustamante	Hertzberg	Murray	Torlakson
Cardenas	Honda	Napolitano	Vincent
Cardoza	House	Ortiz	Washington
Cedillo	Keeley	Pacheco	Wayne
Cunneen	Knox	Papan	Wildman
Davis	Kuehl	Perata	Wright
Ducheny	Lempert	Prenter	Mr. Speaker

#### NOES—28

Ackerman	Bordonaro	Granlund	Olberg
Aguiar	Bowler	Kaloogian	Poochigian
Alby	Brewer	Leach	Pringle
Ashburn	Campbell	Margett	Richter
Baldwin	Firestone	McClintock	Runner
Battin	Frusetta	Miller	Thompson
Baugh	Goldsmith	Morrow	Woods

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1155 (Kuehl)**—An act relating to taxation.

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

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

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

**AYES—48**

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

**NOES—30**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2528 (Ducheny)**—An act to amend Section 69959 of, and to add Section 69969.5 to, the Education Code, relating to student financial aid.

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 469 (Cardoza)**—An act to amend Section 5535 of the Business and Professions Code, and to amend Sections 16101, 16956, and 16959 of the Corporations Code, relating to architecture.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

Ackerman	Davis	Lempert	Pringle
Aguiar	Ducheny	Leonard	Richter
Alby	Escutia	Margett	Runner
Aroner	Figuroa	Martinez	Scott
Ashburn	Firestone	Mazzoni	Shelley
Baca	Floyd	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Morrow	Torlakson
Bowen	Havice	Murray	Vincent
Bowler	Hertzberg	Napolitano	Washington
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Wright
Cardenas	Knox	Papan	Mr. Speaker
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	
Cunneen	Leach	Prenter	

**NOES—None**

Above bill ordered enrolled.

**CONFERENCE COMMITTEE REPORTS**

**ASSEMBLY BILL NO. 1864 (As proposed by the Conference Committee)**—An act to amend Sections 82033, 82034, 83106, 84101, 84103, 84200, 84200.5, 84202.5, 84202.7, 84203.5, 84206, 84211, 84308, 87103, 87206, 87207, 89511, 91005, 91007, and 91013 of, to add Section 91015 to, and to repeal and add Section 83116.5 of, the Government Code, relating to the Political Reform Act of 1974.

Conference Committee Report presented by Assembly Member Papan.

Report adopted by the following vote:

**AYES—60**

Ackerman	Cedillo	Lempert	Poochigian
Aguiar	Cunneen	Leonard	Pringle
Alby	Ducheny	Margett	Richter
Alquist	Escutia	Martinez	Runner
Aroner	Figueroa	Mazzoni	Shelley
Baca	Firestone	Migden	Strom-Martin
Baldwin	Floyd	Miller	Thompson
Battin	Gallegos	Morrow	Thomson
Baugh	Granlund	Murray	Torlakson
Bowler	Hertzberg	Napolitano	Vincent
Brewer	Honda	Olberg	Washington
Brown	Kaloogian	Oller	Wildman
Bustamante	Knox	Ortiz	Woods
Campbell	Kuehl	Papan	Wright
Cardenas	Kuykendall	Perata	Mr. Speaker

**NOES—11**

Ashburn	Frusetta	Leach	Pacheco
Bordonaro	Goldsmith	McClintock	Prenter
Bowen	House	Morrissey	

**Vote Changes**

By unanimous consent, the following vote changes were permitted on the Conference Committee report on Assembly Bill No. 1864: Assembly Members Ashburn, Frusetta, Leach, Morrissey, Pacheco, and Prenter, from “Aye” to “No”; Assembly Member Wayne, from “Aye” to “Not Voting”.

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 924 (Solis)**—An act to amend Section 3722 of the Labor Code, relating to workers’ compensation, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Keeley.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Thompson moved a call of the Assembly.

Motion carried. Time, 4:52 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1524 (Alpert)**—An act to amend Sections 1596.866, 1797.113, and 1797.191 of the Health and Safety Code, relating to child care, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Wayne.

**Urgency Clause**

Urgency clause read.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Wayne moved a call of the Assembly.

Motion carried. Time, 4:54 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Davis announced that the Committee on Consumer Protection, Governmental Efficiency and Economic Development would meet today at 5 p.m., in the Tom Bane Rules Committee Room.

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2733 (Wildman)**—An act to amend Section 1810.7 of the Insurance Code, and to add and repeal Article 5.5 (commencing with Section 1299) to Chapter 1 of Title 10 of Part 2 of the Penal Code, relating to bail 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.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Wildman moved a call of the Assembly.

Motion carried. Time, 5:00 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. 1550 (Hayden)**—An act to add Section 12071.05 to the Penal Code, relating to firearms.

Bill read third time, and presented by Assembly Member Scott.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Scott moved a call of the Assembly.

Motion carried. Time, 5:05 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1559 (Johnston)**—An act to amend Section 15037.1 of the Unemployment Insurance Code, and to amend Section 19356.6 of the Welfare and Institutions Code, relating to job training, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Knox.

**Urgency Clause**

Urgency clause read.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Knox moved a call of the Assembly.

Motion carried. Time, 5:10 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1980 (Greene)**—An act to amend Sections 473, 2602, 2603, 2604, 2607.5, 3010, 3014.5, 3710, 3711, 3712, 3713, 3716, 3775, 3775.1, 3776, 4925, 4928, 4929, 4934, 4935, 4970, 8000, and 8005 of, to amend and repeal Section 2620.5 of, and to add Sections 104, 3712.5, 3775.2, and 8006 to, the Business and Professions Code, relating to regulatory boards and committees, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Alquist.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Alquist moved a call of the Assembly.

Motion carried. Time, 5:10 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1979 (Schiff)**—An act to amend Section 101 of the Elections Code, relating to initiative petitions.

Bill read third time, and presented by Assembly Member Runner.

Bill passed by the following vote:

**AYES—58**

Aguiar	Ducheny	Margett	Runner
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Shelley
Ashburn	Firestone	Migden	Strom-Martin
Baca	Gallegos	Morrissey	Sweeney
Battin	Goldsmith	Morrow	Thomson
Bowen	Granlund	Murray	Torlakson
Brown	Havice	Napolitano	Vincent
Bustamante	Hertzberg	Ortiz	Washington
Campbell	Honda	Pacheco	Wayne
Cardenas	Keeley	Papan	Wildman
Cardoza	Knox	Perata	Wright
Cedillo	Kuehl	Poochigian	Mr. Speaker
Cunneen	Kuykendall	Prenter	
Davis	Lempert	Pringle	

**NOES—18**

Ackerman	Bowler	Leach	Oller
Alby	Brewer	Leonard	Thompson
Baldwin	Frusetta	McClintock	Woods
Baugh	House	Miller	
Bordonaro	Kaloogian	Olberg	

Bill ordered transmitted to the Senate.

**JOINT RULE 62(a) WAIVED**

Assembly Member Shelley was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 188 for hearing in the Committee on Elections, Reapportionment and Constitutional Amendments.

**REQUEST TO SUSPEND JOINT RULES**

The following requests were received, and read:

Assembly Chamber, August 26, 1998

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12), (13), and (14) as it relates to Senate Bill No. 2121.

CAROLE MIGDEN

Assembly Chamber, August 26, 1998

Mr. Speaker: I request permission to suspend Joint Rule 61(b)(12), (13), and (14) as it relates to Senate Bill No. 913.

HOWARD WAYNE

Above requests ordered transmitted to the Committee on Rules.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 393 (Rosenthal)**—An act to amend Section 1393.6 of, and to add Article 3.12 (commencing with Section 1357.22) to Chapter 2.2 of Division 2 of, the Health and Safety Code, and to add Chapter 8.5 (commencing with Section 10775) to Part 2 of Division 2 of the Insurance Code, relating to health care coverage.

Bill read third time, and presented by Assembly Member Gallegos.

Bill passed by the following vote:

**AYES—41**

Alquist	Escutia	Mazzoni	Thomson
Aroner	Figueroa	Migden	Torlakson
Baca	Gallegos	Murray	Vincent
Bowen	Havice	Napolitano	Washington
Brown	Hertzberg	Ortiz	Wayne
Bustamante	Honda	Papan	Wildman
Campbell	Keeley	Perata	Wright
Cardenas	Knox	Scott	Mr. Speaker
Cedillo	Kuehl	Shelley	
Davis	Lempert	Strom-Martin	
Ducheny	Martinez	Sweeney	

**NOES—35**

Ackerman	Brewer	Leach	Pacheco
Aguiar	Cunneen	Leonard	Poochigian
Alby	Firestone	Margett	Prenter
Ashburn	Frusetta	McClintock	Pringle
Baldwin	Goldsmith	Miller	Richter
Battin	Granlund	Morrissey	Runner
Baugh	House	Morrow	Thompson
Bordonaro	Kaloojian	Olberg	Woods
Bowler	Kuykendall	Oller	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1753 (Schiff)**—An act to add Sections 22203.5, 22363, and 22364 to the Education Code, and to amend Sections 20153, 82023, 82024, and 90001 of, and to add Sections 20096.5, 20152.5, 20191.5, and 84225 to, the Government Code, relating to public retirement system governing boards.

Bill read third time, and presented by Assembly Member Honda.

Bill passed by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Margett	Runner
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Shelley
Ashburn	Firestone	McClintock	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Thompson
Battin	Goldsmith	Morrissey	Thomson
Baugh	Granlund	Morrow	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1537 (Rosenthal)**—An act to amend Sections 10232.25, 10232.8, 10233.5, and 10234.87 of, and to add and repeal Section 10232.23 of, the Insurance Code, relating to long-term care insurance.

Bill read third time, and presented by Assembly Member Gallegos.

Bill passed by the following vote:

**AYES—47**

Aguiar	Davis	Lempert	Shelley
Alquist	Ducheny	Martinez	Strom-Martin
Aroner	Escutia	Mazzoni	Sweeney
Baca	Figueroa	Migden	Thomson
Bowen	Gallegos	Morrissey	Torlakson
Brown	Havice	Morrow	Vincent
Bustamante	Hertzberg	Murray	Washington
Campbell	Honda	Napolitano	Wayne
Cardenas	House	Ortiz	Wildman
Cardoza	Keeley	Papan	Wright
Cedillo	Knox	Perata	Mr. Speaker
Cunneen	Kuehl	Scott	

**NOES—28**

Ackerman	Brewer	Leonard	Poochigian
Alby	Firestone	Margett	Prenter
Ashburn	Frusetta	McClintock	Pringle
Baldwin	Goldsmith	Miller	Richter
Battin	Granlund	Olberg	Runner
Baugh	Kaloogian	Oller	Thompson
Bordonaro	Leach	Pacheco	Woods

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1744 (Johnston)**—An act to amend Sections 11010, 11011, and 15037 of, and to repeal Section 15076.7 of, the Unemployment Insurance Code, relating to job training.

Bill read third time, and presented by Assembly Member Knox.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Knox moved a call of the Assembly.

Motion carried. Time, 5:24 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1915 (Sher)**—An act to add Section 113946 to the Health and Safety Code, relating to environmental health.

Bill read third time, and presented by Assembly Member Migden.

Bill passed by the following vote:

**AYES—43**

Alquist	Ducheny	Martinez	Strom-Martin
Aroner	Escutia	Mazzoni	Sweeney
Baca	Figueroa	Migden	Thomson
Bowen	Frusetta	Morrissey	Torlakson
Brown	Gallegos	Murray	Vincent
Bustamante	Havice	Napolitano	Washington
Cardenas	Hertzberg	Ortiz	Wayne
Cardoza	Keeley	Papan	Wildman
Cedillo	Knox	Perata	Wright
Cunneen	Kuehl	Scott	Mr. Speaker
Davis	Lempert	Shelley	

**NOES—30**

Ackerman	Brewer	Leach	Pacheco
Aguiar	Campbell	Leonard	Poochigian
Alby	Firestone	Margett	Prenter
Ashburn	Goldsmith	McClintock	Runner
Baldwin	Granlund	Miller	Thompson
Battin	House	Morrow	Woods
Baugh	Kaloogian	Olberg	
Bordonaro	Kuykendall	Oller	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1981 (Greene)**—An act to amend Sections 651, 2001, 2020, 2066, 2102, 2135, 2151, 2185, 2225.5, 2428, 2460, 2462, 2472, 2475, 2496, 2569, 3501, 3504, 3505, and 3540 of, to amend and repeal Sections 3514 and 3515 of, to amend, repeal, and add Sections 2475 and 3535 of, to add Sections 473.17, 3503.5, and 3514.1 to, to repeal Sections 2101, 2148, 2473, and 2497.1 of, to repeal Article 23 (commencing with Section 2500) of Chapter 5 of Division 2 of, and to repeal and add Section 3513 of, the Business and Professions Code, relating to healing arts.

Bill read third time, and presented by Assembly Member Davis.

Bill passed by the following vote:

**AYES—74**

Ackerman	Cunneen	Leach	Poochigian
Aguiar	Davis	Lempert	Prenter
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Firestone	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Papan	
Cedillo	Kuykendall	Perata	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1823 (Kelley)**—An act to add Sections 11466.24 and 16122.5 to the Welfare and Institutions Code, relating to public social services.

Bill read third time, and presented by Assembly Member Wayne.

Bill passed by the following vote:

**AYES—74**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Firestone	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Morrow	Vincent
Bowen	Hertzberg	Murray	Washington
Brewer	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

(NOTE: On August 28, 1998, the action was rescinded whereby Senate Bill No. 1823 was passed, and whereby the bill was ordered transmitted to the Senate. See page 9373.)

**SENATE BILL NO. 1615 (Lockyer)**—An act to amend Section 33492.127 of, and to add Sections 33492.21 and 33492.22 to, the Health and Safety Code, relating to redevelopment, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Perata.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—59**

Aguiar	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Scott
Aroner	Escutia	Martinez	Shelley
Ashburn	Figueroa	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Battin	Gallegos	Migden	Thompson
Bordonaro	Goldsmith	Morrissey	Thomson
Bowen	Granlund	Morrow	Torlakson
Brown	Havice	Murray	Vincent
Bustamante	Hertzberg	Napolitano	Washington
Campbell	Honda	Olberg	Wayne
Cardenas	Keeley	Ortiz	Wildman
Cardoza	Knox	Papan	Wright
Cedillo	Kuehl	Perata	Mr. Speaker
Cunneen	Leach	Poochigian	

**NOES—16**

Ackerman	Brewer	Kuykendall	Pacheco
Alby	Firestone	Margett	Richter
Baldwin	House	Miller	Runner
Baugh	Kaloogian	Oller	Woods

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—59**

Aguiar	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Scott
Aroner	Escutia	Martinez	Shelley
Ashburn	Figueroa	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Battin	Gallegos	Migden	Thompson
Bordonaro	Goldsmith	Morrissey	Thomson
Bowen	Granlund	Morrow	Torlakson
Brown	Havice	Murray	Vincent
Bustamante	Hertzberg	Napolitano	Washington
Campbell	Honda	Olberg	Wayne
Cardenas	Keeley	Ortiz	Wildman
Cardoza	Knox	Papan	Wright
Cedillo	Kuehl	Perata	Mr. Speaker
Cunneen	Leach	Poochigian	

**NOES—16**

Ackerman	Brewer	Kuykendall	Pacheco
Alby	Firestone	Margett	Richter
Baldwin	House	Miller	Runner
Baugh	Kaloogian	Oller	Woods

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 955 (Rosenthal)**—An act to amend Sections 1386, 1388, 1391, 1392, and 1393 of the Health and Safety Code, relating to health care coverage.

Bill read third time, and presented by Assembly Member Escutia.

Bill passed by the following vote:

**AYES—49**

Alby	Ducheny	Lempert	Strom-Martin
Alquist	Escutia	Martinez	Sweeney
Aroner	Figueroa	Mazzoni	Thomson
Baca	Frusetta	Migden	Torlakson
Bordonaro	Gallegos	Morrissey	Vincent
Bowen	Goldsmith	Murray	Washington
Brown	Granlund	Napolitano	Wayne
Bustamante	Havice	Ortiz	Wildman
Cardenas	Hertzberg	Pacheco	Wright
Cardoza	Honda	Perata	Mr. Speaker
Cedillo	Keeley	Prenter	
Cunneen	Knox	Scott	
Davis	Kuehl	Shelley	

**NOES—23**

Ackerman	Brewer	Margett	Poochigian
Aguiar	Campbell	McClintock	Richter
Ashburn	House	Miller	Runner
Baldwin	Kaloogian	Morrow	Thompson
Battin	Leach	Olberg	Woods
Baugh	Leonard	Oller	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2085 (Burton)**—An act to amend Sections 22110.1, 22122.5, 22155.5, 22200, 22202, 22304, 22307, 22311, 22402, 26000, 26000.5, 26004, 26105, 26112, 26114, 26115, 26116, 26128, 26129, 26134, 26137, 26200, 26201, 26202, 26204, 26206, 26207.5, 26209, 26300, 26301, 26400, 26401, 26402, 26501, 26503, 26504, 26506, 26603, 26701, 26702, 26703, 26704, 27301, 27401, 27409, 28100, and 28101 of, to add Sections 22001.5, 22403, and 26000.6 to, and to repeal Sections 26111, and 26207 of, the Education Code, relating to the State Teachers' Retirement System, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Honda.

Bill passed by the following vote:

**AYES—43**

Aalquist	Davis	Lempert	Strom-Martin
Aroner	Ducheny	Martinez	Sweeney
Baca	Escutia	Mazzoni	Thomson
Bordonaro	Figueroa	Migden	Torlakson
Bowen	Gallegos	Murray	Vincent
Brown	Havice	Napolitano	Washington
Bustamante	Hertzberg	Ortiz	Wayne
Cardenas	Honda	Papan	Wildman
Cardoza	Keeley	Perata	Wright
Cedillo	Knox	Prenter	Mr. Speaker
Cunneen	Kuehl	Shelley	

**NOES—31**

Ackerman	Campbell	Leach	Oller
Aguilar	Firestone	Leonard	Pacheco
Alby	Frusetta	Margett	Poochigian
Ashburn	Goldsmith	McClintock	Richter
Baldwin	Granlund	Miller	Runner
Battin	House	Morrissey	Thompson
Baugh	Kaloogian	Morrow	Woods
Brewer	Kuykendall	Olberg	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 2085: Assembly Member Prenter, from "No" to "Aye".

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 330 (Rosenthal)**—An act to add Chapter 11.5 (commencing with Section 1130) to Division 1 of Title 1 of the Corporations Code, relating to health care service plans.

Bill read third time, and presented by Assembly Member Gallegos.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Gallegos moved a call of the Assembly.

Motion carried. Time, 5:39 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 5:39 p.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 984 (Rosenthal)**—An act to add Section 1367.02 to the Health and Safety Code, and to add Section 10123.36 to the Insurance Code, relating to health care coverage.

Bill read third time, and presented by Assembly Member Gallegos.

Bill passed by the following vote:

**AYES—43**

Alquist	Escutia	Martinez	Strom-Martin
Aroner	Figueroa	Mazzoni	Sweeney
Baca	Frusetta	Migden	Thomson
Bowen	Gallegos	Morrissey	Torlakson
Brown	Havice	Murray	Vincent
Bustamante	Hertzberg	Napolitano	Washington
Cardenas	Honda	Ortiz	Wayne
Cardoza	Keeley	Papan	Wildman
Cedillo	Knox	Perata	Wright
Davis	Kuehl	Scott	Mr. Speaker
Ducheny	Lempert	Shelley	

**NOES—30**

Ackerman	Brewer	Leach	Poochigian
Aguiar	Campbell	Leonard	Prenter
Alby	Cunneen	Margett	Richter
Ashburn	Goldsmith	McClintock	Runner
Baldwin	Granlund	Miller	Thompson
Battin	House	Morrow	Woods
Baugh	Kaloogian	Olberg	
Bordonaro	Kuykendall	Oller	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1555 (Rosenthal)**—An act to amend Section 779.14 of the Insurance Code, relating to insurance.

Bill read third time, and presented by Assembly Member Wayne.

Bill passed by the following vote:

**AYES—46**

Alquist	Escutia	Mazzoni	Strom-Martin
Aroner	Figueroa	Migden	Sweeney
Baca	Gallegos	Murray	Thomson
Bowen	Havice	Napolitano	Torlakson
Brown	Hertzberg	Ortiz	Vincent
Bustamante	Honda	Pacheco	Washington
Cardenas	House	Papan	Wayne
Cardoza	Keeley	Perata	Wildman
Cedillo	Knox	Prenter	Wright
Cunneen	Kuehl	Richter	Mr. Speaker
Davis	Lempert	Scott	
Ducheny	Martinez	Shelley	

**NOES—28**

Ackerman	Bordonaro	Kuykendall	Morrow
Aguiar	Brewer	Leach	Olberg
Alby	Campbell	Leonard	Oller
Ashburn	Frusetta	Margett	Poochigian
Baldwin	Goldsmith	McClintock	Runner
Battin	Granlund	Miller	Thompson
Baugh	Kaloogian	Morrissey	Woods

Bill ordered transmitted to the Senate.

**BILLS PASSED ON FILE**

**Senate Bills Nos. 989 and 2018**—Passed on file.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 225 (Kopp)**—An act to repeal and add Section 12900 of the Insurance Code, relating to insurance.

Bill read third time, and presented by Assembly Member Thomson.  
The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Thomson moved a call of the Assembly.

Motion carried. Time, 5:58 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 610 (O'Connell)**—An act to amend Sections 22134, 23201, and 24201 of the Education Code, and to add Section 31840.8 to the Government Code, relating to public employees.

Bill read third time, and presented by Assembly Member Honda.

Bill passed by the following vote:

**AYES—46**

Aguiar	Davis	Martinez	Strom-Martin
Alquist	Escutia	Mazzoni	Sweeney
Aroner	Figueroa	Migden	Thomson
Ashburn	Firestone	Morrissey	Torlakson
Baca	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Brown	Honda	Ortiz	Wayne
Bustamante	Keeley	Pacheco	Wildman
Cardenas	Knox	Papan	Wright
Cardoza	Kuehl	Perata	Mr. Speaker
Cedillo	Kuykendall	Prenter	
Cunneen	Lempert	Shelley	

**NOES—26**

Ackerman	Campbell	Leach	Oller
Alby	Frusetta	Leonard	Richter
Baldwin	Gallegos	Margett	Runner
Battin	Goldsmith	McClintock	Thompson
Baugh	Granlund	Miller	Woods
Bordonaro	House	Morrow	
Brewer	Kaloogian	Olberg	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 610: Assembly Member Scott, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 218 (Knight)**—An act to amend Section 203 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, and presented by Assembly Member Firestone.

**Amendments Withdrawn**

Without objection, Assembly Member Leonard withdrew his proposed amendments to Senate Bill No. 218.

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—66**

Ackerman	Cunneen	Lempert	Richter
Aguiar	Davis	Leonard	Runner
Alby	Ducheny	Margett	Scott
Alquist	Figueroa	Mazzoni	Shelley
Aroner	Firestone	Miller	Strom-Martin
Ashburn	Frusetta	Morrissey	Sweeney
Baca	Gallegos	Morrow	Thompson
Baldwin	Goldsmith	Murray	Thomson
Battin	Granlund	Napolitano	Torlakson
Baugh	Havice	Olberg	Vincent
Bordonaro	Honda	Oller	Washington
Brewer	House	Ortiz	Wayne
Brown	Kalooagian	Pacheco	Woods
Bustamante	Keeley	Papan	Wright
Campbell	Knox	Perata	Mr. Speaker
Cardenas	Kuykendall	Poochigian	
Cardoza	Leach	Prenter	

**NOES—3**

Escutia	Martinez	Migden
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Bill ordered transmitted to the Senate.

**SENATE BILL NO. 234 (Hughes)**—An act to amend Sections 20017 and 20178 of, and to repeal and add Section 21337 of, the Government Code, relating to the Public Employees' Retirement System, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Honda.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Honda moved a call of the Assembly.

Motion carried. Time, 6:04 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**JOINT RULE 62(a) WAIVED**

Acting Speaker Brown was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bills Nos. 89 and 1339 for hearing in the Committee on Education.

**REQUEST FOR PHOTOGRAPHER**

Acting Speaker Brown was granted unanimous consent that a photographer be permitted in the Gallery of the Assembly.

**BILLS PASSED ON FILE**

**Senate Bills Nos. 324, 557, and 715**—Passed on file.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1522 (Rainey)**—An act to amend Sections 8277.5 and 8277.6 of the Education Code, relating to child care and development, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Ashburn.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—70**

Ackerman	Cunneen	Kuykendall	Prenter
Aguiar	Davis	Leach	Richter
Alby	Ducheny	Lempert	Runner
Alquist	Escutia	Leonard	Scott
Aroner	Figueroa	Margett	Shelley
Ashburn	Firestone	Mazzoni	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Morrissey	Thompson
Battin	Goldsmith	Morrow	Thomson
Baugh	Granlund	Murray	Torlakson
Bordonaro	Havice	Napolitano	Vincent
Brewer	Hertzberg	Olberg	Washington
Brown	Honda	Oller	Wayne
Bustamante	House	Ortiz	Wildman
Campbell	Kaloogian	Pacheco	Wright
Cardenas	Keeley	Papan	Mr. Speaker
Cardoza	Knox	Perata	
Cedillo	Kuehl	Poochigian	

**NOES—1**

McClintock

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—70**

Ackerman	Cunneen	Kuykendall	Prenter
Aguiar	Davis	Leach	Richter
Alby	Ducheny	Lempert	Runner
Alquist	Escutia	Leonard	Scott
Aroner	Figueroa	Margett	Shelley
Ashburn	Firestone	Mazzoni	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Morrissey	Thompson
Battin	Goldsmith	Morrow	Thomson
Baugh	Granlund	Murray	Torlakson
Bordonaro	Havice	Napolitano	Vincent
Brewer	Hertzberg	Olberg	Washington
Brown	Honda	Oller	Wayne
Bustamante	House	Ortiz	Wildman
Campbell	Kaloogian	Pacheco	Wright
Cardenas	Keeley	Papan	Mr. Speaker
Cardoza	Knox	Perata	
Cedillo	Kuehl	Poochigian	

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1528 (Schiff)**—An act to add Section 22226 to the Education Code, relating to the State Teachers' Retirement System, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Wildman.

Bill passed by the following vote:

**AYES—44**

Alquist	Ducheny	Martinez	Shelley
Aroner	Escutia	Mazzoni	Strom-Martin
Baca	Figueroa	Migden	Sweeney
Bowen	Gallegos	Morrissey	Thomson
Brown	Havice	Murray	Torlakson
Bustamante	Hertzberg	Napolitano	Vincent
Cardenas	Honda	Ortiz	Washington
Cardoza	Keeley	Pacheco	Wayne
Cedillo	Knox	Papan	Wildman
Cunneen	Kuehl	Perata	Wright
Davis	Lempert	Prenter	Mr. Speaker

**NOES—30**

Ackerman	Brewer	Kuykendall	Oller
Aguiar	Campbell	Leach	Poochigian
Alby	Firestone	Leonard	Richter
Ashburn	Frusetta	Margett	Runner
Baldwin	Goldsmith	McClintock	Thompson
Battin	Granlund	Miller	Woods
Baugh	House	Morrow	
Bordonaro	Kaloogian	Olberg	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 1528: Assembly Member Scott, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate.

**BILLS PASSED ON FILE**

**Senate Bills Nos. 1878 and 1611**—Passed on file.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1689 (Rosenthal)**—An act to add and repeal Chapter 2.25 (commencing with Section 1399.80) of Division 2 of the Health and Safety Code, relating to health coverage.

Bill read third time, and presented by Assembly Member Shelley.

Bill passed by the following vote:

**AYES—45**

Alquist	Figueroa	Mazzoni	Sweeney
Aroner	Floyd	Migden	Thomson
Baca	Gallegos	Morrissey	Torlakson
Bowen	Havice	Murray	Vincent
Brown	Hertzberg	Napolitano	Washington
Bustamante	Honda	Ortiz	Wayne
Cardenas	Keeley	Papan	Wildman
Cardoza	Knox	Perata	Wright
Cedillo	Kuehl	Prenter	Mr. Speaker
Davis	Kuykendall	Scott	
Ducheny	Lempert	Shelley	
Escutia	Martinez	Strom-Martin	

**NOES—30**

Ackerman	Brewer	Leach	Pacheco
Aguiar	Campbell	Leonard	Poochigian
Alby	Cunneen	Margett	Richter
Ashburn	Frusetta	McClintock	Runner
Baldwin	Goldsmith	Miller	Thompson
Battin	Granlund	Morrow	Woods
Baugh	House	Olberg	
Bordonaro	Kaloojian	Oller	

Bill ordered transmitted to the Senate.

**BILLS PASSED ON FILE**

**Senate Bills Nos. 2045, 2092, and 2116**—Passed on file.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1900 (Schiff)**—An act to amend Sections 1170, 1170.1, 1170.13, 1170.15, and 1170.95 of the Penal Code, relating to sentencing.

Bill read third time, and presented by Assembly Member Wayne.

Bill passed by the following vote:

**AYES—75**

Ackerman	Davis	Leach	Poochigian
Aguiar	Ducheny	Lempert	Prenter
Alby	Escutia	Leonard	Richter
Alquist	Figueroa	Margett	Runner
Aroner	Firestone	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Brewer	Hertzberg	Murray	Vincent
Brown	Honda	Napolitano	Washington
Bustamante	House	Olberg	Wayne
Campbell	Kaloogian	Oller	Wildman
Cardenas	Keeley	Ortiz	Woods
Cardoza	Knox	Pacheco	Wright
Cedillo	Kuehl	Papan	Mr. Speaker
Cunneen	Kuykendall	Perata	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2177 (Wright)**—An act to amend Section 11323.2 of the Welfare and Institutions Code, relating to welfare reform.

Bill read third time, and presented by Assembly Member Washington.

Bill passed by the following vote:

**AYES—48**

Alquist	Escutia	Kuehl	Scott
Aroner	Figueroa	Leach	Shelley
Baca	Firestone	Lempert	Strom-Martin
Bowen	Floyd	Martinez	Sweeney
Brown	Frusetta	Mazzoni	Thomson
Bustamante	Gallegos	Migden	Torlakson
Cardenas	Goldsmith	Morrissey	Vincent
Cardoza	Havice	Murray	Washington
Cedillo	Hertzberg	Napolitano	Wayne
Cunneen	Honda	Ortiz	Wildman
Davis	Keeley	Papan	Wright
Ducheny	Knox	Perata	Mr. Speaker

**NOES—27**

Ackerman	Campbell	McClintock	Prenter
Aguiar	Granlund	Miller	Pringle
Ashburn	House	Morrow	Richter
Baldwin	Kaloogian	Olberg	Runner
Battin	Kuykendall	Oller	Thompson
Baugh	Leonard	Pacheco	Woods
Brewer	Margett	Poochigian	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1785 (Hayden)**—An act to amend Sections 1815, 1816, 1834, 1845, 1846, 1847, and 2080 of, and to add Section 1834.4 to, the Civil Code, to amend Sections 31108, 31752, and 32001 of, to add Sections 17005, 17006, 31752.5, 31753, and 32003 to, and to add, repeal, and add Section 31754 of, the Food and Agricultural Code, and to amend Section 597.1 of, and to add Section 599d to, the Penal Code, relating to stray animals.

Bill read third time, and presented by Assembly Member McClintock.

Bill passed by the following vote:

**AYES—72**

Aguiar	Ducheny	Lempert	Prenter
Alby	Escutia	Leonard	Pringle
Alquist	Figueroa	Margett	Richter
Aroner	Firestone	Martinez	Runner
Baca	Floyd	Mazzoni	Scott
Baldwin	Frusetta	McClintock	Shelley
Battin	Gallegos	Migden	Strom-Martin
Baugh	Goldsmith	Miller	Sweeney
Bordonaro	Havice	Morrissey	Thompson
Bowen	Hertzberg	Morrow	Thomson
Brown	Honda	Murray	Torlakson
Bustamante	House	Napolitano	Vincent
Campbell	Kaloogian	Oller	Washington
Cardenas	Keeley	Ortiz	Wayne
Cardoza	Knox	Pacheco	Wildman
Cedillo	Kuehl	Papan	Woods
Cunneen	Kuykendall	Perata	Wright
Davis	Leach	Poochigian	Mr. Speaker

**NOES—3**

Ackerman	Ashburn	Olberg
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Bill ordered transmitted to the Senate.

**SENATE BILL NO. 791 (Costa)**—An act to amend Section 14550 of, and to add Section 14450.1 to, the Welfare and Institutions Code, relating to human services.

Bill read third time, and presented by Assembly Member Thomson.

Bill passed by the following vote:

**AYES—76**

Ackerman	Cunneen	Leach	Poochigian
Aguiar	Davis	Lempert	Prenter
Alby	Ducheny	Leonard	Pringle
Alquist	Escutia	Margett	Richter
Aroner	Figueroa	Martinez	Runner
Ashburn	Firestone	Mazzoni	Scott
Baca	Floyd	McClintock	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Vincent
Brown	House	Olberg	Washington
Bustamante	Kaloogian	Oller	Wayne
Campbell	Keeley	Ortiz	Wildman
Cardenas	Knox	Pacheco	Woods
Cardoza	Kuehl	Papan	Wright
Cedillo	Kuykendall	Perata	Mr. Speaker

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1033 (Sher)**—An act to amend Section 116275 of, and to add Section 116611 to, the Health and Safety Code, relating to drinking water.

Bill read third time, and presented by Assembly Member Margett.

Bill passed by the following vote:

**AYES—62**

Aguiar	Firestone	Leonard	Richter
Alby	Frusetta	Margett	Scott
Alquist	Gallegos	Martinez	Shelley
Aroner	Goldsmith	Mazzoni	Strom-Martin
Baca	Granlund	Migden	Sweeney
Bordonaro	Havice	Miller	Thompson
Bowen	Hertzberg	Morrissey	Thomson
Brown	Honda	Murray	Torlakson
Bustamante	House	Napolitano	Vincent
Cardenas	Kalooagian	Oller	Washington
Cardoza	Keeley	Ortiz	Wayne
Cedillo	Knox	Pacheco	Wildman
Cunneen	Kuehl	Papan	Wright
Davis	Kuykendall	Perata	Mr. Speaker
Escutia	Leach	Poochigian	
Figueroa	Lempert	Prenter	

**NOES—10**

Ackerman	Baugh	Morrow	Woods
Ashburn	Brewer	Olberg	
Baldwin	Campbell	Runner	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 702 (Polanco)**—An act to repeal and add Article 4 (commencing with Section 15379.15) of Chapter 3.5 of Part 6.7 of Division 3 of Title 2 of the Government Code, relating to economic development.

Bill read third time, and presented by Assembly Member Davis.

Bill passed by the following vote:

**AYES—65**

Aguiar	Figueroa	Lempert	Pringle
Alquist	Firestone	Leonard	Richter
Aroner	Floyd	Margett	Scott
Baca	Frusetta	Martinez	Shelley
Battin	Gallegos	Mazzoni	Strom-Martin
Bordonaro	Goldsmith	Migden	Sweeney
Bowen	Granlund	Miller	Thomson
Brown	Havice	Morrissey	Torlakson
Bustamante	Hertzberg	Morrow	Vincent
Campbell	Honda	Murray	Washington
Cardenas	House	Napolitano	Wayne
Cardoza	Kalooagian	Oller	Wildman
Cedillo	Keeley	Ortiz	Wright
Cunneen	Knox	Pacheco	Mr. Speaker
Davis	Kuehl	Papan	
Ducheny	Kuykendall	Perata	
Escutia	Leach	Prenter	

**NOES—10**

Ackerman	Baldwin	McClintock	Thompson
Alby	Baugh	Olberg	
Ashburn	Brewer	Runner	

Bill ordered transmitted to the Senate.

**BILLS PASSED ON FILE**

**Senate Bills Nos. 1196, 1125, and 418**—Passed on file.

**At 6:21 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 2145 (Maddy)**—An act to amend Section 2025 of the Code of Civil Procedure, relating to depositions.

Bill read third time and presented by Assembly Member Keeley.

Bill passed by the following vote:

**AYES—76**

Ackerman	Davis	Leach	Poochigian
Aguiar	Ducheny	Lempert	Prenter
Alby	Escutia	Leonard	Pringle
Alquist	Figueroa	Martinez	Richter
Aroner	Firestone	Martinez	Runner
Ashburn	Floyd	Mazzoni	Scott
Baca	Frusetta	McClintock	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Vincent
Brown	House	Olberg	Washington
Bustamante	Kaloogian	Oller	Wayne
Campbell	Keeley	Ortiz	Wildman
Cardoza	Knox	Pacheco	Woods
Cedillo	Kuehl	Papan	Wright
Cunneen	Kuykendall	Perata	Mr. Speaker

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1784 (Hayden)**—An act to add Chapter 12 (commencing with Section 2950) to Division 3 of the Fish and Game Code, relating to endangered species.

Bill read third time, and presented by Assembly Member Keeley.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Keeley moved a call of the Assembly.

Motion carried. Time, 6:24 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 287 SET FOR SPECIAL ORDER**

By unanimous consent Senate Bill No. 287 be made a special order of business for Thursday, August 27, 1998, at 10:30 a.m.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2016**

At 6:27 p.m., on motion of Assembly Member Brown, 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. 2016 by the following vote:

**AYES—45**

Alquist	Figueroa	Mazzoni	Thompson
Aroner	Floyd	Migden	Thomson
Baca	Gallegos	Morrissey	Torlakson
Battin	Granlund	Morrow	Vincent
Bowen	Havice	Napolitano	Washington
Brown	Hertzberg	Ortiz	Wayne
Bustamante	Honda	Papan	Wildman
Cardenas	Keeley	Perata	Wright
Cedillo	Knox	Scott	Mr. Speaker
Davis	Kuehl	Shelley	
Ducheny	Lempert	Strom-Martin	
Escutia	Martinez	Sweeney	

**NOES—31**

Ackerman	Brewer	Kuykendall	Pacheco
Aguiar	Campbell	Leach	Poochigian
Alby	Cunneen	Leonard	Prenter
Ashburn	Firestone	Margett	Pringle
Baldwin	Frusetta	McClintock	Richter
Baugh	Goldsmith	Miller	Runner
Bordonaro	House	Olberg	Woods
Bowler	Kaloogian	Oller	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1024**

At 6:29 p.m., on motion of Assembly Member Davis, 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. 1024 by the following vote:

**AYES—43**

Alquist	Ducheny	Martinez	Strom-Martin
Aroner	Escutia	Mazzoni	Sweeney
Baca	Figueroa	Migden	Thomson
Bowen	Gallegos	Morrissey	Torlakson
Brown	Havice	Murray	Vincent
Bustamante	Hertzberg	Napolitano	Washington
Cardenas	Honda	Ortiz	Wayne
Cardoza	Keeley	Papan	Wildman
Cedillo	Knox	Perata	Wright
Cunneen	Kuehl	Scott	Mr. Speaker
Davis	Lempert	Shelley	

**NOES—32**

Ackerman	Bowler	Kuykendall	Pacheco
Aguiar	Brewer	Leach	Poochigian
Alby	Campbell	Leonard	Prenter
Ashburn	Frusetta	Margett	Pringle
Baldwin	Goldsmith	McClintock	Richter
Battin	Granlund	Miller	Runner
Baugh	House	Morrow	Thompson
Bordonaro	Kaloogian	Olberg	Woods

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2421**

At 6:29 p.m., on motion of Assembly Member Honda, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2421 by the following vote:

**AYES—43**

Alquist	Ducheny	Martinez	Strom-Martin
Aroner	Escutia	Mazzoni	Sweeney
Baca	Figueroa	Migden	Thomson
Bowen	Floyd	Morrissey	Torlakson
Brown	Gallegos	Murray	Vincent
Bustamante	Hertzberg	Napolitano	Washington
Cardenas	Honda	Ortiz	Wayne
Cardoza	Keeley	Papan	Wildman
Cedillo	Knox	Perata	Wright
Cunneen	Kuehl	Scott	Mr. Speaker
Davis	Lempert	Shelley	

**NOES—33**

Ackerman	Brewer	Leach	Poochigian
Aguiar	Campbell	Leonard	Pringle
Alby	Firestone	Margett	Richter
Ashburn	Frusetta	McClintock	Runner
Baldwin	Goldsmith	Miller	Thompson
Battin	Granolund	Morrow	Woods
Baugh	House	Olberg	
Bordonaro	Kaloogian	Oller	
Bowler	Kuykendall	Pacheco	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 826**

At 6:31 p.m., on motion of Assembly Member Thomson, 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 Thomson moved to continued the call of the Assembly.

Motion carried. Time, 6:31 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 924**

At 6:32 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. 924 passed by the following vote:

**AYES—41**

Alquist	Figueroa	Mazzoni	Sweeney
Aroner	Floyd	Migden	Thomson
Baca	Gallegos	Morrow	Torlakson
Bowen	Havice	Murray	Vincent
Brown	Hertzberg	Napolitano	Washington
Bustamante	Honda	Ortiz	Wayne
Cardenas	Keeley	Papan	Wildman
Cedillo	Knox	Perata	Mr. Speaker
Davis	Kuehl	Scott	
Ducheny	Lempert	Shelley	
Escutia	Martinez	Strom-Martin	

**NOES—33**

Ackerman	Brewer	Kuykendall	Prenter
Aguiar	Campbell	Leach	Pringle
Alby	Cunneen	Leonard	Richter
Ashburn	Firestone	Margett	Runner
Baldwin	Frusetta	Miller	Thompson
Battin	Goldsmith	Olberg	Woods
Baugh	Granlund	Oller	
Bordonaro	House	Pacheco	
Bowler	Kaloogian	Poochigian	

Bill ordered transmitted to the Senate.

**COMMUNICATIONS**

The following explanation of vote was presented by the Chief Clerk, and ordered printed in the Journal:

**Explanation of Vote—Senate Bill No. 924**

August 27, 1998

*Assembly Desk  
California State Assembly  
Sacramento, California*

RE: Letter to the Journal

The purpose of this letter to the Journal is to clarify my vote on the Assembly floor on 8/26/98. I was inadvertently recorded as an “Aye” vote in favor of SB 924 (Solis) relating to workers’ compensation insurance. Since the measure passed off the floor by the minimum required vote of 41, I was unable to correct the mistake and vote “No” because doing so would have changed the outcome of the vote.

I believe that this measure would impose excessive penalties on employers for failures to maintain workers’ compensation insurance.

Sincerely,

BILL MORROW, Assembly Member  
Seventy-third District

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 1524**

At 6:33 p.m., on motion of Assembly Member Wayne, 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 Wayne moved to continue the call of the Assembly.

Motion carried. Time, 6:33 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. 2733**

At 6:34 p.m., on motion of Assembly Member Wildman, 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. 2733 by the following vote:

**AYES—44**

Alquist	Davis	Kuehl	Shelley
Aroner	Ducheny	Lempert	Strom-Martin
Baca	Escutia	Martinez	Sweeney
Baugh	Figueroa	Mazzoni	Thomson
Bowen	Floyd	Migden	Torlakson
Brown	Gallegos	Murray	Vincent
Bustamante	Havice	Napolitano	Washington
Cardenas	Hertzberg	Ortiz	Wayne
Cardoza	Honda	Papan	Wildman
Cedillo	Keeley	Perata	Wright
Cunneen	Knox	Scott	Mr. Speaker

**NOES—34**

Ackerman	Campbell	Leonard	Poochigian
Aguilar	Firestone	Margett	Prenter
Alby	Frusetta	McClintock	Pringle
Ashburn	Goldsmith	Miller	Richter
Baldwin	Granlund	Morrissey	Runner
Battin	House	Morrow	Thompson
Bordonaro	Kaloogian	Olberg	Woods
Bowler	Kuykendall	Oller	
Brewer	Leach	Pacheco	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1550**

At 6:34 p.m., on motion of Assembly Member Scott, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1550 passed by the following vote:

**AYES—41**

Alquist	Escutia	Lempert	Strom-Martin
Aroner	Figueroa	Martinez	Sweeney
Bowen	Firestone	Mazzoni	Thomson
Brown	Gallegos	Migden	Torlakson
Bustamante	Havice	Murray	Washington
Cardenas	Hertzberg	Napolitano	Wayne
Cardoza	Honda	Ortiz	Wildman
Cedillo	Keeley	Pacheco	Mr. Speaker
Cunneen	Knox	Perata	
Davis	Kuehl	Scott	
Ducheny	Kuykendall	Shelley	

**NOES—33**

Ackerman	Bowler	Margett	Pringle
Aguiar	Brewer	McClintock	Richter
Alby	Campbell	Miller	Runner
Ashburn	Frusetta	Morrissey	Thompson
Baca	Goldsmith	Morrow	Woods
Baldwin	Granlund	Olberg	Wright
Battin	House	Oller	
Baugh	Kalooogian	Poochigian	
Bordonaro	Leonard	Prenter	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 1550: Assembly Member Papan, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 1559**

At 6:34 p.m., on motion of Assembly Member Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 1559 adopted by the following vote:

**AYES—56**

Aguiar	Ducheny	Kuehl	Prenter
Alquist	Escutia	Kuykendall	Runner
Aroner	Figueroa	Lempert	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Bordonaro	Frusetta	Migden	Sweeney
Bowen	Gallegos	Morrissey	Thomson
Brown	Goldsmith	Murray	Torlakson
Bustamante	Granlund	Napolitano	Vincent
Cardenas	Havice	Olberg	Washington
Cardoza	Hertzberg	Ortiz	Wayne
Cedillo	Honda	Pacheco	Wildman
Cunneen	Keeley	Papan	Wright
Davis	Knox	Perata	Mr. Speaker

**NOES—21**

Ackerman	Brewer	Margett	Richter
Alby	Campbell	McClintock	Thompson
Baldwin	House	Miller	Woods
Battin	Kalोगian	Morrow	
Baugh	Leach	Oller	
Bowler	Leonard	Pringle	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—56**

Aguiar	Ducheny	Kuehl	Prenter
Alquist	Escutia	Kuykendall	Runner
Aroner	Figueroa	Lempert	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Bordonaro	Frusetta	Migden	Sweeney
Bowen	Gallegos	Morrissey	Thomson
Brown	Goldsmith	Murray	Torlakson
Bustamante	Granlund	Napolitano	Vincent
Cardenas	Havice	Olberg	Washington
Cardoza	Hertzberg	Ortiz	Wayne
Cedillo	Honda	Pacheco	Wildman
Cunneen	Keeley	Papan	Wright
Davis	Knox	Perata	Mr. Speaker

**NOES—21**

Ackerman	Brewer	Margett	Richter
Alby	Campbell	McClintock	Thompson
Baldwin	House	Miller	Woods
Battin	Kalोगian	Morrow	
Baugh	Leach	Oller	
Bowler	Leonard	Pringle	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1980**

At 6:35 p.m., on motion of Assembly Member Alquist, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1980 passed by the following vote:

**AYES—43**

Alquist	Escutia	Martinez	Strom-Martin
Aroner	Figueroa	Mazzoni	Sweeney
Baca	Floyd	Migden	Thomson
Bowen	Gallegos	Murray	Torlakson
Brown	Havice	Napolitano	Vincent
Bustamante	Hertzberg	Ortiz	Washington
Cardenas	Honda	Pacheco	Wayne
Cardoza	Keeley	Papan	Wildman
Cedillo	Knox	Perata	Wright
Davis	Kuehl	Scott	Mr. Speaker
Ducheny	Lempert	Shelley	

**NOES—35**

Ackerman	Brewer	Kuykendall	Oller
Aguiar	Campbell	Leach	Poochigian
Alby	Cunneen	Leonard	Prenter
Ashburn	Firestone	Margett	Pringle
Baldwin	Frusetta	McClintock	Richter
Battin	Goldsmith	Miller	Runner
Baugh	Granlund	Morrissey	Thompson
Bordonaro	House	Morrow	Woods
Bowler	Kaloogian	Olberg	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1744**

At 6:35 p.m., on motion of Assembly Member Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1744 passed by the following vote:

**AYES—41**

Alquist	Figueroa	Mazzoni	Thomson
Aroner	Floyd	Migden	Torlakson
Baca	Gallegos	Murray	Vincent
Bowen	Havice	Napolitano	Washington
Brown	Hertzberg	Ortiz	Wayne
Bustamante	Honda	Papan	Wildman
Cardenas	Keeley	Perata	Wright
Cardoza	Knox	Scott	Mr. Speaker
Cedillo	Kuehl	Shelley	
Davis	Lempert	Strom-Martin	
Escutia	Martinez	Sweeney	

**NOES—35**

Ackerman	Campbell	Leach	Pacheco
Aguiar	Cunneen	Leonard	Poochigian
Alby	Firestone	Margett	Prenter
Ashburn	Frusetta	McClintock	Pringle
Baldwin	Goldsmith	Miller	Richter
Battin	Granlund	Morrissey	Runner
Baugh	House	Morrow	Thompson
Bordonaro	Kaloogian	Olberg	Woods
Brewer	Kuykendall	Oller	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 330**

At 6:35 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.

Senate Bill No. 330 passed by the following vote:

**AYES—42**

Alquist	Escutia	Lempert	Strom-Martin
Aroner	Figueroa	Martinez	Sweeney
Baca	Floyd	Mazzoni	Torlakson
Bowen	Frusetta	Migden	Vincent
Brown	Gallegos	Murray	Washington
Bustamante	Havice	Napolitano	Wayne
Cardenas	Hertzberg	Ortiz	Wildman
Cardoza	Honda	Papan	Wright
Cedillo	Keeley	Perata	Mr. Speaker
Davis	Knox	Scott	
Ducheny	Kuehl	Shelley	

**NOES—31**

Ackerman	Brewer	Leach	Poochigian
Aguiar	Campbell	Leonard	Prenter
Alby	Firestone	Margett	Pringle
Ashburn	Goldsmith	McClintock	Richter
Baldwin	Granlund	Miller	Runner
Battin	House	Morrow	Thompson
Baugh	Kalooagian	Olberg	Woods
Bordonaro	Kuykendall	Pacheco	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 225**

At 6:35 p.m., on motion of Assembly Member Thomson, 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 Thomson moved to continue the call of the Assembly.

Motion carried. Time, 6:36 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. 234**

At 6:36 p.m., on motion of Assembly Member Honda, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 234 passed by the following vote:

**AYES—45**

Alquist	Figueroa	Mazzoni	Thomson
Aroner	Floyd	Migden	Torlakson
Baca	Frusetta	Morrissey	Vincent
Bowen	Gallegos	Murray	Washington
Brown	Havice	Napolitano	Wayne
Bustamante	Hertzberg	Ortiz	Wildman
Cardenas	Honda	Papan	Woods
Cedillo	Keeley	Perata	Wright
Cunneen	Knox	Scott	Mr. Speaker
Davis	Kuehl	Shelley	
Ducheny	Lempert	Strom-Martin	
Escutia	Martinez	Sweeney	

**NOES—26**

Ackerman	Brewer	Leach	Poochigian
Aguiar	Campbell	Leonard	Pringle
Ashburn	Firestone	Margett	Richter
Baldwin	Goldsmith	McClintock	Runner
Battin	Granlund	Miller	Thompson
Baugh	Kaloogian	Morrow	
Bordonaro	Kuykendall	Olberg	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1784**

At 6:36 p.m., on motion of Assembly Member Keeley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1784 refused passage by the following vote:

**AYES—39**

Alquist	Figueroa	Mazzoni	Sweeney
Aroner	Floyd	Migden	Thomson
Bowen	Gallegos	Murray	Torlakson
Brown	Hertzberg	Napolitano	Vincent
Cardenas	Honda	Ortiz	Washington
Cedillo	Keeley	Papan	Wayne
Cunneen	Knox	Perata	Wildman
Davis	Kuehl	Scott	Wright
Ducheny	Lempert	Shelley	Mr. Speaker
Escutia	Martinez	Strom-Martin	

**NOES—34**

Ackerman	Campbell	Leonard	Poochigian
Aguiar	Firestone	Margett	Prenter
Alby	Frusetta	McClintock	Pringle
Ashburn	Goldsmith	Miller	Richter
Baldwin	Granlund	Morrissey	Runner
Battin	House	Morrow	Thompson
Baugh	Kaloogian	Olberg	Woods
Bordonaro	Kuykendall	Oller	
Brewer	Leach	Pacheco	

**Motion to Reconsider Senate Bill No. 1784  
on Next Legislative Day**

Assembly Member Keeley moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1784 was this day refused passage.

Senate Bill No. 1784 ordered to the unfinished business file.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 2186 (Knight)**—An act to add Section 1023.5 to the Military and Veterans Code, relating to veterans homes.

**Rules Suspended**

Assembly Member Brown was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 2186.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend**

Assembly Member Brown moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 1535 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Torlakson was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 1535 was refused passage; and that the bill be passed temporarily on file.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1469 (Knight)**—An act to amend Sections 19801, 19834, 19834A, 19851, 19851A, and 19872 of, and to add Section 19851.5 to, the Business and Professions Code, relating to gambling.

**Rules Suspended**

Assembly Member Brown was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1469.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend**

Assembly Member Brown moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 2119 (Hurtt)**—An act to amend Section 9795 of the Government Code, relating to public records.

**Rules Suspended**

Assembly Member Morrissey was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 2119.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend**

Assembly Member Morrissey moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 1468 (Rosenthal)**—An act to amend Sections 2550.3, 35120, 42238, 42238.5, 42238.7, 42238.8, 42238.9, 42243.7, 42280, 42281, 42282, 42283, 42284, 42285, 46010, 46305, 48205, 48664, 48980, 49067, 52335.2, 56836.08, 56836.10, 56836.11, 56836.12, 56836.15, and 56836.24 of, and to add Section 42289.5 to, the Education Code, and to amend Section 8880.5 of the Government Code, relating to school revenue limits, and declaring the urgency thereof, to take effect immediately.

**Rules Suspended**

Assembly Member Mazzoni was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1468.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

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.

**SENATE BILL NO. 1873 (Polanco)**—An act to add Section 23701y to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**Rules Suspended**

Assembly Member Papan was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1873.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend**

Assembly Member Papan moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 1901 (McPherson)**—An act to amend Sections 361.5, 366.21, 366.22, 366.3, and 15200 of, and to add Article 4.5 (commencing with Section 11360) to Chapter 2 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to guardianship, and making an appropriation therefor.

**Rules Suspended**

Assembly Member Shelley was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1901.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend**

Assembly Member Shelley moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 2199 (Lockyer)**—An act to amend Sections 15610.07, 15610.10, 15610.17, 15610.30, 15610.55, 15610.57, 15630, 15633, 15640, 15650, 15658, and 15659 of, to add Section 15653.5 to, and to add Chapter 13.5 (commencing with Section 15760) to Part 3 of Division 9 of, the Welfare and Institutions Code, relating to adult abuse.

**Rules Suspended**

Assembly Member Cedillo was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 2199.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend**

Assembly Member Cedillo moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 1038 (Thompson)**—An act to amend Sections 4512, 4596.5, 4640, 4646, 4646.5, 4648, 4648.1, 4681.1, 4685, 4689, 4712, 4712.5, 4731, 4740, 4741, 4742, 4743, 4744, 4745, and 4747 of, to add Sections 4685.1, 4685.2, 4697, 4742.1, and 4847 to, to add and repeal Section 4685.5 of, to repeal Section 4541 of, and to repeal and add Section 4696.1 of, the Welfare and Institutions Code, relating to human services, and making an appropriation therefor.

**Rules Suspended**

Assembly Member Thomson was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1038.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend by Assembly Member Migden  
as Presented by Assembly Member Thomson**

Assembly Member Thomson moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 2238 (Committee on Business and Professions)**—An act to amend Sections 1207, 1264, 2532.2, 2960, 2960.1, 3356, 4826.1, 4980.40, 4980.80, 4980.90, 4982.25, 4984.1, 4984.4, 4984.7, 4986.70, 4986.80, 4992.36, 4996.3, 4996.4, 4996.6, 4996.7, 5615, 5616, 5621, 5622, 5624, 5626, 5629, 5630, 5640, 5641, 5642, 5644, 5652, 5653, 5654, 5655, 5656, 5657, 5659, 5660, 5662, 5665, 5666, 5667, 5668, 5669, 5670, 5671, 5672, 5673, 5676, 5678.5, 5679.5, 5680, 5680.05, 5680.1, 5680.2, 5681, 7536, 8698.6, 9880.1, 9882.5, 9884.7, 13660, and 18643 of, to add Sections 138, 2532.3, 2532.5, 4980.31, 4984.8, 4986.41, 4986.82, 4997, 5675.5, and 22448 to, to repeal Sections 5677, 5678, and 5679 of, and to repeal Article 10 (commencing with Section 9889.30) of Chapter 20.3 of Division 3 of, the Business and Professions Code, to amend Sections 8214.1, 8214.15, 8219.5, and 8223 of the Government Code, and to amend Section 803 of the Penal Code, relating to professions, and making an appropriation therefor.

#### **Rules Suspended**

Assembly Member Davis was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 2238.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

#### **Motion to Amend**

Assembly Member Davis moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 1623 (Kopp)**—An act to add Sections 68705, 68706, 68707, 68708, and 68709 to the Government Code, relating to the Commission on Judicial Performance.

#### **Rules Suspended**

Assembly Member Escutia was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1623.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

#### **Motion to Amend**

Assembly Member Escutia moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 1373 (Schiff)**—An act to add Sections 8760 and 8761 to the Government Code, relating to the California Arts Council.

#### **Rules Suspended**

Assembly Member Keeley was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1373.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

#### **Motion to Amend by Assembly Member Kuehl as Presented by Assembly Member Keeley**

Assembly Member Keeley moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 2082 (Johnston)**—An act relating to education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**Rules Suspended**

Assembly Member Davis was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 2082.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend**

Assembly Member Davis moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 1825 (Committee on Judiciary)**—An act to amend Sections 69904, 69905, 70044.5, 72608, 72627.5, 72762, 72776, 73348, 73349, 73351, 73353.2, 73354, 73355, 73356, 73363, 73365, 73366, 73399, 73523, 73524, 73525, 73528, 73529, 73565, 73566, 73567, 73568, 73604, 73649.1, 73681.1, 73682, 73684, 73691, 73692, 73695, 73699, 73736, 73759, 73772, 73773, 73794, 73798, 73822, 73823, 73954, 73960, 74000, 74001, 74001.5, 74002, 74004, 74005, 74344, 74345, 74346, 74355, 74368, 74370, 74603, 74604, 74607, 74610, 74642, 74643, 74663, 74665, 74743, 74745, 74749, 74765, 74905, 74907, 74909, 74910, 74911, 74912, 74913, 74921.11, and 74926.7 of, to amend, repeal, and add Section 72609 of, to add Sections 69894, 73586.1, 73785, 73957.5, 74727.5, and 74745.1 to, to add Article 1.5 (commencing with Section 73330) to Chapter 10 of Title 8 of, to repeal Sections 73364, 73665.5, 73665.6, 73775, 73778, 73778.5, 73780, 73795, 73799, 74006, 74356, 74357, 74358, 74359, 74921.9, 74922.5, and 74926.6 of, to repeal and add Sections 69894.1, 69899.5, 73353, 73358, 73644, 73665, 73666, 73683, 73699.1, 73957, 73959, 74921.5, 74921.6, 74921.7, 74921.8, and 74921.10 of, the Government Code, relating to courts.

**Rules Suspended**

Assembly Member Escutia was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1825.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend**

Assembly Member Escutia moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 687 REMOVED FROM INACTIVE FILE AND TAKEN UP**

Assembly Member Prenter was granted unanimous consent that Senate Bill No. 687 be withdrawn from the inactive file, and to take the bill up at this time, without reference to file, for purpose of amendment.

**SENATE BILL NO. 687 (Hughes)**—An act to add Section 1250.05 to the Health and Safety Code, relating to health facilities.

**Rules Suspended**

Assembly Member Prenter was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 687.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend**

Assembly Member Prenter moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**FURTHER CONSIDERATION OF SENATE BILL NO. 1535**

**SENATE BILL NO. 1535 (Kopp)**—An act to amend Sections 1024, 1028, 1028.1, and 1028.2 of, and to repeal Sections 1025 and 1027.5 of, the Government Code, and to repeal Chapter 9 (commencing with Section 540) of Title 13 of Part 1 of the Penal Code, relating to public officers and employees.

**Rules Suspended**

Assembly Member Torlakson was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1535.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend**

Assembly Member Torlakson moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**NOTICE OF INTENTION TO REMOVE BILL  
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Murray announced his intention to request that Senate Bill No. 818 be removed from the inactive file.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 826**

At 6:58 p.m., on motion of Assembly Member Thomson, 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. 826 by the following vote:

**AYES—41**

Alquist	Ducheny	Martinez	Thomson
Aroner	Figueroa	Mazzoni	Torlakson
Ashburn	Floyd	Migden	Vincent
Baca	Gallegos	Murray	Washington
Bowen	Havice	Napolitano	Wayne
Brown	Hertzberg	Ortiz	Wildman
Bustamante	Honda	Papan	Wright
Cardenas	Keeley	Perata	Mr. Speaker
Cardoza	Knox	Shelley	
Cedillo	Kuehl	Strom-Martin	
Davis	Lempert	Sweeney	

**NOES—34**

Ackerman	Cunneen	Leonard	Poochigian
Aguiar	Firestone	Margett	Prenter
Alby	Frusetta	McClintock	Pringle
Baldwin	Goldsmith	Miller	Richter
Battin	Granlund	Morrissey	Runner
Bordonaro	House	Morrow	Thompson
Bowler	Kaloogian	Olberg	Woods
Brewer	Kuykendall	Oller	
Campbell	Leach	Pacheco	

**Motion to Reconsider Assembly Bill No. 826  
on Next Legislative Day**

Assembly Member Thomson moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Bill No. 826 were this day refused concurrence.

Assembly Bill No. 826 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 1524**

At 6:59 p.m., on motion of Assembly Member Wayne, 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. 1524 refused adoption by the following vote:

**AYES—50**

Alquist	Escutia	Kuehl	Shelley
Aroner	Figueroa	Kuykendall	Strom-Martin
Baca	Firestone	Lempert	Sweeney
Baldwin	Floyd	Martinez	Thomson
Bowen	Frusetta	Mazzoni	Torlakson
Brown	Gallegos	Migden	Vincent
Bustamante	Goldsmith	Morrissey	Washington
Cardenas	Havice	Murray	Wayne
Cardoza	Hertzberg	Napolitano	Wildman
Cedillo	Honda	Ortiz	Wright
Cunneen	Kaloogian	Papan	Mr. Speaker
Davis	Keeley	Perata	
Ducheny	Knox	Scott	

**NOES—26**

Ackerman	Bowler	Margett	Pringle
Aguiar	Brewer	Miller	Richter
Alby	Campbell	Morrow	Runner
Ashburn	Granlund	Olberg	Thompson
Battin	House	Oller	Woods
Baugh	Leach	Pacheco	
Bordonaro	Leonard	Poochigian	

**Motion to Reconsider Urgency Clause to Senate Bill No. 1524  
on Next Legislative Day**

Assembly Member Wayne moved to reconsider on the next legislative day the vote whereby the urgency clause to Senate Bill No. 1524 was this day refused adoption.

Senate Bill No. 1524 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 225**

At 7 p.m., on motion of Assembly Member Thomson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

**Senate Bill No. 225 passed by the following vote:**

**AYES—43**

Ackerman	Cardoza	Lempert	Runner
Aguilar	Cedillo	Leonard	Shelley
Alby	Cunneen	Mazzoni	Strom-Martin
Alquist	Firestone	McClintock	Thompson
Baca	Floyd	Miller	Thomson
Baldwin	Frusetta	Morrow	Torlakson
Baugh	Granlund	Oller	Vincent
Bordonaro	Hertzberg	Ortiz	Woods
Brewer	Kaloogian	Papan	Wright
Bustamante	Kuykendall	Poochigian	Mr. Speaker
Campbell	Leach	Richter	

**NOES—27**

Aroner	Havice	Migden	Pringle
Ashburn	Honda	Morrissey	Scott
Battin	House	Murray	Sweeney
Brown	Keeley	Olberg	Washington
Davis	Kuehl	Pacheco	Wayne
Figueroa	Margett	Perata	Wildman
Gallegos	Martinez	Prenter	

**Bill ordered transmitted to the Senate.**

(NOTE: On August 31, 1998, the action was rescinded whereby Senate Bill No. 225 was passed, and whereby the bill was ordered transmitted to the Senate. See page 9423. For explanation of vote by Assembly Member Cedillo relative to Senate Bill No. 225, see Assembly Journal for August 28, 1998, page 9267.)

**Communications**

The following explanation of vote was presented by the Chief Clerk, and ordered printed in the Journal:

**Explanation of Vote—Senate Bill No. 225**

August 26, 1998

*E. Dotson Wilson*

*Chief Clerk of the Assembly  
State Capitol, Room 3196*

Dear Dotson: When the roll call vote was taken on SB 225 (Kopp), I inadvertently voted "Aye". In the hectic last minutes of session I did not announce my vote change. I would like the Journal record to clearly reflect my intention to have been recorded as a "No" vote.

Sincerely,

DEBORAH ORTIZ, Assembly Member  
Ninth Assembly District

**NOTICE OF INTENTION TO REMOVE BILL  
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Mazzoni announced her intention to request that Senate Bill No. 2159 be removed from the inactive file.

**ADJOURN IN MEMORY**

Assembly Members Campbell, Ackerman, Baugh, Brewer, Morrissey, Pringle, and Morrow were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hal Ezell, of Newport Beach.

**NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 1536 FROM COMMITTEE**

Pursuant to the provisions of Assembly Rule 96, Assembly Member Morrow gave notice that he would move to withdraw Senate Bill No. 1536 from the Committee on Judiciary.

**REPORTS OF STANDING COMMITTEES  
Committee on Rules**

August 26, 1998

Mr. Speaker: Your Committee on Rules recommends that the requests to suspend Joint Rule 61(b)(12), (13), and (14), as it relates to the following bills be granted: Senate Bills Nos. 312, 913, 1011, 1518, 1724, and 2121.

HERTZBERG, Chairman

**RESOLUTIONS**

The following resolutions were offered:

**Resolutions to Suspend Joint Rules**

By Assembly Member Ducheny:

*Resolved*, That Joint Rule 61(b)(12), (13), and (14) be suspended to permit the Committee on Budget to meet, consider, and report Senate Bill No. 1518 for further action.

By Assembly Member Migden:

*Resolved*, That Joint Rule 61(b)(12), (13), and (14) be suspended to permit the Committee on Appropriations to meet, consider, and report Senate Bills Nos. 312, 1011, 1724, and 2121 for further action.

By Assembly Member Wayne:

*Resolved*, That Joint Rule 61(b)(12), (13), and (14) be suspended to permit the Committee on Environmental Safety and Toxic Materials to meet, consider, and report Senate Bill No. 913 for further action.

Resolutions read, and adopted by the following vote:

**AYES—75**

Ackerman	Cedillo	Leach	Preter
Aguiar	Cunneen	Lempert	Pringle
Alby	Davis	Leonard	Richter
Alquist	Ducheny	Margett	Runner
Aroner	Escutia	Martinez	Scott
Ashburn	Figueroa	Mazzoni	Shelley
Baca	Firestone	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Poochigian	

**NOES—None**

**ANNOUNCEMENT**

Speaker pro Tempore Kuehl announced that all measures passed temporarily on this day's file would be passed and retained.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1735  
FROM COMMITTEE CONTINUED**

By unanimous consent the notice of motion to withdraw Assembly Bill No. 1735 from the Committee on Public Safety was continued until the next legislative day.

**MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 23, 2229, and 562; Senate Constitutional Amendment No. 13; Senate Bills Nos. 2048, 1203, 507, 930, 473, 1999, 1610 and 1647 were continued until the next legislative day.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items:

**Consent Calendar:** Aroner, Ashburn, Baldwin, Brewer, Bustamante, Campbell, Ducheny, Goldsmith, Granlund, Kaloogian, Knox, Martinez, Poochigian, Pringle, and Wright—Aye.

**Assembly Bill No. 1551, Concurrence:** Aroner and Martinez—Aye; Baldwin, Baugh, Campbell, Goldsmith, Granlund, and Kaloogian—No.

**Assembly Bill No. 1112, Demand for Previous Question:** Aroner and Martinez—Aye; Ackerman, Baldwin, Baugh, Goldsmith, Kaloogian, and Pacheco—No.

**Assembly Bill No. 1112, Concurrence:** Aroner, Cardoza, Martinez, and Morrissey—Aye; Ackerman, Baldwin, Goldsmith, Kaloogian, Pacheco, and Pringle—No.

**Assembly Bill No. 496, Concurrence:** Battin, Bowler, Bustamante, Frusetta, Goldsmith, Martinez, Migden, Washington, and Wildman—Aye; Alby, Ashburn, Baldwin, Baugh, Brewer, Granlund, McClintock, Pacheco, Pringle, and Runner—No.

**Assembly Bill No. 2404, Concurrence:** Frusetta, Kuykendall, and Martinez—Aye; Alby, Ashburn, Baldwin, Battin, Baugh, Pacheco, and Runner—No.

**Assembly Bill No. 2521, Concurrence:** Cunneen and Martinez—Aye; Alby, Ashburn, Baldwin, Baugh, Frusetta, Kuykendall, Olberg, and Pacheco—No.

**Assembly Bill No. 20, Concurrence:** Battin, Bordonaro, Cunneen, Kuykendall, Martinez, and Wildman—Aye; Alby, Baldwin, Baugh, Brewer, Frusetta, Kaloogian, Olberg, Pacheco, and Poochigian—No.

**Assembly Bill No. 93, Concurrence:** Bordonaro, Cunneen, Frusetta, Havice, and Martinez—Aye; Alby, Baldwin, Baugh, Kaloogian, Kuykendall, Olberg, Pacheco, and Poochigian—No.

**Assembly Bill No. 118, Concurrence:** Alby, Baldwin, Baugh, Cunneen, Frusetta, Knox, Martinez, and Pacheco—Aye.

**Assembly Bill No. 191, Concurrence:** Cunneen, Ducheny, Knox, Kuykendall, Martinez, and Perata—Aye; Alby, Baldwin, Battin, Baugh, Frusetta, Olberg, Pacheco, Poochigian, Pringle, and Runner—No.

**Assembly Bill No. 228, Concurrence:** Alby, Baldwin, Cunneen, Ducheny, Frusetta, and Martinez—Aye.

**Assembly Bill No. 1748, Concurrence:** Alby, Cunneen, Frusetta, and Martinez—Aye; Baldwin, Brewer, Kaloogian, Poochigian, and Pringle—No.

**Assembly Bill No. 2739, Concurrence:** Frusetta, Martinez, and Morrissey—Aye; Alby, Baldwin, Cunneen, Kaloogian, and Oller—No.

**Assembly Bill No. 341, Concurrence:** Cunneen, Frusetta, Martinez, and Poochigian—Aye; Alby, Baldwin, Kaloogian, Margett, Oller, and Pringle—No.

**Assembly Bill No. 423, Concurrence:** Alby, Cunneen, Goldsmith, Mazzoni, Oller, and Poochigian—Aye; Baugh, Frusetta, Kaloogian, Pacheco, and Pringle—No.

**Assembly Bill No. 434, Concurrence:** Cunneen and Havice—Aye; Aguiar, Alby, Baugh, Frusetta, Kaloogian, Olberg, and Poochigian—No.

**Assembly Bill No. 1962, Concurrence:** Cunneen—Aye; Alby, Ashburn, Baugh, Frusetta, and Goldsmith—No.

**Assembly Bill No. 466, Concurrence:** Ackerman, Alby, Ashburn, Battin, Baugh, Bowen, Cedillo, Cunneen, Frusetta, Goldsmith, Prenter, Pringle, and Runner—Aye.

**Assembly Bill No. 535, Urgency and Concurrence:** Alby, Cunneen, Frusetta, Goldsmith, Honda, Murray, and Wildman—Aye; Ashburn and Baugh—No.

**Assembly Bill No. 805, Concurrence:** Alby, Ashburn, Baugh, Davis, Ducheny, Frusetta, Goldsmith, Honda, Knox, Martinez, and Murray—Aye; Baldwin and Kaloogian—No.

**Assembly Bill No. 947, Concurrence:** Alby and Martinez—Aye; Frusetta—No.

**Assembly Bill No. 984, Concurrence:** Alby, Frusetta, Martinez, Miller, Pacheco, Poochigian—Aye; Brewer and Kaloogian—No.

**Assembly Bill No. 1169, Concurrence:** Cedillo, Martinez, and Wayne—Aye; Alby, Baldwin, and Frusetta—No.

**Assembly Bill No. 1397, Concurrence:** Frusetta, Granlund, Kuykendall, Leach, Martinez, and Morrow—Aye; Alby, Brewer, Miller, and Poochigian—No.

**Assembly Bill No. 1630, Concurrence:** Cunneen—Aye; Alby, Baugh, and Morrow—No.

**Assembly Bill No. 1651, Concurrence:** Battin, Cedillo, Cunneen, Granlund, Kuykendall, Morrow, and Prenter—Aye; Baugh, Poochigian, and Pringle—No.

**Assembly Bill No. 1682, Concurrence:** Cedillo, Cunneen, Frusetta, and Kuykendall—Aye; Alby and Baugh—No.

**Assembly Bill No. 1687, Concurrence:** Alby, Cedillo, Ducheny, and Knox—Aye; Baugh—No.

**Assembly Bill No. 1827, Concurrence:** Bowen—Aye; Campbell, Kaloogian, and Morrow—No.

**Assembly Bill No. 2022, Concurrence:** Campbell, Davis, Kaloogian, and Morrow—Aye; Alby and Martinez—No.

**Assembly Bill No. 2103, Concurrence:** Alby—Aye; Baugh, Campbell, Morrow, Poochigian, and Pringle—No.

**Assembly Bill No. 2173, Concurrence:** Alby, Baldwin, Battin, Baugh, Campbell, Gallegos, Kaloogian, Lempert, Olberg, Oller, Ortiz, Poochigian, Pringle, and Wayne—Aye.

**Assembly Bill No. 1569, Concurrence:** Gallegos—Aye; Alby, Baldwin, and Morrissey—No.

**Shelley Motion to Waive Rules:** Alby, Baldwin, and Baugh—No.

**Assembly Bill No. 2231, Concurrence:** Cunneen and Gallegos—Aye; Alby, Baldwin, and Baugh—No.

**Assembly Bill No. 2272, Concurrence:** Bowen, Honda, Mazzoni, Migden, and Washington—Aye; Alby, Battin, Baugh, Campbell, Olberg, and Pringle—No.

**Assembly Bill No. 2282, Concurrence:** Alby, Bowler, Frusetta, Pacheco, and Pringle—Aye; Ashburn, Baldwin, Baugh, and Campbell—No.

**Assembly Bill No. 2375, Concurrence:** Alby, Battin, Cedillo, and Ducheny—Aye; Frusetta, Morrow, and Pacheco—No.

**Assembly Bill No. 2432, Concurrence:** Cedillo and Cunneen—Aye; Alby, Ashburn, Baugh, Frusetta, and Pacheco—No.

**Assembly Bill No. 2598, Concurrence:** Alby, Cunneen, Frusetta, and Poochigian—Aye; Baugh, Kaloogian, and Olberg—No.

**Assembly Bill No. 2643, Concurrence:** Alby, Cunneen, Frusetta, Havice, Kaloogian, and Poochigian—Aye; Baugh—No.

**Assembly Bill No. 2725, Concurrence:** Cedillo, Cunneen, Frusetta, and Havice—Aye; Alby—No.

**Senate Bill No. 50, Conference Report:** Battin and Poochigian—Aye.

**Assembly Bill No. 910, Concurrence:** Richter—Aye; Baldwin and Olberg—No.

**Assembly Bill No. 2737, Concurrence:** Bordonaro—Aye; Alby, Baldwin, Kaloogian, and Poochigian—No.

**Assembly Bill No. 645, Concurrence:** Alby, Baldwin, Battin, Martinez, and Pringle—Aye; Runner—No.

**Assembly Bill No. 1910, Concurrence:** Alby, Baca, Bowen, Gallegos, Martinez, Pringle, and Runner—Aye.

**Assembly Bill No. 1988, Concurrence:** Alby, Bowen, Gallegos, Martinez, Pacheco, Runner, and Wright—Aye.

**Assembly Bill No. 2066, Concurrence:** Alby, Battin, Bowen, Figueroa, Martinez, Pacheco, Pringle, Runner, and Strom-Martin—Aye.

**Assembly Bill No. 2636, Concurrence:** Alby, Baldwin, Battin, Bowen, Martinez, Pacheco, Pringle, and Runner—Aye.

**Assembly Bill No. 2741, Concurrence:** Alby, Battin, Bowen, Martinez, Pringle, Runner, and Wildman—Aye.

**Assembly Bill No. 1450, Concurrence:** Alby, Battin, Bowen, Martinez, Poochigian, Pringle, and Runner—Aye.

**Assembly Bill No. 1967, Concurrence:** Alby, Battin, Bowen, and Martinez—Aye; Campbell and Runner—No.

**Assembly Bill No. 131, Concurrence:** Alby, Battin, Bowen, Bustamante, Figueroa, Martinez, Pringle, and Runner—Aye.

**Assembly Bill No. 509, Concurrence:** Alby, Baca, Battin, Bowen, Martinez, Olberg, Pringle, Runner, and Shelley—Aye.

**Assembly Bill No. 911, Concurrence:** Bowen, Cunneen, Martinez, and Shelley—Aye; Aguiar, Alby, Battin, Bordonaro, Kaloogian, and Pringle—No.

**Assembly Bill No. 1155, Concurrence:** Cunneen and Kuykendall—Aye; Alby—No.

**Assembly Bill No. 2528, Concurrence:** Alby, Baldwin, Cunneen, Martinez, Prenter, and Runner—Aye.

**Assembly Bill No. 469, Concurrence:** Alby and Martinez—Aye.

**Assembly Bill No. 1864, Conference Report:** Alby, Baldwin, Kaloogian, Martinez, and Oller —Aye; Bordonaro and Bowen—No.

**Senate Bill No. 1979:** Aguiar, Battin, Granlund, Pacheco, and Poochigian—Aye; Brewer, Kaloogian, and Olberg—No.

**Senate Bill No. 393:** Brewer, Granlund, Olberg, and Pacheco—No.

**Senate Bill No. 1753:** Brewer, Granlund, Olberg, Pacheco, and Shelley—Aye.

**Senate Bill No. 1537:** Aguiar and Cunneen—Aye; Brewer, Frusetta, Granlund, Olberg, Pacheco, and Runner—No.

**Senate Bill No. 1915** Frusetta and Migden—Aye; Battin, Brewer, Granlund, Kaloogian, Olberg, and Pacheco—No.

**Senate Bill No. 1981:** Brewer, Granlund, Kaloogian, Olberg, Pacheco, and Poochigian—Aye.

**Senate Bill No. 1823:** Baugh, Brewer, Granlund, Olberg, Pacheco, and Runner—Aye.

**Senate Bill No. 1615 and Urgency:** Battin, Bordonaro, Granlund, Olberg, and Poochigian—Aye; Brewer, Pacheco, and Runner—No.

**Senate Bill No. 955:** Granlund and Pacheco—Aye; Ashburn, Battin, Brewer, McClintock, Olberg, and Poochigian—No.

**Senate Bill No. 2085:** Cunneen—Aye; Battin, Brewer, Granlund, Morrissey, Olberg, and Pacheco—No.

**Senate Bill No. 984:** Frusetta and Morrissey—Aye; Battin, Brewer, Granlund, Kuykendall, and Olberg—No.

**Senate Bill No. 1555:** Havice and Pacheco—Aye; Aguiar, Battin, Brewer, Frusetta, Granlund, Kaloogian, Kuykendall, Morrissey, Olberg, Oller, and Poochigian—No.

**Senate Bill No. 610:** Cunneen, Knox, and Kuykendall—Aye; Alby, Battin, and Frusetta—No.

**Senate Bill No. 218:** Alby, Battin, Havice, and Poochigian—Aye.

**Senate Bill No. 1522 and Urgency:** Alby and Battin—Aye.

**Senate Bill No. 1528:** Cunneen—Aye; Alby, Battin, and Poochigian—No.

**Senate Bill No. 1689:** Havice and Sweeney—Aye; Alby, Battin, Granlund, and Poochigian—No.

**Senate Bill No. 1900:** Alby, Battin, Poochigian, and Sweeney—Aye.

**Senate Bill No. 2177:** Havice—Aye; Aguiar and Kuykendall—No.

**Senate Bill No. 791:** Granlund—Aye.

**Senate Bill No. 1033:** Granlund and Knox—Aye.

**Senate Bill No. 702:** Leach—Aye; McClintock—No.

**Senate Bill No. 2145:** Gallegos, McClintock, and Wright—Aye.

**Senate Bill No. 1559 and Urgency:** Olberg—Aye.

**Senate Bill No. 234:** Scott and Woods—Aye.

**Senate Bill No. 225:** Hertzberg—Aye.

**MOTION TO ADJOURN**

At 7:05 p.m., Assembly Member Wildman moved that the Assembly do now adjourn.

Assembly Member Woods seconded the motion.

**REMARKS ON CONDITION OF THE FILE**

Assembly Member Papan arose to speak on the condition of the file.

**FURTHER CONSIDERATION OF MOTION TO ADJOURN**

The question being on the motion of Assembly Member Wildman that the Assembly adjourn.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 7:05 p.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 26, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 91

And reports the same correctly enrolled, and presented to the Secretary of State on the 26th day of August, 1998, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 26, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 123
- Assembly Bill No. 473
- Assembly Bill No. 570
- Assembly Bill No. 1070
- Assembly Bill No. 1074
- Assembly Bill No. 1187
- Assembly Bill No. 1396
- Assembly Bill No. 1695
- Assembly Bill No. 1810
- Assembly Bill No. 1830

- Assembly Bill No. 1832
- Assembly Bill No. 1909
- Assembly Bill No. 2035
- Assembly Bill No. 2105
- Assembly Bill No. 2134
- Assembly Bill No. 2300
- Assembly Bill No. 2319
- Assembly Bill No. 2509
- Assembly Bill No. 2570
- Assembly Bill No. 2680

And reports the same correctly enrolled, and presented to the Governor at 3:15 p.m., August 26, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 26, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1112

And reports the same correctly enrolled, and presented to the Governor at 3:45 p.m., August 26, 1998.

E. DOTSON WILSON, Chief Clerk

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred to Committee:

*Assembly Concurrent*

*Resolution No.*

*Committee*

**192** ----- Rls.

**193** ----- Rls.

*Assembly Joint  
Resolution No.*

*Committee*

**78** ----- Rls.

*House  
Resolution No.*

*Committee*

**89** ----- Rls.

**90** ----- Rls.

*Senate  
Bill No.*

*Committee*

**1518** ----- Budget

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

Date of Hearing: August 26, 1998

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 89

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

HERTZBERG, Chairman

Above resolution ordered on file.

Date of Hearing: August 26, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 189

Assembly Concurrent Resolution No. 192

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

HERTZBERG, Chairman

Above resolutions ordered on file.

**Committee on Consumer Protection, Governmental Efficiency and  
Economic Development**

Date of Hearing: August 26, 1998

Mr. Speaker: Your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Bill No. 1345

With the recommendation: That the Senate amendments be concurred in.

DAVIS, Chairwoman

Above bill ordered to unfinished business.

**Committee on Utilities and Commerce**

Date of Hearing: August 26, 1998

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 1757

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

MARTINEZ, Chairwoman

Above bill ordered to second reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 26, 1998

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. 1864

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, August 26, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 205  
Assembly Bill No. 310  
Assembly Bill No. 332  
Assembly Bill No. 357  
Assembly Bill No. 424  
Assembly Bill No. 604  
Assembly Bill No. 810  
Assembly Bill No. 818  
Assembly Bill No. 952  
Assembly Bill No. 954  
Assembly Bill No. 955  
Assembly Bill No. 964  
Assembly Bill No. 972  
Assembly Bill No. 1026  
Assembly Bill No. 1052  
Assembly Bill No. 1077  
Assembly Bill No. 1078  
Assembly Bill No. 1091  
Assembly Bill No. 1094  
Assembly Bill No. 1100

Assembly Bill No. 1134  
Assembly Bill No. 1182  
Assembly Bill No. 1184  
Assembly Bill No. 1216  
Assembly Bill No. 1233  
Assembly Bill No. 1264  
Assembly Bill No. 1290  
Assembly Bill No. 1342  
Assembly Bill No. 1374  
Assembly Bill No. 1381  
Assembly Bill No. 1384  
Assembly Bill No. 1386  
Assembly Bill No. 1453  
Assembly Bill No. 1469  
Assembly Bill No. 1560  
Assembly Bill No. 1596  
Assembly Bill No. 1629  
Assembly Bill No. 1654  
Assembly Bill No. 1665  
Assembly Bill No. 1712

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 26, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 1716  
Assembly Bill No. 1745  
Assembly Bill No. 1761  
Assembly Bill No. 1763  
Assembly Bill No. 1785  
Assembly Bill No. 1856  
Assembly Bill No. 1942  
Assembly Bill No. 1945  
Assembly Bill No. 1961  
Assembly Bill No. 1963  
Assembly Bill No. 1994  
Assembly Bill No. 1995  
Assembly Bill No. 1999

Assembly Bill No. 2003  
Assembly Bill No. 2004  
Assembly Bill No. 2031  
Assembly Bill No. 2048  
Assembly Bill No. 2079  
Assembly Bill No. 2116  
Assembly Bill No. 2132  
Assembly Bill No. 2150  
Assembly Bill No. 2169  
Assembly Bill No. 2222  
Assembly Bill No. 2237  
Assembly Bill No. 2238

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 26, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2316 | Assembly Bill No. 2572 |
| Assembly Bill No. 2363 | Assembly Bill No. 2592 |
| Assembly Bill No. 2377 | Assembly Bill No. 2595 |
| Assembly Bill No. 2429 | Assembly Bill No. 2637 |
| Assembly Bill No. 2447 | Assembly Bill No. 2651 |
| Assembly Bill No. 2454 | Assembly Bill No. 2687 |
| Assembly Bill No. 2501 | Assembly Bill No. 2697 |
| Assembly Bill No. 2510 | Assembly Bill No. 2712 |
| Assembly Bill No. 2534 | Assembly Bill No. 2765 |
| Assembly Bill No. 2551 | Assembly Bill No. 2790 |
| Assembly Bill No. 2560 | Assembly Bill No. 2795 |
| Assembly Bill No. 2565 | Assembly Bill No. 2809 |
| Assembly Bill No. 2569 |                        |

And respectfully requests the Assembly to concur to 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 26, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

- Assembly Bill No. 2522

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, August 26, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

- Assembly Concurrent Resolution No. 20
- Assembly Concurrent Resolution No. 176
- Assembly Joint Resolution No. 58
- Assembly Joint Resolution No. 71

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, August 26, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

- Senate Concurrent Resolution No. 101
- Senate Concurrent Resolution No. 104

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following resolutions were read:

**SENATE CONCURRENT RESOLUTION NO. 101**—Relative to the I.A.A.F. 2001 World Championships in Track and Field.

**SENATE CONCURRENT RESOLUTION NO. 104**—Relative to the William E. Leonard Interchange.

**BILLS PLACED ON SPECIAL CONSENT CALENDAR**

The following bills were placed on the Special Consent Calendar:

- Assembly Bills Nos. 1091, 1094, 1216, 1290, 1712, 1763, 1942, 1945, 1995, 2132, 2316, 2572, 2595, 2687, and 2697.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO  
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 2595 to the Committee on Insurance.

**RESOLUTIONS**

The following resolution was offered:

**HOUSE RESOLUTION NO. 91-Kaloogian, Baldwin, and Oller.** Relative to the resignation or impeachment of the President of the United States.

**ADJOURNMENT**

At 7:06 p.m., pursuant to the motion by Assembly Member Wildman the Assembly adjourned until 9:30 a.m., Thursday, August 27, 1998, out of respect to the memory of Ann VanHaun, on motion of Assembly Member Campbell; out of respect to the memory of Alejandro "Alex" Pacheco, Dorothy Spencer, Michael E. "Mikio" Costillo, Maria A. De La Torre, and Francesca Ramon, on motion of Assembly Member Frusetta; out of respect to the memory of Kenneth L. Newland, DeLoss E. Williams, and Claudia Yanez, on motion of Assembly Member Napolitano; out of respect to the memory of Hal Ezell, on motion of Assembly Members Campbell, Ackerman, Baugh, Brewer, Morrissey, Pringle, and Morrow.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 26, 1998**

The following measures were amended in the Assembly on this day:

<b>SB</b>	<b>RN</b>
687	9820462
1038	9820473
1373	9820423
1468	9820323
1469	9820491
1535	9820410
1623	9820489
1825	9820607
1873	9820506
1901	9818632
2082	9820396
2119	*
2139	9820312
2186	9820241
2199	9819803
2238	*

**Daily Total: 16**

**Cumulative Total: 7813**

(NOTE: \* Refers to amendments received in non-Legislative Counsel form.)

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, August 27, 1998**

**TWO HUNDRED SIXTY-FOURTH SESSION DAY  
SIX HUNDRED THIRTY-FOURTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

(Corrected 9-10-98, Printing error on roll call, p. 9165)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, August 27, 1998

The Assembly met at 9:30 a.m.  
Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

At 9:31 a.m., Speaker pro Tempore Kuehl placed a quorum call upon the Assembly.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

#### Quorum Present

At 10:03 a.m., Speaker pro Tempore Kuehl declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—79:

Ackerman	Cunneen	Leach	Poochigian
Aguiar	Davis	Lempert	Prenter
Alby	Ducheny	Leonard	Pringle
Alquist	Escutia	Machado	Richter
Aroner	Figueroa	Margett	Runner
Ashburn	Firestone	Martinez	Scott
Baca	Floyd	Mazzoni	Shelley
Baldwin	Frusetta	McClintock	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker
Cedillo	Kuykendall	Perata	

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*O God, Our Father, We thank You for this new day and for the privilege of serving this great state. Grant that we make prudent use of the hours given us this day and to fulfill our duties with diligence. Grant also to us that Your kingdom come and Your will be done, beginning with us. Lord, bring us to the evening at peace with ourselves, at peace with our neighbor, and at peace with You.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, 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 Papan, seconded by Assembly Member Ackerman.

**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 Takasugi.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

August 27, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Torlakson to the Revenue and Taxation Committee in place of Assemblymember Mike Machado for all hearings this week.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 27, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Wally Knox to the Water, Parks and Wildlife Committee in place of Assemblymember Mike Machado for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 27, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to the Appropriations Committee in place of Assemblymember Mike Machado for all hearings this week.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 27, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 189

Assembly Concurrent Resolution No. 192

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered to the Consent Calendar.

**ADJOURN IN MEMORY**

Assembly Member Firestone was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Earl Richard Imbrecht, of Ventura, father of former Assembly Member Charles Imbrecht.

Assembly Member Honda was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cipriano Manuel Lizardo (Perry), of San Jose.

Assembly Member Washington was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mary Geter, of Lynwood.

Assembly Member Wildman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sam Harvey, of La Crescenta.

**BILLS REMOVED FROM SPECIAL CONSENT CALENDAR**

The following bills were removed from the Special Consent Calendar pursuant to Joint Rule 22.2:

**Assembly Bills Nos. 324 and 734**, on request of Assembly Member Kuehl.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred:

Assembly Bills Nos. 955 and 1629 to the Committee on Consumer Protection, Governmental Efficiency and Economic Development;

Assembly Bills Nos. 324 and 734 to the Committee on Governmental Organization;

Assembly Bill No. 1469 to the Committee on Revenue and Taxation;

Assembly Bill No. 1182 to the Committee on Water, Parks and Wildlife.

**REQUEST FOR PHOTOGRAPHER**

Assembly Member Runner was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

**JOINT RULE 62(a) WAIVED**

Assembly Member Shelley was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting the following bills for hearing in committee, as noted:

Consumer Protection, Governmental Efficiency and Economic Development—Assembly Bills Nos. 955 and 1629;

Governmental Organization—Assembly Bills Nos. 324 and 734;  
Revenue and Taxation—Assembly Bill No. 1469 and Senate Bill No. 1425;

Water, Parks and Wildlife—Assembly Bill No. 1182.

**REQUEST FOR PHOTOGRAPHER**

Assembly Member Aguiar was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

**ASSEMBLY CONCURRENT RESOLUTION NO. 192 REMOVED FROM  
CONSENT CALENDAR AND TAKEN UP**

Upon request of Assembly Member Shelley, Assembly Member Runner was granted unanimous consent that Assembly Concurrent Resolution No. 192 be removed from the Consent Calendar, and to take the resolution up at this time, without reference to file, for purpose of consideration.

**ASSEMBLY CONCURRENT RESOLUTION NO. 192 (Runner)**—Relative to aerospace development.

Resolution read and adopted.

Resolution ordered transmitted to the Senate immediately.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 1757**—An act to add Section 341.5 to, and to add Chapter 2.2 (commencing with Section 328) to Part 1 of Division 1 of, the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**UNFINISHED BUSINESS****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 604 (Kuykendall)**—An act to amend Section 1094 of, and to add and repeal Section 1095.2 of, the Unemployment Insurance Code, relating to employment.

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	Cedillo	Kuykendall	Perata
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Richter
Aroner	Escutia	Margett	Runner
Ashburn	Figueroa	Martinez	Scott
Baca	Firestone	Mazzoni	Shelley
Baldwin	Floyd	McClintock	Strom-Martin
Battin	Frusetta	Migden	Sweeney
Baugh	Gallegos	Miller	Thompson
Bordonaro	Goldsmith	Morrissey	Thomson
Bowen	Granlund	Morrow	Torlakson
Bowler	Havice	Murray	Vincent
Brewer	Hertzberg	Napolitano	Washington
Brown	Honda	Olberg	Wayne
Bustamante	House	Oller	Wildman
Campbell	Kaloogian	Ortiz	Woods
Cardenas	Keeley	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 1540 (Karnette)**—An act to amend Sections 1505, 11834.01, 11834.02, 11834.09, 11834.10, 11834.15, 11834.17, 11834.18, 11834.20, 11834.21, 11834.22, 11834.23, 11834.24, 11834.25, 11834.26, 11834.29, 11834.30, 11834.31, 11834.32, 11834.36, and 11834.50 of, and to add Sections 1520.4, 11834.11, and 11834.265 to, the Health and Safety Code, relating to residential facilities.

Bill read third time, and presented by Assembly Member Kuykendall.  
The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Kuykendall moved a call of the Assembly.

Motion carried. Time, 10:33 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1681 (Karnette)**—An act relating to school district reorganization.

Bill read third time, and presented by Assembly Member Kuykendall.

Bill passed by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Margett	Runner
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Shelley
Ashburn	Firestone	McClintock	Strom-Martin
Baca	Floyd	Migden	Sweeney
Baldwin	Frusetta	Miller	Thompson
Battin	Gallegos	Morrissey	Thomson
Baugh	Goldsmith	Morrow	Torlakson
Bordonaro	Granlund	Murray	Vincent
Bowen	Havice	Napolitano	Washington
Bowler	Hertzberg	Olberg	Wayne
Brewer	Honda	Oller	Wildman
Brown	House	Ortiz	Woods
Bustamante	Kaloogian	Pacheco	Wright
Campbell	Keeley	Papan	Mr. Speaker
Cardenas	Knox	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—None**

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 3 (Baca)**—An act to amend Sections 7113.5 and 7114 of, and to add Sections 7117 and 7118 to, the Government Code, and to amend Sections 17053.45, 17053.46, 17268, 23645, 23646, and 24356.8 of the Revenue and Taxation Code, relating to local agencies.

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	Davis	Leach	Richter
Aguiar	Ducheny	Lempert	Runner
Alby	Escutia	Leonard	Scott
Alquist	Firestone	Margett	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Thompson
Battin	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Morrow	Torlakson
Bowler	Havice	Murray	Vincent
Brewer	Hertzberg	Napolitano	Washington
Brown	Honda	Olberg	Wayne
Bustamante	House	Oller	Wildman
Campbell	Kaloogian	Ortiz	Woods
Cardenas	Keeley	Papan	Wright
Cardoza	Knox	Perata	Mr. Speaker
Cedillo	Kuehl	Poochigian	
Cunneen	Kuykendall	Prenter	

**NOES—5**

Baugh	Martinez	Pringle
Bowen	McClintock	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 3: Assembly Member Baugh, from “Aye” to “No”.

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1624 (Lewis)**—An act to amend Sections 4828.3, 18000, 18003, 18023.1, 18061, 18100.5, 18190, 18266.1, 18293, 18315, 18563, and 18594 of, to add Section 18016.5 to, to add Article 4 (commencing with Section 18245) to Chapter 3 of Division 7 of, to repeal Sections 18059 and 18341 of, and to repeal and add Section 18003.5 of, the Financial Code, relating to industrial loan companies.

Bill read third time, and presented by Assembly Member Papan.

Bill passed by the following vote:

**AYES—77**

Ackerman	Cunneen	Leach	Pringle
Aguiar	Davis	Lempert	Richter
Alby	Ducheny	Leonard	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Firestone	Mazzoni	Strom-Martin
Baca	Floyd	McClintock	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Granlund	Morrow	Vincent
Bowen	Havice	Murray	Washington
Bowler	Hertzberg	Napolitano	Wayne
Brewer	Honda	Olberg	Wildman
Brown	House	Oller	Woods
Bustamante	Kaloogian	Ortiz	Wright
Campbell	Keeley	Pacheco	Mr. Speaker
Cardenas	Knox	Papan	
Cardoza	Kuehl	Poochigian	
Cedillo	Kuykendall	Prenter	

**NOES—None**

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2580 (Baca)**—An act to amend Section 15379.2 of the Government 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—76**

Ackerman	Cedillo	Kuehl	Poochigian
Aguiar	Cunneen	Kuykendall	Prenter
Alby	Davis	Leach	Pringle
Alquist	Ducheny	Lempert	Richter
Aroner	Escutia	Leonard	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Firestone	Mazzoni	Shelley
Baldwin	Floyd	Migden	Strom-Martin
Battin	Frusetta	Miller	Sweeney
Baugh	Gallegos	Morrissey	Thompson
Bordonaro	Goldsmith	Morrow	Thomson
Bowen	Granlund	Murray	Torlakson
Bowler	Havice	Napolitano	Vincent
Brewer	Hertzberg	Olberg	Washington
Brown	Honda	Oller	Wayne
Bustamante	House	Ortiz	Wildman
Campbell	Kaloogian	Pacheco	Woods
Cardenas	Keeley	Papan	Wright
Cardoza	Knox	Perata	Mr. Speaker

**NOES—2**

Martinez                      McClintock

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 2014 (Schiff)**—An act to amend Section 25205.5 of, and to add Section 25205.9 to, the Health and Safety Code, relating to hazardous waste.

Bill read third time, and presented by Assembly Member Cunneen.

Bill passed by the following vote:

**AYES—76**

Ackerman	Cunneen	Leach	Poochigian
Aguiar	Davis	Lempert	Prenter
Alby	Ducheny	Leonard	Pringle
Alquist	Escutia	Margett	Richter
Aroner	Figueroa	Martinez	Runner
Ashburn	Firestone	Mazzoni	Scott
Baca	Frusetta	McClintock	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Vincent
Brown	House	Olberg	Washington
Bustamante	Kaloogian	Oller	Wayne
Campbell	Keeley	Ortiz	Wildman
Cardenas	Knox	Pacheco	Woods
Cardoza	Kuehl	Papan	Wright
Cedillo	Kuykendall	Perata	Mr. Speaker

**NOES—1**

Bowen

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 2014: Assembly Member Bowen, from “Aye” to “No”.

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1393 (McPherson)**—An act to add and repeal Section 14170.05 to the Welfare and Institutions Code, relating to health.

Bill read third time, and presented by Assembly Member Cunneen.

Bill passed by the following vote:

**AYES—75**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Richter
Aroner	Escutia	Margett	Runner
Ashburn	Figueroa	Martinez	Scott
Baca	Firestone	Mazzoni	Shelley
Baldwin	Floyd	Migden	Strom-Martin
Battin	Frusetta	Miller	Sweeney
Baugh	Gallegos	Morrissey	Thompson
Bordonaro	Goldsmith	Morrow	Thomson
Bowen	Granlund	Murray	Torlakson
Bowler	Havice	Napolitano	Vincent
Brewer	Hertzberg	Olberg	Washington
Brown	Honda	Oller	Wayne
Bustamante	Kaloogian	Ortiz	Wildman
Campbell	Keeley	Pacheco	Woods
Cardenas	Knox	Papan	Wright
Cardoza	Kuehl	Perata	Mr. Speaker
Cedillo	Kuykendall	Poochigian	

**NOES—3**

Alby                      House                      McClintock

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 424 (Woods)**—An act to add Section 89350 to the Education Code, relating to student aid.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

Ackerman	Cunneen	Leach	Pringle
Aguiar	Davis	Lempert	Richter
Alby	Ducheny	Leonard	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Firestone	Mazzoni	Strom-Martin
Baca	Floyd	McClintock	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Granlund	Morrow	Vincent
Bowen	Havice	Murray	Washington
Bowler	Hertzberg	Napolitano	Wayne
Brewer	Honda	Olberg	Wildman
Brown	House	Oller	Woods
Bustamante	Kaloogian	Ortiz	Wright
Campbell	Keeley	Papan	Mr. Speaker
Cardenas	Knox	Perata	
Cardoza	Kuehl	Poochigian	
Cedillo	Kuykendall	Prenter	

**NOES—None**

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1988 (Craven)**—An act to amend Section 1102 of the Civil Code, relating to property disclosures.

Bill read third time, and presented by Assembly Member Keeley.

Bill passed by the following vote:

**AYES—75**

Ackerman	Cedillo	Kuykendall	Prenter
Aguir	Cunneen	Leach	Pringle
Alby	Davis	Lempert	Richter
Alquist	Ducheny	Leonard	Runner
Aroner	Escutia	Margett	Scott
Ashburn	Figueroa	Mazzoni	Shelley
Baca	Firestone	Migden	Strom-Martin
Baldwin	Frusetta	Miller	Sweeney
Battin	Gallegos	Morrissey	Thompson
Baugh	Goldsmith	Morrow	Thomson
Bordonaro	Granlund	Murray	Torlakson
Bowen	Havice	Napolitano	Vincent
Bowler	Hertzberg	Olberg	Washington
Brewer	Honda	Oller	Wayne
Brown	House	Ortiz	Wildman
Bustamante	Kaloogian	Pacheco	Woods
Campbell	Keeley	Papan	Wright
Cardenas	Knox	Perata	Mr. Speaker
Cardoza	Kuehl	Poochigian	

**NOES—2**

Martinez                      McClintock

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)**  
**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2128 (Takasugi)**—An act to amend Sections 5703, 53656, 91503, and 91521.3 of, and to repeal Sections 15453, 15453.5, 15453.6, 15453.7, 15453.8, 15453.9, 15453.10, and 15454 of, the Government Code, relating to state financing, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Pringle.

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—76**

Ackerman	Cedillo	Kuehl	Poochigian
Aguiar	Cunneen	Kuykendall	Prenter
Alby	Davis	Leach	Pringle
Alquist	Ducheny	Lempert	Richter
Aroner	Escutia	Leonard	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Firestone	Mazzoni	Shelley
Baldwin	Floyd	Migden	Strom-Martin
Battin	Frusetta	Miller	Sweeney
Baugh	Gallegos	Morrissey	Thompson
Bordonaro	Goldsmith	Morrow	Thomson
Bowen	Granlund	Murray	Torlakson
Bowler	Havice	Napolitano	Vincent
Brewer	Hertzberg	Olberg	Washington
Brown	Honda	Oller	Wayne
Bustamante	House	Ortiz	Wildman
Campbell	Kaloogian	Pacheco	Woods
Cardenas	Keeley	Papan	Wright
Cardoza	Knox	Perata	Mr. Speaker

**NOES—2**

Martinez                      McClintock

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuehl	Poochigian
Aguiar	Cunneen	Kuykendall	Prenter
Alby	Davis	Leach	Pringle
Alquist	Ducheny	Lempert	Richter
Aroner	Escutia	Leonard	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Firestone	Mazzoni	Shelley
Baldwin	Floyd	Migden	Strom-Martin
Battin	Frusetta	Miller	Sweeney
Baugh	Gallegos	Morrissey	Thompson
Bordonaro	Goldsmith	Morrow	Thomson
Bowen	Granlund	Murray	Torlakson
Bowler	Havice	Napolitano	Vincent
Brewer	Hertzberg	Olberg	Washington
Brown	Honda	Oller	Wayne
Bustamante	House	Ortiz	Wildman
Campbell	Kaloogian	Pacheco	Woods
Cardenas	Keeley	Papan	Wright
Cardoza	Knox	Perata	Mr. Speaker

**NOES—2**

Martinez                      McClintock

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 537 (Greene)**—An act to add and repeal Section 125001 of the Health and Safety Code, relating to health, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Honda.

Bill passed by the following vote:

**AYES—61**

Aguiar	Escutia	Margett	Scott
Alquist	Figueroa	Martinez	Shelley
Aroner	Firestone	Mazzoni	Strom-Martin
Ashburn	Floyd	Migden	Sweeney
Baca	Frusetta	Morrissey	Thomson
Battin	Gallegos	Morrow	Torlakson
Bordonaro	Granlund	Murray	Vincent
Bowen	Havice	Napolitano	Washington
Brown	Hertzberg	Olberg	Wayne
Bustamante	Honda	Ortiz	Wildman
Cardenas	Keeley	Pacheco	Woods
Cardoza	Knox	Papan	Wright
Cedillo	Kuehl	Perata	Mr. Speaker
Cunneen	Kuykendall	Poochigian	
Davis	Leach	Prenter	
Ducheny	Lempert	Richter	

**NOES—17**

Ackerman	Brewer	Leonard	Runner
Alby	Campbell	McClintock	Thompson
Baldwin	Goldsmith	Miller	
Baugh	House	Oller	
Bowler	Kaloogian	Pringle	

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1963 (Aguiar)**—An act to amend Sections 17553, 17557, 17560, and 17581, of, and to add Section 17558.6 to, the Government Code, relating to state-mandated local programs, 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—76**

Ackerman	Cedillo	Kuykendall	Perata
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Pringle
Aroner	Escutia	Margett	Richter
Ashburn	Figueroa	Martinez	Runner
Baca	Firestone	Mazzoni	Scott
Baldwin	Frusetta	McClintock	Shelley
Battin	Gallegos	Migden	Strom-Martin
Baugh	Goldsmith	Miller	Sweeney
Bordonaro	Granlund	Morrissey	Thompson
Bowen	Havice	Morrow	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—1**

Floyd

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuykendall	Perata
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Pringle
Aroner	Escutia	Margett	Richter
Ashburn	Figueroa	Martinez	Runner
Baca	Firestone	Mazzoni	Scott
Baldwin	Frusetta	McClintock	Shelley
Battin	Gallegos	Migden	Strom-Martin
Baugh	Goldsmith	Miller	Sweeney
Bordonaro	Granlund	Morrissey	Thompson
Bowen	Havice	Morrow	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—1**

Floyd

Above bill ordered enrolled.

**THIRD READING OF ASSEMBLY BILLS**

**HOUSE RESOLUTION NO. 88 (Aguiar)**—Relative to the centennial year of the League of California Cities.

Resolution read.

**Time for Debate Yielded**

Assembly Member Aguiar was granted unanimous consent to yield opening time for debate to Assembly Member Sweeney.

The question being on the adoption of the resolution.

Resolution adopted.

**UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1624 (Figueroa)**—An act to amend Section 21655.6 of the Vehicle Code, relating to highways.

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—55**

Aguiar	Davis	Leach	Scott
Alquist	Ducheny	Lempert	Shelley
Aroner	Escutia	Martinez	Strom-Martin
Baca	Figueroa	Mazzoni	Sweeney
Bordonaro	Firestone	Migden	Thomson
Bowen	Frusetta	Miller	Torlakson
Brewer	Gallegos	Morrissey	Vincent
Brown	Havice	Murray	Washington
Bustamante	Hertzberg	Napolitano	Wayne
Campbell	Honda	Olberg	Wildman
Cardenas	Keeley	Ortiz	Woods
Cardoza	Knox	Papan	Wright
Cedillo	Kuehl	Perata	Mr. Speaker
Cunneen	Kuykendall	Prenter	

**NOES—21**

Ackerman	Bowler	McClintock	Richter
Alby	Goldsmith	Morrow	Runner
Ashburn	Granlund	Oller	Thompson
Baldwin	Kaloogian	Pacheco	
Battin	Leonard	Poochigian	
Baugh	Margett	Pringle	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2447 (Campbell)**—An act to amend Section 45125 of the Education Code, relating to school employees, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—75**

Ackerman	Cunneen	Leach	Poochigian
Aguiar	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Pringle
Aroner	Escutia	Margett	Richter
Ashburn	Figueroa	Martinez	Runner
Baca	Firestone	Mazzoni	Scott
Baldwin	Frusetta	McClintock	Shelley
Battin	Gallegos	Migden	Strom-Martin
Baugh	Goldsmith	Miller	Sweeney
Bordonaro	Granlund	Morrissey	Thompson
Bowen	Havice	Morrow	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Vincent
Brown	House	Olberg	Washington
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker
Cedillo	Kuykendall	Perata	

**NOES—None**

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—75**

Ackerman	Cunneen	Leach	Poochigian
Aguiar	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Pringle
Aroner	Escutia	Margett	Richter
Ashburn	Figueroa	Martinez	Runner
Baca	Firestone	Mazzoni	Scott
Baldwin	Frusetta	McClintock	Shelley
Battin	Gallegos	Migden	Strom-Martin
Baugh	Goldsmith	Miller	Sweeney
Bordonaro	Granlund	Morrissey	Thompson
Bowen	Havice	Morrow	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Vincent
Brown	House	Olberg	Washington
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker
Cedillo	Kuykendall	Perata	

**NOES—None**

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2447: Assembly Member Wayne, from "Aye," to "Not Voting".

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1560 (Scott)**—An act to amend, repeal, and add Section 1363 of, to amend Section 1363.01 of, and to add Section 1371.35 to, the Health and Safety Code, and to add Section 10123.147 to the Insurance Code, relating to health care coverage.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuykendall	Perata
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Pringle
Aroner	Escutia	Margett	Richter
Ashburn	Figueroa	Martinez	Runner
Baca	Firestone	Mazzoni	Scott
Baldwin	Frusetta	McClintock	Shelley
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1685 (Hertzberg)**—An act to amend Sections 21500, 21601, and 21620 of the Elections Code, relating to local 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—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Margett	Runner
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Shelley
Ashburn	Firestone	McClintock	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Thompson
Battin	Goldsmith	Morrissey	Thomson
Baugh	Granlund	Morrow	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—None**

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1715 (Calderon)**—An act to amend Sections 237 and 368 of the Penal Code, to amend Section 2583 of, to amend the heading of Part 7 (commencing with Section 250) of Division 2 of, and to add Section 259 to, the Probate Code, relating to elder abuse.

Bill read third time, and presented by Assembly Member Hertzberg.  
 Bill passed by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuykendall	Perata
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Pringle
Aroner	Escutia	Margett	Richter
Ashburn	Figueroa	Martinez	Runner
Baca	Firestone	Mazzoni	Scott
Baldwin	Frusetta	McClintock	Shelley
Battin	Gallegos	Migden	Strom-Martin
Baugh	Goldsmith	Miller	Sweeney
Bordonaro	Granlund	Morrissey	Thompson
Bowen	Havice	Morrow	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Vincent
Brown	House	Olberg	Washington
Bustamante	Kaloogian	Oller	Wayne
Campbell	Keeley	Ortiz	Wildman
Cardenas	Knox	Pacheco	Woods
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1712 (McPherson)**—An act relating to forest resources.

Bill read third time, and presented by Assembly Member Washington.

Bill passed by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuykendall	Perata
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Pringle
Aroner	Escutia	Margett	Runner
Ashburn	Figueroa	Martinez	Scott
Baca	Firestone	Mazzoni	Shelley
Baldwin	Frusetta	McClintock	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1691 (Rainey)**—An act to amend Section 11100 of the Health and Safety Code, relating to controlled substances.

Bill read third time, and presented by Assembly Member Pacheco.

Bill passed by the following vote:

**AYES—77**

Ackerman	Cunneen	Leach	Pringle
Aguiar	Davis	Lempert	Richter
Alby	Ducheny	Leonard	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Firestone	Mazzoni	Strom-Martin
Baca	Floyd	Migden	Sweeney
Baldwin	Frusetta	Miller	Thompson
Battin	Gallegos	Morrissey	Thomson
Baugh	Goldsmith	Morrow	Torlakson
Bordonaro	Granlund	Murray	Vincent
Bowen	Havice	Napolitano	Washington
Bowler	Hertzberg	Olberg	Wayne
Brewer	Honda	Oller	Wildman
Brown	House	Ortiz	Woods
Bustamante	Kalooagian	Pacheco	Wright
Campbell	Keeley	Papan	Mr. Speaker
Cardenas	Knox	Perata	
Cardoza	Kuehl	Poochigian	
Cedillo	Kuykendall	Prenter	

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1645 (Mountjoy)**—An act to amend Section 14664 of, and to add Section 14615.1 to, the Government Code, to add Article 6.5 (commencing with Section 10389.1) to Chapter 2 of Part 2 of Division 2 of the Public Contract Code, and to amend Section 2 of Chapter 625 of the Statutes of 1991, Section 1 of Chapter 648 of the Statutes of 1992, Section 1 of Chapter 317 of the Statutes of 1993, and Section 1 of Chapter 391 of the Statutes of 1994, relating to state property.

Bill read third time, and presented by Assembly Member Pacheco.

Bill passed by the following vote:

**AYES—78**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figuroa	Martinez	Scott
Ashburn	Firestone	Mazzoni	Shelley
Baca	Floyd	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Morrow	Torlakson
Bowen	Havice	Murray	Vincent
Bowler	Hertzberg	Napolitano	Washington
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Wright
Cardenas	Knox	Papan	Mr. Speaker
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 810 (Escutia)**—An act relating to employment.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—78**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Firestone	Mazzoni	Shelley
Baca	Floyd	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Morrow	Torlakson
Bowen	Havice	Murray	Vincent
Bowler	Hertzberg	Napolitano	Washington
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Wright
Cardenas	Knox	Papan	Mr. Speaker
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1697 (Hayden)**—An act to add and repeal Chapter 8 (commencing with Section 60830) of Part 33 of the Education Code, relating to the College Preparation Partnership Program, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Escutia.

Bill passed by the following vote:

**AYES—72**

Ackerman	Cunneen	Kuykendall	Poochigian
Aguiar	Davis	Leach	Prenter
Alby	Ducheny	Lempert	Richter
Alquist	Escutia	Leonard	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Battin	Frusetta	Migden	Sweeney
Bordonaro	Gallegos	Miller	Thompson
Bowen	Goldsmith	Morrissey	Thomson
Bowler	Granlund	Murray	Torlakson
Brewer	Havice	Napolitano	Vincent
Brown	Hertzberg	Olberg	Washington
Bustamante	Honda	Oller	Wayne
Campbell	Kaloogian	Ortiz	Wildman
Cardenas	Keeley	Pacheco	Woods
Cardoza	Knox	Papan	Wright
Cedillo	Kuehl	Perata	Mr. Speaker

**NOES—5**

Baldwin	McClintock	Pringle
Baugh	Morrow	

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 972 (Torlakson)**—An act to amend Sections 12168.5, 14756, 25105, 26205, 26205.1, 26205.5, 27322.2, 34090.5, and 60203 of, and to add Section 12168.7 to, the Government Code, to amend Section 102235 of the Health and Safety Code, and to amend Section 10851 of the Welfare and Institutions Code, relating to records.

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	Cunneen	Leach	Poochigian
Aguiar	Davis	Lempert	Prenter
Alby	Ducheny	Leonard	Pringle
Alquist	Escutia	Margett	Richter
Aroner	Figueroa	Martinez	Runner
Ashburn	Firestone	Mazzoni	Scott
Baca	Floyd	McClintock	Shelley
Battin	Frusetta	Migden	Strom-Martin
Baugh	Gallegos	Miller	Sweeney
Bordonaro	Goldsmith	Morrissey	Thompson
Bowen	Granlund	Morrow	Thomson
Bowler	Havice	Murray	Torlakson
Brewer	Hertzberg	Napolitano	Vincent
Brown	Honda	Olberg	Washington
Bustamante	House	Oller	Wayne
Campbell	Keeley	Ortiz	Wildman
Cardenas	Knox	Pacheco	Woods
Cardoza	Kuehl	Papan	Wright
Cedillo	Kuykendall	Perata	Mr. Speaker

**NOES—2**

Baldwin	Kaloogian
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**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 972: Assembly Member Pacheco, from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1665 (Torlakson)**—An act to amend Sections 44670.5 and 52870 of, and to add Chapter 1.5 (commencing with Section 51100) to Part 28 of, the Education Code, relating to education.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—75**

Ackerman	Cunneen	Kuykendall	Poochigian
Aguiar	Davis	Leach	Prenter
Alby	Ducheny	Lempert	Pringle
Alquist	Escutia	Margett	Richter
Aroner	Figueroa	Martinez	Runner
Ashburn	Firestone	Mazzoni	Scott
Baca	Floyd	McClintock	Shelley
Baldwin	Frusetta	Migden	Strom-Martin
Battin	Gallegos	Miller	Sweeney
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Morrow	Torlakson
Bowen	Havice	Murray	Vincent
Bowler	Hertzberg	Napolitano	Washington
Brewer	Honda	Olberg	Wayne
Bustamante	House	Oller	Wildman
Campbell	Kaloogian	Ortiz	Woods
Cardenas	Keeley	Pacheco	Wright
Cardoza	Knox	Papan	Mr. Speaker
Cedillo	Kuehl	Perata	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2651 (Davis)**—An act to amend Section 6394 of, and to add and repeal Section 6394.5 to, the Labor Code, relating to hazardous 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—66**

Ackerman	Escutia	Margett	Richter
Aguiar	Figueroa	Martinez	Scott
Alby	Firestone	Mazzoni	Shelley
Alquist	Floyd	McClintock	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Baca	Gallegos	Miller	Thompson
Baldwin	Goldsmith	Morrissey	Thomson
Bowen	Granlund	Morrow	Torlakson
Bowler	Havice	Murray	Vincent
Brown	Hertzberg	Napolitano	Washington
Bustamante	Honda	Olberg	Wayne
Cardenas	Kaloogian	Oller	Wildman
Cardoza	Keeley	Ortiz	Woods
Cedillo	Knox	Pacheco	Wright
Cunneen	Kuehl	Papan	Mr. Speaker
Davis	Lempert	Perata	
Ducheny	Leonard	Prenter	

**NOES—12**

Ashburn	Bordonaro	House	Poochigian
Battin	Brewer	Kuykendall	Pringle
Baugh	Campbell	Leach	Runner

**Vote Changes**

By unanimous consent, the following vote changes were permitted on concurrence in Senate amendments to Assembly Bill No. 2651: Assembly Members Ashburn, Baugh, Brewer, Campbell, Kuykendall, Leach, Poochigian, and Runner, from “Aye” to “No”.

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1361 (Alpert)**—An act to add Sections 1531.2 and 1584 to the Health and Safety Code, relating to day care centers.

Bill read third time, and presented by Assembly Member Davis.

Bill passed by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Margett	Runner
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Shelley
Ashburn	Firestone	McClintock	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Thompson
Battin	Goldsmith	Morrissey	Thomson
Baugh	Granlund	Morrow	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—None**

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2551 (Migden)**—An act to amend Sections 215 and 631 of, and to add Section 215.5 to, the Code of Civil Procedure, relating to jurors.

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**

Aguiar	Davis	Kuykendall	Perata
Alquist	Ducheny	Leach	Prenter
Aroner	Escutia	Lempert	Richter
Ashburn	Figueroa	Leonard	Scott
Baca	Firestone	Margett	Shelley
Baldwin	Floyd	Martinez	Strom-Martin
Battin	Frusetta	Mazzoni	Sweeney
Baugh	Gallegos	McClintock	Thomson
Bordonaro	Goldsmith	Migden	Torlakson
Bowen	Granlund	Miller	Vincent
Bowler	Havice	Morrissey	Washington
Brown	Hertzberg	Murray	Wayne
Bustamante	Honda	Napolitano	Wildman
Campbell	Kaloogian	Oller	Woods
Cardoza	Keeley	Ortiz	Wright
Cedillo	Knox	Pacheco	Mr. Speaker
Cunneen	Kuehl	Papan	

**NOES—7**

Ackerman	Brewer	Morrow	Thompson
Alby	House	Olberg	

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1873 (Polanco)**—An act to add Section 23701y to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**Rules Suspended**

Assembly Member Papan was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 1873.

Bill read third time, and presented by Assembly Member Papan.

Bill passed by the following vote:

**AYES—75**

Ackerman	Cedillo	Lempert	Prenter
Aguiar	Cunneen	Leonard	Pringle
Alby	Davis	Margett	Richter
Alquist	Ducheny	Martinez	Runner
Aroner	Escutia	Mazzoni	Scott
Ashburn	Figueroa	McClintock	Shelley
Baca	Floyd	Migden	Strom-Martin
Baldwin	Frusetta	Miller	Sweeney
Battin	Gallegos	Morrissey	Thompson
Baugh	Goldsmith	Morrow	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Vincent
Bowler	Honda	Olberg	Washington
Brewer	House	Oller	Wayne
Brown	Kaloogian	Ortiz	Wildman
Bustamante	Keeley	Pacheco	Woods
Campbell	Knox	Papan	Wright
Cardenas	Kuehl	Perata	Mr. Speaker
Cardoza	Leach	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1641 (Burton)**—An act to repeal and add Section 5006.8 of the Public Resources Code, relating to Candlestick Park.

Bill read third time, and presented by Assembly Member Migden.

Bill passed by the following vote:

**AYES—53**

Aguiar	Davis	Lempert	Shelley
Alquist	Ducheny	Leonard	Strom-Martin
Aroner	Escutia	Martinez	Sweeney
Ashburn	Figueroa	Mazzoni	Thomson
Baca	Floyd	Migden	Torlakson
Bordonaro	Frusetta	Murray	Vincent
Bowen	Gallegos	Napolitano	Washington
Bowler	Havice	Olberg	Wayne
Brown	Hertzberg	Ortiz	Wildman
Bustamante	Honda	Papan	Wright
Cardenas	Houe	Perata	Mr. Speaker
Cardoza	Keeley	Poochigian	
Cedillo	Knox	Prenter	
Cunneen	Kuehl	Richter	

**NOES—23**

Ackerman	Campbell	Margett	Pacheco
Alby	Firestone	McClintock	Pringle
Baldwin	Goldsmith	Miller	Runner
Battin	Kaloogian	Morrissey	Thompson
Baugh	Kuykendall	Morrow	Woods
Brewer	Leach	Oller	

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2363 (Honda)**—An act to add Chapter 12.5 (commencing with Section 52920) to Part 28 of the Education Code, relating to education, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

Ackerman	Cunneen	Leach	Pringle
Aguiar	Davis	Lempert	Richter
Alby	Ducheny	Leonard	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Firestone	Mazzoni	Strom-Martin
Baca	Floyd	Migden	Sweeney
Baldwin	Frusetta	Miller	Thompson
Battin	Gallegos	Morrissey	Thomson
Baugh	Goldsmith	Morrow	Torlakson
Bordonaro	Granlund	Murray	Vincent
Bowen	Havice	Napolitano	Washington
Bowler	Hertzberg	Olberg	Wayne
Brewer	Honda	Oller	Wildman
Brown	House	Ortiz	Woods
Bustamante	Kaloogian	Pacheco	Wright
Campbell	Keeley	Papan	Mr. Speaker
Cardenas	Knox	Perata	
Cardoza	Kuehl	Poochigian	
Cedillo	Kuykendall	Prenter	

**NOES—1**

McClintock

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1397 (Brulte)**—An act to amend Section 17155 of the Revenue and Taxation Code, and to add Section 11008.19 to the Welfare and Institutions Code, relating to holocaust victims, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Lempert.

Bill passed by the following vote:

**AYES—78**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Firestone	Mazzoni	Shelley
Baca	Floyd	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Morrow	Torlakson
Bowen	Havice	Murray	Vincent
Bowler	Hertzberg	Napolitano	Washington
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Wright
Cardenas	Knox	Papan	Mr. Speaker
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**At 11:55 a.m., Hon. Fred Keeley, 27th District, presiding**

**SENATE BILL NO. 1950 (Sher)**—An act to add Sections 50800.7 and 50800.9 to the Health and Safety Code, relating to housing, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Richter.

Bill passed by the following vote:

**AYES—55**

Aguiar	Cedillo	Kuehl	Scott
Alby	Cunneen	Lempert	Shelley
Alquist	Davis	Margett	Strom-Martin
Aroner	Ducheny	Martinez	Sweeney
Baca	Escutia	Mazzoni	Thomson
Battin	Figueroa	Migden	Torlakson
Bordonaro	Floyd	Morrissey	Vincent
Bowen	Frusetta	Murray	Washington
Bowler	Gallegos	Napolitano	Wayne
Brown	Havice	Ortiz	Wildman
Bustamante	Hertzberg	Pacheco	Woods
Campbell	Honda	Papan	Wright
Cardenas	Keeley	Perata	Mr. Speaker
Cardoza	Knox	Richter	

**NOES—20**

Ackerman	Goldsmith	McClintock	Poochigian
Ashburn	House	Miller	Prenter
Baldwin	Kaloogian	Morrow	Pringle
Baugh	Leach	Olberg	Runner
Brewer	Leonard	Oller	Thompson

Bill ordered transmitted to the Senate.

**At 12:01 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

**UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2169 (Kuehl)**—An act to amend Sections 3773, 4014, 7571, 7572, 7573, and 7575 of the Family Code, to amend Section 102766 of the Health and Safety Code, to amend Section 1088.5 of the Unemployment Insurance Code, and to amend Sections 11475.8, 11478.1, 11478.2, and 16576 of, to repeal Section 16576.5 of, and to repeal and add Section 16577 of, the Welfare and Institutions Code, relating to spousal and child support.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Firestone	Mazzoni	Strom-Martin
Baca	Floyd	McClintock	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Granlund	Morrow	Vincent
Bowen	Havice	Murray	Washington
Bowler	Hertzberg	Napolitano	Wayne
Brewer	Honda	Olberg	Wildman
Brown	House	Oller	Woods
Bustamante	Kaloogian	Ortiz	Wright
Campbell	Keeley	Pacheco	Mr. Speaker
Cardenas	Knox	Papan	
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2569 (Kuehl)**—An act to amend Section 11380.5 of the Health and Safety Code, relating to controlled substances, 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—76**

Ackerman	Cedillo	Kuehl	Perata
Aguiar	Cunneen	Kuykendall	Poochigian
Alby	Davis	Leach	Prenter
Alquist	Ducheny	Lempert	Pringle
Aroner	Escutia	Leonard	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Firestone	Martinez	Shelley
Baldwin	Floyd	Mazzoni	Strom-Martin
Battin	Frusetta	Migden	Sweeney
Baugh	Gallegos	Miller	Thompson
Bordonaro	Goldsmith	Morrissey	Thomson
Bowen	Granlund	Morrow	Torlakson
Bowler	Havice	Murray	Vincent
Brewer	Hertzberg	Napolitano	Washington
Brown	Honda	Olberg	Wayne
Bustamante	House	Oller	Wildman
Campbell	Kaloogian	Ortiz	Woods
Cardenas	Keeley	Pacheco	Wright
Cardoza	Knox	Papan	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL No. 19 (Lockyer)**—An act to repeal Section 1775.16 of the Code of Civil Procedure, relating to mediation.

Bill read third time, and presented by Assembly Member Kuehl.

Bill passed by the following vote:

**AYES—73**

Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Runner
Aroner	Escutia	Margett	Scott
Ashburn	Figueroa	Martinez	Shelley
Baca	Firestone	Mazzoni	Strom-Martin
Baldwin	Floyd	Migden	Sweeney
Battin	Frusetta	Miller	Thomson
Baugh	Gallegos	Morrissey	Torlakson
Bordonaro	Goldsmith	Morrow	Vincent
Bowen	Granlund	Murray	Washington
Bowler	Havice	Napolitano	Wayne
Brewer	Hertzberg	Olberg	Wildman
Brown	Honda	Oller	Woods
Bustamante	House	Ortiz	Wright
Campbell	Keeley	Pacheco	Mr. Speaker
Cardenas	Knox	Papan	
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	

**NOES—4**

Ackerman	Kaloogian	McClintock	Thompson
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Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1785 (Murray)**—An act to amend Section 89426 of the Education Code, relating to the Preservation of Jazz Institute.

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	Cunneen	Kuykendall	Poochigian
Aguiar	Davis	Leach	Prenter
Alby	Ducheny	Lempert	Pringle
Alquist	Escutia	Leonard	Richter
Aroner	Figueroa	Margett	Runner
Ashburn	Firestone	Martinez	Scott
Baca	Floyd	Mazzoni	Shelley
Battin	Frusetta	Migden	Strom-Martin
Baugh	Gallegos	Miller	Sweeney
Bordonaro	Goldsmith	Morrissey	Thompson
Bowen	Granlund	Morrow	Thomson
Bowler	Havice	Murray	Torlakson
Brewer	Hertzberg	Napolitano	Vincent
Brown	Honda	Olberg	Washington
Bustamante	House	Oller	Wayne
Campbell	Kaloogian	Ortiz	Wildman
Cardenas	Keeley	Pacheco	Woods
Cardoza	Knox	Papan	Wright
Cedillo	Kuehl	Perata	Mr. Speaker

**NOES—2**

Baldwin                      McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1342 (Napolitano)**—An act to amend Section 33333.6 of the Health and Safety Code, relating to redevelopment.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—66**

Ackerman	Ducheny	Leach	Prenter
Aguiar	Escutia	Lempert	Richter
Alby	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	Migden	Strom-Martin
Baca	Gallegos	Miller	Thomson
Battin	Goldsmith	Morrissey	Torlakson
Bowler	Havice	Morrow	Vincent
Brewer	Hertzberg	Murray	Washington
Brown	Honda	Napolitano	Wayne
Bustamante	House	Olberg	Wildman
Campbell	Kaloogian	Oller	Woods
Cardenas	Keeley	Ortiz	Wright
Cardoza	Knox	Pacheco	Mr. Speaker
Cedillo	Kuehl	Papan	
Cunneen	Kuykendall	Perata	

**NOES—8**

Baldwin	Bordonaro	Leonard	Sweeney
Baugh	Bowen	McClintock	Thompson

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1342: Assembly Member Baugh, from “Aye” to “No”.

Above bill ordered enrolled.

**At 12:12 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**CONSIDERATION OF SPECIAL ORDER—SENATE BILL NO. 287**

The hour having arrived, Senate Bill No. 287 was taken up.

(NOTE: Special Order set for 10:35 a.m.)

**SENATE BILL NO. 287 (Burton)**—An act to add Section 12012.5 to the Government Code, relating to gambling.

**Rules Suspended**

Unanimous consent was granted that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 287.

(NOTE: Monday, August 24th was the last day to amend bills in the Assembly, pursuant to leadership agreement.)

Bill read third time.

**Motion to Amend by Assembly Member Battin—Set 1**

Assembly Member Battin moved the adoption of amendments.

Amendments read.

**Motion to Table Battin Amendments to Senate Bill No. 287—Set 1**

Assembly Member Shelley moved that the amendments offered by Assembly Member Battin to Senate Bill No. 287—Set 1 be laid upon the table.

Assembly Member Keeley seconded the motion.

Motion carried by the following vote:

**AYES—38**

Alby	Ducheny	Kuykendall	Scott
Aroner	Figueroa	Leach	Shelley
Baldwin	Firestone	Lempert	Sweeney
Bowen	Floyd	Leonard	Thompson
Bowler	Frusetta	Martinez	Thomson
Brewer	Havice	Mazzoni	Torlakson
Brown	Honda	Migden	Woods
Campbell	Keeley	Olberg	Mr. Speaker
Cardoza	Knox	Papan	
Cedillo	Kuehl	Perata	

**NOES—24**

Ackerman	Bustamante	Margett	Ortiz
Aguiar	Cardenas	McClintock	Poochigian
Ashburn	Escutia	Miller	Pringle
Baca	Goldsmith	Morrissey	Runner
Battin	Granlund	Morrow	Vincent
Bordonaro	Kaloogian	Napolitano	Wildman

**Motion to Amend by Assembly Member Battin—Set 2**

Assembly Member Battin moved the adoption of amendments.

Amendments read.

**Motion to Table Battin Amendments  
to Senate Bill No. 287—Set 2**

Assembly Member Shelley moved that the amendments offered by Assembly Member Battin to Senate Bill No. 287—Set 2 be laid upon the table.

Assembly Member Keeley seconded the motion.

Motion carried by the following vote:

**AYES—38**

Alby	Figueroa	Leach	Poochigian
Alquist	Firestone	Lempert	Shelley
Baldwin	Floyd	Leonard	Sweeney
Bowen	Frusetta	Martinez	Thompson
Bowler	Havice	Mazzoni	Thomson
Brewer	Hertzberg	McClintock	Torlakson
Brown	Honda	Migden	Woods
Campbell	Keeley	Morrow	Mr. Speaker
Cardoza	Knox	Papan	
Cedillo	Kuehl	Perata	

**NOES—24**

Ackerman	Bordonaro	Goldsmith	Morrissey
Aguiar	Bustamante	Granlund	Napolitano
Ashburn	Cardenas	House	Olberg
Baca	Cunneen	Kaloogian	Oller
Battin	Ducheny	Margett	Pacheco
Baugh	Escutia	Miller	Pringle

**Motion to Amend by Assembly Member Cardenas—Set 3**

Assembly Member Cardenas moved the adoption of amendments.  
Amendments read.

**Motion to Table Cardenas Amendments  
to Senate Bill No. 287—Set 3**

Assembly Member Shelley moved that the amendments offered by Assembly Member Cardenas to Senate Bill No. 287—Set 3 be laid upon the table.

Assembly Member Keeley seconded the motion.

Motion carried by the following vote:

**AYES—36**

Alby	Cedillo	Kuehl	Perata
Alquist	Figueroa	Kuykendall	Scott
Baldwin	Firestone	Leach	Shelley
Bowen	Floyd	Lempert	Sweeney
Bowler	Frusetta	Leonard	Thompson
Brewer	Havice	Martinez	Thomson
Brown	House	Mazzoni	Torlakson
Campbell	Keeley	Migden	Woods
Cardoza	Knox	Olberg	Mr. Speaker

**NOES—21**

Ackerman	Bustamante	Margett	Vincent
Aguiar	Cardenas	McClintock	Wildman
Ashburn	Ducheny	Morrissey	Wright
Baca	Escutia	Morrow	
Battin	Goldsmith	Napolitano	
Bordonaro	Kaloogian	Pringle	

**Motion to Amend by Assembly Member Cardenas—Set 4**

Assembly Member Cardenas moved the adoption of amendments.  
Amendments read.

**Motion to Table Cardenas Amendments  
to Senate Bill No. 287—Set 4**

Assembly Member Shelley moved that the amendments offered by Assembly Member Cardenas to Senate Bill No. 287—Set 4 be laid upon the table.

Assembly Member Keeley seconded the motion.

Motion carried by the following vote:

**AYES—36**

Alby	Figueroa	Kuehl	Perata
Alquist	Firestone	Kuykendall	Scott
Bowen	Floyd	Leach	Shelley
Bowler	Frusetta	Lempert	Sweeney
Brewer	Havice	Leonard	Thompson
Brown	Honda	Martinez	Thomson
Campbell	House	Mazzoni	Torlakson
Cardoza	Keeley	Migden	Woods
Cedillo	Knox	Olberg	Mr. Speaker

**NOES—22**

Ackerman	Bustamante	Kaloogian	Pringle
Aguiar	Cardenas	Margett	Vincent
Ashburn	Ducheny	McClintock	Wildman
Baca	Escutia	Morrissey	Wright
Battin	Goldsmith	Morrow	
Bordonaro	Granlund	Napolitano	

**Motion to Amend by Assembly Member Napolitano—Set 5**

Assembly Member Napolitano moved the adoption of amendments. Amendments read.

**Motion to Table Napolitano Amendments  
to Senate Bill No. 287—Set 5**

Assembly Member Shelley moved that the amendments offered by Assembly Member Napolitano to Senate Bill No. 287—Set 5 be laid upon the table.

Assembly Member Keeley seconded the motion.

Motion carried by the following vote:

**AYES—34**

Alby	Figueroa	Kuykendall	Scott
Alquist	Firestone	Leach	Shelley
Bowen	Floyd	Lempert	Sweeney
Bowler	Frusetta	Leonard	Thompson
Brewer	Havice	Martinez	Thomson
Brown	House	Mazzoni	Torlakson
Campbell	Keeley	Migden	Mr. Speaker
Cardoza	Knox	Olberg	
Cedillo	Kuehl	Perata	

**NOES—21**

Ackerman	Bustamante	Kaloogian	Pringle
Aguiar	Cardenas	Margett	Strom-Martin
Ashburn	Ducheny	McClintock	Vincent
Baca	Escutia	Morrissey	
Battin	Goldsmith	Morrow	
Bordonaro	Granlund	Napolitano	

**Amendments Withdrawn**

Without objection, Assembly Member Cardenas withdrew his amendments to Senate Bill No. 287—Set 6.

**Motion to Re-refer Senate Bill No. 287 to Committee**

Assembly Member Cardenas moved that Senate Bill No. 287 be re-referred to the Committee on Governmental Organization.

Assembly Member Bordonaro seconded the motion.

**Point of Order**

Assembly Member Escutia arose to the following point of order:

Assembly Member Brewer is not limiting debate to the merits of the motion to re-refer to committee.

**Ruling by Speaker pro Tempore Kuehl**

The Speaker pro Tempore ruled the point of order not well-taken.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Battin moved a call of the Assembly.

Motion carried. Time, 12:47 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**Motion to Dispense with Call of the Assembly**

Assembly Member Shelley moved that the Call of the Assembly as it relates to Senate Bill No. 287 be dispensed with.

Assembly Member Floyd seconded the motion.

**Motion Withdrawn**

Assembly Member Shelley, with consent of the second to the motion, withdrew his motion to dispense with the Call of the Assembly as it relates to Senate Bill No. 287.

**Parliamentary Inquiry**

Assembly Member Floyd arose to the following parliamentary inquiry:

Has time expired on Assembly Member Battin’s Call of the Assembly as it relates to the motion to re-refer Senate Bill No. 287 to committee?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that Assembly Member Battin would have additional time on his Call of the Assembly.

**BEST WISHES EXPRESSED TO JIM SALMON**

Assembly Member Bowler was joined by the Members of the Assembly in extending congratulations to Assembly Sergeant Jim Salmon on the occasion of his retirement from the California State Assembly after 18 years of service.

**MOTION TO DISPENSE WITH CALL OF THE ASSEMBLY**

Assembly Member Shelley moved that the call of the Assembly be dispensed with as it relates to Senate Bill No. 287.

Assembly Member Keeley seconded the motion.

Motion carried.

**CALL OF THE ASSEMBLY DISPENSED WITH ON THE CARDENAS MOTION TO RE-REFER SENATE BILL NO. 287 TO COMMITTEE**

At 1:07 p.m., further proceedings under the call of the Assembly were dispensed with.

The Cardenas motion to re-refer Senate Bill No. 287 to the Committee on Governmental Organization lost by the following vote:

**AYES—23**

Ackerman	Cardenas	Kaloogian	Runner
Aguiar	Ducheny	Margett	Strom-Martin
Baca	Escutia	McClintock	Vincent
Battin	Figueroa	Morrissey	Wildman
Bordonaro	Goldsmith	Napolitano	Wright
Bustamante	Granlund	Pringle	

**NOES—40**

Alby	Cedillo	Leonard	Poochigian
Alquist	Firestone	Martinez	Richter
Aroner	Havice	Mazzoni	Scott
Ashburn	Honda	Migden	Shelley
Baldwin	House	Miller	Sweeney
Bowen	Keeley	Morrow	Thompson
Bowler	Knox	Olberg	Thomson
Brewer	Kuehl	Oller	Torlakson
Brown	Kuykendall	Pacheco	Woods
Campbell	Lempert	Perata	Mr. Speaker

**At 1:10 p.m., Hon. Fred Keeley, 27th District, presiding**  
**FURTHER CONSIDERATION OF SENATE BILL NO. 287**

**Additional Time for Debate Granted**

Assembly Member Battin was granted 2 minutes additional time for debate by unanimous consent.

**At 2:25 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**  
 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 Cardenas moved a call of the Assembly.

Motion carried. Time, 3 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**At 3:01 p.m., Speaker Antonio R. Villaraigosa, 45th District presiding**

**SPECIAL CEREMONY HONORING RETIRING MEMBERS**

At 3:01 p.m., a special ceremony was convened to honor Members retiring from the California State Assembly.

The following resolution was read:

**House Resolution No. 72**

By Assembly Member Villaraigosa

*Relative to commending the Honorable Fred Aguiar.*

WHEREAS, The Honorable Fred Aguiar 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 commendations; and

WHEREAS, A graduate of Chino High School, Fred Aguiar attended California State Polytechnic University, Pomona, and entered the United States Army and served in Vietnam; and

WHEREAS, In 1975 he was appointed to the Chino Valley Chamber of Commerce Board of Directors and, in the following year, was elected President of the Chamber; and

WHEREAS, Prior to his election to the Assembly, Fred Aguiar served 14 years in local government, both as a Council Member and Mayor of the City of Chino; and

WHEREAS, He was first elected to represent the 61st Assembly District in November 1992, and once in Sacramento, he quickly earned a reputation as an honest legislator who could get things done; and

WHEREAS, In his first year alone, Assembly Member Aguiar was appointed to five committees (more than any other Assembly Member), had more bills signed into law by the Governor than any other freshman legislator, and had the highest voting record in the Assembly; and

WHEREAS, A major force on the state budget, he willingly tackled major issues and held a series of statewide hearings on unfunded mandates; these hearings were largely responsible for the elimination of \$600 million in unfunded mandates placed on local governments—the largest such reduction in California history, and for these reasons, in

1994 he was chosen the Assembly's Rookie of the Year by the nonpartisan California Journal; and

WHEREAS, In his second term, his reputation for honesty and integrity led to his selection as Chairman of Assembly Committee on Rules, the body responsible for all administrative, executive, and internal budget matters of the Assembly; in this fourth year, Assembly Member Aguiar held the most important position in the Assembly—Speaker Pro Tempore, and at the same time, he turned his legislative efforts toward increasing public safety and improving the public education system; and

WHEREAS, He coauthored the landmark “Three Strikes” legislation—the first of its kind in the nation, and for his work on education, Assembly Member Aguiar was named Legislator of the Year by both the California State University and the National Association of Year Round Schools; and

WHEREAS, For his third Assembly term, Assembly Member Aguiar has been appointed as Vice Chair of the powerful Assembly Committee on Rules, which oversees the day-to-day operations of the house and refers all bills to the appropriate committees; in addition he has been named to the Assembly Committee on Appropriations, which reviews all bills with a fiscal impact on state or local governments, and the Assembly Committees on Health and on Insurance; now, therefore, be it

*Resolved by the Assembly of the State of California,* That they take great pride in honoring Assembly Member Fred Aguiar for his outstanding service to the people of 61st District and the people of California during his tenure as a Member of the California State Assembly, and extend to him heartiest best wishes for happiness and success in his future endeavors.

#### **HOUSE RESOLUTION NO. 72 TAKEN UP BY UNANIMOUS CONSENT**

Assembly Member Poochigian was granted unanimous consent to take up House Resolution No. 72, without reference to committee or file.

**HOUSE RESOLUTION NO. 72**—Relative to commending the Honorable Fred Aguiar.

Resolution read and adopted unanimously.

#### **Unanimous Consent Granted**

Unanimous consent was granted to permit guests on the Floor of the Assembly.

#### **Best Wishes Expressed**

Farewell remarks were offered by Assembly Members Poochigian, Honda, Brown, Battin, Baca, Bowen, Knox, Margett, Pringle, Ashburn, Kuehl, Migden, Mazzone, Bordonaro, Escutia, Martinez, Olberg, Havice, Woods, Goldsmith, Pacheco, Leonard, and Hertzberg.

Speaker Villaraigosa then appointed Assembly Members Ackerman and Leach as a Select Committee on Escort to escort Assembly Member Fred Aguiar 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 Aguiar then addressed the assemblage.

\* \* \*

**MESSAGES FROM THE SENATE**

Senate Chamber, August 27, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 2084

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.

**At 4:27 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 287**

At 4:32 p.m., on motion of Assembly Member Cardenas, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 287 passed by the following vote:

**AYES—52**

Alby	Cunneen	Kuykendall	Perata
Alquist	Davis	Leach	Poochigian
Aroner	Firestone	Lempert	Prenter
Ashburn	Floyd	Leonard	Richter
Baldwin	Frusetta	Mazzoni	Runner
Baugh	Goldsmith	Migden	Scott
Bowen	Havice	Miller	Shelley
Bowler	Hertzberg	Morrow	Sweeney
Brewer	Honda	Murray	Thomson
Brown	House	Olberg	Torlakson
Campbell	Keeley	Oller	Wildman
Cardoza	Knox	Ortiz	Woods
Cedillo	Kuehl	Pacheco	Mr. Speaker

**NOES—24**

Ackerman	Cardenas	Margett	Strom-Martin
Aguiar	Ducheny	Martinez	Thompson
Baca	Escutia	McClintock	Vincent
Battin	Figueroa	Morrissey	Washington
Bordonaro	Granlund	Napolitano	Wayne
Bustamante	Kalooagian	Pringle	Wright

Bill ordered transmitted to the Senate immediately.

**COMMUNICATIONS**

The following explanation of vote was presented by the Chief Clerk, and ordered printed in the Journal:

**Explanation of Vote—Senate Bill No. 287**

August 27, 1998

*E. Dotson Wilson  
Chief Clerk  
California State Assembly  
State Capitol  
Sacramento, California*

Dear Mr. Wilson: I voted today for SB 287, because I support the right of each Indian tribe to make its own decision about what type of compact best meets its needs.

However, I want to clarify that I feel the compacts' provisions limiting the statewide number of tribal gaming machines is arbitrary, and I would be willing to consider any future proposals to increase this limit.

Sincerely,

TOM TORLAKSON, Assembly Member  
Eleventh District

**BILLS ORDERED TRANSMITTED TO SENATE IMMEDIATELY**

Assembly Member Kuykendall was granted unanimous consent that all bills passed earlier this day be transmitted immediately to the Senate.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Davis announced that the Committee on Consumer Protection, Governmental Efficiency and Economic Development would meet today at 4:45 p.m., in the Tom Bane Rules Committee Room.

Assembly Member Mazzone announced that the Committee on Education would meet today at 5 p.m., in the Tom Bane Rules Committee Room.

Assembly Member Figueroa announced that the Committee on Insurance would meet today at 5:30 p.m., in the Tom Bane Rules Committee Room.

Assembly Member Wayne announced that the Committee on Environmental Safety and Toxic Materials would meet today at 6 p.m., in the Tom Bane Rules Committee Room.

Assembly Member Knox announced that the Committee on Revenue and Taxation would meet today at 4:30 p.m., in the Tom Bane Rules Committee Room.

**At 4:38 p.m., Hon. Fred Keeley, 27th District, presiding**

**OBJECTION TO VOTE ADDS**

Assembly Member Cardenas 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. 287

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 23 and Senate Constitutional Amendment No. 13 were continued until the next legislative day.

**SENATE BILL NO. 2048 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Cunneen was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 2048 was refused passage.

**Further Consideration of Senate Bill No. 2048**

**SENATE BILL NO. 2048 (Vasconcellos)**—An act relating to sentencing.

Bill read third time, and presented by Assembly Member Cunneen. The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Cunneen moved a call of the Assembly.

Motion carried. Time, 4:39 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1203 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Bowen was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 1203 was refused passage; and that the bill be passed on file, to retain its place on file.

**MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Senate Bills Nos. 507 and 930 were continued until the next legislative day.

**ASSEMBLY BILL NO. 562 RECONSIDERED  
UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Bowen was granted unanimous consent that the vote be reconsidered whereby Assembly Bill No. 562 was refused concurrence; and that the bill be passed on file, to retain its place on file.

**SENATE BILL NO. 473 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Granlund was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 473 was refused passage.

**Further Consideration of Senate Bill No. 473**

**SENATE BILL NO. 473 (Karnette)**—An act to amend Section 1442.5 of, and to add Sections 1442.6 and 32121.15 to, the Health and Safety Code, relating to health.

Bill read third time, and presented by Assembly Member Granlund.

Bill passed by the following vote:

**AYES—44**

Alquist	Escutia	Machado	Shelley
Aroner	Figueroa	Martinez	Strom-Martin
Baca	Gallegos	Mazzoni	Sweeney
Bowen	Granlund	Migden	Thomson
Bustamante	Havice	Morrissey	Torlakson
Cardenas	Hertzberg	Murray	Vincent
Cardoza	Honda	Napolitano	Washington
Cedillo	Keeley	Ortiz	Wayne
Cunneen	Knox	Papan	Wildman
Davis	Kuehl	Perata	Wright
Ducheny	Lempert	Scott	Mr. Speaker

**NOES—32**

Ackerman	Bowler	Kuykendall	Oller
Aguiar	Brewer	Leach	Pacheco
Alby	Campbell	Leonard	Poochigian
Ashburn	Firestone	Margett	Prenter
Baldwin	Frusetta	McClintock	Pringle
Battin	Goldsmith	Miller	Richter
Baugh	House	Morrow	Runner
Bordonaro	Kaloogian	Olberg	Thompson

Bill ordered transmitted to the Senate.

**OBJECTION WITHDRAWN**

Assembly Member Cardenas withdrew his objection to any requests for vote adds or vote changes on the roll call vote taken on this day on Senate Bill No. 287.

**OBJECTION TO VOTE ADDS**

Assembly Member Cardenas 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. 287.

**ASSEMBLY BILL NO. 2229 RECONSIDERED  
BY UNANIMOUS CONSENT**

In compliance with a motion given by Assembly Member Keeley, Assembly Member Bowen was granted unanimous consent that the vote be reconsidered whereby Assembly Bill No. 2229 was refused concurrence; and that the bill be passed on file, to retain its place on file.

**MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Senate Bills Nos. 1647 and 1784 were continued until the next legislative day.

**SENATE BILL NO. 1524 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Wayne was granted unanimous consent that the vote be reconsidered whereby the urgency clause to Senate Bill No. 1524 was refused adoption; and that the bill be passed on file, to retain its place on file.

**ASSEMBLY BILL NO. 826 RECONSIDERED  
BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Thomson was granted unanimous consent that the vote be reconsidered whereby Assembly Bill No. 826 was refused concurrence; and that the bill be passed on file, to retain its place on file.

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2560 (Perata)**—An act to amend Sections 12020, 12022, 12022.5, 12280, 12285, and 12289 of, and to add Section 12276.1 to, the Penal Code, relating to firearms.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

**Demand for Previous Question**

Assembly Members Washington, Sweeney, Scott, Cardoza, and Gallegos demanded the previous question.

**Roll Call Demanded**

Assembly Members Washington, Cardoza, and Wildman, demanded a roll call.

**Parliamentary Inquiry**

Assembly Member Kaloogian arose to the following parliamentary inquiry:

Did the Presiding Officer not announce that the demand for the previous question was sustained and was Assembly Member Morrow not recognized to speak before a roll call was demanded?

**Reply by Acting Speaker Keeley**

The Acting Speaker replied that he had recognized the demand for a roll call after announcing the demand for the previous question was sustained, consistent with precedent on a previous day.

**Demand for Previous Question Withdrawn**

Assembly Members Washington, Sweeney, Scott, Cardoza, and Gallegos withdrew their demand for the previous question.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Perata 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.

**MOTION TO RECONSIDER SENATE BILL NO. 1999 WAIVED**

Assembly Member Thompson waived his motion to reconsider the vote whereby Senate Bill No. 1999 was passed.

Senate Bill No. 1999 ordered transmitted to the Senate.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 1675**, on request of Assembly Member Bowen.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1247 (Hayden)**—An act to amend Section 40451 of, and to add Sections 39047.2, 40451.5, and 40471 to, the Health and Safety Code, relating to air pollution.

Bill read third time, and presented by Assembly Member Bowen.

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, 5:20 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 412 (Peace)**—An act to amend Section 10430 of, and to add Sections 10413 and 12122 to, the Public Contract Code, relating to state contracts.

Bill read third time, and presented by Assembly Member Bowen.

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, 5:23 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1968 (Solis)**—An act to add Chapter 4 (commencing with Section 1400) to Part 4 of Division 2 of the Labor Code, relating to employment.

Bill read third time, and presented by Assembly Member Cedillo.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Cedillo moved a call of the Assembly.

Motion carried. Time, 5:31 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**At 5:34 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2560**

At 5:32 p.m., on motion of Assembly Member Perata, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Pacheco moved to continue the call of the Assembly.

Motion carried. Time, 5:35 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 5:36 p.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Speaker's Conference Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1560 (Johnston)**—An act to amend Sections 10201, 10205, 10214.5, and 10214.7 of, and to add Section 10200.5 to, the Unemployment Insurance Code, relating to the Employment Training Panel.

Bill read third time, and presented by Assembly Member Keeley.

Bill passed by the following vote:

**AYES—46**

Ackerman	Davis	Lempert	Strom-Martin
Alby	Ducheny	Margett	Sweeney
Alquist	Escutia	Martinez	Thomson
Aroner	Figuroa	Mazzoni	Torlakson
Ashburn	Gallegos	Migden	Vincent
Baca	Havice	Murray	Washington
Bowen	Hertzberg	Napolitano	Wayne
Bowler	Honda	Ortiz	Wildman
Brown	Keeley	Perata	Wright
Bustamante	Knox	Prenter	Mr. Speaker
Cedillo	Kuehl	Scott	
Cunneen	Kuykendall	Shelley	

**NOES—25**

Aguiar	Frusetta	Miller	Richter
Baldwin	Goldsmith	Morrissey	Runner
Baugh	House	Morrow	Thompson
Bordonaro	Kalোগian	Olberg	Woods
Brewer	Leach	Oller	
Campbell	Leonard	Pacheco	
Firestone	McClintock	Poochigian	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2560**

At 5:41 p.m., on motion of Assembly Member Pacheco, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2560 by the following vote:

**AYES—41**

Alquist	Figueroa	Martinez	Sweeney
Aroner	Gallegos	Mazzoni	Thomson
Bowen	Havice	Migden	Torlakson
Brown	Hertzberg	Murray	Vincent
Bustamante	Honda	Napolitano	Washington
Cardenas	Keeley	Ortiz	Wayne
Cardoza	Knox	Papan	Wildman
Cedillo	Kuehl	Perata	Mr. Speaker
Cunneen	Kuykendall	Scott	
Davis	Lempert	Shelley	
Escutia	Machado	Strom-Martin	

**NOES—31**

Ackerman	Bowler	Leonard	Poochigian
Alby	Brewer	Margett	Pringle
Ashburn	Campbell	McClintock	Richter
Baca	Frusetta	Miller	Runner
Baldwin	Goldsmith	Morrissey	Thompson
Battin	Granlund	Morrow	Woods
Baugh	House	Olberg	Wright
Bordonaro	Kaloogian	Oller	

Above bill ordered enrolled.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

August 27, 1998

Mr. Speaker: Your Committee on Rules recommends that the request to suspend Joint Rule 61(b)(12), (13), and (14), as it relates to the following bill be granted:

Senate Bill No. 2173

HERTZBERG, Chairman

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 5:45 p.m., by unanimous consent, the members of the Committee on Elections, Reapportionment and Constitutional Amendments were excused for the purpose of attending a meeting of the committee at this time, in the Speaker's Conference Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 988 (Sher)**—An act to amend Sections 40507, 40707, 40710, 40711, 40713, 40912, 41735, 41770, 41780.1, 44004, 44305, 45000, 45005, 45011, 45013, 45017, 45023, 48027, 48620, 48621, 48623, 48630, 48643, 48651, 48653, 48660.5, 48661, 48670, 48672, and 48673 of, and to add Sections 40902, 48645, 48671.8, and 48692 to, the Public Resources Code, relating to recycling.

Bill read third time, and presented by Assembly Member Bowen.

Bill passed by the following vote:

**AYES—73**

Ackerman	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Richter
Alby	Davis	Leonard	Scott
Alquist	Ducheny	Machado	Shelley
Aroner	Escutia	Margett	Strom-Martin
Ashburn	Figueroa	Martinez	Sweeney
Baca	Firestone	Mazzoni	Thompson
Baldwin	Frusetta	Migden	Thomson
Battin	Gallegos	Miller	Torlakson
Baugh	Goldsmith	Morrissey	Vincent
Bordonaro	Granlund	Morrow	Washington
Bowen	Havice	Murray	Wayne
Bowler	Hertzberg	Napolitano	Wildman
Brewer	Honda	Olberg	Woods
Brown	House	Ortiz	Wright
Bustamante	Keeley	Pacheco	Mr. Speaker
Campbell	Knox	Papan	
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	

**NOES—3**

Kaloogian	McClintock	Oller
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Bill ordered transmitted to the Senate.

**BILLS REMOVED FROM SPECIAL CONSENT CALENDAR  
AND RETURNED TO SENATE**

The following bill was removed from the Special Consent Calendar pursuant to Joint Rule 22.2, and by unanimous consent returned to the Senate:

**Assembly Bill No. 2687**, on request of Assembly Member Shelley.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Migden announced that the Committee on Appropriations would meet today at 7:30 p.m.

**BILLS REMOVED FROM SPECIAL CONSENT CALENDAR**

The following bill was removed from the Special Consent Calendar, pursuant to Joint Rule 22.2:

**Assembly Bill No. 2154**, on request of Assembly Member Kuehl.

**RE-REFERENCE OF BILLS TO COMMITTEE  
PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred:

Senate Bills Nos. 418 and 687 and Assembly Bills Nos. 1026 and 2154 to the Committee on Appropriations; and

Assembly Bill No. 2795 to the Committee on Transportation.

**MOTION TO SUSPEND THE RULES**

Assembly Member Oller moved that Assembly Rule 77.2 be suspended to permit consideration of Assembly Bill No. 2795 on the Floor, in file order, without re-referral to the Committee on Transportation.

Assembly Member Baugh seconded the motion.

**Parliamentary Inquiry**

Assembly Member Bowen arose to the following parliamentary inquiry:

Is it not appropriate to refer the motion by Assembly Member Oller to the Committee on Rules?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that Assembly Member Oller's motion is procedural and therefore a motion to refer to Rules is not appropriate.

**Parliamentary Inquiry**

Assembly Member Leonard arose to the following parliamentary inquiry:

Does Democratic leadership concur with the re-referral of Assembly Bill No. 2795 to committee?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative.

The question being on the Oller motion to suspend Assembly Rule 77.2 as it relates to Assembly Bill No. 2795.

Oller motion lost by the following vote:

**AYES—35**

Aguiar	Brewer	Kuykendall	Oller
Alby	Campbell	Leach	Poochigian
Alquist	Cunneen	Leonard	Prenter
Ashburn	Firestone	Margett	Pringle
Baldwin	Frusetta	McClintock	Richter
Battin	Goldsmith	Miller	Runner
Baugh	Granlund	Morrissey	Thompson
Bordonaro	House	Morrow	Woods
Bowler	Kaloogian	Olberg	

**NOES—35**

Alquist	Davis	Kuehl	Strom-Martin
Aroner	Ducheny	Lempert	Sweeney
Baca	Escutia	Machado	Vincent
Bowen	Figueroa	Mazzoni	Washington
Brown	Gallegos	Migden	Wayne
Bustamante	Hertzberg	Murray	Wildman
Cardenas	Honda	Ortiz	Wright
Cardoza	Keeley	Perata	Mr. Speaker
Cedillo	Knox	Shelley	

**NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 681 FROM COMMITTEE**

Pursuant to the provisions of Assembly Rule 96, Assembly Member Olberg gave notice that he would move to withdraw Senate Bill No. 681 from the Committee on Natural Resources.

**At 6 p.m., Hon. Valerie Brown, 7th District, presiding**

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 6:09 p.m., by unanimous consent, the members of the Committee on Environmental Safety and Toxic Materials were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1966 (Sher)**—An act to add Section 4582.76 to the Public Resources Code, relating to resources.

Bill read third time, and presented by Assembly Member Keeley.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Keeley moved a call of the Assembly.

Motion carried. Time, 6:08 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 2068 (Vasconcellos)**—An act to add Article 7.5 (commencing with Section 66085) to Chapter 2 of Part 40 of the Education Code, relating to service learning.

Bill read third time, and presented by Assembly Member Keeley.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Keeley moved a call of the Assembly.

Motion carried. Time, 6:12 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1125 (Alpert)**—An act to add Section 2725.3 to the Business and Professions Code, and to add Section 1276.4 to the Health and Safety Code, relating to health care.

Bill read third time, and presented by Assembly Member Kuehl.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Kuehl moved a call of the Assembly.

Motion carried. Time, 6:25 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1878 (Kopp)**—An act to amend Section 190.2 of the Penal Code, relating to murder.

Bill read third time, and presented by Assembly Member Hertzberg.

Bill passed by the following vote:

**AYES—66**

Ackerman	Cardoza	Leonard	Pringle
Aguiar	Cunneen	Machado	Richter
Alby	Davis	Margett	Runner
Alquist	Figuroa	Martinez	Scott
Ashburn	Firestone	Miller	Shelley
Baca	Frusetta	Morrissey	Strom-Martin
Baldwin	Gallegos	Morrow	Sweeney
Battin	Goldsmith	Murray	Thompson
Baugh	Havice	Napolitano	Thomson
Bordonaro	Hertzberg	Olberg	Torlakson
Bowen	House	Oller	Vincent
Bowler	Kaloogian	Ortiz	Washington
Brewer	Keeley	Pacheco	Wayne
Brown	Knox	Papan	Wildman
Bustamante	Kuykendall	Perata	Mr. Speaker
Campbell	Leach	Poochigian	
Cardenas	Lempert	Prenter	

**NOES—2**

Kuehl                      Migden

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2116 (Schiff)**—An act to amend Section 290 of, to add Section 11055 to, and to add and repeal Section 290.01 of, the Penal Code, relating to sex offender registration.

Bill read third time, and presented by Assembly Member Hertzberg.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Hertzberg moved a call of the Assembly.

Motion carried. Time, 6:37 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 2045 (Greene)**—An act to amend Section 17017.9 of the Education Code, relating to school facilities.

Bill read third time, and presented by Assembly Member Cardoza.

Bill passed by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Firestone	Mazzoni	Strom-Martin
Baca	Floyd	Migden	Sweeney
Baldwin	Frusetta	Miller	Thompson
Battin	Gallegos	Morrissey	Thomson
Baugh	Goldsmith	Morrow	Torlakson
Bordonaro	Granlund	Murray	Vincent
Bowen	Havice	Napolitano	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**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. 915**, on request of Assembly Member Margett.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 648 (Burton)**—An act to add Sections 10354.1, 10354.2, 10354.3, and 10354.4 to the Public Contract Code, relating to personal services contracts.

Bill read third time, and presented by Assembly Member Thomson.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Thomson moved a call of the Assembly.

Motion carried. Time, 6:39 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 956 (Rosenthal)**—An act to add Section 1348 to the Health and Safety Code, relating to insurance.

Bill read third time, and presented by Assembly Member Brewer.

Bill passed by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuehl	Perata
Aguiar	Cunneen	Kuykendall	Poochigian
Alby	Davis	Leach	Prenter
Alquist	Ducheny	Lempert	Pringle
Aroner	Escutia	Leonard	Runner
Ashburn	Figueroa	Machado	Scott
Baca	Firestone	Martinez	Shelley
Baldwin	Floyd	Mazzoni	Strom-Martin
Battin	Frusetta	Migden	Sweeney
Baugh	Gallegos	Miller	Thompson
Bordonaro	Goldsmith	Morrissey	Thomson
Bowen	Granlund	Morrow	Torlakson
Bowler	Havice	Murray	Vincent
Brewer	Hertzberg	Napolitano	Washington
Brown	Honda	Olberg	Wayne
Bustamante	House	Oller	Wildman
Campbell	Kaloogian	Ortiz	Woods
Cardenas	Keeley	Pacheco	Wright
Cardoza	Knox	Papan	Mr. Speaker

**NOES—1**

Margett

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1194 (Rosenthal)**—An act to amend Section 14087.325 of the Welfare and Institutions Code, relating to public social services.

Bill read third time, and presented by Assembly Member Shelley.

Bill passed by the following vote:

**AYES—73**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Baca	Firestone	Mazzoni	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Granlund	Morrow	Vincent
Bowen	Havice	Murray	Washington
Bowler	Hertzberg	Napolitano	Wayne
Brewer	Honda	Olberg	Wildman
Brown	House	Oller	Woods
Bustamante	Kaloogian	Ortiz	Wright
Campbell	Keeley	Pacheco	Mr. Speaker
Cardenas	Knox	Papan	
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	

**NOES—4**

Ashburn

Leonard

Pringle

Thompson

Bill ordered transmitted to the Senate.

**At 6:41 p.m., Hon. Fred Keeley, 27th District, presiding**

**SENATE BILL NO. 1412 (Schiff)**—An act to amend Sections 60242.5 and 60248 of, to add Section 60240.5 to, and to add Article 1.5 (commencing with Section 60007) to Chapter 1 of, Part 33 of, the Education Code, relating to education.

Bill read third time, and presented by Assembly Member Bustamante.

Bill passed by the following vote:

**AYES—54**

Alquist	Escutia	Machado	Scott
Aroner	Figueroa	Margett	Shelley
Baca	Frusetta	Martinez	Strom-Martin
Bordonaro	Gallegos	Mazzoni	Sweeney
Bowen	Goldsmith	McClintock	Thomson
Brown	Havice	Migden	Torlakson
Bustamante	Hertzberg	Morrissey	Vincent
Campbell	Honda	Morrow	Washington
Cardenas	House	Murray	Wayne
Cardoza	Keeley	Napolitano	Wildman
Cedillo	Knox	Ortiz	Wright
Cunneen	Kuehl	Pacheco	Mr. Speaker
Davis	Leach	Papan	
Ducheny	Lempert	Perata	

**NOES—21**

Ackerman	Baugh	Olberg	Runner
Aguiar	Bowler	Oller	Thompson
Alby	Brewer	Poochigian	Woods
Ashburn	Kaloogian	Prenter	
Baldwin	Leonard	Pringle	
Battin	Miller	Richter	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1481 (Hughes)**—An act to amend Sections 44031 and 87031 of the Education Code, relating to school and community college employees.

Bill read third time, and presented by Assembly Member Lempert.

Bill passed by the following vote:

**AYES—45**

Alquist	Escutia	Martinez	Sweeney
Aroner	Figueroa	Mazzoni	Thomson
Baca	Gallegos	Migden	Torlakson
Bowen	Havice	Morrissey	Vincent
Brown	Hertzberg	Murray	Washington
Bustamante	Honda	Napolitano	Wayne
Cardenas	Keeley	Ortiz	Wildman
Cardoza	Knox	Papan	Wright
Cedillo	Kuehl	Perata	Mr. Speaker
Cunneen	Leach	Scott	
Davis	Lempert	Shelley	
Ducheny	Machado	Strom-Martin	

**NOES—32**

Ackerman	Bowler	Kuykendall	Pacheco
Aguiar	Brewer	Leonard	Poochigian
Alby	Campbell	Margett	Prenter
Ashburn	Firestone	McClintock	Pringle
Baldwin	Frusetta	Miller	Richter
Battin	Goldsmith	Morrow	Runner
Baugh	House	Olberg	Thompson
Bordonaro	Kaloogian	Oller	Woods

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1485 (Rosenthal)**—An act to add and repeal Article 4 (commencing with Section 6045) of Chapter 5 of Title 7 of Part 3 of the Penal Code, relating to mentally ill criminal offenders.

Bill read third time, and presented by Assembly Member Thomson.

Bill passed by the following vote:

**AYES—61**

Aguiar	Davis	Leach	Scott
Alquist	Ducheny	Lempert	Shelley
Aroner	Escutia	Machado	Strom-Martin
Baca	Figueroa	Margett	Sweeney
Baldwin	Firestone	Martinez	Thomson
Battin	Frusetta	Mazzoni	Torlakson
Bordonaro	Gallegos	Migden	Vincent
Bowen	Goldsmith	Miller	Washington
Bowler	Havice	Morrissey	Wayne
Brewer	Hertzberg	Murray	Wildman
Brown	Honda	Napolitano	Woods
Bustamante	House	Ortiz	Wright
Cardenas	Keeley	Pacheco	Mr. Speaker
Cardoza	Knox	Papan	
Cedillo	Kuehl	Perata	
Cunneen	Kuykendall	Prenter	

**NOES—14**

Ackerman	Campbell	Morrow	Runner
Alby	Kaloogian	Olberg	Thompson
Ashburn	Leonard	Poochigian	
Baugh	McClintock	Pringle	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1829 (Costa)**—An act to add Section 42249.7 to the Education Code, relating to school desegregation.

Bill read third time, and presented by Assembly Member Bustamante.

Bill passed by the following vote:

**AYES—51**

Alquist	Ducheny	Lempert	Scott
Aroner	Escutia	Machado	Shelley
Baca	Figueroa	Martinez	Strom-Martin
Bowen	Frusetta	Mazzoni	Sweeney
Bowler	Gallegos	Migden	Thomson
Brown	Goldsmith	Morrissey	Torlakson
Bustamante	Havice	Morrow	Vincent
Campbell	Hertzberg	Murray	Washington
Cardenas	Honda	Napolitano	Wayne
Cardoza	Keeley	Ortiz	Wildman
Cedillo	Knox	Papan	Wright
Cunneen	Kuehl	Perata	Mr. Speaker
Davis	Leach	Prenter	

**NOES—24**

Ackerman	Baugh	Margett	Poochigian
Aguiar	Bordonaro	McClintock	Pringle
Alby	Brewer	Miller	Richter
Ashburn	House	Olberg	Runner
Baldwin	Kaloogian	Oller	Thompson
Battin	Leonard	Pacheco	Woods

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1941 (Sher)**—An act to add Chapter 8.5 (commencing with Section 25720) to Division 15 of the Public Resources Code, relating to climate change.

Bill read third time, and presented by Assembly Member Bowen.

Bill passed by the following vote:

**AYES—45**

Alquist	Escutia	Lempert	Sweeney
Aroner	Figueroa	Martinez	Thomson
Baca	Firestone	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Vincent
Brown	Havice	Murray	Washington
Bustamante	Hertzberg	Napolitano	Wayne
Cardenas	Honda	Ortiz	Wildman
Cardoza	Keeley	Papan	Wright
Cedillo	Knox	Perata	Mr. Speaker
Cunneen	Kuehl	Scott	
Davis	Kuykendall	Shelley	
Ducheny	Leach	Strom-Martin	

**NOES—32**

Ackerman	Bowler	Leonard	Pacheco
Aguiar	Brewer	Margett	Poochigian
Alby	Campbell	McClintock	Prenter
Ashburn	Frusetta	Miller	Pringle
Baldwin	Goldsmith	Morrissey	Richter
Battin	Granlund	Morrow	Runner
Baugh	House	Olberg	Thompson
Bordonaro	Kaloogian	Oller	Woods

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1696 (Alpert)**—An act to amend Sections 25658 and 25659 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and presented by Assembly Member Brown.

Bill passed by the following vote:

**AYES—65**

Aguiar	Cunneen	Leach	Richter
Alby	Davis	Lempert	Scott
Alquist	Ducheny	Margett	Shelley
Aroner	Escutia	Martinez	Strom-Martin
Ashburn	Figueroa	Mazzoni	Sweeney
Baca	Firestone	McClintock	Thompson
Baldwin	Frusetta	Migden	Thomson
Battin	Gallegos	Morrissey	Torlakson
Bordonaro	Goldsmith	Morrow	Vincent
Bowen	Granlund	Murray	Washington
Bowler	Havice	Napolitano	Wayne
Brown	Hertzberg	Oller	Wildman
Bustamante	House	Ortiz	Wright
Campbell	Keeley	Papan	Mr. Speaker
Cardenas	Knox	Perata	
Cardoza	Kuehl	Poochigian	
Cedillo	Kuykendall	Pringle	

**NOES—9**

Ackerman	Miller	Prenter
Baugh	Olberg	Runner
Leonard	Pacheco	Woods

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Bill No. 1696: Assembly Members Campbell and Morrow, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 277 (Maddy)**—An act to amend Sections 1371.4 and 1797.98f of the Health and Safety Code, relating to emergency medical services.

Bill read third time, and presented by Assembly Member Gallegos.

Bill passed by the following vote:

**AYES—73**

Ackerman	Cedillo	Leach	Richter
Aguiar	Cunneen	Lempert	Runner
Alby	Davis	Margett	Scott
Alquist	Ducheny	Mazzoni	Shelley
Aroner	Escutia	Migden	Strom-Martin
Ashburn	Figueroa	Miller	Sweeney
Baca	Firestone	Morrissey	Thompson
Baldwin	Frusetta	Morrow	Thomson
Battin	Gallegos	Murray	Torlakson
Baugh	Goldsmith	Napolitano	Vincent
Bordonaro	Granlund	Olberg	Washington
Bowen	Havice	Oller	Wayne
Bowler	Hertzberg	Ortiz	Wildman
Brewer	Honda	Pacheco	Woods
Brown	House	Papan	Wright
Bustamante	Keeley	Perata	Mr. Speaker
Campbell	Knox	Poochigian	
Cardenas	Kuehl	Prenter	
Cardoza	Kuykendall	Pringle	

**NOES—2**

Martinez	McClintock
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Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2074 (Schiff)**—An act to amend Sections 202 and 742 of the Welfare and Institutions Code, relating to juvenile court law.

Bill read third time, and presented by Assembly Member Bowler.

Bill passed by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Margett	Runner
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Shelley
Ashburn	Firestone	McClintock	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Thompson
Battin	Goldsmith	Morrissey	Thomson
Baugh	Granlund	Morrow	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 309 (Watson)**—An act to add Article 10.5 (commencing with Section 8264.6) to Chapter 2 of Part 6 of the Education Code, and to add Article 9 (commencing with Section 124172) to Chapter 3 of Part 2 of Division 6 of the Health and Safety Code, relating to the California Child Care Health Linkages Program.

Bill read third time, and presented by Assembly Member Shelley.

Bill passed by the following vote:

**AYES—45**

Alquist	Escutia	Martinez	Sweeney
Aroner	Figueroa	Mazzoni	Thomson
Baca	Frusetta	Migden	Torlakson
Bowen	Gallegos	Morrissey	Vincent
Bowler	Granlund	Murray	Washington
Brown	Havice	Napolitano	Wayne
Bustamante	Hertzberg	Ortiz	Wildman
Cardenas	Honda	Papan	Wright
Cardoza	Keeley	Perata	Mr. Speaker
Cedillo	Knox	Scott	
Davis	Kuehl	Shelley	
Ducheny	Lempert	Strom-Martin	

**NOES—31**

Ackerman	Brewer	Leonard	Poochigian
Aguiar	Campbell	Margett	Prenter
Alby	Cunneen	McClintock	Pringle
Ashburn	Goldsmith	Miller	Richter
Baldwin	House	Morrow	Runner
Battin	Kaloogian	Olberg	Thompson
Baugh	Kuykendall	Oller	Woods
Bordonaro	Leach	Pacheco	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 409 (Alpert)**—An act to add Chapter 4.5 (commencing with Section 18800) to Part 11 of, and to repeal Chapter 4 (commencing with Section 18700) of Part 11 of, the Education Code, relating to libraries, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Sweeney.

Bill passed by the following vote:

**AYES—74**

Ackerman	Cunneen	Leonard	Pringle
Aguiar	Davis	Margett	Richter
Alby	Ducheny	Martinez	Runner
Alquist	Escutia	Mazzoni	Scott
Aroner	Figueroa	McClintock	Shelley
Ashburn	Firestone	Migden	Strom-Martin
Baca	Frusetta	Miller	Sweeney
Baldwin	Gallegos	Morrissey	Thompson
Battin	Goldsmith	Morrow	Thomson
Baugh	Havice	Murray	Torlakson
Bordonaro	Honda	Napolitano	Vincent
Bowen	House	Olberg	Washington
Bowler	Kaloogian	Oller	Wayne
Brewer	Keeley	Ortiz	Wildman
Brown	Knox	Pacheco	Woods
Bustamante	Kuehl	Papan	Wright
Campbell	Kuykendall	Perata	Mr. Speaker
Cardoza	Leach	Poochigian	
Cedillo	Lempert	Prenter	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1453 (Alpert)**—An act to add Chapter 10 (commencing with Section 66406) to Division 1 of Title 7 of the Government Code, to add Sections 21083.10 and 30412.1 to the Public Resources Code, and to add Chapter 5.4 (commencing with Section 13369) to Division 7 of the Water Code, relating to water.

Bill read third time, and presented by Assembly Member Wayne.

Bill passed by the following vote:

**AYES—50**

Alquist	Escutia	Margett	Shelley
Aroner	Figueroa	Martinez	Strom-Martin
Baca	Firestone	Mazzoni	Sweeney
Bordonaro	Frusetta	Migden	Thomson
Bowen	Gallegos	Morrissey	Torlakson
Brown	Havice	Morrow	Vincent
Bustamante	Honda	Murray	Washington
Cardenas	Keeley	Napolitano	Wayne
Cardoza	Knox	Ortiz	Wildman
Cedillo	Kuehl	Pacheco	Wright
Cunneen	Kuykendall	Papan	Mr. Speaker
Davis	Leach	Perata	
Ducheny	Lempert	Scott	

**NOES—25**

Ackerman	Bowler	Leonard	Pringle
Aguiar	Brewer	McClintock	Runner
Alby	Campbell	Miller	Thompson
Ashburn	Goldsmith	Olberg	Woods
Baldwin	Hertzberg	Oller	
Battin	House	Poochigian	
Baugh	Kaloogian	Prenter	

Bill ordered transmitted to the Senate.

**JOINT RULE 62(a) WAIVED**

Assembly Member Migden was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting the following bills for hearing in committee, at 7:30 p.m. today, in Room 4203:

Senate Bills Nos. 2, 180, 326, 418, 567, 752, 779, 977, 1032, 1069, 1574, 1587, 1676, 1770, 1724, 1757, 1765, 1854, 1857, 1902, 2031, 2120, 2121, 2143, and 2198; and Senate Concurrent Resolutions Nos. 98 and 102.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1530 (Hayden)**—An act to amend Section 1523 of the Code of Civil Procedure, and to amend Section 12936 of, and to add Sections 790.15 and 12967 to, the Insurance Code, relating to insurance practices, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Knox.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—76**

Ackerman	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Margett	Richter
Aroner	Escutia	Martinez	Runner
Ashburn	Figueroa	Mazzoni	Scott
Baca	Firestone	McClintock	Shelley
Baldwin	Frusetta	Migden	Strom-Martin
Battin	Gallegos	Miller	Sweeney
Baugh	Goldsmith	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—76**

Ackerman	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Margett	Richter
Aroner	Escutia	Martinez	Runner
Ashburn	Figueroa	Mazzoni	Scott
Baca	Firestone	McClintock	Shelley
Baldwin	Frusetta	Migden	Strom-Martin
Battin	Gallegos	Miller	Sweeney
Baugh	Goldsmith	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 281 (Thompson)**—An act to amend Section 1091 of the Government Code, relating to conflicts of interest, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Brown.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—76**

Ackerman	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Margett	Richter
Aroner	Escutia	Martinez	Runner
Ashburn	Figueroa	Mazzoni	Scott
Baca	Firestone	McClintock	Shelley
Baldwin	Frusetta	Migden	Strom-Martin
Battin	Gallegos	Miller	Sweeney
Baugh	Goldsmith	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—76**

Ackerman	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Margett	Richter
Aroner	Escutia	Martinez	Runner
Ashburn	Figueroa	Mazzoni	Scott
Baca	Firestone	McClintock	Shelley
Baldwin	Frusetta	Migden	Strom-Martin
Battin	Gallegos	Miller	Sweeney
Baugh	Goldsmith	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker

**NOES—None**

Bill ordered transmitted to the Senate.

**BILLS ORDERED TRANSMITTED TO SENATE**

Acting Speaker Keeley was granted unanimous consent that all bills passed earlier this day be ordered transmitted to the Senate immediately.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1462 (Mountjoy)**—An act to amend, repeal, and add Section 10783 of the Revenue and Taxation Code, and to amend, repeal, and add Sections 5101.5 and 9105 of the Vehicle Code, relating to vehicles.

Bill read third time, and presented by Assembly Member Kaloogian.

Bill passed by the following vote:

**AYES—72**

Ackerman	Cedillo	Kuykendall	Papan
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Pringle
Ashburn	Escutia	Margett	Richter
Baca	Figueroa	Martinez	Runner
Baldwin	Firestone	Mazzoni	Scott
Battin	Frusetta	McClintock	Shelley
Baugh	Gallegos	Migden	Sweeney
Bordonaro	Goldsmith	Miller	Thompson
Bowen	Havice	Morrissey	Thomson
Bowler	Hertzberg	Morrow	Torlakson
Brewer	Honda	Murray	Vincent
Brown	House	Napolitano	Washington
Bustamante	Kaloogian	Olberg	Wayne
Campbell	Keeley	Oller	Wildman
Cardenas	Knox	Ortiz	Wright
Cardoza	Kuehl	Pacheco	Mr. Speaker

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1500 (Polanco)**—An act to add Chapter 1.3 (commencing with Section 12125) to Title 2 of Part 4 of the Penal Code, relating to firearms.

Bill read third time, and presented by Assembly Member Hertzberg.  
The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Hertzberg moved a call of the Assembly.

Motion carried. Time, 7:40 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**RESOLUTIONS**

The following resolution was offered without reference to committee:

**Resolution to Suspend Joint Rules**

By Assembly Member Migden:

*Resolved*, That Joint Rule 61(b)(12), (13), and (14) be suspended to permit the Committee on Appropriations to meet, consider, and report Senate Bill No. 1765 for further action.

Resolution read, and adopted by the following vote:

**AYES—78**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Firestone	Mazzoni	Shelley
Baca	Floyd	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Morrow	Torlakson
Bowen	Havice	Murray	Vincent
Bowler	Hertzberg	Napolitano	Washington
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Wright
Cardenas	Knox	Papan	Mr. Speaker
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

**JOINT RULE 62(a) WAIVED**

By unanimous consent Joint Rule 62(a) was waived for the purpose of setting Senate Bill No. 1765 for hearing in the Committee on Appropriations.

**RECESS**

By unanimous consent, at 7:41 p.m., Acting Speaker Keeley declared the Assembly recessed.

**REASSEMBLED**

At 9 p.m., the Assembly reconvened.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 27, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 204  | Assembly Bill No. 2347 |
| Assembly Bill No. 218  | Assembly Bill No. 2417 |
| Assembly Bill No. 835  | Assembly Bill No. 2425 |
| Assembly Bill No. 960  | Assembly Bill No. 2564 |
| Assembly Bill No. 1201 | Assembly Bill No. 2581 |
| Assembly Bill No. 1617 | Assembly Bill No. 2583 |
| Assembly Bill No. 2155 | Assembly Bill No. 2603 |
| Assembly Bill No. 2163 | Assembly Bill No. 2674 |
| Assembly Bill No. 2171 | Assembly Bill No. 2760 |
| Assembly Bill No. 2295 |                        |

And reports the same correctly enrolled, and presented to the Governor at 5:15 p.m., August 27, 1998.

E. DOTSON WILSON, Chief Clerk

**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> |
| <b>2173</b> -----            | L.&E.            |
| <i>Senate Constitutional</i> |                  |
| <i>Amendment No.</i>         | <i>Committee</i> |
| <b>35</b> -----              | E.,R.&C.A.       |

**AUTHOR'S AMENDMENTS  
Committee on Health**

August 27, 1998

Mr. Speaker: The Chair of your Committee on Health reports:

Senate Bill No. 1504

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GALLEGOS, Chairman

**SENATE BILL NO. 1504**—An act to amend Sections 1368, 1368.01, 1368.03, and 1368.04 of, and to add Article 12 (commencing with Section 1399.80) to Chapter 2.2 of Division 2 of, the Health and Safety Code, and to add Article 2.55 (commencing with Section 10145.80) to Chapter 1 of Part 2 of Division 2 of the Insurance Code, relating to health insurance.

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 Education**

Date of Hearing: August 27, 1998

Mr. Speaker: Your Committee on Education reports:

- Assembly Bill No. 89
- Assembly Bill No. 1339

With the recommendation: That the Senate amendments be concurred in.

MAZZONI, Chairwoman

Above bills ordered to unfinished business.

**Committee on Revenue and Taxation**

Date of Hearing: August 27, 1998

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1469

With the recommendation: That the Senate amendments be concurred in.

KNOX, Chairman

Above bill ordered to unfinished business.

**Committee on Consumer Protection, Governmental Efficiency and Economic Development**

Date of Hearing: August 27, 1998

Mr. Speaker: Your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Bill No. 1629

With the recommendation: That the Senate amendments be concurred in.

DAVIS, Chairwoman

Above bill ordered to unfinished business.

**Committee on Elections, Reapportionment and Constitutional Amendments**

Date of Hearing: August 27, 1998

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 918

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

VINCENT, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: August 27, 1998

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Assembly Bill No. 188

With the recommendation: That the Senate amendments be concurred in.

VINCENT, Chairman

Above bill ordered to unfinished business file.

**Committee on Environmental Safety and Toxic Materials**

Date of Hearing: August 27, 1998

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Senate Bill No. 913

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

WAYNE, Chairman

Above bill re-referred to the Committee on Appropriations.

**Committee on Insurance**

Date of Hearing: August 27, 1998

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 462

Assembly Bill No. 2595

With the recommendation: That Senate amendments be concurred in.

FIGUEROA, Chairwoman

Above bills ordered to unfinished business file.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 27, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 55	Senate Bill No. 1389
Senate Bill No. 63	Senate Bill No. 1403
Senate Bill No. 116	Senate Bill No. 1430
Senate Bill No. 133	Senate Bill No. 1510
Senate Bill No. 235	Senate Bill No. 1520
Senate Bill No. 256	Senate Bill No. 1548
Senate Bill No. 287	Senate Bill No. 1606
Senate Bill No. 317	Senate Bill No. 1642
Senate Bill No. 378	Senate Bill No. 1646
Senate Bill No. 405	Senate Bill No. 1658
Senate Bill No. 520	Senate Bill No. 1665
Senate Bill No. 591	Senate Bill No. 1683
Senate Bill No. 663	Senate Bill No. 1742
Senate Bill No. 730	Senate Bill No. 1768
Senate Bill No. 750	Senate Bill No. 1781
Senate Bill No. 814	Senate Bill No. 1855
Senate Bill No. 896	Senate Bill No. 1856
Senate Bill No. 983	Senate Bill No. 1874
Senate Bill No. 1070	Senate Bill No. 1875
Senate Bill No. 1250	Senate Bill No. 1897
Senate Bill No. 1339	

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Senate Chamber, August 27, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1908	Senate Bill No. 2004
Senate Bill No. 1911	Senate Bill No. 2023
Senate Bill No. 1923	Senate Bill No. 2042
Senate Bill No. 1947	Senate Bill No. 2051
Senate Bill No. 1951	Senate Bill No. 2103
Senate Bill No. 1965	Senate Bill No. 2166
Senate Bill No. 1970	Senate Bill No. 2189
Senate Bill No. 1984	Senate Bill No. 2194
Senate Bill No. 2003	Senate Bill No. 2196

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Senate Chamber, August 27, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 561  | Assembly Bill No. 1911 |
| Assembly Bill No. 581  | Assembly Bill No. 1916 |
| Assembly Bill No. 668  | Assembly Bill No. 1950 |
| Assembly Bill No. 715  | Assembly Bill No. 1957 |
| Assembly Bill No. 822  | Assembly Bill No. 1978 |
| Assembly Bill No. 992  | Assembly Bill No. 2019 |
| Assembly Bill No. 1092 | Assembly Bill No. 2088 |
| Assembly Bill No. 1166 | Assembly Bill No. 2157 |
| Assembly Bill No. 1183 | Assembly Bill No. 2192 |
| Assembly Bill No. 1208 | Assembly Bill No. 2197 |
| Assembly Bill No. 1241 | Assembly Bill No. 2198 |
| Assembly Bill No. 1663 | Assembly Bill No. 2216 |
| Assembly Bill No. 1676 | Assembly Bill No. 2297 |
| Assembly Bill No. 1738 | Assembly Bill No. 2339 |
| Assembly Bill No. 1788 | Assembly Bill No. 2387 |
| Assembly Bill No. 1845 | Assembly Bill No. 2403 |
| Assembly Bill No. 1875 | Assembly Bill No. 2405 |
| Assembly Bill No. 1877 | Assembly Bill No. 2406 |
| Assembly Bill No. 1885 | Assembly Bill No. 2492 |
| Assembly Bill No. 1889 | Assembly Bill No. 2494 |

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 27, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2630 | Assembly Bill No. 2755 |
| Assembly Bill No. 2699 | Assembly Bill No. 2773 |
| Assembly Bill No. 2751 | Assembly Bill No. 2816 |

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 27, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

- Assembly Concurrent Resolution No. 183
- Assembly Concurrent Resolution No. 185

And respectfully requests the Assembly to concur in said amendments.

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Above resolutions ordered to unfinished business file.

Senate Chamber, August 27, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

- Assembly Bill No. 1879

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, August 27, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 188

Assembly Joint Resolution No. 77

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, August 27, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 105

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

### FIRST READING OF SENATE BILLS

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 105**—Relative to newborn hearing screening.

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August 27, 1998

*Hon. E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*Assembly Chamber*

Dear Dotson: I am directed to inform your honorable body that the Senate on this day withdrew the Conference Report on Senate Bill 2170.

Sincerely,

GREGORY SCHMIDT  
Secretary of the Senate

August 27, 1998

*Hon. E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*Assembly Chamber*

Dear Dotson: The Senate this day by a two-thirds vote suspended Joint Rules 29.5 and 30 on Senate Bill 2170.

Sincerely,

GREGORY SCHMIDT  
Secretary of the Senate

---

Senate Chamber, August 27, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 1212

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.

August 27, 1998

*Hon. E. Dotson Wilson  
Chief Clerk of the Assembly  
Assembly Chamber*

Dear Dotson: By direction of the Senate I am returning Senate Bill 1823 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT  
Secretary of the Senate

Above bill held at the Desk.

**BILLS PLACED ON SPECIAL CONSENT CALENDAR**

The following bills were placed on the Special Consent Calendar: Assembly Bills Nos. 668, 1788, 1875, 1911, 2197, 2198, 2387, 2492, 2494, 2630, 2699, 2773; and Assembly Concurrent Resolution No. 183.

**CONSIDERATION OF CONSENT CALENDAR**

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

**Consent Calendar—Assembly Resolution**

**ASSEMBLY CONCURRENT RESOLUTION NO. 187 (Papan)**—Relative to oversized highway vehicles.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**Consent Calendar—Senate Resolution**

**SENATE CONCURRENT RESOLUTION NO. 97 (Kopp)**—Relative to the Officer Dave Chetcuti Memorial Highway.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**Consent Calendar Roll Call**

The roll was called, and the above resolutions on the Consent Calendar adopted by the following vote:

**AYES—73**

Ackerman	Davis	Lempert	Pringle
Aguiar	Ducheny	Leonard	Runner
Alby	Escutia	Margett	Scott
Alquist	Figuroa	Mazzoni	Shelley
Ashburn	Firestone	McClintock	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Thompson
Battin	Goldsmith	Morrissey	Thomson
Baugh	Granlund	Morrow	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Wright
Cardenas	Knox	Papan	Mr. Speaker
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	
Cunneen	Leach	Prenter	

**NOES—None****CONSIDERATION OF SPECIAL CONSENT CALENDAR**

The Speaker pro Tempore announced that the next roll call would be on the Special Consent Calendar.

**Consideration of Senate Amendments to Assembly Bills**

**ASSEMBLY BILL NO. 2390 (House)**—An act to amend Section 666.5 of, and to add Section 496d to, the Penal Code, relating to theft.

Assembly Bill No. 2390 read.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Baca moved a call of the Assembly.

Motion carried. Time, 9:05 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ANNOUNCEMENT**

Assembly Member Leonard announced that he would object to the adoption of committee amendments reported by the Committee on Appropriations.

**ACTION RESCINDED ON ASSEMBLY BILL NO. 1791**

Assembly Member Shelley was granted unanimous consent to rescind the action whereby on August 26, 1998 (Assembly Journal, page 9041), Assembly Bill No. 1791 was re-referred to the Committee on Health pursuant to Assembly Rule 77.2.

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Upon request of Assembly Member Shelley, Assembly Member Richter was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Bill No. 227**

August 27, 1998

*Assemblyman Antonio Villaraigosa  
Speaker of the Assembly  
Room 219  
State Capitol*

Dear Speaker Villaraigosa: I respectfully request that this letter be printed in the Assembly's Daily Journal to clarify the legislative intent of my Assembly Bill 227.

Assembly Bill 227 requires plans to pay capitation payments to contracting providers as of the date of enrollment of new enrollees, including retroactive payments. Thus, it is the intent of the Legislature to recognize there is a natural lag time that exists within the enrollment process and the provider selection process of a new enrollee. The language of AB 227 recognizes that physicians may begin to receive capitation payments sometime after enrollment of new enrollees but will also receive retroactive payments going back to enrollment.

This letter will ensure that there is no misunderstanding with the intent to provide capitation payments to contracting physicians.

Sincerely,

BERNIE RICHTER, Assembly Member  
Third District

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Upon request of Assembly Member Shelley, Assembly Member Papan was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Concurrent Resolution No. 187**

August 25, 1998

*Speaker of the Assembly  
Antonio Villaraigosa  
State Capitol, Room 219  
Sacramento, California*

Dear Speaker Villaraigosa: ACR 187 requests the Commissioner of the California Highway Patrol to conduct a six month study of the accidents involving vehicles that are 80 inches or more in width and 80 inches or more in height, when driven in the left lane of a multilane highway. The goal of the study is to determine whether these vehicles pose a visual hazard to motorists that is a causative factor in motor vehicle traffic accidents.

Vehicle Code §§ 21655 and 22348 currently regulate which highway lanes trucks and other vehicles specified in Vehicles Code § 22406 may drive upon. It is my intention in authoring this resolution that the

California Highway Patrol examine current statute as a component of the study and make its findings and recommendations accordingly.

Sincerely,

LOUIS J. PAPAN  
Dean of the Assembly

**ASSEMBLY BILL NO. 1439 WITHDRAWN FROM ENROLLMENT**

Upon request of Assembly Member Shelley, Assembly Member Alquist was granted unanimous consent that Assembly Bill No. 1439 be withdrawn from Enrollment and that the action be rescinded whereby the Assembly concurred in Senate amendments (Assembly Journal, page 8710) and that the bill be returned to the Senate for further action.

**REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 1439**

Upon request of Assembly Member Shelley, Assembly Member Granlund was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 1439.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 270 (Peace)**—An act to add Sections 2418 and 2418.1 to the Vehicle Code, relating to vehicles.

Bill read third time, and presented by Assembly Member Ducheny.

Bill passed by the following vote:

**AYES—75**

Ackerman	Cedillo	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Preter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Runner
Aroner	Escutia	Margett	Scott
Ashburn	Figueroa	Martinez	Shelley
Baca	Firestone	Mazzoni	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Morrow	Torlakson
Bowen	Havice	Murray	Vincent
Bowler	Hertzberg	Napolitano	Washington
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Wright
Cardenas	Knox	Papan	Mr. Speaker
Cardoza	Kuehl	Perata	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1896 (Peace)**—An act to amend Section 66025 of the Education Code, relating to postsecondary education.

Bill read third time, and presented by Assembly Member Ducheny.

Bill passed by the following vote:

**AYES—66**

Ackerman	Cedillo	Kuehl	Poochigian
Aguiar	Cunneen	Kuykendall	Prenter
Alby	Davis	Lempert	Scott
Alquist	Ducheny	Margett	Shelley
Aroner	Escutia	Martinez	Strom-Martin
Baca	Figueroa	Mazzoni	Sweeney
Baldwin	Firestone	Migden	Thomson
Battin	Frusetta	Miller	Torlakson
Baugh	Gallegos	Morrissey	Vincent
Bordonaro	Goldsmith	Morrow	Washington
Bowen	Granlund	Murray	Wayne
Bowler	Havice	Napolitano	Wildman
Brown	Hertzberg	Olberg	Woods
Bustamante	Honda	Oller	Wright
Campbell	Kaloogian	Ortiz	Mr. Speaker
Cardenas	Keeley	Pacheco	
Cardoza	Knox	Perata	

**NOES—5**

Ashburn	Leach	Runner
Brewer	Leonard	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2049 (Vasconcellos)**—An act to amend Section 13519.2 of, and to add Section 13603 to, the Penal Code, relating to crime prevention.

Bill read third time, and presented by Assembly Member Hertzberg.

Bill passed by the following vote:

**AYES—55**

Ackerman	Cedillo	Kuehl	Prenter
Aguiar	Davis	Lempert	Scott
Alquist	Ducheny	Margett	Shelley
Aroner	Escutia	Martinez	Strom-Martin
Ashburn	Figueroa	Mazzoni	Sweeney
Baca	Frusetta	Migden	Thomson
Baugh	Gallegos	Morrissey	Torlakson
Bordonaro	Goldsmith	Morrow	Vincent
Bowen	Havice	Murray	Washington
Brewer	Hertzberg	Napolitano	Wayne
Brown	Honda	Olberg	Wildman
Bustamante	House	Ortiz	Wright
Cardenas	Keeley	Papan	Mr. Speaker
Cardoza	Knox	Perata	

**NOES—19**

Alby	Firestone	Leonard	Pringle
Battin	Granlund	McClintock	Runner
Bowler	Kaloogian	Miller	Thompson
Campbell	Kuykendall	Oller	Woods
Cunneen	Leach	Poochigian	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 21  
BY UNANIMOUS CONSENT**

Assembly Member Papan was granted unanimous consent to take up Assembly Constitutional Amendment No. 21, out of order.

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 21 (Papan)**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (g) of Section 8 of Article III thereof, by amending Section 2 of Article IV thereof, and by amending Section 7 of Article XX thereof, relating to state government.

Resolution read third time.

**Additional Time for Debate Granted**

Assembly Member Floyd was granted unanimous consent that Assembly Member Granlund be granted 1 minute additional time for debate.

The question being on the adoption of the resolution.

Resolution refused adoption by the following vote:

**AYES—26**

Alquist	Floyd	Mazzoni	Strom-Martin
Bowen	Gallegos	Migden	Vincent
Brown	Granlund	Murray	Washington
Cedillo	Honda	Napolitano	Wright
Ducheny	Keeley	Papan	Mr. Speaker
Escutia	Kuehl	Perata	
Figueroa	Lempert	Shelley	

**NOES—38**

Ackerman	Campbell	Leach	Pacheco
Aguiar	Cardoza	Leonard	Poochigian
Alby	Cunneen	Margett	Prenter
Ashburn	Firestone	Martinez	Pringle
Baldwin	Frusetta	McClintock	Scott
Baugh	Goldsmith	Miller	Sweeney
Bordonaro	Havice	Morrissey	Thompson
Bowler	House	Morrow	Woods
Brewer	Kaloogian	Olberg	
Bustamante	Kuykendall	Oller	

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1690 (Rainey)**—An act to amend Sections 148.1, 148.5, 148.9, 150, 190, 12027, and 12031 of the Penal Code, relating to peace officers.

Bill read third time, and presented by Assembly Member Aguiar.

Bill passed by the following vote:

**AYES—70**

Ackerman	Cunneen	Lempert	Poochigian
Aguiar	Davis	Leonard	Prenter
Alby	Ducheny	Margett	Pringle
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Shelley
Baca	Firestone	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Havice	Morrow	Vincent
Bowen	Hertzberg	Murray	Washington
Bowler	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kalooogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Papan	
Cedillo	Kuykendall	Perata	

**NOES—3**

Ashburn	Brewer	Granlund
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Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1700 (Hayden)**—An act to amend Sections 13825.2, 13825.4, and 13825.6 of the Penal Code and to amend Section 1915 of the Welfare and Institutions Code, relating to crime prevention, and making an appropriation therefor, and declaring the urgency therefor, to take effect immediately.

Bill read third time, and presented by Assembly Member Cedillo.

**Urgency Clause**

Urgency clause read.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Cedillo moved a call of the Assembly.

Motion carried. Time, 9:29 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**OBJECTION TO VOTE ADDS**

Assembly Member Oller withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Oller motion to suspend Assembly Rule 77.2 as it relates to Assembly Bill No. 2795.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2795 FROM COMMITTEE**

Pursuant to the provisions of Assembly Rule 96, Assembly Member Oller gave notice that he would move to withdraw Assembly Bill No. 2795 from the Committee on Transportation.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1292 (Calderon)**—An act to add Section 1373.31 to the Health and Safety Code, relating to health care service plans.

Bill read third time, and presented by Assembly Member Gallegos.  
The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Gallegos moved a call of the Assembly.

Motion carried. Time, 9:32 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 2055 (Costa)**—An act to add Section 912.1 to the Welfare and Institutions Code, relating to the Department of the Youth Authority.

Bill read third time, and presented by Assembly Member Woods.

Bill passed by the following vote:

**AYES—70**

Ackerman	Cedillo	Kuehl	Prenter
Aguiar	Cunneen	Kuykendall	Pringle
Alby	Davis	Leach	Runner
Alquist	Ducheny	Lempert	Scott
Aroner	Escutia	Leonard	Shelley
Ashburn	Figueroa	Margett	Strom-Martin
Baca	Firestone	Mazzoni	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Torlakson
Baugh	Goldsmith	Morrissey	Vincent
Bordonaro	Granlund	Morrow	Washington
Bowen	Havice	Murray	Wayne
Bowler	Hertzberg	Napolitano	Wildman
Brewer	Honda	Olberg	Woods
Bustamante	House	Oller	Wright
Campbell	Kaloogian	Ortiz	Mr. Speaker
Cardenas	Keeley	Perata	
Cardoza	Knox	Poochigian	

**NOES—2**

Martinez                      McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2126 (Committee on Public Employment and Retirement)**—An act to amend Sections 22801, 22803, 22820, 23203, and 24201 of, and to add Sections 17193.5, 17199.5, 22147.5, 22260, and 22826 to, the Education Code, relating to the State Teachers' Retirement System.

Bill read third time, and presented by Assembly Member Knox.

Bill passed by the following vote:

**AYES—61**

Aguiar	Davis	Kuykendall	Pringle
Alquist	Ducheny	Leach	Runner
Aroner	Escutia	Lempert	Shelley
Baca	Figueroa	Margett	Strom-Martin
Baldwin	Firestone	Martinez	Sweeney
Battin	Frusetta	Mazzoni	Torlakson
Bordonaro	Gallegos	Migden	Vincent
Bowen	Goldsmith	Miller	Washington
Bowler	Granlund	Morrissey	Wayne
Brown	Havice	Morrow	Wildman
Bustamante	Hertzberg	Murray	Woods
Campbell	Honda	Napolitano	Wright
Cardenas	House	Ortiz	Mr. Speaker
Cardoza	Keeley	Perata	
Cedillo	Knox	Poochigian	
Cunneen	Kuehl	Prenter	

**NOES—8**

Ackerman	Ashburn	Brewer	McClintock
Alby	Baugh	Kaloogian	Olberg

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 2126: Assembly Member Kaloogian, from "Aye" to "No".

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1190 (Hayden)**—An act to add Section 42316.5 to the Health and Safety Code, relating to air pollution.

Bill read third time, and presented by Assembly Member Bowen.

Bill passed by the following vote:

**AYES—70**

Ackerman	Cedillo	Kuehl	Prenter
Aguiar	Cunneen	Leach	Pringle
Alby	Davis	Lempert	Scott
Alquist	Ducheny	Leonard	Shelley
Aroner	Escutia	Margett	Strom-Martin
Ashburn	Figueroa	Martinez	Sweeney
Baca	Firestone	Mazzoni	Thompson
Battin	Frusetta	Migden	Thomson
Baugh	Gallegos	Miller	Torlakson
Bordonaro	Goldsmith	Morrissey	Vincent
Bowen	Granlund	Morrow	Washington
Bowler	Havice	Murray	Wayne
Brewer	Hertzberg	Napolitano	Wildman
Brown	Honda	Olberg	Woods
Bustamante	House	Ortiz	Wright
Campbell	Kaloogian	Pacheco	Mr. Speaker
Cardenas	Keeley	Perata	
Cardoza	Knox	Poochigian	

**NOES—2**

Baldwin	McClintock
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Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1832 (Kelley)**—An act to amend Section 52488 of, and to add and repeal Article 9.5 (commencing with Section 52495) to Chapter 9 of Part 28 of, the Education Code, relating to an education incentive program.

Bill read third time, and presented by Assembly Member Woods.

Bill passed by the following vote:

**AYES—75**

Ackerman	Cedillo	Kuehl	Poochigian
Aguiar	Cunneen	Kuykendall	Prenter
Alby	Davis	Leach	Pringle
Alquist	Ducheny	Lempert	Runner
Aroner	Escutia	Leonard	Scott
Ashburn	Figueroa	Margett	Shelley
Baca	Firestone	Martinez	Strom-Martin
Baldwin	Floyd	Mazzoni	Sweeney
Battin	Frusetta	Migden	Thompson
Baugh	Gallegos	Miller	Thomson
Bordonaro	Goldsmith	Morrissey	Torlakson
Bowen	Granlund	Morrow	Vincent
Bowler	Havice	Murray	Washington
Brewer	Hertzberg	Napolitano	Wayne
Brown	Honda	Olberg	Wildman
Bustamante	House	Oller	Woods
Campbell	Kaloogian	Ortiz	Wright
Cardenas	Keeley	Pacheco	Mr. Speaker
Cardoza	Knox	Perata	

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1835 (Johnston)**—An act to amend Sections 51201, 51243, 51243.5, 51255, 51257, 51290, 51290.5, 51291, and 51295 of the Government Code, relating to land use.

Bill read third time, and presented by Assembly Member Keeley.

Bill passed by the following vote:

**AYES—74**

Ackerman	Cunneen	Kuykendall	Poochigian
Aguiar	Davis	Leach	Prenter
Alby	Ducheny	Lempert	Pringle
Alquist	Escutia	Leonard	Runner
Aroner	Figueroa	Margett	Scott
Baca	Firestone	Martinez	Shelley
Baldwin	Floyd	Mazzoni	Strom-Martin
Battin	Frusetta	Migden	Sweeney
Baugh	Gallegos	Miller	Thompson
Bordonaro	Goldsmith	Morrissey	Thomson
Bowen	Granlund	Morrow	Torlakson
Bowler	Havice	Murray	Vincent
Brewer	Hertzberg	Napolitano	Washington
Brown	Honda	Olberg	Wayne
Bustamante	House	Oller	Wildman
Campbell	Kaloogian	Ortiz	Woods
Cardenas	Keeley	Pacheco	Wright
Cardoza	Knox	Perata	Mr. Speaker
Cedillo	Kuehl		

**NOES—1**

Ashburn

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1909 (Rosenthal)**—An act to amend Section 1280 of the Unemployment Insurance Code, relating to unemployment compensation, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Knox.

The roll was opened.

#### **Call of the Assembly**

Pending the announcement of the vote, Assembly Member Knox moved a call of the Assembly.

Motion carried. Time, 9:50 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1933 (Johnston)**—An act to add Section 3202.3 to the Labor Code, and to add Section 2601.5 to the Unemployment Insurance Code, relating to alien workers, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Cedillo.

The roll was opened.

#### **Call of the Assembly**

Pending the announcement of the vote, Assembly Member Cedillo moved a call of the Assembly.

Motion carried. Time, 10 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

#### **SPECIAL COMMITTEE MEETINGS**

Unanimous consent that the Committee on Water, Parks and Wildlife be permitted to hold a special meeting at this time, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 1182 for hearing.

#### **MESSAGES FROM THE SENATE**

Senate Chamber, August 27, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 194  
Assembly Bill No. 750  
Assembly Bill No. 828  
Assembly Bill No. 1820

Assembly Bill No. 1915  
Assembly Bill No. 2056  
Assembly Bill No. 2772

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 27, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 180  
Assembly Concurrent Resolution No. 190

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, August 27, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 117  
Assembly Bill No. 2527

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.

August 27, 1998

*Hon. E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*Assembly Chamber*

Dear Dotson: By direction of the Senate I am returning Assembly Bill 2217 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT  
Secretary of the Senate

Above bill held at the Desk.

**CONSIDERATION OF DAILY FILE (RESUMED)**  
**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1934 (Johnston)**—An act to add Section 14669.20 to the Government Code, relating to state property.

Bill read third time, and presented by Assembly Member Goldsmith.

Bill passed by the following vote:

**AYES—75**

Ackerman	Cedillo	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Runner
Aroner	Escutia	Margett	Scott
Ashburn	Figueroa	Martinez	Shelley
Baca	Firestone	Mazzoni	Strom-Martin
Baldwin	Floyd	McClintock	Sweeney
Battin	Frusetta	Migden	Thompson
Baugh	Gallegos	Miller	Thomson
Bordonaro	Goldsmith	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Perata	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2138 (Vasconcellos)**—An act to add Sections 48645.8 and 51220.6 to the Education Code, and to add Sections 885.5, 896.5, 1124.5, and 1857.5 to the Welfare and Institutions Code, relating to parenting education.

Bill read third time, and presented by Assembly Member Aroner.  
The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Aroner moved a call of the Assembly.

Motion carried. Time, 10:05 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**BILLS PASSED ON FILE**

**Senate Bill No. 1913**—Passed on file.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1370 (Polanco)**—An act to amend Section 42239 of the Education Code, relating to education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Sweeney.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—73**

Ackerman	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Pringle
Alby	Davis	Leonard	Runner
Alquist	Ducheny	Margett	Scott
Aroner	Escutia	Martinez	Shelley
Ashburn	Figueroa	Mazzoni	Strom-Martin
Baca	Firestone	McClintock	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Torlakson
Baugh	Goldsmith	Morrissey	Vincent
Bordonaro	Havice	Morrow	Washington
Bowen	Hertzberg	Murray	Wayne
Bowler	Honda	Napolitano	Wildman
Brewer	House	Olberg	Woods
Brown	Kaloogian	Oller	Wright
Bustamante	Keeley	Ortiz	Mr. Speaker
Campbell	Knox	Pacheco	
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—73**

Ackerman	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Pringle
Alby	Davis	Leonard	Runner
Alquist	Ducheny	Margett	Scott
Aroner	Escutia	Martinez	Shelley
Ashburn	Figueroa	Mazzoni	Strom-Martin
Baca	Firestone	McClintock	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Torlakson
Baugh	Goldsmith	Morrissey	Vincent
Bordonaro	Havice	Morrow	Washington
Bowen	Hertzberg	Murray	Wayne
Bowler	Honda	Napolitano	Wildman
Brewer	House	Olberg	Woods
Brown	Kaloogian	Oller	Wright
Bustamante	Keeley	Ortiz	Mr. Speaker
Campbell	Knox	Pacheco	
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1415 (Burton)**—An act relating to the Chabot Observatory and Science Center, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Olberg.

Bill passed by the following vote:

**AYES—61**

Ackerman	Davis	Leonard	Scott
Aguiar	Escutia	Margett	Shelley
Alquist	Figueroa	Martinez	Strom-Martin
Aroner	Firestone	Mazzoni	Sweeney
Baca	Frusetta	Migden	Thomson
Battin	Gallegos	Miller	Torlakson
Baugh	Goldsmith	Morrissey	Vincent
Bordonaro	Havice	Murray	Washington
Bowen	Hertzberg	Napolitano	Wayne
Brewer	Honda	Olberg	Wildman
Brown	Keeley	Ortiz	Woods
Bustamante	Knox	Pacheco	Wright
Cardenas	Kuehl	Perata	Mr. Speaker
Cardoza	Kuykendall	Prenter	
Cedillo	Leach	Pringle	
Cunneen	Lempert	Runner	

**NOES—10**

Alby	Campbell	McClintock	Thompson
Ashburn	House	Morrow	
Baldwin	Kaloogian	Oller	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2208 (Sher)**—An act to add Chapter 6 (commencing with Section 104310) to Part 1 of Division 103 of the Health and Safety Code, relating to health.

Bill read third time, and presented by Assembly Member Migden.

Bill passed by the following vote:

**AYES—49**

Aguiar	Ducheny	Martinez	Thompson
Alquist	Escutia	Mazzoni	Thomson
Aroner	Figueroa	Migden	Torlakson
Baca	Frusetta	Morrissey	Vincent
Bordonaro	Gallegos	Murray	Washington
Bowen	Goldsmith	Napolitano	Wayne
Brown	Havice	Ortiz	Wildman
Bustamante	Hertzberg	Perata	Woods
Cardenas	Honda	Prenter	Wright
Cardoza	Keeley	Scott	Mr. Speaker
Cedillo	Knox	Shelley	
Cunneen	Kuehl	Strom-Martin	
Davis	Lempert	Sweeney	

**NOES—22**

Ackerman	Brewer	Margett	Pacheco
Alby	Campbell	McClintock	Poochigian
Ashburn	House	Miller	Pringle
Baldwin	Kaloogian	Morrow	Runner
Baugh	Leach	Olberg	
Bowler	Leonard	Oller	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1454 (Leslie)**—An act to amend Sections 1786.2, 1786.10, 1786.12, 1786.16, 1786.18, 1786.20, 1786.24, 1786.26, 1786.30, 1786.40, and 1786.50 of, and to add Section 1786.11 to, the Civil Code, relating to investigative consumer reporting.

Bill read third time, and presented by Assembly Member Bowler.

Bill passed by the following vote:

**AYES—73**

Ackerman	Cedillo	Lempert	Pringle
Aguiar	Cunneen	Leonard	Runner
Alby	Davis	Margett	Scott
Alquist	Ducheny	Martinez	Shelley
Aroner	Escutia	Mazzoni	Strom-Martin
Ashburn	Figueroa	McClintock	Sweeney
Baca	Firestone	Migden	Thompson
Baldwin	Frusetta	Miller	Thomson
Battin	Gallegos	Morrissey	Torlakson
Baugh	Goldsmith	Morrow	Vincent
Bordonaro	Havice	Murray	Washington
Bowen	Hertzberg	Napolitano	Wayne
Bowler	Honda	Olberg	Wildman
Brewer	Kaloogian	Oller	Woods
Brown	Keeley	Ortiz	Wright
Bustamante	Knox	Pacheco	Mr. Speaker
Campbell	Kuehl	Perata	
Cardenas	Kuykendall	Poochigian	
Cardoza	Leach	Prenter	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1611 (Burton)**—An act to amend Section 3541 of the Government Code, relating to public employees.

Bill read third time, and presented by Assembly Member Honda.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Honda moved a call of the Assembly.

Motion carried. Time, 10:22 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 715 (Sher)**—An act to amend Sections 21080.5, 21083, and 21159.9 of, and to add Section 21081.8 to, the Public Resources Code, relating to environmental quality.

Bill read third time, and presented by Assembly Member Bowen.

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, 10:25 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 489 (Alpert)**—An act to add and repeal Section 2166.5 of the Elections Code, and to add and repeal Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code, relating to public records, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Wayne.

Bill passed by the following vote:

**AYES—70**

Ackerman	Cardoza	Kuehl	Preter
Aguiar	Cedillo	Kuykendall	Runner
Alby	Cunneen	Leach	Scott
Alquist	Davis	Lempert	Shelley
Aroner	Ducheny	Leonard	Strom-Martin
Ashburn	Escutia	Margett	Sweeney
Baca	Figueroa	Martinez	Thompson
Baldwin	Firestone	Mazzoni	Thomson
Battin	Frusetta	Migden	Torlakson
Baugh	Gallegos	Miller	Vincent
Bordonaro	Goldsmith	Morrissey	Washington
Bowen	Havice	Morrow	Wayne
Bowler	Hertzberg	Murray	Wildman
Brewer	Honda	Napolitano	Woods
Brown	House	Olberg	Wright
Bustamante	Kaloogian	Ortiz	Mr. Speaker
Campbell	Keeley	Perata	
Cardenas	Knox	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**At 10:29 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

**SENATE BILL NO. 1879 (Hayden)**—An act to amend Section 20093 of the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and presented by Assembly Member Honda.

Bill passed by the following vote:

**AYES—47**

Alquist	Escutia	Martinez	Shelley
Aroner	Figueroa	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Bowen	Gallegos	Migden	Thomson
Brown	Goldsmith	Morrissey	Torlakson
Bustamante	Havice	Murray	Vincent
Cardenas	Hertzberg	Napolitano	Washington
Cardoza	Honda	Ortiz	Wayne
Cedillo	Keeley	Pacheco	Wildman
Cunneen	Knox	Perata	Wright
Davis	Kuehl	Prenter	Mr. Speaker
Ducheny	Lempert	Scott	

**NOES—25**

Ackerman	Bordonaro	Leonard	Pringle
Aguiar	Bowler	Margett	Runner
Alby	Brewer	Miller	Thompson
Ashburn	Campbell	Morrow	Woods
Baldwin	House	Olberg	
Battin	Kaloogian	Oller	
Baugh	Leach	Poochigian	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1955 (Peace)**—An act to add Section 12315 to the Welfare and Institutions Code, relating to public social services.

Bill read third time, and presented by Assembly Member Hertzberg.

Bill passed by the following vote:

**AYES—61**

Aguiar	Cunneen	Kuykendall	Scott
Alby	Davis	Leach	Shelley
Alquist	Ducheny	Lempert	Strom-Martin
Aroner	Escutia	Martinez	Sweeney
Baca	Figueroa	Mazzoni	Thomson
Baldwin	Firestone	Migden	Torlakson
Battin	Frusetta	Miller	Vincent
Bordonaro	Gallegos	Morrissey	Washington
Bowen	Goldsmith	Morrow	Wayne
Bowler	Havice	Murray	Wildman
Brown	Hertzberg	Napolitano	Woods
Bustamante	Honda	Ortiz	Wright
Campbell	Kaloogian	Perata	Mr. Speaker
Cardenas	Keeley	Prenter	
Cardoza	Knox	Pringle	
Cedillo	Kuehl	Runner	

**NOES—9**

Ackerman	Brewer	Olberg
Ashburn	House	Oller
Baugh	Margett	Pacheco

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2224 (Alpert)**—An act to add Section 24313 to the Education Code, relating to the State Teachers' Retirement System, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Honda.  
The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Honda moved a call of the Assembly.

Motion carried. Time, 10:36 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 184 (Polanco)**—An act to amend Sections 7301, 7348, 7358, 7362.1, 7362.2, 7362.3, 7390, 7391, 7392, 7393, 7394, 7395, and 7423.5 of, to add Sections 7302 and 7427 to, and to repeal and add Section 7303 of, the Business and Professions Code, relating to barbering and cosmetology.

Bill read third time, and presented by Assembly Member Cardenas.

Bill passed by the following vote:

**AYES—49**

Aguiar	Ducheny	Leach	Strom-Martin
Alquist	Escutia	Lempert	Sweeney
Aroner	Figueroa	Martinez	Thomson
Baca	Firestone	Mazzoni	Torlakson
Bordonaro	Frusetta	Migden	Vincent
Bowen	Gallegos	Morrissey	Washington
Brown	Havice	Murray	Wayne
Bustamante	Hertzberg	Napolitano	Wildman
Cardenas	Honda	Ortiz	Wright
Cardoza	Keeley	Perata	Mr. Speaker
Cedillo	Knox	Prenter	
Cunneen	Kuehl	Scott	
Davis	Kuykendall	Shelley	

**NOES—24**

Ackerman	Bowler	Leonard	Oller
Alby	Brewer	Margett	Pacheco
Ashburn	Campbell	McClintock	Poochigian
Baldwin	Goldsmith	Miller	Pringle
Battin	House	Morrow	Runner
Baugh	Kaloogian	Olberg	Thompson

Bill ordered transmitted to the Senate.

**At 10:40 p.m., Hon. Fred Keeley, 27th District, presiding**

**SENATE BILL NO. 2234 (Committee on Revenue and Taxation)**—An act to amend Sections 17053.5, 17053.45, 17053.46, 17053.49, 17140.3, 17276.2, 17302, 18622, 18711, 18721, 18741, 18763, 18782, 18793, 18801, 18812, 18821, 18841, 18871, 19059, 19060, 19311, 23153, 23456, 23612.2, 23645, 23646, 23649, and 24416.2, 24424, and 30436 of the Revenue and Taxation Code, and to amend Sections 1088, 1185, 13021, and 13028 of the Unemployment Insurance Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Knox.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—74**

Ackerman	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Pringle
Alby	Davis	Leonard	Runner
Alquist	Ducheny	Margett	Scott
Aroner	Escutia	Martinez	Shelley
Ashburn	Figueroa	Mazzoni	Strom-Martin
Baca	Firestone	McClintock	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Havice	Morrow	Vincent
Bowen	Hertzberg	Murray	Washington
Bowler	Honda	Napolitano	Wayne
Brewer	House	Olberg	Wildman
Brown	Kaloogian	Oller	Woods
Bustamante	Keeley	Ortiz	Wright
Campbell	Knox	Pacheco	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	

**NOES—None**

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—74**

Ackerman	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Pringle
Alby	Davis	Leonard	Runner
Alquist	Ducheny	Margett	Scott
Aroner	Escutia	Martinez	Shelley
Ashburn	Figueroa	Mazzoni	Strom-Martin
Baca	Firestone	McClintock	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Havice	Morrow	Vincent
Bowen	Hertzberg	Murray	Washington
Bowler	Honda	Napolitano	Wayne
Brewer	House	Olberg	Wildman
Brown	Kaloogian	Oller	Woods
Bustamante	Keeley	Ortiz	Wright
Campbell	Knox	Pacheco	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2030 (Costa)**—An act to add Section 10609.5 to the Welfare and Institutions Code, relating to child welfare services.

Bill read third time, and presented by Assembly Member Aroner.

Bill passed by the following vote:

**AYES—73**

Ackerman	Cedillo	Leach	Pringle
Aguiar	Cunneen	Lempert	Runner
Alby	Davis	Leonard	Scott
Alquist	Ducheny	Margett	Shelley
Aroner	Escutia	Martinez	Strom-Martin
Ashburn	Figueroa	Mazzoni	Sweeney
Baca	Firestone	McClintock	Thompson
Baldwin	Frusetta	Migden	Thomson
Battin	Gallegos	Miller	Torlakson
Baugh	Goldsmith	Morrissey	Vincent
Bordonaro	Havice	Morrow	Washington
Bowen	Hertzberg	Murray	Wayne
Bowler	Honda	Napolitano	Wildman
Brewer	House	Oller	Woods
Brown	Kaloogian	Ortiz	Wright
Bustamante	Keeley	Pacheco	Mr. Speaker
Campbell	Knox	Perata	
Cardenas	Kuehl	Poochigian	
Cardoza	Kuykendall	Prenter	

**NOES—1**

Olberg

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1868 (Hughes)**—An act to add and repeal Chapter 4 (commencing with Section 2950) of Part 5 of Division 4 of the Probate Code, and to amend Section 15636 of, and to add Section 9721.5 to, the Welfare and Institutions Code, relating to elder and dependent adult abuse, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Washington.

Bill passed by the following vote:

**AYES—61**

Aguiar	Davis	Lempert	Shelley
Alby	Ducheny	Leonard	Strom-Martin
Alquist	Escutia	Margett	Sweeney
Aroner	Figueroa	Martinez	Thompson
Baca	Firestone	Mazzoni	Thomson
Battin	Frusetta	Migden	Torlakson
Bordonaro	Gallegos	Miller	Vincent
Bowen	Goldsmith	Morrissey	Washington
Bowler	Havice	Morrow	Wayne
Brown	Hertzberg	Murray	Wildman
Bustamante	Honda	Napolitano	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Perata	Mr. Speaker
Cardoza	Kuehl	Prenter	
Cedillo	Kuykendall	Pringle	
Cunneen	Leach	Scott	

**NOES—13**

Ackerman	Brewer	Olberg	Runner
Ashburn	House	Oller	
Baldwin	Kaloogian	Pacheco	
Baugh	McClintock	Poochigian	

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1424 (Martinez)**—An act to add Article 9 (commencing with Section 885) to Chapter 4 of Part 1 of Division 1 of the Public Utilities Code, relating to telecommunications.

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**

Alby	Escutia	Leach	Strom-Martin
Alquist	Figueroa	Lempert	Sweeney
Aroner	Firestone	Martinez	Thomson
Baca	Frusetta	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Vincent
Brown	Havice	Morrissey	Washington
Bustamante	Hertzberg	Murray	Wayne
Campbell	Honda	Napolitano	Wildman
Cardenas	House	Ortiz	Wright
Cedillo	Keeley	Pacheco	Mr. Speaker
Cunneen	Knox	Perata	
Davis	Kuehl	Scott	
Ducheny	Kuykendall	Shelley	

**NOES—21**

Ackerman	Bordonaro	McClintock	Runner
Aguiar	Bowler	Miller	Thompson
Ashburn	Brewer	Morrow	Woods
Baldwin	Kaloogian	Olberg	
Battin	Leonard	Poochigian	
Baugh	Margett	Prenter	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2491 (Martinez)**—An act to amend Section 35810 of the Health and Safety Code, relating to redlining.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—45**

Alquist	Escutia	Mazzoni	Sweeney
Aroner	Figueroa	Migden	Thomson
Baca	Frusetta	Morrissey	Torlakson
Bowen	Gallegos	Murray	Vincent
Brown	Havice	Napolitano	Washington
Bustamante	Hertzberg	Ortiz	Wayne
Cardenas	Honda	Pacheco	Wildman
Cardoza	Keeley	Perata	Wright
Cedillo	Knox	Prenter	Mr. Speaker
Cunneen	Kuehl	Scott	
Davis	Lempert	Shelley	
Ducheny	Martinez	Strom-Martin	

**NOES—27**

Ackerman	Bordonaro	Leach	Oller
Aguiar	Bowler	Leonard	Poochigian
Alby	Brewer	Margett	Pringle
Ashburn	Campbell	McClintock	Runner
Baldwin	House	Miller	Thompson
Battin	Kaloogian	Morrow	Woods
Baugh	Kuykendall	Olberg	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1096 (Martinez)**—An act to amend Section 2889.5 of the Public Utilities Code, relating to telephone 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**

Aguiar	Cunneen	Lempert	Shelley
Alby	Davis	Leonard	Strom-Martin
Alquist	Ducheny	Margett	Sweeney
Aroner	Figueroa	Martinez	Thompson
Baca	Firestone	Mazzoni	Thomson
Baldwin	Frusetta	Migden	Torlakson
Battin	Gallegos	Miller	Vincent
Bordonaro	Goldsmith	Morrissey	Washington
Bowen	Havice	Murray	Wayne
Brewer	Honda	Napolitano	Wildman
Brown	House	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Perata	Mr. Speaker
Cardenas	Kuehl	Prenter	
Cardoza	Kuykendall	Pringle	
Cedillo	Leach	Scott	

**NOES—11**

Ackerman	Bowler	Morrow	Poochigian
Ashburn	Kaloogian	Olberg	Runner
Baugh	McClintock	Oller	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1161 (Committee on Utilities and Commerce)**—An act to amend Section 2893 of the Public Utilities Code, relating to telecommunications.

Bill presented by Assembly Member Martinez.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—44**

Alby	Ducheny	Lempert	Shelley
Alquist	Figueroa	Martinez	Strom-Martin
Aroner	Frusetta	Mazzoni	Sweeney
Baca	Gallegos	Migden	Thomson
Bowen	Goldsmith	Morrissey	Torlakson
Brown	Havice	Murray	Vincent
Bustamante	Honda	Napolitano	Washington
Cardenas	Keeley	Ortiz	Wayne
Cardoza	Knox	Perata	Wildman
Cedillo	Kuehl	Prenter	Wright
Davis	Leach	Scott	Mr. Speaker

**NOES—28**

Ackerman	Bowler	Kuykendall	Oller
Aguiar	Brewer	Leonard	Pacheco
Ashburn	Campbell	Margett	Poochigian
Baldwin	Cunneen	McClintock	Pringle
Battin	Firestone	Miller	Runner
Baugh	House	Morrow	Thompson
Bordonaro	Kaloogian	Olberg	Woods

**Vote Changes**

By unanimous consent, the following vote changes were permitted on concurrence in Senate amendments to Assembly Bill No. 1161: Assembly Members Aguiar and Bordonaro, from “Aye” to “No”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1642 (Bowen)**—An act to add Sections 43830.5 and 43830.7 to the Health and Safety Code, relating to motor vehicle fuel.

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	Cardoza	Leach	Poochigian
Aguiar	Cedillo	Lempert	Prenter
Alby	Cunneen	Leonard	Pringle
Alquist	Davis	Margett	Runner
Aroner	Ducheny	Martinez	Scott
Ashburn	Escutia	Mazzoni	Shelley
Baca	Figueroa	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Perata	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2011 (Hertzberg)**—An act to amend Sections 12001, 12026.2, 12070, 12072, 12077, and 12078 of, and to add Sections 11108.3, 11108.7, and 11108.9 to, the Penal Code, relating to firearms, 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—72**

Ackerman	Cardoza	Kuehl	Perata
Aguiar	Cedillo	Kuykendall	Poochigian
Alby	Cunneen	Leach	Prenter
Alquist	Davis	Lempert	Runner
Aroner	Ducheny	Leonard	Scott
Ashburn	Escutia	Margett	Shelley
Baca	Figueroa	Martinez	Strom-Martin
Baldwin	Firestone	Mazzoni	Sweeney
Battin	Frusetta	Migden	Thompson
Baugh	Gallegos	Miller	Thomson
Bordonaro	Goldsmith	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker

**NOES—None**

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—72**

Ackerman	Cardoza	Kuehl	Perata
Aguiar	Cedillo	Kuykendall	Poochigian
Alby	Cunneen	Leach	Prenter
Alquist	Davis	Lempert	Runner
Aroner	Ducheny	Leonard	Scott
Ashburn	Escutia	Margett	Shelley
Baca	Figueroa	Martinez	Strom-Martin
Baldwin	Firestone	Mazzoni	Sweeney
Battin	Frusetta	Migden	Thompson
Baugh	Gallegos	Miller	Thomson
Bordonaro	Goldsmith	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 821 (Takasugi)**—An act to amend Sections 11002 and 11003 of the Government Code, and to amend Sections 7084, 7091, and 7097 of, and to add Sections 6593.5, 6832, 6964, and 7094.1 to, the Revenue and Taxation Code, relating to taxation.

Bill presented by Assembly Member Miller.

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	Cedillo	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Runner
Aroner	Escutia	Margett	Scott
Ashburn	Figueroa	Mazzoni	Shelley
Baca	Firestone	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Perata	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1655 (Wright)**—An act amend Sections 1216 and 4016.5 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—73**

Ackerman	Cedillo	Leach	Pringle
Aguiar	Cunneen	Lempert	Runner
Alby	Davis	Leonard	Scott
Alquist	Ducheny	Margett	Shelley
Aroner	Escutia	Martinez	Strom-Martin
Ashburn	Figueroa	Mazzoni	Sweeney
Baca	Firestone	Migden	Thompson
Baldwin	Frusetta	Miller	Thomson
Battin	Gallegos	Morrissey	Torlakson
Baugh	Goldsmith	Morrow	Vincent
Bordonaro	Havice	Murray	Washington
Bowen	Hertzberg	Napolitano	Wayne
Bowler	Honda	Olberg	Wildman
Brewer	House	Oller	Woods
Brown	Kaloogian	Ortiz	Wright
Bustamante	Keeley	Pacheco	Mr. Speaker
Campbell	Knox	Perata	
Cardenas	Kuehl	Poochigian	
Cardoza	Kuykendall	Prenter	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 698 (Cardenas)**—An act to amend Sections 1540 and 1571 of the Code of Civil Procedure, relating to unclaimed 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—52**

Aguiar	Ducheny	Lempert	Scott
Alquist	Escutia	Leonard	Shelley
Aroner	Figueroa	Martinez	Strom-Martin
Baca	Frusetta	Mazzoni	Sweeney
Bordonaro	Gallegos	Migden	Thompson
Bowen	Havice	Morrissey	Thomson
Brown	Hertzberg	Murray	Torlakson
Bustamante	Honda	Napolitano	Vincent
Cardenas	Kaloogian	Oller	Washington
Cardoza	Keeley	Ortiz	Wayne
Cedillo	Knox	Pacheco	Wildman
Cunneen	Kuehl	Perata	Wright
Davis	Leach	Poochigian	Mr. Speaker

**NOES—18**

Ackerman	Baugh	Margett	Pringle
Alby	Bowler	Miller	Runner
Ashburn	Brewer	Morrow	Woods
Baldwin	Campbell	Olberg	
Battin	House	Prenter	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2611 (Kuehl)**—An act to add Chapter 2.3 (commencing with Section 26567.1) to Division 17 of the Public Resources Code, relating to geologic hazard abatement districts.

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**

Aguiar	Cedillo	Kuykendall	Perata
Alby	Cunneen	Leach	Poochigian
Alquist	Davis	Lempert	Prenter
Aroner	Ducheny	Margett	Runner
Ashburn	Escutia	Martinez	Scott
Baca	Figueroa	Mazzoni	Shelley
Battin	Firestone	McClintock	Strom-Martin
Baugh	Gallegos	Migden	Sweeney
Bordonaro	Goldsmith	Miller	Thomson
Bowen	Havice	Morrissey	Torlakson
Bowler	Hertzberg	Morrow	Vincent
Brewer	Honda	Murray	Washington
Brown	House	Napolitano	Wayne
Bustamante	Kaloogian	Olberg	Wildman
Campbell	Keeley	Oller	Woods
Cardenas	Knox	Ortiz	Wright
Cardoza	Kuehl	Pacheco	Mr. Speaker

**NOES—4**

Ackerman	Frusetta	Leonard	Thompson
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2621 (Hertzberg)**—An act to amend Section 56302 of the Government Code, relating to local government reorganization.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—51**

Aguiar	Davis	Kuykendall	Shelley
Alquist	Ducheny	Lempert	Strom-Martin
Aroner	Escutia	Margett	Sweeney
Baca	Figueroa	Martinez	Thomson
Bordonaro	Frusetta	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Vincent
Bowler	Goldsmith	Miller	Washington
Brown	Havice	Morrissey	Wayne
Bustamante	Hertzberg	Murray	Wildman
Cardenas	Honda	Napolitano	Woods
Cardoza	Keeley	Ortiz	Wright
Cedillo	Knox	Perata	Mr. Speaker
Cunneen	Kuehl	Scott	

**NOES—22**

Ackerman	Brewer	McClintock	Prenter
Alby	Campbell	Morrow	Pringle
Ashburn	House	Olberg	Runner
Baldwin	Kaloojian	Oller	Thompson
Battin	Leach	Pacheco	
Baugh	Leonard	Poochigian	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 310 (Kuehl)**—An act to amend Sections 12926, 12940, 12945, 12965, and 12989.2 of the Government Code, relating to discrimination.

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 Kuehl moved a call of the Assembly.

Motion carried. Time, 11:07 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 332 (Figueroa)**—An act to add Section 733 to the Business and Professions Code, to amend Section 1363.5 of, and to add Section 1368.07 to, the Health and Safety Code, and to add Sections 791.28 and 10123.91 to the Insurance Code, relating to health care.

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—55**

Ackerman	Cedillo	Kuehl	Pringle
Aguiar	Cunneen	Kuykendall	Scott
Alby	Davis	Leach	Shelley
Alquist	Ducheny	Lempert	Strom-Martin
Aroner	Escutia	Margett	Sweeney
Baca	Figueroa	Martinez	Thomson
Battin	Firestone	Mazzoni	Torlakson
Bordonaro	Frusetta	Migden	Vincent
Bowen	Gallegos	Morrissey	Washington
Bowler	Havice	Murray	Wayne
Brown	Hertzberg	Napolitano	Wildman
Bustamante	Honda	Ortiz	Wright
Cardenas	Keeley	Pacheco	Mr. Speaker
Cardoza	Knox	Perata	

**NOES—19**

Ashburn	Goldsmith	Miller	Prenter
Baldwin	House	Morrow	Runner
Baugh	Kalooagian	Olberg	Thompson
Brewer	Leonard	Oller	Woods
Campbell	McClintock	Poochigian	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 952 (Brown)**—An act to amend Sections 19605.1, 19605.2, 19606.1, and 19630 of, and to amend and repeal Section 19405 of, the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—68**

Ackerman	Cardenas	Kuykendall	Perata
Aguiar	Cardoza	Leach	Poochigian
Alby	Cedillo	Lempert	Prenter
Alquist	Cunneen	Leonard	Pringle
Aroner	Davis	Margett	Runner
Ashburn	Ducheny	Martinez	Scott
Baca	Escutia	Mazzoni	Shelley
Baldwin	Figueroa	McClintock	Strom-Martin
Battin	Frusetta	Migden	Sweeney
Baugh	Gallegos	Miller	Thomson
Bordonaro	Goldsmith	Morrissey	Torlakson
Bowen	Hertzberg	Morrow	Vincent
Bowler	Honda	Murray	Wayne
Brewer	Kalooagian	Napolitano	Wildman
Brown	Keeley	Olberg	Woods
Bustamante	Knox	Oller	Wright
Campbell	Kuehl	Ortiz	Mr. Speaker

**NOES—3**

House	Thompson	Washington
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 964 (Bowen)**—An act to add Sections 42846.5 and 42889.1 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—43**

Alquist	Ducheny	Kuykendall	Strom-Martin
Aroner	Escutia	Lempert	Sweeney
Baca	Figueroa	Martinez	Thomson
Bordonaro	Firestone	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Vincent
Brown	Havice	Murray	Washington
Bustamante	Hertzberg	Napolitano	Wayne
Cardenas	Honda	Ortiz	Wildman
Cardoza	Keeley	Perata	Wright
Cedillo	Knox	Scott	Mr. Speaker
Davis	Kuehl	Shelley	

**NOES—29**

Ackerman	Campbell	McClintock	Prenter
Aguiar	Frusetta	Miller	Pringle
Alby	Goldsmith	Morrissey	Runner
Ashburn	House	Morrow	Thompson
Baldwin	Kaloogian	Olberg	Woods
Battin	Leach	Oller	
Baugh	Leonard	Pacheco	
Bowler	Margett	Poochigian	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1077 (Cardoza)**—An act to amend, repeal, and add Section 1347 of the Penal Code, relating to crime victims.

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	Cardoza	Kuykendall	Poochigian
Aguiar	Cedillo	Leach	Prenter
Alby	Cunneen	Lempert	Pringle
Alquist	Davis	Leonard	Runner
Aroner	Escutia	Margett	Scott
Ashburn	Figueroa	Martinez	Shelley
Baca	Firestone	Mazzoni	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Mr. Speaker
Cardenas	Kuehl	Perata	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1078 (Cardoza)**—An act to amend Section 290 of the Penal Code, relating to sex offenders.

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	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Runner
Alby	Ducheny	Margett	Scott
Alquist	Escutia	Martinez	Shelley
Aroner	Figueroa	Mazzoni	Strom-Martin
Ashburn	Firestone	McClintock	Sweeney
Baca	Frusetta	Migden	Thompson
Baldwin	Gallegos	Miller	Thomson
Battin	Goldsmith	Morrissey	Torlakson
Baugh	Havice	Morrow	Vincent
Bordonaro	Hertzberg	Murray	Washington
Bowen	Honda	Napolitano	Wayne
Bowler	House	Olberg	Wildman
Brewer	Kaloogian	Oller	Woods
Brown	Keeley	Ortiz	Wright
Campbell	Knox	Pacheco	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1134 (Machado)**—An act to amend Section 8646 of, and to add and repeal Section 8674.5 of, the Business and Professions Code, and to amend Sections 12996, 12998, 12999, 12999.4, 12999.5, and 15205 of, to add Section 12999.2 to, and to add Chapter 7.5 (commencing with Section 15300) to Division 7 of, the Food and Agricultural Code, relating to structural pest control, and making an appropriation therefor.

Bill presented by Assembly Member Figueroa.

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	Cedillo	Kuykendall	Pringle
Aguiar	Cunneen	Leach	Runner
Alby	Davis	Lempert	Scott
Alquist	Ducheny	Margett	Shelley
Aroner	Escutia	Martinez	Strom-Martin
Ashburn	Figueroa	Mazzoni	Sweeney
Baca	Firestone	Migden	Thompson
Battin	Frusetta	Morrissey	Thomson
Bordonaro	Gallegos	Murray	Torlakson
Bowen	Havice	Napolitano	Vincent
Bowler	Hertzberg	Olberg	Washington
Brewer	Honda	Ortiz	Wayne
Brown	House	Pacheco	Wildman
Bustamante	Keeley	Perata	Wright
Cardenas	Knox	Poochigian	Mr. Speaker
Cardoza	Kuehl	Prenter	

**NOES—9**

Baldwin	Kalooagian	Morrow
Baugh	McClintock	Oller
Campbell	Miller	Woods

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 818 (Martinez)**—An act to add Section 1365.6 to the Health and Safety Code, and to add Section 14132.51 to the Welfare and Institutions Code, relating to HIV.

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 Martinez moved a call of the Assembly.

Motion carried. Time, 11:23 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 954 (Martinez)**—An act to amend Section 87482.5 of the Education Code, relating to community colleges.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Martinez moved a call of the Assembly.

Motion carried. Time, 11:25 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 1233 (Leach)**—An act to add Section 20010 to the Elections Code, relating to campaign 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—72**

Ackerman	Cardoza	Kuykendall	Poochigian
Aguiar	Cedillo	Leach	Prenter
Alby	Cunneen	Lempert	Pringle
Alquist	Davis	Leonard	Runner
Aroner	Escutia	Margett	Scott
Ashburn	Figueroa	Mazzoni	Shelley
Baca	Firestone	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Perata	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1264 (Murray)**—An act to amend, repeal, and add Section 13012 of the Penal Code, relating to law 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—67**

Aguiar	Cardoza	Kuykendall	Prenter
Alby	Cedillo	Leach	Pringle
Alquist	Cunneen	Lempert	Runner
Aroner	Davis	Leonard	Scott
Ashburn	Ducheny	Martinez	Shelley
Baca	Escutia	Mazzoni	Strom-Martin
Baldwin	Figueroa	Migden	Sweeney
Battin	Firestone	Miller	Thomson
Baugh	Frusetta	Morrissey	Torlakson
Bordonaro	Gallegos	Murray	Vincent
Bowen	Goldsmith	Napolitano	Washington
Bowler	Havice	Olberg	Wayne
Brewer	Hertzberg	Oller	Wildman
Brown	Honda	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Perata	Mr. Speaker
Cardenas	Kuehl	Poochigian	

**NOES—7**

Ackerman	Kaloogian	McClintock	Thompson
House	Margett	Morrow	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1374 (Hertzberg)**—An act to amend Section 6204 of the Business and Professions Code, relating to the State Bar of California.

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 Hertzberg moved a call of the Assembly.

Motion carried. Time, 11:30 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 1381 (Thomson)**—An act to amend Section 8477 of the Education Code, relating to child care facilities funding.

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	Cardoza	Kuykendall	Poochigian
Aguiar	Cedillo	Leach	Prenter
Alby	Cunneen	Lempert	Pringle
Alquist	Davis	Leonard	Runner
Aroner	Ducheny	Margett	Scott
Ashburn	Escutia	Martinez	Shelley
Baca	Figueroa	Mazzoni	Strom-Martin
Baldwin	Firestone	McClintock	Sweeney
Battin	Frusetta	Migden	Thompson
Baugh	Gallegos	Miller	Thomson
Bordonaro	Goldsmith	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Wright
Campbell	Knox	Pacheco	Mr. Speaker
Cardenas	Kuehl	Perata	

#### NOES—2

House                      Napolitano

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1386 (Goldsmith)**—An act to amend Sections 594.6 and 640.7 of, and to amend, repeal, and add Section 594 of, the Penal Code, relating to vandalism.

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	Cedillo	Lempert	Pringle
Aguiar	Cunneen	Leonard	Runner
Alby	Davis	Margett	Scott
Alquist	Ducheny	Martinez	Shelley
Aroner	Escutia	Mazzoni	Strom-Martin
Ashburn	Figueroa	McClintock	Sweeney
Baca	Firestone	Migden	Thompson
Baldwin	Frusetta	Miller	Thomson
Battin	Gallegos	Morrissey	Torlakson
Baugh	Goldsmith	Morrow	Vincent
Bordonaro	Havice	Murray	Washington
Bowen	Hertzberg	Napolitano	Wayne
Bowler	Honda	Olberg	Wildman
Brewer	House	Oller	Woods
Brown	Kaloogian	Ortiz	Wright
Bustamante	Keeley	Pacheco	Mr. Speaker
Campbell	Knox	Perata	
Cardenas	Kuykendall	Poochigian	
Cardoza	Leach	Prenter	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1453 (Cardenas)**—An act to amend Section 8880.4 of the Government Code, relating to the state lottery.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—59**

Aguiar	Gallegos	Mazzoni	Pringle
Alquist	Goldsmith	McClintock	Scott
Aroner	Havice	Migden	Shelley
Baca	Hertzberg	Miller	Strom-Martin
Battin	Honda	Morrissey	Sweeney
Bowen	Kaloogian	Morrow	Thomson
Bustamante	Keeley	Murray	Torlakson
Cardenas	Knox	Napolitano	Vincent
Cardoza	Kuehl	Olberg	Washington
Cedillo	Kuykendall	Oller	Wayne
Cunneen	Leach	Ortiz	Wildman
Ducheny	Lempert	Pacheco	Woods
Escutia	Leonard	Perata	Wright
Figueroa	Margett	Poochigian	Mr. Speaker
Frusetta	Martinez	Prenter	

**NOES—11**

Ackerman	Baugh	Brewer	Runner
Ashburn	Bordonaro	Campbell	Thompson
Baldwin	Bowler	House	

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT**

Assembly Member Miller was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1629, without reference to file.

**ASSEMBLY BILL NO. 1629 (Miller)**—An act to amend Section 17511.1 of, and to add Section 17538.45 to, the Business and Professions Code, and to amend Section 502 of the Penal Code, relating to advertising.

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	Cardoza	Kuehl	Perata
Aguiar	Cedillo	Kuykendall	Poochigian
Alby	Cunneen	Leach	Prenter
Alquist	Davis	Lempert	Pringle
Aroner	Ducheny	Leonard	Runner
Ashburn	Escutia	Margett	Scott
Baca	Figueroa	Martinez	Shelley
Baldwin	Firestone	Mazzoni	Strom-Martin
Battin	Frusetta	Migden	Sweeney
Baugh	Gallegos	Miller	Thompson
Bordonaro	Goldsmith	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Mr. Speaker

**NOES—1**

McClintock

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**Assembly Bill No. 1654 (Aroner)**—An act to amend Sections 16118, 16119, 16120.05, and 16121.05 of the Welfare and Institutions Code, relating to human services.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—73**

Ackerman	Cedillo	Lempert	Pringle
Aguiar	Cunneen	Leonard	Runner
Alby	Davis	Margett	Scott
Alquist	Ducheny	Martinez	Shelley
Aroner	Escutia	Mazzoni	Strom-Martin
Ashburn	Firestone	McClintock	Sweeney
Baca	Frusetta	Migden	Thompson
Baldwin	Gallegos	Miller	Thomson
Battin	Goldsmith	Morrissey	Torlakson
Baugh	Havice	Morrow	Vincent
Bordonaro	Hertzberg	Murray	Washington
Bowen	Honda	Napolitano	Wayne
Bowler	House	Olberg	Wildman
Brewer	Kaloogian	Oller	Woods
Brown	Keeley	Ortiz	Wright
Bustamante	Knox	Pacheco	Mr. Speaker
Campbell	Kuehl	Perata	
Cardenas	Kuykendall	Poochigian	
Cardoza	Leach	Prenter	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1716 (Murray)**—An act to add Article 10.5 (commencing with Section 6175) to Chapter 4 of Division 3 of the Business and Professions Code, relating to the provision of financial 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—46**

Alby	Escutia	Martinez	Strom-Martin
Alquist	Figueroa	Mazzoni	Sweeney
Aroner	Firestone	Migden	Thomson
Baca	Gallegos	Morrissey	Torlakson
Bowen	Havice	Murray	Vincent
Brown	Hertzberg	Napolitano	Washington
Bustamante	Honda	Ortiz	Wayne
Cardenas	Keeley	Pacheco	Wildman
Cedillo	Knox	Perata	Wright
Cunneen	Kuehl	Prenter	Mr. Speaker
Davis	Kuykendall	Scott	
Ducheny	Lempert	Shelley	

**NOES—27**

Ackerman	Bowler	Leach	Oller
Aguiar	Brewer	Leonard	Poochigian
Ashburn	Campbell	Margett	Pringle
Baldwin	Frusetta	McClintock	Runner
Battin	Goldsmith	Miller	Thompson
Baugh	House	Morrow	Woods
Bordonaro	Kaloogian	Olberg	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1716: Assembly Member Campbell, from “Aye” to “No”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1745 (Alby)**—An act to amend Sections 290 and 290.4 of the Penal Code, relating to sex offenders.

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	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Pringle
Alby	Davis	Leonard	Runner
Alquist	Ducheny	Margett	Scott
Aroner	Escutia	Martinez	Shelley
Ashburn	Figueroa	Mazzoni	Strom-Martin
Baca	Firestone	McClintock	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Havice	Morrow	Vincent
Bowen	Hertzberg	Murray	Washington
Bowler	Honda	Napolitano	Wayne
Brewer	House	Olberg	Wildman
Brown	Kaloogian	Oller	Woods
Bustamante	Keeley	Ortiz	Wright
Campbell	Knox	Pacheco	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1761 (Sweeney)**—An act to add and repeal Sections 51871, 51872, 51873, and 51874 of, and to add and repeal the heading of Article 15 (commencing with Section 51870.5) to Chapter 5 of Part 28 of, the Education Code, relating to education technology, 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—68**

Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Margett	Runner
Aroner	Escutia	Martinez	Scott
Ashburn	Figueroa	Mazzoni	Shelley
Baca	Firestone	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Bordonaro	Havice	Morrissey	Thomson
Bowen	Hertzberg	Morrow	Torlakson
Bowler	Honda	Murray	Vincent
Brewer	Kaloogian	Napolitano	Washington
Brown	Keeley	Oller	Wayne
Bustamante	Knox	Ortiz	Wildman
Campbell	Kuehl	Pacheco	Woods
Cardenas	Kuykendall	Perata	Wright
Cedillo	Leach	Poochigian	Mr. Speaker

**NOES—4**

Ackerman	Baugh	House	Olberg
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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**

Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Margett	Runner
Aroner	Escutia	Martinez	Scott
Ashburn	Figueroa	Mazzoni	Shelley
Baca	Firestone	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Bordonaro	Havice	Morrissey	Thomson
Bowen	Hertzberg	Morrow	Torlakson
Bowler	Honda	Murray	Vincent
Brewer	Kaloogian	Napolitano	Washington
Brown	Keeley	Oller	Wayne
Bustamante	Knox	Ortiz	Wildman
Campbell	Kuehl	Pacheco	Woods
Cardenas	Kuykendall	Perata	Wright
Cedillo	Leach	Poochigian	Mr. Speaker

**NOES—4**

Ackerman	Baugh	House	Olberg
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1856 (Vincent)**—An act to amend, repeal, and add Section 30503 of, to amend, renumber, and repeal Section 31751 of, to add Section 31751.3 to, to add a chapter heading immediately preceding Section 31751 of, and to add and repeal Sections 30504, 30804.7, and 31751.7 of, and Chapter 1.5 (commencing with Section 30520) to Division 14 of, and Chapter 2 (commencing with Section 31760) to Division 14.5 of, the Food and Agricultural Code, relating to dogs and cats.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—42**

Alquist	Escutia	Leonard	Thompson
Aroner	Figueroa	Martinez	Thomson
Baca	Firestone	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Vincent
Bowler	Havice	Murray	Washington
Brown	Hertzberg	Napolitano	Wayne
Bustamante	Honda	Ortiz	Wildman
Cardenas	Keeley	Perata	Wright
Cedillo	Knox	Shelley	Mr. Speaker
Davis	Kuehl	Strom-Martin	
Ducheny	Lempert	Sweeney	

**NOES—28**

Ackerman	Bordonaro	Kaloogian	Olberg
Aguiar	Brewer	Leach	Oller
Alby	Campbell	Margett	Pacheco
Ashburn	Cunneen	McClintock	Poochigian
Baldwin	Frusetta	Miller	Prenter
Battin	Goldsmith	Morrissey	Pringle
Baugh	House	Morrow	Runner

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1994 (Bowen)**—An act to add Section 17538.9 to the Business and Professions Code, relating to advertising.

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**

Alquist	Ducheny	Lempert	Shelley
Aroner	Escutia	Margett	Strom-Martin
Baca	Figueroa	Martinez	Sweeney
Battin	Firestone	Mazzoni	Thomson
Baugh	Frusetta	Migden	Torlakson
Bowen	Gallegos	Morrissey	Washington
Brown	Havice	Murray	Wayne
Bustamante	Hertzberg	Napolitano	Wildman
Cardenas	Honda	Ortiz	Woods
Cardoza	Keeley	Pacheco	Mr. Speaker
Cedillo	Knox	Perata	
Cunneen	Kuehl	Pringle	
Davis	Kuykendall	Scott	

**NOES—22**

Ackerman	Bowler	Leach	Oller
Aguiar	Brewer	Leonard	Poochigian
Alby	Campbell	McClintock	Prenter
Ashburn	Goldsmith	Miller	Thompson
Baldwin	House	Morrow	
Bordonaro	Kaloogian	Olberg	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1999 (Kuehl)**—An act to amend Sections 186.21, 422.75, 11410, 13023, and 13519.6 of, and to add Section 422.76 to, the Penal Code, relating to gender.

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	Ducheny	Lempert	Shelley
Alquist	Escutia	Margett	Strom-Martin
Aroner	Figueroa	Martinez	Sweeney
Baca	Firestone	Mazzoni	Thomson
Battin	Frusetta	Migden	Torlakson
Bowen	Gallegos	Morrissey	Vincent
Bowler	Goldsmith	Murray	Washington
Brown	Hertzberg	Napolitano	Wayne
Bustamante	Honda	Ortiz	Wildman
Cardenas	Keeley	Pacheco	Wright
Cardoza	Knox	Perata	Mr. Speaker
Cedillo	Kuehl	Prenter	
Cunneen	Kuykendall	Pringle	
Davis	Leach	Scott	

**NOES—15**

Ackerman	Bordonaro	Kaloogian	Olberg
Alby	Campbell	Leonard	Runner
Baldwin	Havice	Miller	Thompson
Baugh	House	Morrow	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1999: Assembly Member Aguiar, from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2003 (Strom-Martin)**—An act to add Section 1367.71 to the Health and Safety Code, and to add Section 10119.9 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—63**

Ackerman	Cardoza	Knox	Prenter
Aguiar	Cedillo	Kuehl	Pringle
Alby	Cunneen	Kuykendall	Runner
Alquist	Davis	Leach	Scott
Aroner	Ducheny	Lempert	Shelley
Ashburn	Escutia	Margett	Strom-Martin
Baca	Figueroa	Martinez	Sweeney
Baldwin	Firestone	Mazzoni	Thomson
Battin	Frusetta	Migden	Torlakson
Bordonaro	Gallegos	Miller	Vincent
Bowen	Goldsmith	Morrissey	Washington
Bowler	Havice	Murray	Wayne
Brewer	Hertzberg	Napolitano	Wildman
Brown	Honda	Ortiz	Wright
Bustamante	House	Pacheco	Mr. Speaker
Cardenas	Keeley	Perata	

**NOES—9**

Baugh	Leonard	Olberg
Campbell	McClintock	Oller
Kaloogian	Morrow	Poochigian

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2003: Assembly Member Baugh, from “Aye” to “No”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2150 (Brewer)**—An act to amend Section 2025 of the Code of Civil Procedure, relating to depositions.

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	Cardoza	Kuehl	Poochigian
Aguiar	Cedillo	Kuykendall	Prenter
Alby	Cunneen	Leach	Pringle
Alquist	Davis	Lempert	Runner
Aroner	Ducheny	Leonard	Scott
Ashburn	Escutia	Margett	Shelley
Baca	Figueroa	Mazzoni	Strom-Martin
Baldwin	Firestone	Migden	Sweeney
Battin	Frusetta	Miller	Thompson
Baugh	Gallegos	Morrissey	Thomson
Bordonaro	Goldsmith	Morrow	Torlakson
Bowen	Havice	Murray	Vincent
Bowler	Hertzberg	Napolitano	Washington
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Mr. Speaker
Cardenas	Knox	Perata	

**NOES—1**

McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2222 (Hertzberg)**—An act to amend Section 40802 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—49**

Aguiar	Escutia	Leach	Strom-Martin
Alquist	Figueroa	Lempert	Sweeney
Aroner	Firestone	Mazzoni	Thomson
Baca	Frusetta	Migden	Torlakson
Bordonaro	Gallegos	Morrissey	Vincent
Brown	Havice	Murray	Washington
Bustamante	Hertzberg	Napolitano	Wayne
Cardenas	Honda	Ortiz	Wildman
Cardoza	House	Pacheco	Wright
Cedillo	Keeley	Perata	Mr. Speaker
Cunneen	Knox	Prenter	
Davis	Kuehl	Scott	
Ducheny	Kuykendall	Shelley	

**NOES—24**

Ackerman	Bowen	Leonard	Oller
Alby	Bowler	Margett	Poochigian
Ashburn	Brewer	McClintock	Pringle
Baldwin	Campbell	Miller	Runner
Battin	Goldsmith	Morrow	Thompson
Baugh	Kaloogian	Olberg	Woods

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2237 (Escutia)**—An act to add Chapter 4.5 (commencing with Section 71073) to Part 2 of Division 34 of the Public Resources Code, relating to environmental protection.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—42**

Alquist	Figueroa	McClintock	Sweeney
Aroner	Gallegos	Migden	Thomson
Baca	Havice	Morrissey	Torlakson
Bowen	Hertzberg	Murray	Vincent
Brown	Honda	Napolitano	Washington
Bustamante	Keeley	Ortiz	Wayne
Cardenas	Knox	Pacheco	Wildman
Cedillo	Kuehl	Perata	Wright
Davis	Lempert	Scott	Mr. Speaker
Ducheny	Martinez	Shelley	
Escutia	Mazzoni	Strom-Martin	

**NOES—31**

Ackerman	Bowler	Kaloogian	Oller
Aguiar	Brewer	Kuykendall	Poochigian
Alby	Campbell	Leach	Prenter
Ashburn	Cunneen	Leonard	Pringle
Baldwin	Firestone	Margett	Runner
Battin	Frusetta	Miller	Thompson
Baugh	Goldsmith	Morrow	Woods
Bordonaro	House	Olberg	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2238 (Mazzoni)**—An act relating to counties.

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	Figueroa	Mazzoni	Shelley
Aguiar	Frusetta	Migden	Strom-Martin
Alquist	Gallegos	Miller	Sweeney
Aroner	Havice	Morrissey	Thompson
Baca	Hertzberg	Morrow	Thomson
Battin	Honda	Murray	Torlakson
Bowen	Keeley	Napolitano	Vincent
Brown	Knox	Olberg	Washington
Bustamante	Kuehl	Ortiz	Wayne
Campbell	Kuykendall	Perata	Wildman
Cardenas	Leach	Poochigian	Wright
Cedillo	Lempert	Prenter	Mr. Speaker
Cunneen	Leonard	Pringle	
Ducheny	Margett	Runner	
Escutia	Martinez	Scott	

**NOES—11**

Alby	Baugh	Brewer	McClintock
Ashburn	Bordonaro	Goldsmith	Pacheco
Baldwin	Bowler	House	

**Vote Changes**

By unanimous consent, the following vote changes were permitted on concurrence in Senate amendments to Assembly Bill No. 2238: Assembly Members Alby and Bowler, from "Aye" to "No".

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2377 (Frusetta)**—An act to add Section 301.7 to the Corporations Code, relating to corporations.

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	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Pringle
Alby	Davis	Leonard	Runner
Alquist	Ducheny	Margett	Scott
Aroner	Escutia	Martinez	Shelley
Ashburn	Figueroa	Mazzoni	Strom-Martin
Baca	Firestone	McClintock	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Havice	Morrow	Vincent
Bowen	Hertzberg	Murray	Washington
Bowler	Honda	Napolitano	Wayne
Brewer	House	Olberg	Wildman
Brown	Kaloogian	Oller	Woods
Bustamante	Keeley	Ortiz	Wright
Campbell	Knox	Pacheco	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2429 (Knox)**—An act to add Article 6 (commencing with Section 79210) to Chapter 9 of Part 48 of the Education Code, and to amend Section 15379.21 of the Government 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.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Knox moved a call of the Assembly.

Motion carried. Time, 11:48 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 2501 (Mazzoni)**—An act to add Section 48906.5 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—48**

Aguiar	Cardenas	Keeley	Murray
Alquist	Cardoza	Knox	Napolitano
Aroner	Cedillo	Kuehl	Ortiz
Ashburn	Davis	Kuykendall	Perata
Baca	Ducheny	Leach	Shelley
Baldwin	Escutia	Margett	Strom-Martin
Bordonaro	Figueroa	Martinez	Torlakson
Bowen	Firestone	Mazzoni	Vincent
Brewer	Gallegos	McClintock	Washington
Brown	Goldsmith	Migden	Woods
Bustamante	Hertzberg	Miller	Wright
Campbell	Honda	Morrissey	Mr. Speaker

**NOES—16**

Ackerman	Bowler	House	Prenter
Alby	Cunneen	Morrow	Pringle
Battin	Frusetta	Olberg	Runner
Baugh	Havice	Pacheco	Wildman

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2501: Assembly Member Lempert, from “Aye” to “Not Voting”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2510 (Strom-Martin)**—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—71**

Ackerman	Cardoza	Kuykendall	Poochigian
Aguiar	Cedillo	Leach	Prenter
Alby	Cunneen	Lempert	Pringle
Alquist	Davis	Leonard	Runner
Aroner	Ducheny	Margett	Scott
Ashburn	Escutia	Martinez	Shelley
Baca	Firestone	Mazzoni	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Mr. Speaker
Cardenas	Kuehl	Perata	

**NOES—1**

McClintock

Above bill ordered enrolled.

**MOTION TO RECONSIDER ASSEMBLY BILL NO. 2501  
ON NEXT LEGISLATIVE DAY**

Assembly Member Pacheco moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Bill No. 2501 were concurred in.

Assembly Bill No. 2501 ordered to the unfinished business file.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2534 (Margett)**—An act to add Section 3262.7 to the Civil Code, relating to works of improvement.

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	Cardoza	Leach	Pringle
Aguiar	Cedillo	Lempert	Runner
Alby	Cunneen	Leonard	Scott
Alquist	Davis	Margett	Shelley
Aroner	Ducheny	Martinez	Strom-Martin
Ashburn	Escutia	Mazzoni	Sweeney
Baca	Firestone	Migden	Thompson
Baldwin	Frusetta	Miller	Torlakson
Battin	Gallegos	Morrissey	Vincent
Baugh	Havice	Morrow	Washington
Bordonaro	Hertzberg	Murray	Wayne
Bowen	Honda	Napolitano	Wildman
Bowler	House	Ortiz	Woods
Brown	Keeley	Pacheco	Wright
Bustamante	Knox	Perata	Mr. Speaker
Campbell	Kuehl	Poochigian	
Cardenas	Kuykendall	Prenter	

**NOES—4**

Brewer	Goldsmith	McClintock	Olberg
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2565 (Honda)**—An act to add Section 2266 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—48**

Alby	Davis	Kuehl	Scott
Alquist	Ducheny	Lempert	Shelley
Aroner	Escutia	Martinez	Strom-Martin
Baca	Figueroa	Mazzoni	Sweeney
Bowen	Frusetta	Migden	Thomson
Bowler	Gallegos	Morrissey	Torlakson
Brown	Havice	Murray	Vincent
Bustamante	Hertzberg	Napolitano	Washington
Cardenas	Honda	Ortiz	Wayne
Cardoza	House	Pacheco	Wildman
Cedillo	Keeley	Perata	Wright
Cunneen	Knox	Prenter	Mr. Speaker

**NOES—23**

Ackerman	Bordonaro	Leach	Oller
Aguiar	Brewer	Margett	Poochigian
Ashburn	Campbell	McClintock	Pringle
Baldwin	Goldsmith	Miller	Runner
Battin	Kalোগian	Morrow	Woods
Baugh	Kuykendall	Olberg	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2565: Assembly Member House, from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2592 (Wayne)**—An act to add Article 1.5 (commencing with Section 104160) to Chapter 2 of Part 1 of Division 103 of the Health and Safety 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—54**

Aguiar	Davis	Kuykendall	Scott
Alquist	Ducheny	Leach	Shelley
Aroner	Escutia	Lempert	Strom-Martin
Baca	Figueroa	Martinez	Sweeney
Battin	Firestone	Mazzoni	Thomson
Bordonaro	Frusetta	Migden	Torlakson
Bowen	Gallegos	Morrissey	Vincent
Brown	Goldsmith	Murray	Washington
Bustamante	Havice	Napolitano	Wayne
Campbell	Hertzberg	Ortiz	Wildman
Cardenas	Honda	Pacheco	Wright
Cardoza	Keeley	Perata	Mr. Speaker
Cedillo	Knox	Prenter	
Cunneen	Kuehl	Pringle	

**NOES—18**

Ackerman	Bowler	McClintock	Poochigian
Alby	Brewer	Miller	Runner
Ashburn	House	Morrow	Woods
Baldwin	Kaloogian	Olberg	
Baugh	Margett	Oller	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2592: Assembly Member Bordonaro, from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2637 (Mazzoni)**—An act to add Section 44259.3 to the Education Code, relating to teachers.

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	Cedillo	Kuykendall	Pringle
Aguiar	Cunneen	Leach	Runner
Alby	Davis	Lempert	Scott
Alquist	Ducheny	Leonard	Shelley
Aroner	Escutia	Margett	Strom-Martin
Ashburn	Figueroa	Martinez	Sweeney
Baca	Firestone	Mazzoni	Thompson
Battin	Frusetta	Migden	Thomson
Baugh	Gallegos	Miller	Vincent
Bordonaro	Goldsmith	Morrissey	Washington
Bowen	Havice	Morrow	Wayne
Bowler	Hertzberg	Murray	Wildman
Brewer	Honda	Napolitano	Woods
Brown	House	Olberg	Wright
Bustamante	Kaloogian	Ortiz	Mr. Speaker
Campbell	Keeley	Pacheco	
Cardenas	Knox	Perata	
Cardoza	Kuehl	Prenter	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2712 (Cardenas)**—An act to add Article 4.5 (commencing with Section 32248) to Chapter 2 of Part 19 of the Education Code, relating to emergency preparedness, 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—43**

Alquist	Figueroa	Lempert	Strom-Martin
Aroner	Frusetta	Martinez	Sweeney
Baca	Gallegos	Mazzoni	Thomson
Bowen	Goldsmith	Migden	Torlakson
Bustamante	Havice	Morrissey	Vincent
Cardenas	Hertzberg	Murray	Washington
Cardoza	Honda	Napolitano	Wayne
Cedillo	Keeley	Ortiz	Wildman
Davis	Knox	Perata	Wright
Ducheny	Kuehl	Scott	Mr. Speaker
Escutia	Leach	Shelley	

**NOES—30**

Ackerman	Bowler	Leonard	Poochigian
Aguiar	Brewer	Margett	Prenter
Alby	Campbell	McClintock	Pringle
Ashburn	Cunneen	Miller	Runner
Baldwin	Firestone	Morrow	Thompson
Battin	House	Olberg	Woods
Baugh	Kalooagian	Oller	
Bordonaro	Kuykendall	Pacheco	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2765 (Committee on Public Employees, Retirement and Social Security)**—An act to amend Sections 22002, 22117, 22120, 22121, 22132, 22138.6, 22143, 22146, 22146.5, 22147, 22151, 22154, 22156, 22161, 22162, 22163, 22165, 22170, 22201, 22207, 22212, 22216, 22222, 22223, 22224, 22225, 22250, 22251, 22252, 22253, 22302, 22303.5, 22305, 22306, 22308, 22313, 22315, 22316, 22317, 22317.5, 22327, 22450, 22354, 22500, 22501, 22508, 22508.5, 22513, 22515, 22516, 22601.5, 22602, 22604, 22650, 22651, 22652, 22653, 22655, 22657, 22659, 22660, 22661, 22662, 22663, 22664, 22665, 22700, 22703, 22705, 22706, 22708, 22709, 22710, 22711, 22712, 22712.5, 22713, 22714, 22715, 22716, 22718, 22721, 22800, 22802, 22805, 22806, 22807, 22808, 22809, 22810, 22821, 22823, 22850, 22851, 22852, 22853, 22854, 22855, 22856, 22900, 22901, 22902, 22903, 22904, 22906, 22907, 22950, 22951, 22951.5, 22952, 22954, 22956, 23003, 23005, 23006, 23101, 23102, 23103, 23104, 23106, 23107, 23200, 23202, 23203, 23300, 23301, 23302, 23303, 23304, 23700, 23800, 23801, 23805, 23850, 23851, 23880, 23881, 24001, 24001.5, 24002, 24003, 24004, 24005, 24006, 24010, 24011, 24013, 24014, 24015, 24016, 24017, 24018, 24100, 24101, 24102, 24103, 24104, 24105, 24106, 24107, 24108, 24109, 24110, 24111, 24112, 24113, 24114, 24116, 24117, 24118, 24119, 24203, 24204, 24205, 24206, 24207, 24208, 24209, 24210, 24211, 24212, 24213, 24214, 24215, 24216, 24216.5, 24217, 24301, 24308, 24309, 24311, 24400, 24417, 24505, 24600, 24603, 24604, 24605, 24606, 24607, 24608, 24609, 24610, 24612, 24613, 24615, 24617, 24618, 24619, 24700, 24701, 24702, 24703, 24704, 24750, 24751, 24950, 24951, 25000, 26001, 26002, 26102, 26113, 26117, 26119, 26120, 26121, 26123, 26124, 26125, 26126, 26127, 26131, 26132, 26133, 26136, 26138, 26139, 26143, 26144, 26208, 26210, 26211, 26212, 26213, 26216, 26301, 26302, 26303, 26305, 26306, 26400, 26401, 26500, 26502, 26504, 26507, 26604, 26606, 26607, 26800, 26802, 26803, 26804, 26805, 26806, 26807, 26809, 26810, 26811, 26900, 26901, 26902, 26903, 26905, 26906, 26908, 26911, 27000, 27001, 27003, 27006, 27007, 27008, 27100, 27101, 27200, 27201, 27202, 27203, 27204, 27205, 27207, 27300, 27302, 27303, 27400, 27403, 27404, 27405, 27406, 27407, 27410, 27411, 28000, 28001, 28002, 28004, 28005, 28100, 44929, and 87488 of, to add Sections 22502, 22503, 22504, 22705.5, and 26301.5 to, to add and repeal Section 24216.8 of, and to repeal Sections 22175, 22358, and 22600 of, the Education Code, to

amend Section 2610 of the Family Code, and to amend Sections 3543.2, 22009.1, 22208, and 22302 of, and to amend and repeal Sections 22009.03 and 22156 of, the Government Code, relating to the State Teachers' Retirement System.

Bill presented by Assembly Member Honda.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—47**

Aguiar	Ducheny	Martinez	Strom-Martin
Alquist	Escutia	Mazzoni	Sweeney
Aroner	Figueroa	Migden	Thomson
Baca	Frusetta	Morrissey	Torlakson
Bowen	Gallegos	Murray	Vincent
Bowler	Havice	Napolitano	Washington
Brown	Hertzberg	Ortiz	Wayne
Bustamante	Honda	Perata	Wildman
Cardenas	Keeley	Prenter	Woods
Cardoza	Knox	Runner	Wright
Cunneen	Kuehl	Scott	Mr. Speaker
Davis	Lempert	Shelley	

**NOES—21**

Ackerman	Brewer	Kuykendall	Morrow
Alby	Campbell	Leach	Olberg
Ashburn	Firestone	Leonard	Thompson
Baldwin	Goldsmith	Margett	
Baugh	House	McClintock	
Bordonaro	Kaloogian	Miller	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2790 (Ortiz)**—An act to amend Section 9250.19 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—51**

Aguiar	Ducheny	Kuykendall	Shelley
Alquist	Escutia	Leach	Strom-Martin
Aroner	Figueroa	Lempert	Sweeney
Baca	Firestone	Margett	Thomson
Bordonaro	Frusetta	Mazzoni	Torlakson
Brown	Gallegos	Migden	Vincent
Bustamante	Havice	Miller	Washington
Campbell	Hertzberg	Morrissey	Wayne
Cardenas	Honda	Murray	Wildman
Cardoza	House	Napolitano	Woods
Cedillo	Keeley	Ortiz	Wright
Cunneen	Knox	Perata	Mr. Speaker
Davis	Kuehl	Runner	

**NOES—18**

Ackerman	Baugh	McClintock	Poochigian
Alby	Brewer	Morrow	Pringle
Ashburn	Goldsmith	Olberg	Thompson
Baldwin	Kaloogian	Oller	
Battin	Leonard	Pacheco	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2809 (Committee on Revenue and Taxation)**—An act to amend Sections 17053.34, 17053.46, 17053.47, 17053.74, 17276, 17276.1, 17276.2, 23622.7, 23622.8, 23634, 23646, 24416, 24416.1, and 24416.2 of, and to add Sections 17276.4, 17276.5, 17276.6, 24416.4, 24416.5, and 24416.6 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill presented by Assembly Member Knox.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—73**

Ackerman	Cedillo	Leach	Pringle
Aguiar	Cunneen	Lempert	Runner
Alby	Davis	Leonard	Scott
Alquist	Ducheny	Margett	Shelley
Aroner	Escutia	Martinez	Strom-Martin
Ashburn	Figueroa	Mazzoni	Sweeney
Baca	Firestone	Migden	Thompson
Baldwin	Frusetta	Miller	Thomson
Battin	Gallegos	Morrissey	Torlakson
Baugh	Goldsmith	Morrow	Vincent
Bordonaro	Havice	Murray	Washington
Bowen	Hertzberg	Napolitano	Wayne
Bowler	Honda	Olberg	Wildman
Brewer	House	Oller	Woods
Brown	Kaloogian	Ortiz	Wright
Bustamante	Keeley	Pacheco	Mr. Speaker
Campbell	Knox	Perata	
Cardenas	Kuehl	Poochigian	
Cardoza	Kuykendall	Prenter	

**NOES—None**

Above bill ordered enrolled.

**AUTHOR'S AMENDMENTS**  
**Committee on Water, Parks and Wildlife**

August 27, 1998

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:  
Senate Bill No. 1011

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MACHADO, Chairman

**SENATE BILL NO. 1011**—An act to amend Sections 1011 and 1707 of, to add Sections 1014, 1015, 1016, and 1017 to, and to repeal and add Sections 1726, 1727, and 1732 of, 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: August 27, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 2	Senate Bill No. 1757
Senate Bill No. 567	Senate Bill No. 1854
Senate Bill No. 977	Senate Bill No. 1857
Senate Bill No. 1574	

With amendments with the recommendation: Amend, and do pass, as amended.

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: August 27, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1069  
Senate Bill No. 1587  
Senate Bill No. 1676

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: August 27, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 326  
Senate Bill No. 1724

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: August 27, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Concurrent Resolution No. 98

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MIGDEN, Chairwoman

Above resolution ordered to second reading.

Date of Hearing: August 27, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 687

Senate Bill No. 2031

Senate Bill No. 779

Senate Bill No. 2121

Senate Bill No. 1717

Senate Bill No. 2143

Senate Bill No. 1765

With amendments with the recommendation: Amend, and do pass, as amended.

MIGDEN, Chairwoman

Above bills ordered to second reading.

### **Committee on Water, Parks and Wildlife**

Date of Hearing: August 27, 1998

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 1182

With the recommendation: That Senate amendments be concurred in.

MACHADO, Chairman

Above bill ordered to unfinished business file.

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## **SIX HUNDRED THIRTY-FIFTH CALENDAR DAY AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, August 28, 1998

At 12 midnight.

Hon. Fred Keeley, presiding.

### **MESSAGES FROM THE SENATE**

Senate Chamber, August 28, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 28

Senate Bill No. 1660

Senate Bill No. 266

Senate Bill No. 1702

Senate Bill No. 559

Senate Bill No. 1827

Senate Bill No. 645

Senate Bill No. 2227

Senate Bill No. 1649

Senate Bill No. 2240

Senate Bill No. 1652

Senate Concurrent Resolution No. 44

GREG P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

Senate Chamber, August 28, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

Assembly Joint Resolution No. 59

And respectfully requests the Assembly to concur in said amendments.

GREG P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, August 28, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 99

Assembly Concurrent Resolution No. 142

Assembly Concurrent Resolution No. 145

GREG P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

Above resolutions ordered enrolled.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Assembly Bill No. 1442**, on request of Assembly Member Cedillo.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2004 (Wright)**—An act to amend Section 16583.5 of the Government Code, relating to the Student Aid Commission.

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 Wright moved a call of the Assembly.

Motion carried. Time, 12:04 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 2116 (Perata)**—An act to amend Section 32233 of the Education Code, relating to school safety.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—45**

Alquist	Escutia	McClintock	Sweeney
Aroner	Figueroa	Migden	Thomson
Baca	Frusetta	Morrissey	Torlakson
Baldwin	Gallegos	Murray	Vincent
Bowen	Havice	Napolitano	Washington
Bustamante	Hertzberg	Ortiz	Wayne
Cardenas	Honda	Pacheco	Wildman
Cardoza	Keeley	Perata	Wright
Cedillo	Knox	Prenter	Mr. Speaker
Cunneen	Kuehl	Scott	
Davis	Lempert	Shelley	
Ducheny	Mazzoni	Strom-Martin	

**NOES—24**

Ackerman	Bordonaro	Leach	Oller
Aguiar	Bowler	Leonard	Poochigian
Alby	Brewer	Margett	Pringle
Ashburn	Campbell	Miller	Runner
Battin	House	Morrow	Thompson
Baugh	Kaloogian	Olberg	Woods

Above bill ordered enrolled.

**JOINT RULE 62(a) WAIVED**

Assembly Member Migden was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 687 for hearing in the Committee on Appropriations at 12:30 a.m., in the Tom Bane Rules Committee Room.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 555**, on request of Assembly Member Gallegos.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Migden announced that the Committee on Appropriations would meet at 12:30 a.m. today, in Room 4202.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1540**

At 12:12 a.m., on motion of Assembly Member Kuykendall, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1540 passed by the following vote:

**AYES—46**

Aguiar	Davis	Lempert	Strom-Martin
Alquist	Ducheny	Martinez	Sweeney
Aroner	Escutia	Mazzoni	Torlakson
Baca	Figueroa	Migden	Vincent
Bordonaro	Firestone	Morrissey	Washington
Bowen	Havice	Morrow	Wayne
Brown	Hertzberg	Murray	Wildman
Bustamante	Honda	Napolitano	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Perata	Mr. Speaker
Cedillo	Kuehl	Scott	
Cunneen	Kuykendall	Shelley	

**NOES—17**

Ackerman	Brewer	Miller	Runner
Ashburn	House	Olberg	Thompson
Baldwin	Leonard	Pacheco	
Baugh	Margett	Poochigian	
Bowler	McClintock	Pringle	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 2048**

At 12:12 a.m., on motion of Assembly Member Cunneen, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 2048 passed by the following vote:

**AYES—41**

Alquist	Ducheny	Martinez	Thomson
Aroner	Escutia	Mazzoni	Torlakson
Baca	Figueroa	Migden	Vincent
Baugh	Firestone	Murray	Washington
Bowen	Gallegos	Napolitano	Wildman
Brewer	Hertzberg	Papan	Woods
Cardenas	Honda	Perata	Wright
Cardoza	Keeley	Richter	Mr. Speaker
Cedillo	Knox	Shelley	
Cunneen	Kuehl	Strom-Martin	
Davis	Lempert	Sweeney	

**NOES—31**

Ackerman	Campbell	Leach	Oller
Aguiar	Frusetta	Leonard	Pacheco
Alby	Goldsmith	Margett	Poochigian
Ashburn	Granlund	McClintock	Pringle
Baldwin	Havice	Miller	Runner
Battin	House	Morrissey	Thompson
Bordonaro	Kalooagian	Morrow	Wayne
Bowler	Kuykendall	Olberg	

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Bill No. 2048: Assembly Members Frusetta and Havice, from “Aye” to “No”.

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1247**

At 12:13 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.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Bowen moved to continue the call of the Assembly.

Motion carried. Time, 12:13 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  
SENATE BILL NO. 412**

At 12:13 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.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Bowen moved to continue call of the Assembly.

Motion carried. Time, 12:13 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  
SENATE BILL NO. 1968**

At 12:13 a.m., on motion of Assembly Member Cedillo, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1968 refused passage by the following vote:

**AYES—18**

Aroner	Havice	Migden	Washington
Cedillo	Honda	Shelley	Wildman
Escutia	Keeley	Strom-Martin	Mr. Speaker
Figueroa	Knox	Sweeney	
Gallegos	Kuehl	Torlakson	

**NOES—37**

Ackerman	Brewer	Leach	Poochigian
Aguiar	Campbell	Leonard	Prenter
Alby	Cunneen	Margett	Pringle
Ashburn	Firestone	McClintock	Richter
Baca	Frusetta	Miller	Runner
Baldwin	Goldsmith	Morrissey	Thompson
Battin	Granlund	Morrow	Woods
Baugh	House	Olberg	
Bordonaro	Kaloogian	Oller	
Bowler	Kuykendall	Pacheco	

(NOTE: Later this day a motion to reconsider the above vote on Senate Bill No. 1968 was offered by Assembly Member Cedillo.)

**Objection to Vote Adds**

Assembly Member Pacheco 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. 1968.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1966**

At 12:14 a.m., on motion of Assembly Member Keeley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Shelley moved to continue the call of the Assembly.

Motion carried. Time, 12:14 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  
SENATE BILL NO. 2068**

At 12:14 a.m., on motion of Assembly Member Keeley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 2068 passed by the following vote:

**AYES—43**

Alquist	Escutia	Martinez	Sweeney
Aroner	Figueroa	Mazzoni	Thomson
Baca	Gallegos	Migden	Torlakson
Bowen	Havice	Murray	Vincent
Brown	Hertzberg	Napolitano	Washington
Bustamante	Honda	Ortiz	Wayne
Cardenas	Keeley	Papan	Wildman
Cardoza	Knox	Perata	Woods
Cunneen	Kuehl	Scott	Wright
Davis	Lempert	Shelley	Mr. Speaker
Ducheny	Machado	Strom-Martin	

**NOES—31**

Ackerman	Bowler	Leach	Oller
Aguiar	Brewer	Leonard	Poochigian
Alby	Campbell	Margett	Prenter
Ashburn	Frusetta	McClintock	Pringle
Baldwin	Goldsmith	Miller	Richter
Battin	Granlund	Morrissey	Runner
Baugh	House	Morrow	Thompson
Bordonaro	Kaloogian	Olberg	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1125**

At 12:14 a.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. 1125 passed by the following vote:

**AYES—42**

Alquist	Escutia	Machado	Sweeney
Aroner	Figueroa	Martinez	Thomson
Baca	Floyd	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Vincent
Brown	Havice	Murray	Washington
Bustamante	Hertzberg	Napolitano	Wayne
Cardenas	Honda	Ortiz	Wildman
Cedillo	Keeley	Papan	Wright
Cunneen	Knox	Perata	Mr. Speaker
Davis	Kuehl	Shelley	
Ducheny	Lempert	Strom-Martin	

**NOES—34**

Ackerman	Brewer	Leach	Pacheco
Aguiar	Campbell	Leonard	Poochigian
Alby	Firestone	Margett	Pringle
Ashburn	Frusetta	McClintock	Richter
Baldwin	Goldsmith	Miller	Runner
Battin	Granlund	Morrissey	Thompson
Baugh	House	Morrow	Woods
Bordonaro	Kaloogian	Olberg	
Bowler	Kuykendall	Oller	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 2116**

At 12:15 a.m., on motion of Assembly Member Hertzberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 2116 passed by the following vote:

**AYES—42**

Alquist	Escutia	Kuehl	Shelley
Aroner	Figueroa	Lempert	Strom-Martin
Baca	Floyd	Machado	Sweeney
Bowen	Gallegos	Martinez	Thomson
Brown	Granlund	Mazzoni	Torlakson
Bustamante	Havice	Morrissey	Vincent
Cardenas	Hertzberg	Murray	Wayne
Cardoza	Honda	Napolitano	Wildman
Cedillo	House	Ortiz	Wright
Davis	Keeley	Perata	
Ducheny	Knox	Scott	

**NOES—24**

Ackerman	Bowler	Kaloogian	Pacheco
Aguiar	Brewer	Kuykendall	Poochigian
Alby	Campbell	Leach	Prenter
Ashburn	Firestone	Leonard	Runner
Baldwin	Frusetta	Miller	Thompson
Bordonaro	Goldsmith	Morrow	Woods

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 2116: Assembly Member Olberg, from "No" to "Not Voting".

Bill ordered transmitted to the Senate.

**MOTION TO RECONSIDER SENATE BILL NO. 1968  
ON NEXT LEGISLATIVE DAY**

Assembly Member Cedillo moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1968 was this day refused passage.

Senate Bill No. 1968 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 648**

At 12:15 a.m., on motion of Assembly Member Thomson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 648 refused passage by the following vote:

**AYES—39**

Alquist	Escutia	Machado	Sweeney
Aroner	Figueroa	Mazzoni	Thomson
Baca	Floyd	Migden	Torlakson
Bowen	Gallegos	Murray	Vincent
Brown	Hertzberg	Napolitano	Washington
Bustamante	Honda	Ortiz	Wayne
Cardoza	Keeley	Papan	Wildman
Cedillo	Knox	Perata	Wright
Davis	Kuehl	Shelley	Mr. Speaker
Ducheny	Lempert	Strom-Martin	

**NOES—34**

Ackerman	Brewer	Leach	Poochigian
Aguiar	Campbell	Leonard	Prenter
Alby	Cunneen	Margett	Pringle
Ashburn	Firestone	McClintock	Richter
Baldwin	Frusetta	Miller	Runner
Battin	Goldsmith	Morrow	Thompson
Baugh	House	Olberg	Woods
Bordonaro	Kaloogian	Oller	
Bowler	Kuykendall	Pacheco	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 648: Assembly Member Havice, from "Aye" to "Not Voting".

**Motion to Reconsider Senate Bill No. 648  
on Next Legislative Day**

Assembly Member Thomson moved to reconsider on the next legislative day the vote whereby Senate Bill No. 648 was this day refused passage.

Senate Bill No. 648 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1500**

At 12:15 a.m., on motion of Assembly Member Hertzberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Ortiz moved to continue the call of the Assembly.

Motion carried. Time, 12:15 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  
SPECIAL CONSENT CALENDAR**

At 12:15 a.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 following measures on the Consent Calendar were read:

**ASSEMBLY BILL NO. 2390 (House)**—An act to amend Section 666.5 of, and to add Section 496d to, the Penal Code, relating to theft.

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. 2732 (Miller)**—An act to amend Sections 1810.7 and 1857 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. 796 (Havice)**—An act to amend Section 290 of the Penal Code, relating to sex 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. 1613 (Scott)**—An act to amend Sections 17072 and 17140 of, and to add Section 17204 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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. 1803 (Lempert)**—An act to amend, repeal, and add Section 13960 of the Government Code, relating to crime victims, 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. 1859 (Ackerman)**—An act to add Section 4420.8 to the Government Code, relating to public works.

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. 2053 (Baugh)**—An act relating to parks and recreation.

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. 2142 (Brown)**—An act to add Section 2889.9 to the Public Utilities Code, relating to telecommunications.

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. 2196 (Washington)**—An act to amend Section 8715 of the Family Code, and to add Section 366.29 to, and to amend Sections 16002 and 16501.1 of, the Welfare and Institutions Code, relating to adoption of dependent 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. 2207 (Escutia)**—An act to add and repeal Division 16 (commencing with Section 15000) of the Family Code, relating to family law information centers.

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. 2328 (Machado)**—An act to amend Sections 35735.1, 35735.2, and 42127.6 of, and to add Section 35700.3 to, the Education Code, relating to school district reorganization.

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. 2342 (Cunneen)**—An act to amend Section 4707 of the Labor Code, relating to public employees.

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. 2351 (Hertzberg)**—An act to amend Sections 646.9 and 653m of, and to add Sections 13515.55 and 13980 to, the Penal Code, relating to computer crimes, 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. 2383 (Thompson)**—An act relating to water, 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. 2456 (Sweeney)**—An act to amend Sections 17207 and 24347.5 of, and to add Sections 195.80, 195.81, and 195.82 to, the Revenue and Taxation Code, relating to disaster relief, 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. 2495 (Prenter)**—An act to amend Section 647a of the Penal Code, and to add Article 5.4 (commencing with Section 1790) to Chapter 1 of Division 2.5 of the Welfare and Institutions Code, relating to the Runaway Youth and Families in Crisis Project.

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. 2729 (Alquist)**—An act to amend Sections 14087.3, 14087.4, 14087.47, 14087.55, 14088.18, 140088.6, 14089, 14089.8, 14139.13, 14204, 14499.5, and 14594 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. 2730 (Mazzoni)**—An act to add Section 44226.5 to the Education Code, relating to teacher credentialing, 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.)*

**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—73**

Ackerman	Davis	Leonard	Pringle
Aguiar	Ducheny	Margett	Runner
Alby	Escutia	Martinez	Scott
Alquist	Figueroa	Mazzoni	Shelley
Ashburn	Firestone	McClintock	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Thompson
Battin	Goldsmith	Morrissey	Thomson
Baugh	Granlund	Morrow	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Knox	Pacheco	Wright
Campbell	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	
Cunneen	Lempert	Prenter	

**NOES—None**

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 1700**

At 12:16 a.m., on motion of Assembly Member Cedillo, and in the absence of an objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 1700 refused adoption by the following vote:

**AYES—53**

Aguiar	Cunneen	Kuehl	Scott
Alquist	Davis	Kuykendall	Shelley
Aroner	Ducheny	Lempert	Strom-Martin
Baca	Escutia	Leonard	Sweeney
Battin	Figueroa	Mazzoni	Torlakson
Bordonaro	Firestone	Migden	Vincent
Bowen	Floyd	Morrissey	Washington
Bowler	Frusetta	Morrow	Wayne
Brown	Gallegos	Murray	Wildman
Bustamante	Havice	Napolitano	Wright
Campbell	Hertzberg	Ortiz	Mr. Speaker
Cardenas	Honda	Pacheco	
Cardoza	Keeley	Perata	
Cedillo	Knox	Prenter	

**NOES—19**

Ackerman	Brewer	Leach	Oller
Alby	Goldsmith	Margett	Poochigian
Ashburn	Granlund	McClintock	Runner
Baldwin	House	Miller	Woods
Baugh	Kaloogian	Olberg	

**Motion to Reconsider Urgency Clause to Senate Bill No. 1700  
on Next Legislative Day**

Assembly Member Cedillo moved to reconsider on the next legislative day the vote whereby the urgency clause to Senate Bill No. 1700 was this day refused adoption.

Senate Bill No. 1700 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1292**

At 12:16 a.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 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, 12:17 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  
SENATE BILL NO. 1909**

At 12:17 a.m., on motion of Assembly Member Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Knox moved to continue the call of the Assembly.

Motion carried. Time, 12:17 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  
SENATE BILL NO. 1933**

At 12:17 a.m., on motion of Assembly Member Cedillo, 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 Ducheny moved to continue the call of the Assembly.

Motion carried. Time, 12:18 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  
SENATE BILL NO. 2138**

At 12:19 a.m., on motion of Assembly Member Aroner, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 2138 passed by the following vote:

**AYES—43**

Alquist	Escutia	Lempert	Strom-Martin
Aroner	Figueroa	Martinez	Sweeney
Baca	Floyd	Mazzoni	Thomson
Bowen	Frusetta	Migden	Torlakson
Brown	Gallegos	Morrissey	Vincent
Bustamante	Havice	Murray	Washington
Cardenas	Hertzberg	Napolitano	Wayne
Cardoza	Honda	Ortiz	Wildman
Cedillo	Keeley	Perata	Wright
Davis	Knox	Scott	Mr. Speaker
Ducheny	Kuehl	Shelley	

**NOES—32**

Ackerman	Bowler	Kuykendall	Oller
Aguiar	Brewer	Leach	Pacheco
Alby	Campbell	Leonard	Poochigian
Ashburn	Cunneen	Margett	Prenter
Baldwin	Firestone	McClintock	Pringle
Battin	Goldsmith	Miller	Runner
Baugh	House	Morrow	Thompson
Bordonaro	Kaloogian	Olberg	Woods

Bill ordered transmitted to the Senate.

**OBJECTION TO VOTE ADDS**

Assembly Member Aguiar 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. 2116.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1611**

At 12:19 a.m., on motion of Assembly Member Honda, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1611 passed by the following vote:

**AYES—42**

Alquist	Escutia	Martinez	Thomson
Aroner	Figueroa	Mazzoni	Torlakson
Baca	Floyd	Migden	Vincent
Bowen	Gallegos	Murray	Washington
Brown	Havice	Napolitano	Wayne
Bustamante	Hertzberg	Ortiz	Wildman
Cardenas	Honda	Perata	Woods
Cardoza	Keeley	Scott	Wright
Cedillo	Knox	Shelley	Mr. Speaker
Davis	Kuehl	Strom-Martin	
Ducheny	Lempert	Sweeney	

**NOES—32**

Ackerman	Bowler	House	Morrow
Aguiar	Brewer	Kaloogian	Olberg
Alby	Campbell	Kuykendall	Oller
Ashburn	Cunneen	Leach	Poochigian
Baldwin	Firestone	Leonard	Prenter
Battin	Frusetta	Margett	Pringle
Baugh	Goldsmith	McClintock	Runner
Bordonaro	Granlund	Miller	Thompson

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 715**

At 12:19 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.

Senate Bill No. 715 passed by the following vote:

**AYES—41**

Alquist	Escutia	Martinez	Thomson
Aroner	Figueroa	Mazzoni	Torlakson
Baca	Floyd	Migden	Vincent
Bowen	Gallegos	Murray	Washington
Brown	Havice	Napolitano	Wayne
Bustamante	Hertzberg	Ortiz	Wildman
Cardenas	Honda	Perata	Wright
Cedillo	Keeley	Scott	Mr. Speaker
Cunneen	Knox	Shelley	
Davis	Kuehl	Strom-Martin	
Ducheny	Lempert	Sweeney	

**NOES—32**

Ackerman	Bowler	Leach	Oller
Aguiar	Brewer	Leonard	Pacheco
Alby	Campbell	Margett	Poochigian
Ashburn	Frusetta	McClintock	Prenter
Baldwin	Goldsmith	Miller	Pringle
Battin	House	Morrissey	Runner
Baugh	Kaloogian	Morrow	Thompson
Bordonaro	Kuykendall	Olberg	Woods

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 2224**

At 12:19 a.m., on motion of Assembly Member Alpert, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 2224 passed by the following vote:

**AYES—44**

Alquist	Ducheny	Kuehl	Shelley
Aroner	Escutia	Lempert	Strom-Martin
Baca	Figueroa	Mazzoni	Sweeney
Bowen	Floyd	Migden	Thomson
Brown	Frusetta	Morrissey	Torlakson
Bustamante	Gallegos	Murray	Vincent
Cardenas	Havice	Napolitano	Washington
Cardoza	Hertzberg	Ortiz	Wayne
Cedillo	Honda	Perata	Wildman
Cunneen	Keeley	Prenter	Wright
Davis	Knox	Scott	Mr. Speaker

**NOES—27**

Ackerman	Bowler	Leonard	Pacheco
Aguiar	Brewer	Margett	Poochigian
Ashburn	Campbell	McClintock	Pringle
Baldwin	Goldsmith	Miller	Runner
Battin	House	Morrow	Thompson
Baugh	Kaloogian	Olberg	Woods
Bordonaro	Leach	Oller	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 310**

At 12:21 a.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.

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, 12:22 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 CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 818**

At 12:22 a.m., on motion of Assembly Member Martinez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 818 by the following vote:

**AYES—41**

Alquist	Escutia	Martinez	Thomson
Aroner	Figueroa	Mazzoni	Torlakson
Baugh	Floyd	Migden	Vincent
Bowen	Gallegos	Murray	Washington
Brown	Havice	Napolitano	Wayne
Bustamante	Hertzberg	Ortiz	Wildman
Cardenas	Honda	Perata	Wright
Cardoza	Keeley	Scott	Mr. Speaker
Cedillo	Knox	Shelley	
Davis	Kuehl	Strom-Martin	
Ducheny	Lempert	Sweeney	

**NOES—32**

Ackerman	Brewer	Kuykendall	Olberg
Aguiar	Campbell	Leach	Oller
Alby	Cunneen	Leonard	Poochigian
Ashburn	Firestone	Margett	Prenter
Baldwin	Frusetta	McClintock	Pringle
Battin	Goldsmith	Miller	Runner
Bordonaro	House	Morrissey	Thompson
Bowler	Kaloogian	Morrow	Woods

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 954**

At 12:22 a.m., on motion of Assembly Member Martinez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 954 by the following vote:

**AYES—41**

Alquist	Escutia	Martinez	Thomson
Aroner	Figueroa	Mazzoni	Torlakson
Baca	Floyd	Migden	Vincent
Bowen	Gallegos	Miller	Wayne
Brown	Havice	Murray	Wildman
Bustamante	Hertzberg	Napolitano	Woods
Cardenas	Honda	Ortiz	Wright
Cardoza	Keeley	Perata	Mr. Speaker
Cedillo	Knox	Shelley	
Davis	Kuehl	Strom-Martin	
Ducheny	Lempert	Sweeney	

**NOES—31**

Ackerman	Bowler	Kuykendall	Oller
Aguiar	Campbell	Leach	Pacheco
Alby	Cunneen	Leonard	Poochigian
Ashburn	Firestone	Margett	Prenter
Baldwin	Frusetta	McClintock	Pringle
Battin	Goldsmith	Morrissey	Runner
Baugh	House	Morrow	Thompson
Bordonaro	Kaloogian	Olberg	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1374**

At 12:23 a.m., on motion of Assembly Member Hertzberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1374 by the following vote:

**AYES—42**

Alquist	Escutia	Martinez	Sweeney
Aroner	Figueroa	Mazzoni	Thomson
Baca	Floyd	McClintock	Torlakson
Bowen	Gallegos	Migden	Vincent
Brown	Havice	Murray	Washington
Bustamante	Hertzberg	Napolitano	Wayne
Cardenas	Honda	Ortiz	Wildman
Cardoza	Keeley	Perata	Wright
Cedillo	Knox	Scott	Mr. Speaker
Davis	Kuehl	Shelley	
Ducheny	Lempert	Strom-Martin	

**NOES—31**

Ackerman	Bowler	Leach	Pacheco
Aguiar	Brewer	Leonard	Poochigian
Alby	Campbell	Margett	Prenter
Ashburn	Cunneen	Miller	Pringle
Baldwin	Frusetta	Morrissey	Runner
Battin	Goldsmith	Morrow	Thompson
Baugh	House	Olberg	Woods
Bordonaro	Kaloogian	Oller	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2429**

At 12:23 a.m., on motion of Assembly Member Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2429 by the following vote:

**AYES—41**

Alquist	Escutia	Martinez	Thomson
Aroner	Figueroa	Mazzoni	Torlakson
Baca	Floyd	Migden	Vincent
Bowen	Gallegos	Murray	Washington
Brown	Havice	Napolitano	Wayne
Bustamante	Hertzberg	Ortiz	Wildman
Cardenas	Honda	Perata	Wright
Cardoza	Keeley	Scott	Mr. Speaker
Cedillo	Knox	Shelley	
Davis	Kuehl	Strom-Martin	
Ducheny	Lempert	Sweeney	

**NOES—34**

Ackerman	Brewer	Leach	Pacheco
Aguiar	Campbell	Leonard	Poochigian
Alby	Cunneen	Margett	Prenter
Ashburn	Firestone	McClintock	Pringle
Baldwin	Frusetta	Miller	Runner
Battin	Goldsmith	Morrissey	Thompson
Baugh	House	Morrow	Woods
Bordonaro	Kaloogian	Olberg	
Bowler	Kuykendall	Oller	

Above bill ordered enrolled

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2004**

At 12:23 a.m., on motion of Assembly Member Wright, 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. 2004 by the following vote:

**AYES—41**

Alquist	Escutia	Machado	Sweeney
Aroner	Figueroa	Martinez	Thomson
Baca	Floyd	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Vincent
Brown	Havice	Murray	Washington
Bustamante	Hertzberg	Napolitano	Wildman
Cardenas	Honda	Ortiz	Wright
Cardoza	Keeley	Perata	Mr. Speaker
Cedillo	Knox	Scott	
Davis	Kuehl	Shelley	
Ducheny	Lempert	Strom-Martin	

**NOES—34**

Ackerman	Brewer	Leach	Pacheco
Aguiar	Campbell	Leonard	Poochigian
Alby	Cunneen	Margett	Prenter
Ashburn	Firestone	McClintock	Pringle
Baldwin	Frusetta	Miller	Runner
Battin	Goldsmith	Morrissey	Thompson
Baugh	House	Morrow	Wayne
Bordonaro	Kaloogian	Olberg	
Bowler	Kuykendall	Oller	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1292**

At 12:23 a.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.

Senate Bill No. 1292 passed by the following vote:

**AYES—41**

Alquist	Escutia	Martinez	Thomson
Aroner	Figueroa	Mazzoni	Torlakson
Baca	Floyd	Migden	Vincent
Bowen	Gallegos	Murray	Washington
Brown	Havice	Napolitano	Wayne
Bustamante	Hertzberg	Ortiz	Wildman
Cardenas	Honda	Perata	Wright
Cardoza	Keeley	Scott	Mr. Speaker
Cedillo	Knox	Shelley	
Davis	Kuehl	Strom-Martin	
Ducheny	Lempert	Sweeney	

**NOES—34**

Ackerman	Brewer	Kuykendall	Oller
Aguiar	Campbell	Leach	Poochigian
Alby	Cunneen	Leonard	Prenter
Ashburn	Firestone	Margett	Pringle
Baldwin	Frusetta	McClintock	Runner
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Woods
Bordonaro	House	Morrow	
Bowler	Kaloogian	Olberg	

Bill ordered transmitted to the Senate.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 12:28 a.m., by unanimous consent, the members of the Committee on Appropriations were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room.

**CAUCUS ANNOUNCEMENTS**

At 12:28 a.m., Assembly Member Thompson was granted unanimous consent that the Republican Caucus be permitted to meet in the Assembly Lounge.

**RECESS**

By unanimous consent, at 12:28 a.m., Acting Speaker Keeley declared the Assembly recessed.

**REASSEMBLED**

At 1:10 a.m., the Assembly reconvened.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1247**

At 1:10 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.

Senate Bill No. 1247 passed by the following vote:

**AYES—42**

Alquist	Escutia	Martinez	Sweeney
Aroner	Figueroa	Mazzoni	Thomson
Baca	Floyd	Migden	Torlakson
Bowen	Gallegos	Murray	Vincent
Brown	Havice	Napolitano	Washington
Cardenas	Hertzberg	Ortiz	Wayne
Cardoza	Honda	Pacheco	Wildman
Cedillo	Keeley	Perata	Wright
Cunneen	Knox	Scott	Mr. Speaker
Davis	Kuehl	Shelley	
Ducheny	Lempert	Strom-Martin	

**NOES—34**

Ackerman	Brewer	Leach	Poochigian
Aguiar	Campbell	Leonard	Prenter
Alby	Firestone	Margett	Pringle
Ashburn	Frusetta	McClintock	Richter
Baldwin	Goldsmith	Miller	Runner
Battin	Granlund	Morrissey	Thompson
Baugh	House	Morrow	Woods
Bordonaro	Kaloogian	Olberg	
Bowler	Kuykendall	Oller	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 412**

At 1:10 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.

Senate Bill No. 412 refused passage by the following vote:

**AYES—40**

Alquist	Ducheny	Kuehl	Strom-Martin
Aroner	Escutia	Mazzoni	Sweeney
Baca	Figueroa	McClintock	Thomson
Bowen	Floyd	Migden	Torlakson
Brown	Gallegos	Murray	Vincent
Bustamante	Havice	Napolitano	Washington
Cardenas	Hertzberg	Ortiz	Wayne
Cardoza	Honda	Perata	Wildman
Cedillo	Keeley	Scott	Wright
Davis	Knox	Shelley	Mr. Speaker

**NOES—33**

Ackerman	Brewer	Leach	Prenter
Aguiar	Campbell	Leonard	Pringle
Alby	Cunneen	Margett	Richter
Ashburn	Firestone	Miller	Runner
Baldwin	Goldsmith	Morrissey	Thompson
Battin	Granlund	Morrow	Woods
Baugh	House	Olberg	
Bordonaro	Kaloogian	Oller	
Bowler	Kuykendall	Poochigian	

**Motion to Reconsider Senate Bill No. 412  
on Next Legislative Day**

Assembly Member Bowen moved to reconsider on the next legislative day the vote whereby Senate Bill No. 412 was this day refused passage.

Senate Bill No. 412 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1966**

At 1:11 a.m., on motion of Assembly Member Shelley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1966 refused passage by the following vote:

**AYES—38**

Alquist	Floyd	Mazzoni	Sweeney
Aroner	Gallegos	Migden	Thomson
Bowen	Havice	Murray	Torlakson
Brown	Hertzberg	Napolitano	Vincent
Cardenas	Honda	Ortiz	Washington
Cedillo	Keeley	Papan	Wayne
Davis	Knox	Perata	Wildman
Ducheny	Kuehl	Scott	Mr. Speaker
Escutia	Lempert	Shelley	
Figueroa	Martinez	Strom-Martin	

**NOES—36**

Ackerman	Brewer	Kuykendall	Oller
Aguilar	Campbell	Leach	Pacheco
Alby	Cunneen	Leonard	Poochigian
Ashburn	Firestone	Margett	Prenter
Baldwin	Frusetta	McClintock	Pringle
Battin	Goldsmith	Miller	Richter
Baugh	Granlund	Morrissey	Runner
Bordonaro	House	Morrow	Thompson
Bowler	Kaloogian	Olberg	Woods

**Motion to Reconsider Senate Bill No. 1966  
on Next Legislative Day**

Assembly Member Keeley moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1966 was this day refused passage.

Senate Bill No. 1966 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1500**

At 1:11 a.m., on motion of Assembly Member Ortiz, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Oller moved to continued the call of the Assembly.

Motion carried. Time, 1:12 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  
SENATE BILL NO. 1909**

At 1:14 a.m., on motion of Assembly Member Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1909 passed by the following vote:

**AYES—41**

Alquist	Escutia	Martinez	Thomson
Aroner	Figueroa	Mazzoni	Torlakson
Baca	Floyd	Migden	Vincent
Bowen	Gallegos	Murray	Washington
Brown	Havice	Napolitano	Wayne
Bustamante	Hertzberg	Ortiz	Wildman
Cardenas	Honda	Perata	Wright
Cardoza	Keeley	Scott	Mr. Speaker
Cedillo	Knox	Shelley	
Davis	Kuehl	Strom-Martin	
Ducheny	Lempert	Sweeney	

**NOES—33**

Ackerman	Brewer	Kuykendall	Poochigian
Aguiar	Campbell	Leach	Prenter
Alby	Cunneen	Leonard	Pringle
Ashburn	Firestone	Margett	Runner
Baldwin	Frusetta	McClintock	Thompson
Battin	Goldsmith	Miller	Woods
Baugh	Granlund	Morrow	
Bordonaro	House	Olberg	
Bowler	Kaloogian	Oller	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1933**

At 1:14 a.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.

Senate Bill No. 1933 refused passage by the following vote:

**AYES—34**

Alquist	Escutia	Lempert	Sweeney
Aroner	Figueroa	Martinez	Thomson
Baca	Floyd	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Vincent
Brown	Hertzberg	Murray	Washington
Bustamante	Honda	Napolitano	Wright
Cardenas	Keeley	Perata	Mr. Speaker
Cedillo	Knox	Shelley	
Ducheny	Kuehl	Strom-Martin	

**NOES—34**

Ackerman	Brewer	Kuykendall	Pacheco
Aguiar	Campbell	Leach	Poochigian
Alby	Cunneen	Leonard	Prenter
Ashburn	Firestone	Margett	Pringle
Baldwin	Frusetta	McClintock	Runner
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrow	Woods
Bordonaro	House	Olberg	
Bowler	Kaloogian	Oller	

**Motion to Reconsider Senate Bill No. 1933  
on Next Legislative Day**

Assembly Member Cedillo moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1933 was this day refused passage.

Senate Bill No. 1933 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1500**

At 1:14 a.m., on motion of Assembly Member Oller, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1500 passed by the following vote:

**AYES—41**

Alquist	Figueroa	Machado	Sweeney
Aroner	Firestone	Martinez	Thomson
Bowen	Gallegos	Mazzoni	Torlakson
Brown	Havice	Migden	Vincent
Bustamante	Hertzberg	Murray	Washington
Cardenas	Honda	Napolitano	Wayne
Cardoza	Keeley	Ortiz	Wildman
Cedillo	Knox	Perata	Mr. Speaker
Cunneen	Kuehl	Scott	
Davis	Kuykendall	Shelley	
Escutia	Lempert	Strom-Martin	

**NOES—33**

Ackerman	Brewer	Margett	Pringle
Alby	Campbell	McClintock	Richter
Ashburn	Frusetta	Miller	Runner
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Woods
Battin	House	Olberg	Wright
Baugh	Kaloogian	Oller	
Bordonaro	Leach	Poochigian	
Bowler	Leonard	Prenter	

**Motion to Reconsider Senate Bill No. 1500  
on Next Legislative Day**

Assembly Member Granlund moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1500 was this day passed.

Senate Bill No. 1500 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 310**

At 1:15 a.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.

The Assembly concurred in Senate amendments to Assembly Bill No. 310 by the following vote:

**AYES—41**

Alquist	Escutia	Martinez	Thomson
Aroner	Figueroa	Mazzoni	Torlakson
Baca	Floyd	Migden	Vincent
Bowen	Gallegos	Murray	Washington
Brown	Havice	Napolitano	Wayne
Bustamante	Hertzberg	Ortiz	Wildman
Cardenas	Honda	Perata	Wright
Cardoza	Keeley	Scott	Mr. Speaker
Cedillo	Knox	Shelley	
Davis	Kuehl	Strom-Martin	
Ducheny	Lempert	Sweeney	

**NOES—34**

Ackerman	Campbell	Leach	Pacheco
Aguiar	Cunneen	Leonard	Poochigian
Ashburn	Firestone	Margett	Prenter
Baldwin	Frusetta	McClintock	Pringle
Battin	Goldsmith	Miller	Runner
Baugh	Granlund	Morrissey	Thompson
Bordonaro	House	Morrow	Woods
Bowler	Kaloogian	Olberg	
Brewer	Kuykendall	Oller	

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 2229 and Senate Bill No. 1610 were continued until the next legislative day.

**NOTICES OF MOTIONS TO WITHDRAW BILLS  
FROM COMMITTEE CONTINUED**

Assembly Member Pacheco was granted unanimous consent that the notice of motion to withdraw Assembly Bill No. 1735 from the Committee on Public Safety be continued until the next legislative day.

Assembly Member Morrow was granted unanimous consent that the notice of motion to withdraw Senate Bill No. 1536 from the Committee on Judiciary be continued until the next legislative day.

**BILLS RETURNED TO THIRD READING FILE**

Pursuant to Assembly Rule 78, the following bills were withdrawn from the inactive file, and placed upon the third reading file.

**Senate Bill No. 818**, on request of Assembly Member Murray;

**Senate Bill No. 2159**, on request of Assembly Member Mazzoni.

Above bills ordered enrolled.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items:

**Assembly Bill No. 604, Concurrence:** Alby, Aroner, Ashburn, Battin, Baugh, Bordonaro, Brewer, Ducheny, Frusetta, Gallegos, Goldsmith, Havice, Kaloogian, Martinez, Mazzoni, McClintock, Migden, Morrow, Murray, Oller, Pacheco, Perata, Prenter, Runner, Thomson, and Washington—Aye.

**Senate Bill No. 1681:** Alby, Aroner, Baugh, Bordonaro, Brewer, Bustamante, Cedillo, Ducheny, Frusetta, Gallegos, Goldsmith, Kaloogian, Knox, Leach, Martinez, Mazzoni, Morrow, Murray, Napolitano, Olberg, Pacheco, Perata, Prenter, and Thomson—Aye.

**Assembly Bill No. 3, Concurrence:** Alby, Battin, Bordonaro, Brewer, Cedillo, Frusetta, Gallegos, Goldsmith, Kaloogian, Mazzoni, Morrow, Murray, Perata, Prenter, and Thomson—Aye; Martinez—No.

**Senate Bill No. 1624:** Alby, Aroner, Bordonaro, Brewer, Frusetta, Gallegos, Goldsmith, Kaloogian, Martinez, Mazzoni, Morrow, Murray, Oller, Prenter, and Thomson—Aye.

**Assembly Bill No. 2580, Concurrence:** Alby, Aroner, Baldwin, Bordonaro, Brewer, Campbell, Frusetta, Gallegos, Goldsmith, Kaloogian, Mazzoni, Morrow, Murray, Oller, Perata, Poochigian, Prenter, and Thomson—Aye; Martinez—No.

**Senate Bill No. 2014:** Alby, Bordonaro, Brewer, Campbell, Cedillo, Frusetta, Gallegos, Goldsmith, Hertzberg, Kaloogian, Leach, Martinez, Mazzoni, McClintock, Morrow, Murray, Oller, Pacheco, Perata, Poochigian, Prenter, Thomson, and Wildman—Aye.

**Senate Bill No. 1393:** Bordonaro, Brewer, Cardenas, Cedillo, Frusetta, Gallegos, Goldsmith, Hertzberg, Kaloogian, Martinez, Mazzoni, Morrow, Murray, Papan, Perata, Thomson, and Wildman—Aye; Alby—No.

**Assembly Bill No. 424, Concurrence:** Bordonaro, Brewer, Campbell, Cedillo, Frusetta, Martinez, Mazzoni, Morrow, Perata, and Thomson—Aye.

**Senate Bill No. 1988:** Baldwin, Bordonaro, Brewer, Frusetta, Honda, Mazzoni, Morrow, Murray, Pacheco, Perata, and Thomson—Aye; Martinez—No.

**Assembly Bill No. 2128, Urgency and Concurrence:** Bordonaro, Brewer, Leach, Mazzoni, Morrow, Pacheco, Perata, and Thomson—Aye; Martinez—No.

**Senate Bill No. 537:** Ashburn, Bordonaro, Cedillo, Cunneen, Martinez, Mazzoni, Morrow, Poochigian, Thomson, and Woods—Aye; Brewer, Goldsmith, Kaloogian, and Oller—No.

**Assembly Bill No. 1963, Urgency and Concurrence:** Ashburn, Battin, Bordonaro, Brewer, Bustamante, Cedillo, Martinez, Mazzoni, McClintock, Morrow, and Thomson—Aye.

**Assembly Bill No. 1624, Concurrence:** Bordonaro, Cedillo, Martinez, Olberg, and Thomson—Aye; Goldsmith, Kaloogian, Morrow, Oller, and Runner—No.

**Assembly Bill No. 2447, Urgency and Concurrence:** Bordonaro, Bowen, Cedillo, Havice, House, Martinez, Morrow, Olberg, Pringle, Runner, and Thomson—Aye.

**Assembly Bill No. 1560, Concurrence:** Aroner, Bordonaro, Martinez, Morrow, Olberg, Pacheco, Runner, and Thomson—Aye.

**Assembly Bill No. 1685, Concurrence:** Bordonaro, Bowen, Bustamante, Cedillo, Martinez, Morrow, Pacheco, Runner, and Shelley—Aye.

**Senate Bill No. 1715:** Bordonaro, Bowen, Campbell, Cedillo, Martinez, Morrow, Pringle, and Runner—Aye.

**Senate Bill No. 1712:** Ackerman, Baca, Bordonaro, Campbell, Martinez, Morrow, Prenter, and Runner—Aye.

**Senate Bill No. 1691:** Ackerman, Bordonaro, Campbell, Cardenas, Martinez, Morrow, Prenter, and Runner—Aye.

**Senate Bill No. 1645:** Ackerman, Bordonaro, Cedillo, Keeley, Martinez, Morrow, Prenter, and Runner—Aye.

**Assembly Bill No. 810, Concurrence:** Bordonaro, Martinez, and Morrow—Aye.

**Senate Bill No. 1697:** Battin, Bordonaro, Bustamante, Cardenas, Goldsmith, Martinez, and Runner—Aye; Baldwin, Morrow, and Pringle—No.

**Assembly Bill No. 972, Concurrence:** Bordonaro, Bowen, Martinez, Morrow, Olberg, Oller, and Runner—Aye; Baldwin and Kaloogian—No.

**Assembly Bill No. 1665, Concurrence:** Bordonaro, Martinez, Morrow, and Runner—Aye.

**Assembly Bill No. 2651, Concurrence:** Bowen, Havice, Martinez, McClintock, Morrow, Olberg, Pacheco, and Shelley—Aye; Battin, Bordonaro, House, and Pringle—No.

**Senate Bill No. 1361:** Battin, Bordonaro, Cedillo, Morrow, Pacheco, Pringle, and Runner—Aye.

**Assembly Bill No. 2551, Concurrence:** Ashburn, Baldwin, Battin, Bordonaro, Martinez, and Pacheco—Aye; Morrow—No.

**Senate Bill No. 1873:** Bordonaro, Frusetta, Martinez, Morrow, Pacheco, and Runner—Aye.

**Senate Bill No. 1641:** Ducheny, Knox, and Martinez—Aye; Goldsmith, Morrow, and Runner—No.

**Assembly Bill No. 2363, Concurrence:** Ducheny, Kaloogian, Knox, Martinez, Morrow, Oller, Runner, Shelley, and Torlakson—Aye.

**Senate Bill No. 1950:** Papan—Aye.

**Assembly Bill No. 2169, Concurrence:** Bowen, Martinez, Papan, Runner, and Sweeney—Aye.

**Assembly Bill No. 2569, Concurrence:** Bowen, Papan, and Runner—Aye.

**Senate Bill No. 19:** Bowen, Bustamante, Papan, and Runner—Aye.

**Assembly Bill No. 1785, Concurrence:** Ducheny, Knox, Olberg, and Runner—Aye; Baldwin—No.

**Assembly Bill No. 1342, Concurrence:** Campbell, Olberg, and Runner—Aye; Sweeney—No.

**Senate Bill No. 287, Motion to Table Battin Amendments-Set 1:** Alby and Olberg—Aye; Aguiar, Miller, and Runner—No.

**Senate Bill No. 287, Motion to Table Battin Amendments—Set 2:**  
Ashburn—No.

**Senate Bill No. 287, Motion to Table Cardenas Amendments—Set 3:** Olberg—Aye; Ashburn and Kaloogian—No.

**Senate Bill No. 287, Motion to Table Cardenas Amendments—Set 4:** Olberg—Aye; Kaloogian—No.

**Senate Bill No. 287, Motion to Table Napolitano Amendments—Set 5:** Olberg—Aye.

**Senate Bill No. 473:** Ducheny and Martinez—Aye; Ackerman, Baldwin, Baugh, Campbell, Kaloogian, Miller, Morrow, Poochigian, Prenter, and Runner—No.

**Senate Bill No. 1560:** Cunneen, Kuykendall, and Martinez—Aye; Aguiar, Goldsmith, and Poochigian—No.

**Senate Bill No. 988:** Battin, Frusetta, Martinez, Miller, and Pacheco—Aye.

**Senate Bill No. 1878:** Bowen, Frusetta, Gallegos, Kaloogian, Knox, Martinez, Oller, and Washington—Aye; Migden—No.

**Senate Bill No. 2045:** Ackerman, Baldwin, Baugh, Cedillo, Kaloogian, Martinez, Olberg, and Prenter—Aye.

**Senate Bill No. 956:** Ackerman, Aroner, Baldwin, Battin, Bowen, Ducheny, Knox, Martinez, Pacheco, Prenter, and Pringle—Aye.

**Senate Bill No. 1194:** Ackerman, Aroner, Battin, Martinez, Migden, Pacheco, Prenter, Runner, Shelley, and Washington—Aye; Pringle—No.

**Senate Bill No. 1412:** Aroner, Goldsmith, Martinez, and Pacheco—Aye; Ackerman, Olberg, and Prenter—No.

**Senate Bill No. 1481:** Aroner, Davis, and Martinez—Aye; Ackerman, Baugh, Olberg, Pacheco, and Prenter—No.

**Senate Bill No. 1485:** Aroner, Baca, Baldwin, Bordonaro, Bowler, Martinez, Pacheco, Prenter, and Shelley—Aye; Ackerman, Baugh, Kaloogian, Olberg, Poochigian, and Runner—No.

**Senate Bill No. 1829:** Aroner, Bowler, Goldsmith, Martinez, Morrissey, and Prenter—Aye; Ackerman, Baugh, Olberg, Pacheco, Poochigian, and Runner—No.

**Senate Bill No. 1941:** Aroner, Gallegos, and Martinez—Aye; Ackerman, Bowler, Olberg, Pacheco, and Prenter—No.

**Senate Bill No. 1696:** Aguiar, Aroner, Baldwin, House, Martinez, Murray, Oller, and Poochigian—Aye; Baugh, Olberg, and Runner—No.

**Senate Bill No. 277:** Aguiar, Aroner, Baldwin, Baugh, Bordonaro, Cunneen, and Olberg—Aye; Martinez—No.

**Senate Bill No. 2074:** Alby, Aroner, Kaloogian, Martinez, Olberg, Oller, and Poochigian—Aye.

**Senate Bill No. 309:** Aroner, Bowler, Frusetta, and Martinez—Aye; Alby, Ashburn, Cunneen, Goldsmith, Olberg, Poochigian, and Runner—No.

**Senate Bill No. 409:** Alby, Alquist, Aroner, Ashburn, Bowler, Bustamante, Davis, Goldsmith, Martinez, Olberg, Poochigian, and Runner—Aye.

**Senate Bill No. 1453:** Aroner and Martinez—Aye; Alby, Ashburn, Bowler, Goldsmith, Olberg, Oller, and Runner—No.

**Senate Bill No. 1530 and Urgency:** Alby, Aroner, Bowler, Honda, Martinez, Olberg, and Runner—Aye.

**Senate Bill No. 281 and Urgency:** Ackerman, Alby, Aroner, Bowler, Ducheny, Honda, Martinez, Olberg, Perata, Prenter, and Runner—Aye.

**Senate Bill No. 1462:** Ackerman, Alby, Bowler, Honda, Martinez, Miller, Olberg, Pacheco, Prenter, and Runner—Aye.

**Consent Calendar:** Bordonaro, Bowen, Bustamante, Keeley, Knox, and Perata—Aye.

**Senate Bill No. 270:** Aroner, Bustamante, Martinez, and Perata—Aye.

**Senate Bill No. 1896:** Aguiar, Aroner, Bustamante, Martinez, Olberg, and Perata—Aye.

**Senate Bill No. 2049:** Aguiar, Aroner, Bustamante, Honda, Martinez, and Perata—Aye; Alby, Cunneen, and Poochigian—No.

**Assembly Constitutional Amendment No. 21:** Perata—Aye; Ashburn, Bordonaro, Bustamante, Kaloogian, Martinez, and Olberg—No.

**Senate Bill No. 1690:** Baldwin, Bustamante, Cedillo, Ducheny, Honda, Knox, Martinez, and Perata—Aye; Ashburn—No.

**Senate Bill No. 2055:** Aroner, Bowen, Bustamante, Cardenas, Cedillo, Davis, Ducheny, Honda, Knox, Murray, and Perata—Aye; Martinez—No.

**Senate Bill No. 2126:** Bustamante, Cardenas, Cedillo, Gallegos, Martinez, Perata, and Poochigian—Aye; Ashburn—No.

**Senate Bill No. 1190:** Bustamante, Honda, Martinez, Murray, Pacheco, Perata, and Washington—Aye.

**Senate Bill No. 1832:** Bustamante, Cardenas, Martinez, Pacheco, and Perata—Aye.

**Senate Bill No. 1835:** Bustamante, Martinez, Pacheco, and Perata—Aye; Ashburn—No.

**Senate Bill No. 1934:** Bustamante, Frusetta, Honda, Martinez, Pacheco, and Perata—Aye.

**Senate Bill No. 1370 and Urgency:** Bustamante, Cedillo, Ducheny, Frusetta, Knox, Pacheco, and Perata—Aye.

**Senate Bill No. 1415:** Bustamante, Cedillo, Knox, Martinez, Perata, and Runner—Aye.

**Senate Bill No. 2208:** Bowen, Bustamante, Cunneen, Ducheny, Goldsmith, Knox, Perata, and Woods—Aye; Poochigian—No.

**Senate Bill No. 1454:** Bustamante, Kaloogian, Olberg, and Perata—Aye.

**Senate Bill No. 489:** Battin, Kaloogian, Migden, Perata, Poochigian, Runner, and Washington—Aye.

**Senate Bill No. 1879:** Cedillo, Martinez, Pacheco, Perata, and Prenter—Aye; Ashburn and Runner—No.

**Senate Bill No. 1955:** Aguiar, Cedillo, Kaloogian, Migden, Perata, Pringle, Runner, and Washington—Aye; Ashburn, Oller, and Pacheco—No.

**Senate Bill No. 184:** Bordonaro, Cunneen, and Perata—Aye; Runner—No.

**Senate Bill No. 2234 and Urgency:** Baca, Cardenas, Perata, and Runner—Aye.

**Senate Bill No. 2030:** Cunneen, Havice, Pacheco, Perata, Runner, and Shelley—Aye.

**Senate Bill No. 1868:** Perata and Pringle—Aye; Ashburn, Olberg, and Runner—No.

**Assembly Bill No. 1424, Concurrence:** Ducheny, House, Knox, Perata, and Shelley—Aye; Ashburn, Battin, Olberg, Poochigian, and Runner—No.

**Assembly Bill No. 2491, Concurrence:** Cunneen and Perata—Aye; Ashburn and Runner—No.

**Assembly Bill No. 1096, Concurrence:** Baldwin, Campbell, Perata, and Torlakson—Aye; Ashburn and Runner—No.

**Assembly Bill No. 1161, Concurrence:** Perata—Aye; Ashburn, Baldwin, Cunneen, and Runner—No.

**Assembly Bill No. 1642, Concurrence:** Baldwin, Perata, and Runner—Aye.

**Assembly Bill No. 2011, Urgency and Concurrence:** Morrissey, Perata, and Runner—Aye.

**Assembly Bill No. 821, Concurrence:** Perata and Runner—Aye.

**Assembly Bill No. 1655, Concurrence:** Perata, Poochigian, and Runner—Aye.

**Assembly Bill No. 698, Concurrence:** Cunneen, Migden, Perata, and Washington—Aye; Alby, Ashburn, Baldwin, Bowler, and Runner—No.

**Assembly Bill No. 2611, Concurrence:** Battin, Cedillo, Leach, Murray, Olberg, Perata, Prenter, and Runner—Aye; Ackerman and Frusetta—No.

**Assembly Bill No. 2621, Concurrence:** Bordonaro, Cunneen, Kuykendall, and Perata—Aye; Ackerman, Ashburn, Baugh, Campbell, Olberg, Prenter, and Runner—No.

**Assembly Bill No. 332, Concurrence:** Ackerman, Aguiar, Alby, Bordonaro, Bowler, and Perata—Aye; Ashburn, Baldwin, Baugh, Prenter, and Runner—No.

**Assembly Bill No. 952, Concurrence:** Ackerman, Frusetta, Perata, Prenter, and Runner—Aye.

**Assembly Bill No. 964, Concurrence:** Perata—Aye; Ackerman, Ashburn, Baugh, Prenter, and Runner—No.

**Assembly Bill No. 1077, Concurrence:** Ackerman, Baldwin, Frusetta, Migden, Pacheco, Perata, Prenter, Runner, and Washington—Aye.

**Assembly Bill No. 1078, Concurrence:** Ackerman, Baldwin, Campbell, Frusetta, Kaloogian, Mazzoni, McClintock, Murray, Oller, Perata, Prenter, Runner, and Strom-Martin—Aye.

**Assembly Bill No. 1134, Concurrence:** Ackerman, Aguiar, Ashburn, Bordonaro, Migden, Pacheco, Perata, Prenter, and Runner—Aye; Kaloogian and Oller—No.

**Assembly Bill No. 1233, Concurrence:** Ackerman, Baldwin, Bowen, McClintock, Migden, Olberg, Perata, Poochigian, Prenter, and Washington—Aye.

**Assembly Bill No. 1264, Concurrence:** Baca, Baldwin, Olberg, Oller, Pacheco, Perata, Poochigian, and Prenter—Aye; Ackerman and Kaloogian—No.

**Assembly Bill No. 1381, Concurrence:** Ackerman, Baugh, Bowen, Migden, Morrissey, Olberg, Perata, Prenter, and Washington—Aye.

**Assembly Bill No. 1386, Concurrence:** Perata—Aye.

**Assembly Bill No. 1453, Concurrence:** Kuykendall, Perata, and Poochigian—Aye.

**Assembly Bill No. 1629, Concurrence:** Baugh, Cunneen, Davis, Havice, Knox, Perata, and Washington—Aye.

**Assembly Bill No. 1654, Concurrence:** Baugh, Pacheco, and Perata—Aye.

**Assembly Bill No. 1716, Concurrence:** Cunneen, Migden, and Perata—Aye; Baugh—No.

**Assembly Bill No. 1745, Concurrence:** Cedillo, Gallegos, and Perata—Aye.

**Assembly Bill No. 1761, Urgency and Concurrence:** Migden, Perata, Poochigian, and Washington—Aye.

**Assembly Bill No. 1856, Concurrence:** Perata—Aye.

**Assembly Bill No. 1994, Concurrence:** Ducheny, Frusetta, Migden, Perata, and Washington—Aye; Aguiar, Ashburn, and Bordonaro—No.

**Assembly Bill No. 2003, Concurrence:** Aroner, Ashburn, and Perata—Aye.

**Assembly Bill No. 2150, Concurrence:** Baugh, Bordonaro, Gallegos, Migden, and Perata—Aye.

**Assembly Bill No. 2222, Concurrence:** Honda, Morrissey, Murray, and Perata—Aye.

**Assembly Bill No. 2237, Concurrence:** Perata—Aye.

**Assembly Bill No. 2238, Concurrence:** Kuykendall, Perata, and Poochigian—Aye; Baugh, Brewer, and McClintock—No.

**Assembly Bill No. 2377, Concurrence:** Kuykendall, Perata, and Sweeney—Aye.

**Assembly Bill No. 2501, Concurrence:** McClintock and Perata—Aye; Battin, Olberg, and Pringle—No.

**Assembly Bill No. 1999, Concurrence:** Migden, Perata, Shelley, and Washington—Aye; Baugh and Olberg—No.

**Assembly Bill No. 2510, Concurrence:** Perata and Migden—Aye; McClintock—No.

**Assembly Bill No. 2534, Concurrence:** Ashburn, Migden, Perata, and Poochigian—Aye.

**Assembly Bill No. 2565, Concurrence:** Perata—Aye.

**Assembly Bill No. 2592, Concurrence:** Perata—Aye; Ashburn—No.

**Assembly Bill No. 2637, Concurrence:** Battin, Baugh, Cunneen, Ducheny, Kaloogian, Olberg, Perata, Pringle, and Shelley—Aye.

**Assembly Bill No. 2712, Concurrence:** Perata—Aye; Cunneen—No.

**Assembly Bill No. 2765, Concurrence:** Perata—Aye.

**Assembly Bill No. 2790, Concurrence:** Leach and Perata—Aye; Ackerman, Battin, Baugh, and Pringle—No.

**Assembly Bill No. 2116, Concurrence:** Morrissey—Aye; Ashburn—No.

**Senate Bill No. 1540:** Murray—Aye; Ashburn, Baugh, and Pringle—No.

**Senate Bill No. 2048:** Napolitano—Aye.

**Senate Bill No. 648:** Bustamante—Aye.

**Special Consent Calendar:** Perata and Prenter—Aye.

**Senate Bill No. 1700 and Urgency:** Pacheco—Aye.

**Senate Bill No. 2138:** Frusetta—Aye.

**Senate Bill No. 1611:** Bustamante—Aye; Miller—No.

#### **MOTION TO ADJOURN**

At 1:18 a.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Kuykendall seconded the motion.

Motion carried.

#### **QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 1:19 a.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly were dispensed with.

#### **INTRODUCTION OF GUESTS**

Speaker pro Tempore Kuehl introduced Howard Jorenby, of Daktronics.

#### **ADJOURNMENT**

At 1:20 a.m., pursuant to the motion by Assembly Member Washington the Assembly adjourned until 11:30 a.m., Friday, August 28, 1998, out of respect to the memory of Mary Geter, on motion of Assembly Member Washington; out of respect to the memory of Sam Harvey, on motion of Assembly Member Wildman; out of respect to the memory of Manuel Lizardo (Perry), on motion of Assembly Member Honda; and out of respect to the memory of Earl Richard Imbrecht, on motion of Assembly Member Firestone.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 27, 1998**

The following measures were amended in the Assembly on this day:

<b>SB</b>	<b>RN</b>
1011	9820728
1504	9820078
1757	9820373

**Daily Total: 3**  
**Cumulative Total: 7816**

Amendments were considered by the Assembly, but not adopted, to the following measure:

**SB**

287 (Battin—Set 1\*, laid upon the table)  
(Battin—Set 2\*, laid upon the table)  
(Cardenas—Set 3\*, laid upon the table)  
(Cardenas—Set 4\*, laid upon the table)  
(Napolitano—Set 5\*, laid upon the table)

(NOTE: \* Refers to amendments received in non-Legislative Counsel form.)

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, August 28, 1998**

**TWO HUNDRED SIXTY-FIFTH SESSION DAY  
SIX HUNDRED THIRTY-FIFTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Friday, August 28, 1998

The Assembly met at 11:30 a.m.  
Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Baugh moved a quorum call of the Assembly.  
Motion carried. Time, 11:31 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the  
doors, and to bring in the absent Members.

#### Quorum Present

At 11:58 a.m., Speaker pro Tempore Kuehl declared a quorum of the  
Assembly present.

The roll call was completed, and the following answered to their  
names—79:

Ackerman	Cunneen	Leach	Poochigian
Aguiar	Davis	Lempert	Prenter
Alby	Ducheny	Leonard	Pringle
Alquist	Escutia	Machado	Richter
Aroner	Figueroa	Margett	Runner
Ashburn	Firestone	Martinez	Scott
Baca	Floyd	Mazzoni	Shelley
Baldwin	Frusetta	McClintock	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker
Cedillo	Kuykendall	Perata	

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Assembly Member Scott Wildman, of the 43rd Assembly District:

*Lord, We all have hopes, dreams and ideologies—we all believe in certain tenets that we would like to see fulfilled. As we labor to finish the work set before us, Lord, we ask that You grant us an awareness of Your guidance and of Your judgment. Strengthen our trust in the invincibility of goodness and in the triumph of justice. Give us the strength and courage to strive for the better world yet to come. For Yours is the Kingdom and the Power and the Glory, forever.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Campbell 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 Thomson, seconded by Assembly Member Campbell.

**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 Takasugi.*

**COMMUNICATIONS**

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

**Explanation of Vote—Senate Bill No. 225**

*E. Dotson Wilson*

*Chief Clerk of the Assembly  
State Capitol, Room 3196*

Dear Dotson: When the roll call vote was taken on Wednesday August 26, 1998, on SB 225, I inadvertently voted “aye”. Although I did not announce my vote change at the conclusion of the session, I would like the record to clearly reflect my intention to have abstained on this measure.

Sincerely,

GIL CEDILLO, Assembly Member  
Twenty-fourth District

**Explanation of Vote—Senate Bill No. 1968**

August 28, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol Room 3196*

Dear Dotson: I want the record to reflect that I inadvertently voted AYE on SB 1968. My intention was to cast a No vote on this measure. However, because of a procedural mistake I was unable to do so.

Thank you for your consideration on this matter.

Sincerely,

MIKE HONDA, Assembly Member  
 Twenty-third District

**MESSAGES FROM THE SENATE**

Senate Chamber, August 27, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 619

GREG P. SCHMIDT, Secretary of the Senate  
 By John W. Rovane, Assistant Secretary

Senate Chamber, August 27, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 262  
 Senate Bill No. 345  
 Senate Bill No. 694  
 Senate Bill No. 1021  
 Senate Bill No. 1140  
 Senate Bill No. 1229  
 Senate Bill No. 1405  
 Senate Bill No. 1466  
 Senate Bill No. 1664

Senate Bill No. 1737  
 Senate Bill No. 1760  
 Senate Bill No. 1847  
 Senate Bill No. 1927  
 Senate Bill No. 1930  
 Senate Bill No. 2028  
 Senate Bill No. 2075  
 Senate Bill No. 2217  
 Senate Bill No. 2239

GREG P. SCHMIDT, Secretary of the Senate  
 By John W. Rovane, Assistant Secretary

August 28, 1998

*Hon. E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*Assembly Chamber*

Dear Dotson: By direction of the Senate I am requesting the return of Assembly Bill 1212 to the Senate for further action.

Sincerely,

GREGORY SCHMIDT  
 Secretary of the Senate

**UNANIMOUS CONSENT WITHHELD**

Assembly Member Pacheco announced that he was withholding unanimous consent on adoption of committee amendments to Senate Bill No. 2031, on this day's second reading file.

**ADJOURN IN MEMORY**

Assembly Member Aguiar was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ted Pollock of Upland, who worked for the Chamber of Commerce of the Chino Valley, survived by his wife Ruth and his sons George and Gordon.

Assembly Member Battin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Boyd, of Palm Desert and John Butz, Recreation Chief, Bureau of Land Management, El Centro.

Assembly Member Brewer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frederick Reines, 1995 Nobel Prize Recipient, Physics, U.C. Irvine.

Assembly Member Brown was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Brigadier Francis H.B. Ingall, of Sonoma.

Assembly Member Cardenas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jaime Garcia, of Pacoima.

Assembly Member Frusetta was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Margaret M. Medrano, of Silver Springs, NV; David A. D'Arrigo, of Salinas; Edna Bussey, of Watsonville; Thomas Garvie, of Salinas; and Charles McEwen Sr., of Watsonville.

Assembly Member Machado was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard Batten, of Tracy.

**REQUEST FOR PHOTOGRAPHER**

Assembly Member Keeley was granted unanimous consent that a photographer be permitted on the Floor of the Assembly and in the Gallery of the Assembly.

**RECESS**

By unanimous consent, at 12:05 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Campbell introduced Jon Wagner-Holtz, of Mission Viejo High School, the founder and CEO of *Kids Konnected*, a nonprofit organization that provides friendship, education, understanding and support for kids who have a parent with cancer.

Assembly Member Baugh introduced Richard Hiatt, of McAuliffe Middle School, who planned an Eagle Scout project to raise money for families experiencing cancer, and raised nearly \$15,000.

Jon Wagner-Holtz and Richard Hiatt were among the 10 national honorees of the 1998 Prudential Spirit of Community Award.

**REASSEMBLED**

At 12:08 p.m., the Assembly reconvened.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 78  
FROM COMMITTEE**

Pursuant to the provisions of Assembly Rule 96, Assembly Member Richter gave notice that he would move to withdraw Assembly Joint Resolution No. 78 from the Committee on Rules.

**MOTION TO SUSPEND RULES**

Assembly Member Richter moved that the Rules be suspended for the purpose of permitting consideration of the motion to withdraw Assembly Joint Resolution No. 78 from the Committee on Rules, prior to the two days' notice requirement.

Assembly Member Bowler seconded the motion.

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, 12:08 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 2**—An act to add Chapter 1.692 (commencing with Section 5096.300) to Division 5 of the Public Resources Code, relating to financing a program for the acquisition, development, improvement, rehabilitation, restoration, enhancement, and protection of park, recreational, cultural, historical, fish and wildlife, lake, riparian, reservoir, 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.

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. 567**—An act to add Division 2 (commencing with Section 64000) to Title 6.7 of the Government Code, relating to the Transportation Finance Bank, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 977**—An act to add Section 1344.5 to the Health and Safety Code, relating to health care service plans.

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. 1574**—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 1757**—An act to add Sections 341.5 and 383.7 to, and to add Chapter 2.2 (commencing with Section 328) to Part 1 of Division 1 of, the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 1854**—An act to amend Section 21251 of the Public Contract Code, to amend Sections 10752 and 12310 of, and to add Sections 36424.1, 36561, and 37207.1 to, the Water Code, and to amend Sections 8.2 and 54 of the Sacramento County Water Agency Act (Chapter 10 of the Statutes of 1952, First Extraordinary Session), relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 1857**—An act to amend Section 44299.1 of the Health and Safety Code, relating to air quality, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 1069**—An act to add Sections 25600.1, 25600.2, and 25600.3 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1587**—An act to add Article 3 (commencing with Section 11970) to Chapter 2 of Part 3 of Division 10.5 of the Health and Safety Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1676**—An act to add Section 12209.6 to the Business and Professions Code, relating to weights and measures.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 326**—An act to amend Section 372 of, and to add Sections 374 and 374.5 to, the Code of Civil Procedure, and to amend Section 602 of the Welfare and Institutions Code, relating to minors, 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, and to be placed upon the Consent Calendar.

**SENATE BILL NO. 1724**—An act to amend Section 100146 of the Health and Safety Code, relating to long-term care, 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, and to be placed upon the Consent Calendar.

**SENATE BILL NO. 687**—An act relating to health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 779**—An act to amend Sections 311, 311.5, 1701.1, 1701.2, 1701.3, 1701.4, 1706, 1756, 1758, 1759, and 1760 of, to repeal Sections 311 and 1765 of, and to repeal and add Sections 1757 and 1757.1 of, the Public Utilities Code, and to repeal Section 26 of Chapter 855 of the Statutes of 1996, relating to the Public Utilities Commission.

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. 1717**—An act to add Section 3135 to, and to repeal and add Part 3 (commencing with Section 3400) of Division 8 of, the Family Code, relating to child custody.

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. 1765**—An act to amend Sections 116760.20, 116761.50, and 116761.65 of, to add Sections 116760.35, 116761.25, 116761.45, and 116761.46 to, and to repeal and add Section 116760.41 of, the Health and Safety Code, relating to drinking water, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 2031**—An act relating to crimes against children, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

#### **Senate Bill No. 2031 Passed Temporarily**

Pursuant to objection raised earlier this day by Assembly Member Pacheco, Senate Bill No. 2031 was passed temporarily on file.

**SENATE BILL NO. 2121**—An act to amend Sections 16301.6, 16301.8, and 16302.1 of the Government Code, relating to state finance.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 2143**—An act to amend Section 11166.9 of the Penal Code, relating to child abuse.

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.

#### **ORDERS OF THE DAY**

Assembly Member Goldsmith moved the Orders of the Day.

#### **THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 436 (Sher)**—An act to add Section 40511 to the Public Resources Code, relating to solid waste.

Bill read third time, and presented by Assembly Member Keeley.

The roll was opened.

#### **Call of the Assembly**

Pending the announcement of the vote, Assembly Member Keeley moved a call of the Assembly.

Motion carried. Time, 12:20 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:

**Senate Bill No. 2119**, on request of Assembly Member Morrissey.

**BILLS RETURNED TO SENATE**

On behalf of Assembly Member Wright, Assembly Member Shelley was granted unanimous consent that Assembly Bill No. 1212 be returned to the Senate for further action.

On behalf of Assembly Member Brewer, Assembly Member Pringle was granted unanimous consent that Assembly Bill No. 2217 be returned to the Senate for further action.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 487**, on request of Assembly Member Wright.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1468 (Rosenthal)**—An act to amend Sections 2550.3, 35120, 42238, 42238.5, 42238.7, 42238.8, 42238.9, 42243.7, 42280, 42281, 42282, 42283, 42284, 42285, 46010, 48205, 48664, 48980, 49067, 52335.2, 56836.08, 56836.10, 56836.11, 56836.12, 56836.15, and 56836.24, of, and to add Section 42289.5 to, the Education Code, and to amend Section 8880.5 of the Government Code, relating to school revenue limits, 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—78**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Baldwin	Frusetta	McClintock	Sweeney
Battin	Gallegos	Migden	Thompson
Baugh	Goldsmith	Miller	Thomson
Bordonaro	Granlund	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Papan	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—78**

Ackerman	Cunneen	Leach	Preter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Baldwin	Frusetta	McClintock	Sweeney
Battin	Gallegos	Migden	Thompson
Baugh	Goldsmith	Miller	Thomson
Bordonaro	Granlund	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kalooagian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Papan	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate immediately.

**ADJOURN IN MEMORY**

Assembly Member Floyd was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Veronica Ganje, of Sacramento.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 2199 (Lockyer)**—An act to amend Sections 15610.07, 15610.10, 15610.17, 15610.30, 15610.55, 15610.57, 15630, 15633, 15640, 15650, 15658, and 15659 of, to add Section 15653.5 to, and to add Chapter 13.5 (commencing with Section 15760) to Part 3 of Division 9 of, the Welfare and Institutions Code, relating to adult abuse.

Bill read third time, and presented by Assembly Member Cedillo.

Bill passed by the following vote:

**AYES—61**

Aguiar	Ducheny	Leach	Scott
Alquist	Escutia	Lempert	Shelley
Aroner	Figueroa	Machado	Strom-Martin
Ashburn	Firestone	Martinez	Sweeney
Baca	Floyd	Mazzoni	Thomson
Battin	Frusetta	Migden	Torlakson
Bordonaro	Gallegos	Miller	Vincent
Bowen	Goldsmith	Morrissey	Washington
Brown	Granlund	Murray	Wayne
Bustamante	Havice	Napolitano	Wildman
Campbell	Hertzberg	Oller	Woods
Cardenas	Honda	Ortiz	Wright
Cardoza	Keeley	Pacheco	Mr. Speaker
Cedillo	Knox	Papan	
Cunneen	Kuehl	Prenter	
Davis	Kuykendall	Pringle	

**NOES—14**

Ackerman	House	McClintock	Runner
Baugh	Kaloogian	Morrow	Thompson
Bowler	Leonard	Olberg	
Brewer	Margett	Richter	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2238 (Committee on Business and Professions)**—An act to amend Sections 1207, 1264, 2532.2, 2960, 2960.1, 3356, 4826.1, 4980.40, 4980.80, 4980.90, 4982.25, 4984.1, 4984.4, 4984.7, 4986.70, 4986.80, 4992.36, 4996.3, 4996.4, 4996.6, 4996.7, 5615, 5616, 5621, 5622, 5624, 5626, 5629, 5630, 5640, 5641, 5642, 5644, 5652, 5653, 5654, 5655, 5656, 5657, 5659, 5660, 5662, 5665, 5666, 5667, 5668, 5669, 5670, 5671, 5672, 5673, 5676, 5678.5, 5679.5, 5680, 5680.05, 5680.1, 5680.2, 5681, 7536, 8698.6, 9880.1, 9882.5, 9884.7, 13660, and 18643 of, to add Sections 138, 2532.3, 2532.5, 4980.31, 4984.8, 4986.41, 4986.82, 4997, 5675.5, and 22448 to, to repeal Sections 5677, 5678, and 5679 of, and to repeal Article 10 (commencing with Section 9889.30) of Chapter 20.3 of Division 3 of, the Business and Professions Code, to amend Sections 8214.1, 8214.15, 8219.5, and 8223 of the Government Code, and to amend Section 803 of the Penal Code, relating to professions, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Davis.

Bill passed by the following vote:

**AYES—74**

Ackerman	Cunneen	Kuykendall	Prenter
Aguiar	Davis	Leach	Pringle
Alby	Ducheny	Lempert	Runner
Alquist	Escutia	Leonard	Scott
Aroner	Figueroa	Machado	Shelley
Ashburn	Firestone	Margett	Strom-Martin
Baca	Floyd	Mazzoni	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Granlund	Morrow	Vincent
Bowen	Havice	Murray	Washington
Bowler	Hertzberg	Napolitano	Wayne
Brewer	Honda	Olberg	Wildman
Bustamante	House	Oller	Woods
Campbell	Kalooogian	Ortiz	Wright
Cardenas	Keeley	Pacheco	Mr. Speaker
Cardoza	Knox	Papan	
Cedillo	Kuehl	Poochigian	

**NOES—2**

Martinez                      McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 710 (Dills)**—An act relating to teacher credentialing, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Floyd.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Floyd moved a call of the Assembly.

Motion carried. Time, 12:38 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**At 12:40 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

**SENATE BILL NO. 1623 (Kopp)**—An act to add Sections 68705, 68706, 68708, and 68709 to the Government Code, relating to the Commission on Judicial Performance.

Bill read third time, and presented by Assembly Member Escutia.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Pacheco moved a call of the Assembly.

Motion carried. Time, 12:58 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1173 (Vasconcellos)**—An act to add Title 17 (commencing with Section 3269) to Part 4 of Division 3 of the Civil Code, relating to liability, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Alquist.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—78**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Baldwin	Frusetta	McClintock	Sweeney
Battin	Gallegos	Migden	Thompson
Baugh	Goldsmith	Miller	Thomson
Bordonaro	Granlund	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Papan	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—78**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Baldwin	Frusetta	McClintock	Sweeney
Battin	Gallegos	Migden	Thompson
Baugh	Goldsmith	Miller	Thomson
Bordonaro	Granlund	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Papan	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2082 (Johnston)**—An act to amend Section 1 of Chapter 889 of the Statutes of 1997, relating to education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Davis.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—77**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Richter
Alby	Ducheny	Leonard	Runner
Alquist	Escutia	Machado	Scott
Aroner	Figueroa	Margett	Shelley
Ashburn	Firestone	Martinez	Strom-Martin
Baca	Floyd	Mazzoni	Sweeney
Baldwin	Frusetta	McClintock	Thompson
Battin	Gallegos	Migden	Thomson
Baugh	Goldsmith	Miller	Torlakson
Bordonaro	Granlund	Morrissey	Vincent
Bowen	Havice	Morrow	Washington
Bowler	Hertzberg	Murray	Wayne
Brewer	Honda	Napolitano	Wildman
Brown	House	Olberg	Woods
Bustamante	Kaloogian	Oller	Wright
Campbell	Keeley	Ortiz	Mr. Speaker
Cardenas	Knox	Pacheco	
Cardoza	Kuehl	Papan	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—77**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Richter
Alby	Ducheny	Leonard	Runner
Alquist	Escutia	Machado	Scott
Aroner	Figueroa	Margett	Shelley
Ashburn	Firestone	Martinez	Strom-Martin
Baca	Floyd	Mazzoni	Sweeney
Baldwin	Frusetta	McClintock	Thompson
Battin	Gallegos	Migden	Thomson
Baugh	Goldsmith	Miller	Torlakson
Bordonaro	Granlund	Morrissey	Vincent
Bowen	Havice	Morrow	Washington
Bowler	Hertzberg	Murray	Wayne
Brewer	Honda	Napolitano	Wildman
Brown	House	Olberg	Woods
Bustamante	Kaloogian	Oller	Wright
Campbell	Keeley	Ortiz	Mr. Speaker
Cardenas	Knox	Pacheco	
Cardoza	Kuehl	Papan	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1679 (Kopp)**—An act to amend and repeal Section 1001.65 of, the Penal Code, relating to crimes, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Knox.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—78**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Baldwin	Frusetta	McClintock	Sweeney
Battin	Gallegos	Migden	Thompson
Baugh	Goldsmith	Miller	Thomson
Bordonaro	Granlund	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Papan	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—78**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Baldwin	Frusetta	McClintock	Sweeney
Battin	Gallegos	Migden	Thompson
Baugh	Goldsmith	Miller	Thomson
Bordonaro	Granlund	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Papan	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1469 (Knight)**—An act to amend Sections 19801, 19830, 19834, 19834A, 19851, 19851A, and 19872 of, and to add Section 19851.5 to, the Business and Professions Code, relating to gambling.

Bill read third time, and presented by Assembly Member Brown.

Bill passed by the following vote:

**AYES—67**

Ackerman	Cedillo	Kuykendall	Papan
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Pringle
Aroner	Escutia	Machado	Richter
Ashburn	Figueroa	Margett	Runner
Baca	Firestone	Mazzoni	Shelley
Baldwin	Floyd	McClintock	Strom-Martin
Battin	Frusetta	Migden	Sweeney
Baugh	Gallegos	Miller	Thomson
Bordonaro	Goldsmith	Morrissey	Torlakson
Brewer	Granlund	Morrow	Vincent
Brown	Havice	Murray	Wayne
Bustamante	Hertzberg	Napolitano	Wildman
Campbell	Honda	Olberg	Wright
Cardenas	Keeley	Oller	Mr. Speaker
Cardoza	Kuehl	Ortiz	

**NOES—9**

Bowen	Martinez	Thompson
House	Pacheco	Washington
Kaloogian	Scott	Woods

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 1469: Assembly Member Scott, from “Aye” to “No”.

Bill ordered transmitted to the Senate immediately.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed on the inactive file:

**Senate Bill No. 1069**, on request of Assembly Member Brown.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1535 (Kopp)**—An act to amend Section 1024 of, and to repeal Section 1025 of, the Government Code, and to repeal Chapter 9 (commencing with Section 540) of Title 13 of Part 1 of the Penal Code, relating to public officers and employees.

Bill read third time, and presented by Assembly Member Torlakson.

Bill passed by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuehl	Poochigian
Aguiar	Cunneen	Kuykendall	Prenter
Alby	Davis	Leach	Pringle
Alquist	Ducheny	Lempert	Richter
Aroner	Escutia	Leonard	Runner
Ashburn	Figueroa	Machado	Scott
Baca	Firestone	Margett	Shelley
Baldwin	Floyd	Mazzoni	Strom-Martin
Battin	Frusetta	Migden	Sweeney
Baugh	Gallegos	Miller	Thompson
Bordonaro	Goldsmith	Morrissey	Thomson
Bowen	Granlund	Morrow	Torlakson
Bowler	Havice	Murray	Vincent
Brewer	Hertzberg	Napolitano	Washington
Brown	Honda	Olberg	Wayne
Bustamante	House	Oller	Wildman
Campbell	Kaloogian	Ortiz	Woods
Cardenas	Keeley	Pacheco	Wright
Cardoza	Knox	Papan	Mr. Speaker

**NOES—2**

Martinez                      McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1825 (Committee on Judiciary)**—An act to amend Sections 69904, 69905, 70044.5, 72608, 72627.5, 72762, 72776, 73348, 73349, 73351, 73353.2, 73354, 73355, 73356, 73363, 73365, 73366, 73399, 73523, 73524, 73525, 73528, 73529, 73565, 73566, 73567, 73568, 73604, 73649.1, 73681.1, 73682, 73684, 73691, 73692, 73695, 73699, 73736, 73759, 73772, 73773, 73794, 73798, 73822, 73823, 73954, 73960, 74000, 74001, 74001.5, 74002, 74004, 74005, 74344, 74345, 77346, 74355, 74368, 74370, 74603, 74604, 74607, 74610, 74642, 74643, 74663, 74665, 74743, 74745, 74749, 74765, 74905, 74907, 74909, 74910, 74911, 74912, 74913, 74921.11, and 74926.7 of, to amend, repeal, and add Section 72609 of, to add Sections 69894, 73586.1, 73785, 73957.5, 74727.5, and 74745.1 to, to add Article 1.5 (commencing with Section 73330) to Chapter 10 of Title 8 of, to repeal Sections 73364, 73665.5, 73665.6, 73775, 73778, 73778.5, 73780, 73795, 73799, 74006, 74356, 74357, 74358, 74359, 74921.9, 74922.5, and 74926.6 of, to repeal and add Sections 69894.1, 69899.5, 73353, 73358, 73644, 73665, 73666, 73683, 73699.1, 73957, 73959, 74921.5, 74921.6, 74921.7, 74921.8, and 74921.10 of, the Government Code, relating to courts.

Bill read third time, and presented by Assembly Member Escutia.

Bill passed by the following vote:

**AYES—78**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Baldwin	Frusetta	McClintock	Sweeney
Battin	Gallegos	Migden	Thompson
Baugh	Goldsmith	Miller	Thomson
Bordonaro	Granlund	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Papan	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2159 (Greene)**—An act to amend Section 17051 of, to add Section 17052 to, and to add Article 4 (commencing with Section 81840) to Chapter 4 of Part 49 of, the Education Code, relating to school facilities.

Bill read third time, and presented by Assembly Member Mazzoni.

Bill passed by the following vote:

**AYES—78**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Baldwin	Frusetta	McClintock	Sweeney
Battin	Gallegos	Migden	Thompson
Baugh	Goldsmith	Miller	Thomson
Bordonaro	Granlund	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Papan	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1203 (Hayden)**—An act to add Sections 40429 and 40472 to the Health and Safety Code, relating to air pollution.

Bill read third time, and presented by Assembly Member Bowen.

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, 1:15 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1524 (Alpert)**—An act to amend Sections 1596.866, 1797.113, and 1797.191 of the Health and Safety Code, relating to child care, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Wayne.

**Urgency Clause**

Urgency clause read.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Wayne moved a call of the Assembly.

Motion carried. Time, 1:19 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF SENATE BILL NO. 1968 BY UNANIMOUS CONSENT**

Assembly Member Cedillo was granted unanimous consent to take up Senate Bill No. 1968, out of order.

**Senate Bill No. 1968 Reconsidered by Unanimous Consent**

In compliance with a motion given, Assembly Member Cedillo was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 1968 was refused passage; and that the bill be placed upon the inactive file.

**CONSIDERATION OF SENATE BILL NO. 1647 BY UNANIMOUS CONSENT**

Assembly Member Mazzoni was granted unanimous consent to take up Senate Bill No. 1647, out of order.

**Senate Bill No. 1647 Reconsidered by Unanimous Consent**

In compliance with a motion given, Assembly Member Mazzoni was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 1647 was refused passage; and that the bill be placed upon the inactive file.

**REQUEST TO TAKE UP SENATE BILL NO. 412 OUT OF ORDER**

Assembly Member Bowen requested unanimous consent to take up Senate Bill No. 412 (Motion to Reconsider), out of order.

Assembly Member Thompson withheld unanimous consent.

**REQUEST TO TAKE UP SENATE BILL NO. 1610, OUT OF ORDER**

Assembly Member Floyd requested unanimous consent to take up Senate Bill No. 1610 (Motion to Reconsider), out of order.

Unanimous consent withheld.

**Motion to Suspend Rules**

Assembly Member Floyd moved to suspend the Rules to permit consideration of Senate Bill No. 1610 (Motion to Reconsider), out of file order.

Assembly Member Escutia seconded the motion.

Motion to suspend Rules lost by the following vote:

**AYES—9**

Bowen	Floyd	Vincent
Bustamante	Gallegos	Washington
Escutia	Morrissey	Wright

**NOES—25**

Ackerman	Campbell	Leach	Scott
Aguiar	Cunneen	Leonard	Thompson
Baca	Firestone	Margett	Woods
Baldwin	Goldsmith	Miller	Mr. Speaker
Baugh	Keeley	Olberg	
Bordonaro	Kuehl	Prenter	
Brewer	Kuykendall	Richter	

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 146 (Havice)**—An act relating to open meetings.

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 Havice moved a call of the Assembly.

Motion carried. Time, 1:31 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 1384 (Havice)**—An act to amend Section 11571 of, and to add and repeal Section 11571.1 of, 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—71**

Ackerman	Cedillo	Kuehl	Prenter
Aguiar	Cunneen	Kuykendall	Pringle
Alby	Davis	Leach	Richter
Alquist	Ducheny	Lempert	Runner
Aroner	Escutia	Leonard	Scott
Ashburn	Figueroa	Machado	Shelley
Baca	Firestone	Margett	Strom-Martin
Baldwin	Frusetta	Mazzoni	Sweeney
Battin	Gallegos	Miller	Thompson
Bordonaro	Goldsmith	Morrissey	Thomson
Bowen	Granlund	Morrow	Torlakson
Bowler	Havice	Murray	Vincent
Brewer	Hertzberg	Napolitano	Wayne
Brown	Honda	Olberg	Wildman
Bustamante	House	Oller	Woods
Campbell	Kaloogian	Ortiz	Wright
Cardenas	Keeley	Papan	Mr. Speaker
Cardoza	Knox	Poochigian	

**NOES—6**

Baugh	McClintock	Pacheco
Martinez	Migden	Washington

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1596 (Committee on Public Employees, Retirement and Social Security)**—An act to amend Section 22013.7 of, and to add Section 20403.5 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—54**

Aguiar	Ducheny	Machado	Scott
Alquist	Escutia	Margett	Shelley
Aroner	Figueroa	Martinez	Strom-Martin
Baca	Gallegos	Mazzoni	Sweeney
Battin	Goldsmith	Migden	Thomson
Bordonaro	Granlund	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Brown	Hertzberg	Murray	Washington
Bustamante	Honda	Napolitano	Wayne
Cardenas	House	Ortiz	Wildman
Cardoza	Keeley	Pacheco	Wright
Cedillo	Knox	Papan	Mr. Speaker
Cunneen	Kuehl	Prenter	
Davis	Lempert	Richter	

**NOES—18**

Ackerman	Bowler	Kuykendall	Olberg
Alby	Brewer	Leach	Runner
Ashburn	Campbell	Leonard	Thompson
Baldwin	Frusetta	McClintock	
Baugh	Kaloogian	Miller	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1596: Assembly Member Battin, from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1961 (Aroner)**—An act to amend Sections 10950, 10951, 11475.1, 11475.5, and 11478.2 of the Welfare and Institutions Code, relating to child support.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—66**

Aguiar	Ducheny	Machado	Runner
Alby	Escutia	Martinez	Scott
Alquist	Figueroa	Mazzoni	Shelley
Aroner	Gallegos	McClintock	Strom-Martin
Baca	Goldsmith	Migden	Sweeney
Baldwin	Granlund	Miller	Thompson
Bordonaro	Havice	Morrissey	Thomson
Bowen	Hertzberg	Morrow	Torlakson
Bowler	Honda	Murray	Vincent
Brown	House	Napolitano	Washington
Bustamante	Kaloogian	Olberg	Wayne
Campbell	Keeley	Oller	Wildman
Cardenas	Knox	Ortiz	Woods
Cardoza	Kuehl	Papan	Wright
Cedillo	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Pringle	
Davis	Lempert	Richter	

**NOES—8**

Ackerman	Baugh	Frusetta	Pacheco
Ashburn	Brewer	Margett	Prenter

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments in Assembly Bill No. 1961: Assembly Member Wayne, from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2048 (Gallegos)**—An act to amend Section 1363.5 of the Health and Safety Code, relating to health care coverage.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Gallegos moved a 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.

**ASSEMBLY BILL NO. 1345 (Alquist)**—An act to add and repeal Part 6 (commencing with Section 22350) of Division 2 of the Public Contract Code, relating to state contracts, 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 Alquist moved a call of the Assembly.

Motion carried. Time, 1:52 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 205 (Machado)**—An act to amend Sections 2530.2 and 2534.2 of, to amend the heading of Article 6 (commencing with Section 2535) of Chapter 5.3 of Division 2 of, to amend and renumber Sections 2538 and 2539 of, to add Section 2532.6 to, and to add Article 7.5 (commencing with Section 2538) to Chapter 5.3 of Division 2 of, the Business and Professions Code, and to amend Section 56363 of the Education Code, relating to speech-language pathology, and making an appropriation therefor.

Bill presented by Assembly Member Alquist.

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	Cunneen	Leach	Pringle
Aguiar	Davis	Lempert	Runner
Alquist	Ducheny	Machado	Scott
Aroner	Escutia	Margett	Shelley
Ashburn	Figueroa	Martinez	Strom-Martin
Baca	Firestone	Mazzoni	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Granlund	Morrow	Vincent
Bowen	Havice	Murray	Washington
Brewer	Hertzberg	Napolitano	Wayne
Brown	Honda	Olberg	Wildman
Bustamante	House	Ortiz	Wright
Campbell	Keeley	Pacheco	Mr. Speaker
Cardenas	Knox	Papan	
Cardoza	Kuehl	Poochigian	
Cedillo	Kuykendall	Prenter	

#### NOES—5

Alby	Kaloogian	McClintock
Bowler	Leonard	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2229 (Keeley)**—An act to amend Section 103625 of the Health and Safety Code, relating to vital records.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

#### **Call of the Assembly**

Pending the announcement of the vote, Assembly Member Keeley moved a call of the Assembly.

Motion carried. Time, 2:02 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 826 (Thomson)**—An act to add Section 214.95 to the Revenue and Taxation Code, relating to property 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.

#### **Call of the Assembly**

Pending the announcement of the vote, Assembly Member Thomson moved a call of the Assembly.

Motion carried. Time, 2:05 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 89 (Pringle)**—An act to amend Sections 17199.3 and 17199.4 of, and to repeal Section 94153 of, the Education Code, relating to educational facilities, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuehl	Poochigian
Aguiar	Cunneen	Kuykendall	Prenter
Alby	Davis	Leach	Pringle
Alquist	Ducheny	Lempert	Richter
Aroner	Escutia	Leonard	Runner
Ashburn	Figueroa	Machado	Scott
Baca	Firestone	Margett	Shelley
Baldwin	Floyd	Martinez	Strom-Martin
Battin	Frusetta	Mazzoni	Sweeney
Baugh	Gallegos	Migden	Thompson
Bordonaro	Goldsmith	Miller	Thomson
Bowen	Granlund	Morrissey	Torlakson
Bowler	Havice	Morrow	Vincent
Brewer	Hertzberg	Murray	Washington
Brown	Honda	Napolitano	Wayne
Bustamante	House	Olberg	Wildman
Campbell	Kaloogian	Oller	Woods
Cardenas	Keeley	Pacheco	Wright
Cardoza	Knox	Papan	Mr. Speaker

**NOES—1**

McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1339 (Knox)**—An act to add Chapter 3.34 (commencing with Section 44730) to Part 25 of the Education Code, relating to teachers, 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 Knox 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.

**ASSEMBLY BILL NO. 462 (Floyd)**—An act to amend Sections 3716, 3716.2, and 3717 of the Labor Code, relating to workers' compensation, 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	Escutia	Leach	Richter
Alquist	Figueroa	Lempert	Scott
Aroner	Firestone	Machado	Shelley
Ashburn	Floyd	Margett	Strom-Martin
Baca	Frusetta	Martinez	Sweeney
Baldwin	Gallegos	Mazzoni	Thomson
Battin	Goldsmith	Migden	Torlakson
Bowen	Granlund	Morrissey	Vincent
Brown	Havice	Murray	Washington
Bustamante	Hertzberg	Napolitano	Wayne
Campbell	Honda	Olberg	Wildman
Cardenas	House	Oller	Woods
Cardoza	Kaloogian	Ortiz	Wright
Cedillo	Keeley	Pacheco	Mr. Speaker
Cunneen	Knox	Papan	
Davis	Kuehl	Poochigian	
Ducheny	Kuykendall	Prenter	

**NOES—12**

Aguiar	Bowler	McClintock	Pringle
Baugh	Brewer	Miller	Runner
Bordonaro	Leonard	Morrow	Thompson

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 188 (Murray)**—An act to amend Section 18680 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.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Murray moved a call of the Assembly.

Motion carried. Time, 2:10 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 2595 (Baugh)**—An act to add and repeal Section 12923.5 of the Insurance Code, relating to long-term care 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—76**

Ackerman	Cedillo	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Richter
Aroner	Escutia	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Firestone	Martinez	Shelley
Baldwin	Frusetta	Mazzoni	Strom-Martin
Battin	Gallegos	McClintock	Sweeney
Baugh	Goldsmith	Migden	Thompson
Bordonaro	Granlund	Miller	Thomson
Bowen	Havice	Morrissey	Torlakson
Bowler	Hertzberg	Morrow	Vincent
Brewer	Honda	Murray	Washington
Brown	House	Napolitano	Wayne
Bustamante	Kaloogian	Olberg	Wildman
Campbell	Keeley	Oller	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 561 (Scott)**—An act to add Section 16531.1 to the Government Code, relating to health, 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—68**

Aguiar	Cunneen	Knox	Prenter
Alby	Davis	Kuehl	Richter
Alquist	Ducheny	Leach	Runner
Aroner	Escutia	Lempert	Scott
Ashburn	Figueroa	Machado	Shelley
Baca	Firestone	Martinez	Strom-Martin
Battin	Floyd	Mazzoni	Sweeney
Baugh	Frusetta	Migden	Thompson
Bordonaro	Gallegos	Miller	Thomson
Bowen	Goldsmith	Morrissey	Torlakson
Bowler	Granlund	Murray	Vincent
Brown	Havice	Napolitano	Washington
Bustamante	Hertzberg	Oller	Wayne
Campbell	Honda	Ortiz	Wildman
Cardenas	House	Pacheco	Woods
Cardoza	Kaloogian	Papan	Wright
Cedillo	Keeley	Poochigian	Mr. Speaker

**NOES—9**

Ackerman	Kuykendall	McClintock
Baldwin	Leonard	Morrow
Brewer	Margett	Olberg

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—68**

Aguiar	Cunneen	Knox	Prenter
Alby	Davis	Kuehl	Richter
Alquist	Ducheny	Leach	Runner
Aroner	Escutia	Lempert	Scott
Ashburn	Figueroa	Machado	Shelley
Baca	Firestone	Martinez	Strom-Martin
Battin	Floyd	Mazzoni	Sweeney
Baugh	Frusetta	Migden	Thompson
Bordonaro	Gallegos	Miller	Thomson
Bowen	Goldsmith	Morrissey	Torlakson
Bowler	Granlund	Murray	Vincent
Brown	Havice	Napolitano	Washington
Bustamante	Hertzberg	Oller	Wayne
Campbell	Honda	Ortiz	Wildman
Cardenas	House	Pacheco	Woods
Cardoza	Kaloogian	Papan	Wright
Cedillo	Keeley	Poochigian	Mr. Speaker

**NOES—9**

Ackerman	Kuykendall	McClintock
Baldwin	Leonard	Morrow
Brewer	Margett	Olberg

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 561: Assembly Member Campbell, from “No” to “Aye”.

Above bill ordered enrolled.

**At 2:15 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**ASSEMBLY BILL NO. 822 (Bowen)**—An act to add and repeal Article 6 (commencing with Section 18972) of Chapter 11 of Part 6 of Division 9 of the Welfare and Institutions Code, relating to human services, 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 Bowen moved a call of the Assembly.

Motion carried. Time, 2:15 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 1092 (Goldsmith)**—An act to amend Section 4104 of, and to add Section 4104.5 to, the Public Contract Code, relating to public works.

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	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Pringle
Alby	Davis	Leonard	Richter
Alquist	Ducheny	Machado	Runner
Aroner	Escutia	Margett	Scott
Ashburn	Figueroa	Mazzoni	Shelley
Baca	Firestone	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Morrow	Torlakson
Bowen	Havice	Murray	Vincent
Bowler	Hertzberg	Napolitano	Washington
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Poochigian	

**NOES—2**

Floyd                      Martinez

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1166 (House)**—An act to amend Section 22138.5, of and to repeal Section 22175 of, the Education Code, and to amend Sections 20200, 20201, 20322, 20398, 20403, 20575, 20578, 20636, 21493, 21752, 21757, 22013, 22013.1, 22013.3, 22013.4, 22013.6, 22013.7, 22013.75, 22013.76, 22013.8, 22013.82, 22013.85, 22013.9, 22013.95, 22013.955, 22013.96, 22013.97, 22013.10, 22013.11, 22014, 22014.1, and 22014.5 of, and to add Section 22057.1 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—76**

Ackerman	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Machado	Richter
Aroner	Escutia	Margett	Runner
Ashburn	Figueroa	Martinez	Scott
Baca	Firestone	Mazzoni	Shelley
Baldwin	Frusetta	McClintock	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Kuehl	Pacheco	Wright
Cardoza	Kuykendall	Papan	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1208 (Migden)**—An act to add Section 144.7 to the Labor Code, relating to employment.

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—48**

Alquist	Escutia	Kuykendall	Shelley
Aroner	Figueroa	Lempert	Strom-Martin
Baca	Firestone	Machado	Sweeney
Bowen	Floyd	Martinez	Thomson
Brown	Frusetta	Mazzoni	Torlakson
Bustamante	Gallegos	Migden	Vincent
Cardenas	Havice	Morrissey	Washington
Cardoza	Hertzberg	Murray	Wayne
Cedillo	Honda	Napolitano	Wildman
Cunneen	Keeley	Ortiz	Woods
Davis	Knox	Papan	Wright
Ducheny	Kuehl	Scott	Mr. Speaker

**NOES—30**

Ackerman	Bowler	Leonard	Poochigian
Aguiar	Brewer	Margett	Prenter
Alby	Campbell	McClintock	Pringle
Ashburn	Goldsmith	Miller	Richter
Baldwin	Granlund	Morrow	Runner
Battin	House	Olberg	Thompson
Baugh	Kalোগian	Oller	
Bordonaro	Leach	Pacheco	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1241 (Keeley)**—An act to amend Sections 2, 7710, 7881, 8140, 8842, 9027, 9027.5, and 9029.5, to amend the heading of Part 1.5 (commencing with Section 7000) of Division 6 of, to add Sections 105 and 9001.7 to, to add a division and chapter heading immediately preceding Section 1 of, to add Chapter 2 (commencing with Section 90) to Division 0.5 of, to add Part 1.7 (commencing with Section 7050) to Division 6 of, Article 17 (commencing with Section 8585) to Chapter 2 of Part 3 of, Division 6 of, to repeal Section 1701 of, and to repeal and add Section 7710.1 of, the Fish and Game Code, and to add Section 11125.6 to the Government Code, relating to marine life, 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 Keeley moved a call of the Assembly.

Motion carried. Time, 2:30 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 1663 (Migden)**—An act to amend Sections 120975, 120980, 120985, 121010, and 121015 of, to amend, repeal, and add Section 121025 of, and to add and repeal Section 121040 of, the Health and Safety Code, relating to communicable diseases.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—47**

Alquist	Ducheny	Kuehl	Strom-Martin
Aroner	Escutia	Kuykendall	Sweeney
Battin	Figueroa	Lempert	Thomson
Bowen	Firestone	Machado	Torlakson
Brewer	Floyd	Mazzoni	Vincent
Brown	Gallegos	Migden	Washington
Bustamante	Granlund	Murray	Wayne
Cardenas	Havice	Napolitano	Wildman
Cardoza	Hertzberg	Ortiz	Woods
Cedillo	Honda	Papan	Wright
Cunneen	Keeley	Scott	Mr. Speaker
Davis	Knox	Shelley	

**NOES—29**

Ackerman	Campbell	McClintock	Prenter
Aguiar	Frusetta	Miller	Pringle
Alby	Goldsmith	Morrissey	Richter
Ashburn	House	Morrow	Runner
Baldwin	Kaloogian	Olberg	Thompson
Baugh	Leach	Oller	
Bordonaro	Leonard	Pacheco	
Bowler	Martinez	Poochigian	

**Vote Changes**

By unanimous consent, the following vote changes were permitted on concurrence in Senate amendments to Assembly Bill No. 1663: Assembly Members Aguiar, Ashburn, Bordonaro, Bowler, Campbell, Frusetta, Leach, Morrissey, and Morrow, from "Aye" to "No".

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1676 (Bowen)**—An act to amend Section 17538.4 of the Business and Professions Code, relating to advertising.

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—56**

Alquist	Figueroa	Machado	Richter
Aroner	Firestone	Margett	Scott
Baca	Gallegos	Martinez	Shelley
Bowen	Goldsmith	Mazzoni	Strom-Martin
Brown	Granlund	McClintock	Sweeney
Bustamante	Havice	Migden	Thomson
Campbell	Hertzberg	Miller	Torlakson
Cardenas	Honda	Morrissey	Vincent
Cardoza	Keeley	Murray	Washington
Cedillo	Knox	Napolitano	Wayne
Cunneen	Kuehl	Ortiz	Wildman
Davis	Kuykendall	Pacheco	Woods
Ducheny	Leach	Papan	Wright
Escutia	Lempert	Prenter	Mr. Speaker

**NOES—20**

Ackerman	Battin	Floyd	Olberg
Aguiar	Baugh	Frusetta	Oller
Alby	Bordonaro	House	Poochigian
Ashburn	Bowler	Kaloogian	Pringle
Baldwin	Brewer	Morrow	Runner

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1738 (Alquist)**—An act to add Chapter 7.2 (commencing with Section 8669) to Division 1 of Title 2 of the Government Code, relating to disaster relief, 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 Alquist 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.

**ASSEMBLY BILL NO. 1845 (Honda)**—An act to amend Sections 48662, 48663, and 48664 of, and to add Sections 48660.2 and 48667 to, the Education Code, relating to community day 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—47**

Alquist	Escutia	Lempert	Shelley
Aroner	Figueroa	Machado	Strom-Martin
Baca	Floyd	Martinez	Sweeney
Bowen	Gallegos	Mazzoni	Thomson
Brown	Granlund	Migden	Torlakson
Bustamante	Havice	Morrissey	Vincent
Campbell	Hertzberg	Murray	Washington
Cardenas	Honda	Napolitano	Wayne
Cedillo	Keeley	Ortiz	Wildman
Cunneen	Knox	Pacheco	Wright
Davis	Kuehl	Papan	Mr. Speaker
Ducheny	Leach	Scott	

**NOES—29**

Ackerman	Bowler	Leonard	Prenter
Aguiar	Brewer	Margett	Pringle
Alby	Cardoza	McClintock	Runner
Ashburn	Firestone	Miller	Thompson
Baldwin	Frusetta	Morrow	Woods
Battin	Goldsmith	Olberg	
Baugh	House	Oller	
Bordonaro	Kaloojian	Poochigian	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1877 (Floyd)**—An act to amend Sections 65, 66, 69.5, 98.209, 1014, 1023, 1044, 1047, and 1050 of, and to add Sections 69.7, 73.5, 89, and 90 to, the Military and Veterans Code, relating to veterans.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—62**

Aguiar	Davis	Leach	Prenter
Alquist	Ducheny	Lempert	Pringle
Aroner	Escutia	Machado	Scott
Ashburn	Figueroa	Margett	Shelley
Baca	Floyd	Martinez	Strom-Martin
Baldwin	Frusetta	Mazzoni	Sweeney
Battin	Gallegos	Migden	Thomson
Bordonaro	Goldsmith	Miller	Torlakson
Bowen	Granlund	Morrissey	Vincent
Brown	Havice	Morrow	Washington
Bustamante	Hertzberg	Murray	Wayne
Campbell	Honda	Napolitano	Wildman
Cardenas	House	Oller	Wright
Cardoza	Keeley	Ortiz	Mr. Speaker
Cedillo	Knox	Pacheco	
Cunneen	Kuehl	Papan	

**NOES—9**

Ackerman	Brewer	Olberg
Baugh	Kaloojian	Runner
Bowler	McClintock	Woods

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1885 (Papan)**—An act to repeal and add Section 42238.25 to the Education Code, relating to school finance.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

Ackerman	Cunneen	Leach	Pringle
Aguiar	Davis	Lempert	Richter
Alby	Ducheny	Leonard	Runner
Alquist	Escutia	Machado	Scott
Aroner	Figueroa	Margett	Shelley
Ashburn	Firestone	Martinez	Strom-Martin
Baca	Floyd	Mazzoni	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Granlund	Morrow	Vincent
Bowen	Havice	Murray	Washington
Bowler	Hertzberg	Napolitano	Wayne
Brewer	Honda	Olberg	Wildman
Brown	House	Oller	Woods
Bustamante	Kaloogian	Ortiz	Wright
Campbell	Keeley	Pacheco	Mr. Speaker
Cardenas	Knox	Papan	
Cardoza	Kuehl	Poochigian	
Cedillo	Kuykendall	Prenter	

**NOES—1**

McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1889 (Knox)**—An act to add and repeal Section 4013 of the Business and Professions Code, relating to pharmacy, 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**

Aguiar	Ducheny	Lempert	Scott
Alquist	Escutia	Leonard	Shelley
Aroner	Figueroa	Machado	Strom-Martin
Baca	Firestone	Margett	Sweeney
Battin	Floyd	Martinez	Thompson
Baugh	Frusetta	Mazzoni	Thomson
Bordonaro	Gallegos	Migden	Torlakson
Bowen	Granlund	Miller	Vincent
Bowler	Havice	Morrissey	Washington
Brown	Hertzberg	Murray	Wayne
Bustamante	Honda	Napolitano	Wildman
Campbell	House	Ortiz	Woods
Cardenas	Keeley	Papan	Wright
Cardoza	Knox	Poochigian	Mr. Speaker
Cedillo	Kuehl	Prenter	
Cunneen	Kuykendall	Pringle	
Davis	Leach	Richter	

**NOES—13**

Ackerman	Brewer	Morrow	Runner
Alby	Goldsmith	Olberg	
Ashburn	Kalooagian	Oller	
Baldwin	McClintock	Pacheco	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1916 (Torlakson)**—An act to amend Section 11837 of the Health and Safety Code, and to amend Sections 1821, 23161, 23249.52, 23249.53, and 23249.55 of, to repeal Sections 23249.57 and 23249.58 of, and to amend, repeal, and add Section 23249.54 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**

Aguiar	Cunneen	Kuehl	Papan
Alquist	Davis	Kuykendall	Prenter
Aroner	Ducheny	Leach	Richter
Baca	Escutia	Lempert	Scott
Baldwin	Figueroa	Machado	Shelley
Battin	Firestone	Margett	Strom-Martin
Baugh	Frusetta	Martinez	Sweeney
Bordonaro	Gallegos	Mazzoni	Thomson
Bowen	Granlund	McClintock	Torlakson
Brewer	Havice	Migden	Vincent
Brown	Hertzberg	Morrissey	Washington
Bustamante	Honda	Murray	Wayne
Cardenas	Kalooagian	Napolitano	Wildman
Cardoza	Keeley	Oller	Wright
Cedillo	Knox	Ortiz	Mr. Speaker

**NOES—14**

Ackerman	Campbell	Morrow	Pringle
Alby	Goldsmith	Olberg	Runner
Ashburn	House	Pacheco	
Bowler	Miller	Poochigian	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1950 (Torlakson)**—An act to add Section 664.7 to the Code of Civil Procedure, and to amend Section 19719 of the Revenue and Taxation Code, relating to liability.

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	Cedillo	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Richter
Aroner	Escutia	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Firestone	Martinez	Shelley
Baldwin	Frusetta	Mazzoni	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**At 2:45 p.m., Hon. Fred Keeley, 27th District, presiding**

**ASSEMBLY BILL NO. 1957 (Knox)**—An act to amend and repeal Section 62.9 of the Labor Code, relating to occupational safety and 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.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Knox moved a call of the Assembly.

Motion carried. Time, 2:47 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 1978 (Campbell)**—An act to amend Sections 113715, 113870, 113895, 114020, 114065, and 114350 of, to add Sections 113716 and 113823 to, to add Chapter 13.5 (commencing with Section 114332) to, and to repeal and add Article 13 (commencing with Section 114310) of, Part 7 of Division 104 of, the Health and Safety Code, relating to environmental health, 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	Cedillo	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Richter
Aroner	Escutia	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Firestone	Mazzoni	Shelley
Baldwin	Frusetta	McClintock	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—1**

Martinez

**Vote Changes**

By unanimous consent, the following vote changes were permitted on concurrence in Senate amendments to Assembly Bill No. 1978: Assembly Members Ashburn and Goldsmith, from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2157 (Ortiz)**—An act to add Section 877.7 to the Code of Civil Procedure, relating to liability.

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 Ortiz 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.

**ASSEMBLY BILL NO. 2192 (Kuehl)**—An act to amend Sections 13159, 114815, 115065, 115070, and 115093 of, and to add Sections 114821, 114822, 114823, 115071, 115072, and 115156 to the Health and Safety Code, relating to radioactive 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—50**

Alquist	Figueroa	Lempert	Shelley
Aroner	Firestone	Machado	Strom-Martin
Bordonaro	Floyd	Martinez	Sweeney
Bowen	Frusetta	Mazzoni	Thomson
Brown	Gallegos	Migden	Torlakson
Bustamante	Havice	Morrissey	Vincent
Cardenas	Hertzberg	Murray	Washington
Cardoza	Honda	Napolitano	Wayne
Cedillo	Keeley	Ortiz	Wildman
Cunneen	Knox	Papan	Wright
Davis	Kuehl	Prenter	Mr. Speaker
Ducheny	Kuykendall	Richter	
Escutia	Leach	Scott	

**NOES—26**

Ackerman	Brewer	Margett	Poochigian
Aguiar	Campbell	McClintock	Pringle
Alby	Goldsmith	Miller	Runner
Ashburn	Granlund	Morrow	Thompson
Baldwin	House	Olberg	Woods
Baugh	Kaloogian	Oller	
Bowler	Leonard	Pacheco	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2216 (Escutia)**—An act to amend Sections 52240, 52241, and 52243 of, and to add and repeal Section 52244 of, the Education Code, relating to pupil instruction, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—73**

Aguiar	Davis	Lempert	Richter
Alby	Ducheny	Leonard	Runner
Alquist	Escutia	Machado	Scott
Aroner	Figueroa	Margett	Shelley
Baca	Firestone	Martinez	Strom-Martin
Baldwin	Floyd	Mazzoni	Sweeney
Battin	Frusetta	Migden	Thompson
Baugh	Gallegos	Miller	Thomson
Bordonaro	Goldsmith	Morrissey	Torlakson
Bowen	Granlund	Morrow	Vincent
Bowler	Havice	Murray	Washington
Brewer	Hertzberg	Napolitano	Wayne
Brown	Honda	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Wright
Cardenas	Knox	Papan	Mr. Speaker
Cardoza	Kuehl	Poochigian	
Cedillo	Kuykendall	Prenter	
Cunneen	Leach	Pringle	

**NOES—5**

Ackerman	House	Olberg
Ashburn	McClintock	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2297 (Vincent)**—An act to amend Sections 19801, 19852, 19852A, 19852.1, 19872, and 19950.2 of the Business and Professions Code, relating to gambling.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—59**

Ackerman	Cunneen	Kuykendall	Papan
Alquist	Ducheny	Leach	Prenter
Aroner	Escutia	Lempert	Pringle
Ashburn	Figueroa	Leonard	Runner
Baca	Firestone	Machado	Shelley
Battin	Floyd	Margett	Strom-Martin
Baugh	Frusetta	Mazzoni	Thomson
Bowler	Gallegos	Migden	Torlakson
Brewer	Goldsmith	Morrissey	Vincent
Brown	Granlund	Murray	Washington
Bustamante	Hertzberg	Napolitano	Wayne
Campbell	Honda	Olberg	Wildman
Cardenas	Keeley	Oller	Wright
Cardoza	Knox	Ortiz	Mr. Speaker
Cedillo	Kuehl	Pacheco	

**NOES—11**

Aguiar	Havice	McClintock	Thompson
Baldwin	Kaloogian	Miller	Woods
Bordonaro	Martinez	Morrow	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2297: Assembly Member Poochigian, from “Aye” to “Not Voting”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2405 (Leach)**—An act to add a heading as Article 1 (commencing with Section 14835) to, and to add Article 2 (commencing with Section 14845) to, Chapter 6.5 of Part 5.5 of Division 3 of Title 2 of the Government Code, relating to state contracts.

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	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Frusetta	Mazzoni	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Poochigian	

**NOES—1**

McClintock

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2405: Assembly Member Davis, from "Aye" to "Not Voting".

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2403 (Shelley)**—An act to amend Section 1368.03 of, to add Sections 1368.021 and 1368.05 to, and to add and repeal Section 1368.025 of, the Health and Safety Code, relating to health care service plans.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—56**

Aguiar	Ducheny	Kuykendall	Prenter
Alby	Escutia	Leach	Scott
Alquist	Figueroa	Lempert	Shelley
Aroner	Floyd	Machado	Strom-Martin
Baca	Frusetta	Martinez	Sweeney
Bordonaro	Gallegos	Mazzoni	Thomson
Bowen	Goldsmith	Migden	Torlakson
Bowler	Granlund	Miller	Vincent
Bustamante	Havice	Morrissey	Washington
Cardenas	Hertzberg	Murray	Wayne
Cardoza	Honda	Napolitano	Wildman
Cedillo	Keeley	Ortiz	Woods
Cunneen	Knox	Pacheco	Wright
Davis	Kuehl	Papan	Mr. Speaker

**NOES—19**

Ackerman	Brewer	Margett	Poochigian
Ashburn	Campbell	McClintock	Pringle
Baldwin	House	Morrow	Runner
Battin	Kalooagian	Olberg	Thompson
Baugh	Leonard	Oller	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2406 (Wayne)**—An act to amend Sections 31470.2, 31470.3, 74368, and 74370 of the Government Code, relating to court employees, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—74**

Aguiar	Davis	Leach	Prenter
Alby	Ducheny	Lempert	Richter
Alquist	Escutia	Leonard	Runner
Aroner	Figueroa	Machado	Scott
Ashburn	Firestone	Margett	Shelley
Baca	Floyd	Martinez	Strom-Martin
Baldwin	Frusetta	Mazzoni	Sweeney
Battin	Gallegos	Migden	Thompson
Bordonaro	Goldsmith	Miller	Thomson
Bowen	Granlund	Morrissey	Torlakson
Bowler	Havice	Morrow	Vincent
Brewer	Hertzberg	Murray	Washington
Brown	Honda	Napolitano	Wayne
Bustamante	House	Olberg	Wildman
Campbell	Kaloogian	Oller	Woods
Cardenas	Keeley	Ortiz	Wright
Cardoza	Knox	Pacheco	Mr. Speaker
Cedillo	Kuehl	Papan	
Cunneen	Kuykendall	Poochigian	

**NOES—4**

Ackerman	Baugh	McClintock	Pringle
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The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—74**

Aguiar	Davis	Leach	Prenter
Alby	Ducheny	Lempert	Richter
Alquist	Escutia	Leonard	Runner
Aroner	Figueroa	Machado	Scott
Ashburn	Firestone	Margett	Shelley
Baca	Floyd	Martinez	Strom-Martin
Baldwin	Frusetta	Mazzoni	Sweeney
Battin	Gallegos	Migden	Thompson
Bordonaro	Goldsmith	Miller	Thomson
Bowen	Granlund	Morrissey	Torlakson
Bowler	Havice	Morrow	Vincent
Brewer	Hertzberg	Murray	Washington
Brown	Honda	Napolitano	Wayne
Bustamante	House	Olberg	Wildman
Campbell	Kaloogian	Oller	Woods
Cardenas	Keeley	Ortiz	Wright
Cardoza	Knox	Pacheco	Mr. Speaker
Cedillo	Kuehl	Papan	
Cunneen	Kuykendall	Poochigian	

**NOES—4**

Ackerman	Baugh	McClintock	Pringle
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2751 (Cardenas)**—An act to amend Section 35705 of the Education Code, relating to school district reorganization.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Cardenas moved a call of the Assembly.

Motion carried. Time, 3:10 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 2755 (Alquist)**—An act to add Section 33133 to the Education Code, relating to schoolsite advisory bodies.

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	Ducheny	Leach	Prenter
Alquist	Escutia	Lempert	Scott
Aroner	Figueroa	Machado	Shelley
Baca	Firestone	Margett	Strom-Martin
Bordonaro	Frusetta	Martinez	Sweeney
Bowen	Gallegos	Mazzoni	Thomson
Brewer	Granlund	Migden	Torlakson
Brown	Havice	Miller	Vincent
Bustamante	Hertzberg	Morrissey	Washington
Campbell	Honda	Murray	Wayne
Cardenas	House	Napolitano	Wildman
Cardoza	Keeley	Olberg	Wright
Cedillo	Knox	Ortiz	Mr. Speaker
Cunneen	Kuehl	Pacheco	
Davis	Kuykendall	Papan	

**NOES—15**

Ackerman	Baugh	Leonard	Pringle
Alby	Bowler	McClintock	Runner
Ashburn	Goldsmith	Morrow	Thompson
Baldwin	Kalooagian	Poochigian	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2816 (Baugh)**—An act to add Section 701.5 to the Penal Code, relating to minors, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Firestone	Mazzoni	Strom-Martin
Baca	Floyd	McClintock	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Thomson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Morrow	Vincent
Bowen	Hertzberg	Murray	Washington
Bowler	Honda	Napolitano	Wayne
Brewer	House	Olberg	Wildman
Brown	Kaloogian	Oller	Woods
Bustamante	Keeley	Ortiz	Wright
Campbell	Knox	Pacheco	Mr. Speaker
Cardenas	Kuehl	Papan	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—1**

Goldsmith

Above bill ordered enrolled.

**ASSEMBLY CONCURRENT RESOLUTION NO. 185 (Washington)**—Relative to Arizona Boys Ranch.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—78**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Baldwin	Frusetta	McClintock	Sweeney
Battin	Gallegos	Migden	Thompson
Baugh	Goldsmith	Miller	Thomson
Bordonaro	Granlund	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Papan	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Above resolution ordered enrolled.

**ASSEMBLY BILL NO. 750 (Brewer)**—An act to add Section 5110 to the Public Contract Code, relating to public contracts.

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	Cardenas	Keeley	Oller
Aguiar	Cardoza	Kuehl	Papan
Alby	Cedillo	Kuykendall	Poochigian
Alquist	Cunneen	Leach	Pringle
Ashburn	Escutia	Lempert	Richter
Baca	Figueroa	Leonard	Runner
Baldwin	Firestone	Machado	Scott
Battin	Frusetta	Margett	Shelley
Baugh	Gallegos	Mazzoni	Strom-Martin
Bordonaro	Goldsmith	Migden	Thompson
Bowler	Granlund	Miller	Vincent
Brewer	Hertzberg	Morrissey	Woods
Brown	Honda	Morrow	Mr. Speaker
Bustamante	House	Murray	
Campbell	Kaloogian	Olberg	

**NOES—12**

Bowen	Havice	Pacheco	Washington
Ducheny	Martinez	Prenter	Wildman
Floyd	Ortiz	Sweeney	Wright

Above bill ordered enrolled immediately.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file.

**Assembly Bill No. 828**, on request of Assembly Member Aroner.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1820 (Honda)**—An act to add Section 11465.6 to the Welfare and Institutions Code, relating to human services.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—63**

Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Richter
Alquist	Ducheny	Machado	Scott
Aroner	Escutia	Margett	Shelley
Baca	Figueroa	Martinez	Strom-Martin
Battin	Floyd	Mazzoni	Sweeney
Bordonaro	Frusetta	Migden	Thomson
Bowen	Gallegos	Miller	Torlakson
Bowler	Goldsmith	Morrissey	Vincent
Brewer	Granlund	Morrow	Washington
Brown	Havice	Murray	Wayne
Bustamante	Hertzberg	Napolitano	Wildman
Campbell	Honda	Oller	Woods
Cardenas	Keeley	Ortiz	Wright
Cardoza	Knox	Papan	Mr. Speaker
Cedillo	Kuehl	Perata	

**NOES—13**

Ackerman	Kaloogian	Pacheco	Thompson
Ashburn	Leonard	Poochigian	
Baldwin	McClintock	Pringle	
Baugh	Olberg	Runner	

Above bill ordered enrolled.

**REQUEST TO DISPENSE WITH CALL OF THE ASSEMBLY**

Assembly Member Richter requested unanimous consent to dispense with the Call of the Assembly to suspend Rules as they relate to Assembly Joint Resolution No. 78.

Assembly Member Floyd withheld unanimous consent.

**Point of Personal Privilege**

Assembly Member Baca arose to a point of personal privilege.

**Motion to Dispense with Call of the Assembly**

Assembly Member Richter moved that the Call of the Assembly be dispensed with to suspend Rules as they relate to Assembly Joint Resolution No. 78.

Assembly Member Baugh seconded the motion.

**Point of Order**

Assembly Member Battin arose to the following point of order:

In the absence of objection, the Presiding Officer had instructed the Reading Clerk to dispense with Assembly Member Richter's Call of the Assembly.

**Ruling by Acting Speaker Keeley**

The Acting Speaker ruled the point of order not well-taken; that objection was raised by Assembly Member Floyd.

The question being on the Richter motion to dispense with the Call of the Assembly to suspend Rules as they related to Assembly Joint Resolution No. 78.

Richter motion lost by the following vote:

**AYES—35**

Ackerman	Brewer	Kuykendall	Oller
Aguiar	Campbell	Leach	Pacheco
Alby	Cunneen	Leonard	Poochigian
Ashburn	Firestone	Margett	Prenter
Baldwin	Frusetta	McClintock	Pringle
Battin	Goldsmith	Miller	Richter
Baugh	Granlund	Morrissey	Runner
Bordonaro	House	Morrow	Thompson
Bowler	Kaloogian	Olberg	

**NOES—37**

Alquist	Escutia	Mazzoni	Torlakson
Aroner	Figueroa	Migden	Vincent
Baca	Floyd	Murray	Washington
Bowen	Gallegos	Napolitano	Wayne
Brown	Hertzberg	Perata	Wildman
Bustamante	Honda	Scott	Wright
Cardenas	Keeley	Shelley	Mr. Speaker
Cedillo	Knox	Strom-Martin	
Davis	Kuehl	Sweeney	
Ducheny	Lempert	Thomson	

**At 3:36 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1915 (Honda)**—An act to add Part 8.5 (commencing with Section 13000) to the Education Code, relating to the California Civil Liberties Public Education Act, 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—61**

Aguiar	Escutia	Machado	Scott
Alquist	Figueroa	Martinez	Shelley
Aroner	Firestone	Mazzoni	Strom-Martin
Baca	Floyd	Migden	Sweeney
Battin	Frusetta	Miller	Thomson
Bordonaro	Gallegos	Morrissey	Torlakson
Bowen	Goldsmith	Morrow	Vincent
Brewer	Havice	Murray	Washington
Brown	Hertzberg	Napolitano	Wayne
Bustamante	Honda	Ortiz	Wildman
Cardenas	Keeley	Pacheco	Woods
Cardoza	Knox	Papan	Wright
Cedillo	Kuehl	Perata	Mr. Speaker
Cunneen	Kuykendall	Poochigian	
Davis	Leach	Prenter	
Ducheny	Lempert	Pringle	

**NOES—13**

Ackerman	Bowler	Kaloogian	Runner
Ashburn	Campbell	Margett	
Baldwin	Granlund	McClintock	
Baugh	House	Olberg	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2056 (Floyd)**—An act to amend Section 1244 of the Business and Professions Code, and to amend Section 101160 of the Health and Safety Code, relating to clinical laboratory 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—74**

Aguiar	Ducheny	Lempert	Prenter
Alby	Escutia	Leonard	Pringle
Alquist	Figueroa	Machado	Runner
Aroner	Firestone	Martinez	Scott
Baca	Floyd	Mazzoni	Shelley
Battin	Frusetta	McClintock	Strom-Martin
Baugh	Gallegos	Migden	Sweeney
Bordonaro	Goldsmith	Miller	Thompson
Bowen	Granlund	Morrissey	Thomson
Bowler	Havice	Morrow	Torlakson
Brewer	Hertzberg	Murray	Vincent
Brown	Honda	Napolitano	Washington
Bustamante	House	Olberg	Wayne
Campbell	Kaloogian	Oller	Wildman
Cardenas	Keeley	Ortiz	Woods
Cardoza	Knox	Pacheco	Wright
Cedillo	Kuehl	Papan	Mr. Speaker
Cunneen	Kuykendall	Perata	
Davis	Leach	Poochigian	

**NOES—3**

Ackerman	Baldwin	Margett
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**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2056: Assembly Member Baugh, from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2772 (Committee on Human Services)**—An act to amend Sections 8351, 8353, 8354, 8355, 8357, and 8358 of, and to add Section 8358.5 to, the Education Code, to amend Section 17002 of the Unemployment Insurance Code, to amend Sections 10072, 10532, 10544.1, 10980, 11004, 11008.135, 11157, 11157.5, 11201, 11250.4, 11265.2, 11320.1, 11320.3, 11320.31, 11322.65, 11322.8, 11323.2, 11323.4, 11324.6, 11324.7, 11324.8, 11325.1, 11325.21, 11325.22, 11325.23, 11325.8, 11326, 11327.8, 11328.8, 11331, 11331.5, 11331.7, 11333.5, 11333.7, 11334.2, 11334.7, 11454, 11454.5, 11454.6, 11477, 11495.15, 14132.90, 15200, 18242, 18244, 18245, 18246, 18904, and 18904.1 of, to add Sections 10850.31, 11450.16, and 15204.9 to, to repeal Sections 11267 and 11334 of, and to repeal and add Section 11008.13 of, the Welfare and Institutions Code, relating to CalWORKs, and making an appropriation therefor.

Bill presented by Assembly Member Aroner.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—74**

Ackerman	Davis	Lempert	Prenter
Aguiar	Ducheny	Leonard	Pringle
Alquist	Escutia	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Battin	Frusetta	Migden	Sweeney
Baugh	Gallegos	Miller	Thompson
Bordonaro	Goldsmith	Morrissey	Thomson
Bowen	Granlund	Morrow	Torlakson
Bowler	Havice	Murray	Vincent
Brewer	Hertzberg	Napolitano	Washington
Brown	Honda	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker
Cedillo	Kuykendall	Perata	
Cunneen	Leach	Poochigian	

**NOES—4**

Alby	Baldwin	House	McClintock
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2527 (Cedillo)**—An act to amend Sections 5913, 5914, 5915, and 5916 of, and to add Article 3 (commencing with Section 5920) to Chapter 9 of Part 2 of Division 2 of Title 1 of, the Corporations Code, and to add Section 1260.1 to the Health and Safety Code, relating to health facilities.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—73**

Ackerman	Ducheny	Leonard	Richter
Aguiar	Escutia	Machado	Runner
Alquist	Figueroa	Margett	Scott
Aroner	Firestone	Martinez	Shelley
Baca	Frusetta	Mazzoni	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Vincent
Bowler	Honda	Olberg	Washington
Brewer	House	Oller	Wayne
Brown	Kaloogian	Ortiz	Wildman
Bustamante	Keeley	Pacheco	Woods
Cardenas	Knox	Papan	Wright
Cardoza	Kuehl	Perata	Mr. Speaker
Cedillo	Kuykendall	Poochigian	
Cunneen	Leach	Prenter	
Davis	Lempert	Pringle	

**NOES—6**

Alby	Campbell	McClintock
Ashburn	Floyd	Morrow

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 117 (Escutia)**—An act to amend Sections 42871 and 42885 of 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—58**

Aguiar	Cunneen	Kuykendall	Poochigian
Alby	Davis	Leach	Scott
Alquist	Ducheny	Lempert	Shelley
Aroner	Escutia	Leonard	Strom-Martin
Ashburn	Figueroa	Machado	Sweeney
Baca	Firestone	Martinez	Thomson
Bordonaro	Frusetta	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Vincent
Bowler	Granlund	Morrissey	Washington
Brown	Havice	Murray	Wayne
Bustamante	Hertzberg	Napolitano	Wildman
Campbell	Honda	Ortiz	Wright
Cardenas	House	Pacheco	Mr. Speaker
Cardoza	Keeley	Papan	
Cedillo	Kuehl	Perata	

**NOES—17**

Ackerman	Goldsmith	Morrow	Runner
Baldwin	Kaloogian	Olberg	Woods
Battin	Margett	Oller	
Baugh	McClintock	Prenter	
Brewer	Miller	Richter	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1182 (Keeley)**—An act relating to the Public Utilities Commission.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—45**

Alquist	Escutia	Machado	Sweeney
Aroner	Figueroa	Martinez	Thomson
Baca	Firestone	Mazzoni	Torlakson
Bowen	Floyd	Migden	Vincent
Brown	Gallegos	Murray	Washington
Bustamante	Havice	Napolitano	Wayne
Cardenas	Hertzberg	Ortiz	Wildman
Cardoza	Honda	Papan	Wright
Cedillo	Keeley	Perata	Mr. Speaker
Cunneen	Knox	Scott	
Davis	Kuehl	Shelley	
Ducheny	Lempert	Strom-Martin	

**NOES—33**

Ackerman	Brewer	Margett	Prenter
Aguiar	Campbell	McClintock	Pringle
Alby	Frusetta	Miller	Richter
Ashburn	Goldsmith	Morrissey	Runner
Baldwin	Granlund	Morrow	Thompson
Battin	House	Olberg	Woods
Baugh	Kaloogian	Oller	
Bordonaro	Leach	Pacheco	
Bowler	Leonard	Poochigian	

Above bill ordered enrolled.

**ASSEMBLY JOINT RESOLUTION NO. 59 (Baca)**—Relative to Reflex Sympathetic Dystrophy Syndrome.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—78**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Morrow	Torlakson
Bowen	Havice	Murray	Vincent
Bowler	Hertzberg	Napolitano	Washington
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Wright
Cardenas	Knox	Papan	Mr. Speaker
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Above resolution ordered enrolled.

**CONFERENCE COMMITTEE REPORTS**

**SENATE BILL NO. 406 (As proposed by the Conference Committee)**—An act to amend Sections 1368, 1368.01, and 1368.03 of, to amend, repeal, and add Sections 1341, 1342.5, 1347, and 1368.02 of, and to add Division 108 (commencing with Section 140000) to, the Health and Safety Code, relating to health care coverage, and making an appropriation therefor.

Conference Committee Report presented by Assembly Member Figueroa.

Report adopted by the following vote:

**AYES—44**

Alquist	Figueroa	Machado	Shelley
Aroner	Floyd	Martinez	Strom-Martin
Baca	Frusetta	Mazzoni	Sweeney
Bowen	Gallegos	Migden	Thomson
Bustamante	Havice	Morrissey	Torlakson
Cardenas	Hertzberg	Murray	Vincent
Cardoza	Honda	Napolitano	Washington
Cedillo	Keeley	Ortiz	Wayne
Davis	Knox	Papan	Wildman
Ducheny	Kuehl	Perata	Wright
Escutia	Lempert	Scott	Mr. Speaker

**NOES—34**

Ackerman	Brewer	Leach	Poochigian
Aguiar	Campbell	Leonard	Prenter
Alby	Cunneen	Margett	Pringle
Ashburn	Firestone	McClintock	Richter
Baldwin	Goldsmith	Miller	Runner
Battin	Granlund	Morrow	Thompson
Baugh	House	Olberg	Woods
Bordonaro	Kaloogian	Oller	
Bowler	Kuykendall	Pacheco	

**SENATE BILL NO. 1885 (As proposed by the Conference Committee)**—An act to amend, repeal, and add Section 52 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to metropolitan water districts.

Conference Committee Report presented by Assembly Member Hertzberg.

Report adopted by the following vote:

**AYES—75**

Aguiar	Ducheny	Lempert	Poochigian
Alby	Escutia	Leonard	Prenter
Alquist	Figueroa	Machado	Pringle
Aroner	Firestone	Margett	Richter
Ashburn	Floyd	Martinez	Runner
Baca	Frusetta	Mazzoni	Scott
Baldwin	Gallegos	McClintock	Shelley
Battin	Goldsmith	Migden	Strom-Martin
Bordonaro	Granlund	Miller	Sweeney
Bowen	Havice	Morrissey	Thompson
Bowler	Hertzberg	Morrow	Torlakson
Brewer	Honda	Murray	Vincent
Brown	House	Napolitano	Washington
Campbell	Kaloogian	Olberg	Wayne
Cardenas	Keeley	Oller	Wildman
Cardoza	Knox	Ortiz	Woods
Cedillo	Kuehl	Pacheco	Wright
Cunneen	Kuykendall	Papan	Mr. Speaker
Davis	Leach	Perata	

**NOES—2**

Ackerman	Baugh
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**ASSEMBLY BILL NO. 399 (As proposed by the Conference Committee)**—An act to amend, repeal, and add Sections 10198.7, 10700, and 10711 of, and to add Chapter 8.5 (commencing with Section 10785) to Part 2 of Division 2 of, the Insurance Code, relating to health care coverage.

Conference Committee Report presented by Assembly Member Gallegos.

Report adopted by the following vote:

**AYES—46**

Alquist	Ducheny	Lempert	Strom-Martin
Aroner	Escutia	Machado	Sweeney
Baca	Figueroa	Martinez	Thomson
Bowen	Floyd	Mazzoni	Torlakson
Brown	Gallegos	Migden	Vincent
Bustamante	Havice	Murray	Washington
Campbell	Hertzberg	Napolitano	Wayne
Cardenas	Honda	Ortiz	Wildman
Cardoza	Keeley	Papan	Wright
Cedillo	Knox	Perata	Mr. Speaker
Cunneen	Kuehl	Scott	
Davis	Kuykendall	Shelley	

**NOES—32**

Ackerman	Brewer	Leonard	Pacheco
Aguiar	Firestone	Margett	Poochigian
Ashburn	Frusetta	McClintock	Prenter
Baldwin	Goldsmith	Miller	Pringle
Battin	Granlund	Morrissey	Richter
Baugh	House	Morrow	Runner
Bordonaro	Kaloogian	Olberg	Thompson
Bowler	Leach	Oller	Woods

**SENATE BILL NO. 593 (As proposed by the Conference Committee)**—An act to amend, repeal, and add Sections 1357, 1357.09, and 1357.51 of, and to add Article 4.6 (commencing with Section 1366.35) to Chapter 2.2 of, the Health and Safety Code, relating to health care coverage.

Conference Committee Report presented by Assembly Member Gallegos.

Report adopted by the following vote:

**AYES—46**

Alquist	Ducheny	Lempert	Strom-Martin
Aroner	Escutia	Machado	Sweeney
Baca	Figueroa	Martinez	Thomson
Bowen	Floyd	Mazzoni	Torlakson
Brown	Gallegos	Migden	Vincent
Bustamante	Havice	Murray	Washington
Campbell	Hertzberg	Napolitano	Wayne
Cardenas	Honda	Ortiz	Wildman
Cardoza	Keeley	Papan	Wright
Cedillo	Knox	Perata	Mr. Speaker
Cunneen	Kuehl	Scott	
Davis	Kuykendall	Shelley	

**NOES—31**

Ackerman	Brewer	Margett	Poochigian
Aguiar	Frusetta	McClintock	Prenter
Ashburn	Goldsmith	Miller	Pringle
Baldwin	Granlund	Morrissey	Richter
Battin	House	Morrow	Runner
Baugh	Kaloogian	Olberg	Thompson
Bordonaro	Leach	Oller	Woods
Bowler	Leonard	Pacheco	

**ASSEMBLY BILL NO. 278 (As proposed by the Conference Committee)**—An act to amend Sections 39606, 39660, and 40451 of, and to add Sections 25502.5, 39617, and 39667.5 to, the Health and Safety Code, relating to environmental health protection.

Conference Committee Report presented by Assembly Member Escutia.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Escutia 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.

**At 4:05 p.m., Assistant Speaker pro Tempore Joe Baca  
62nd District, presiding**

**MESSAGES FROM THE SENATE**

Senate Chamber, August 28, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed amended:

Assembly Bill No. 378

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 28, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 2472

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 28, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 377  
Assembly Bill No. 1150  
Assembly Bill No. 2305

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.

August 28, 1998

*Hon. E. Dotson Wilson  
Chief Clerk of the Assembly  
Assembly Chamber*

Dear Dotson: The Senate this day rescinded the action whereby it concurred in Assembly amendments to Senate Bill 1403. The Senate then ordered the bill returned to the Assembly.

Sincerely,

GREGORY SCHMIDT  
Secretary of the Senate

Above bill held at the Desk.

Senate Chamber, August 28, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 96  
 Assembly Bill No. 542  
 Assembly Bill No. 1102

Assembly Bill No. 2086  
 Assembly Bill No. 2777

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.

### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 28, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2803

And reports the same correctly enrolled, and presented to the Governor at 4:30 p.m., August 28, 1998.

E. DOTSON WILSON, 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. 1643

Governor's Office, Sacramento  
 August 28, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1643 without my signature.

This bill would, among other provisions, reject the California Appellate Court decision in *Marks v. Loral Corporation* (57 Cal. App. 4th 30, 1997), and declare that the opinion does not affect existing law in any way.

This bill is similar to Senate Bill No. 1098 (Kopp), which was recently vetoed. That measure had also attempted to invalidate the court of appeal decision which was narrowly focused to allow an employer to choose employees with lower salaries although that *might* result in choosing younger employees. The court found that if the choice is in fact based on salary, there is no age discrimination. As I have previously stated, this strikes me as a fair interpretation of the age discrimination statute which prohibits discrimination against specified individuals because of their age. The court in *Marks* did not authorize or sanction employers using salary as a pretext for a decision really based on age. In that instance, the employer would rightfully be subjected to an age discrimination claim.

It is an unacceptable practice for employers to use age as a criterion in the workplace unless otherwise required by law. On the other hand, in a competitive market based economy like California's, employment decisions which consider salary appear reasonable.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1815**

Governor's Office, Sacramento  
August 28, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1815 without my signature.

This bill would exempt limited English proficient (LEP) pupils for thirty months after they have begun receiving instruction primarily in English. This thirty month exemption equates to over three academic years, or one-third of the years a pupil may take the Standardized testing and Reporting (STAR) test.

It is inappropriate to deny one class of individuals the opportunity to participate in the educational benefits of the STAR test based solely on the individual's English language proficiency. This bill is inconsistent with the agreement reached last year on how LEP pupils would be tested under the STAR program and, in fact, would compromise the value of the data obtained this year. One very valuable component of the STAR program is that it delivers to parents and teachers baseline performance data that will allow them to track a pupil's achievement over time.

This bill also contains an additional denial of educational opportunity by exempting pupils who entered school with no reading skills and who have been enrolled continuously in the district for fewer than 180 days (essentially one school year). This provision unfairly impacts pupils from highly migratory families and effectively excludes these pupils from participation in a fundamental component of the State's education system. The primary purpose of the statewide test is to provide information on the academic status and progress of individual pupils to their parents and their teachers. The denial of the opportunity to take the STAR test would run counter to legislative intent governing the statewide testing program.

In addition, this bill would require the administration of the test of applied academic skills (commonly known as the matrix test) beginning in the Spring of 1999. Neither the matrix test nor performance standards have been developed. The recently enacted education trailer bill (SB 1564, Ch. 330, 1998) addresses performance standards and matrix test development, providing for a phased-in adoption of the matrix test beginning in December 1999. This bill would dismantle the agreement reached on this issue.

Finally, the requirements that the Superintendent of Public Instruction develop alternative versions of the STAR and matrix tests for English learners may introduce issues of proprietary rights to the extent that the tests included would be "versions" of those developed and published by private entities.

Cordially,

PETE WILSON

**RECEIPT**

I acknowledge receipt this 28th day of August 1998, at 4:05 p.m., of Assembly Bills Nos. 1643 and 1815, without the Governor's signature, together with a statement of his objection thereto, signed by the Governor, delivered to me personally by Karen Morgan.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

At 4:38 p.m., Hon. Fred Keeley, 27th District, presiding

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 357 (Havice)**—An act to amend Sections 1192.7 and 1192.8 of the Penal Code, relating to serious felonies.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—78**

Ackerman	Davis	Lempert	Prenter
Aguiar	Ducheny	Leonard	Pringle
Alby	Escutia	Machado	Richter
Alquist	Figueroa	Margett	Runner
Ashburn	Firestone	Martinez	Scott
Baca	Floyd	Mazzoni	Shelley
Baldwin	Frusetta	McClintock	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker
Cedillo	Kuykendall	Perata	
Cunneen	Leach	Poochigian	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1052 (Villaraigosa)**—An act to add Section 14105.436 to the Welfare and Institutions Code, relating to human services.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—58**

Aguiar	Davis	Kuykendall	Prenter
Alquist	Ducheny	Leach	Scott
Aroner	Escutia	Lempert	Shelley
Baca	Figueroa	Leonard	Strom-Martin
Battin	Firestone	Machado	Sweeney
Baugh	Floyd	Martinez	Thomson
Bordonaro	Frusetta	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Vincent
Brewer	Granlund	Morrissey	Washington
Brown	Havice	Murray	Wayne
Bustamante	Hertzberg	Napolitano	Wildman
Cardenas	Honda	Ortiz	Wright
Cardoza	Keeley	Pacheco	Mr. Speaker
Cedillo	Knox	Papan	
Cunneen	Kuehl	Perata	

**NOES—19**

Ackerman	Goldsmith	Miller	Richter
Alby	House	Olberg	Runner
Baldwin	Kaloogian	Oller	Thompson
Bowler	Margett	Poochigian	Woods
Campbell	McClintock	Pringle	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2031 (Cedillo)**—An act to add Section 7560.5 to the Government Code, to add Sections 123831, 125176, and 125276 to the Health and Safety Code, and to add Sections 4357.5, 4367.5, 4384, 4505.5, 5600.8, 5812, and 5856.5 to the Welfare and Institutions Code, relating to noncitizens.

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 Cedillo moved a call of the Assembly.

Motion carried. Time, 4:40 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 2079 (Villaraigosa)**—An act to amend Sections 12693.615, 12693.63, and 12693.65 of 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.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Villaraigosa moved a call of the Assembly.

Motion carried. Time, 4:42 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 2454 (Murray)**—An act relating to 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.

#### Call of the Assembly

Pending the announcement of the vote, Assembly Member Murray moved a call of the Assembly.

Motion carried. Time, 4:45 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 1469 (Ortiz)**—An act to amend Sections 17039, 17507.6, 18533, 18534, 19705, and 25110 of, and to add Sections 17152.5, 18673, 19315, 19382.5, and 19443 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—79

Ackerman	Cunneen	Leach	Poochigian
Aguiar	Davis	Lempert	Prenter
Alby	Ducheny	Leonard	Pringle
Alquist	Escutia	Machado	Richter
Aroner	Figueroa	Margett	Runner
Ashburn	Firestone	Martinez	Scott
Baca	Floyd	Mazzoni	Shelley
Baldwin	Frusetta	McClintock	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker
Cedillo	Kuykendall	Perata	

#### NOES—None

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 992 (Perata)**—An act 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—50**

Alquist	Ducheny	Lempert	Shelley
Aroner	Escutia	Machado	Strom-Martin
Baca	Figueroa	Martinez	Sweeney
Baldwin	Floyd	Mazzoni	Thomson
Battin	Frusetta	Migden	Torlakson
Bordonaro	Gallegos	Morrissey	Vincent
Bowen	Havice	Murray	Washington
Brown	Hertzberg	Napolitano	Wayne
Cardenas	Honda	Ortiz	Wildman
Cardoza	House	Papan	Wright
Cedillo	Keeley	Perata	Mr. Speaker
Cunneen	Knox	Prenter	
Davis	Kuehl	Scott	

**NOES—28**

Ackerman	Campbell	Leonard	Pacheco
Aguiar	Firestone	Margett	Poochigian
Alby	Goldsmith	McClintock	Pringle
Ashburn	Granlund	Miller	Richter
Baugh	Kaloogian	Morrow	Runner
Bowler	Kuykendall	Olberg	Thompson
Brewer	Leach	Oller	Woods

**Vote Changes**

By unanimous consent, the following vote changes were permitted on concurrence in Senate amendments to Assembly Bill No. 992: Assembly Member Oller, from “Aye” to “No”; Assembly Member Battin, from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1183 (Perata)**—An act to add Section 3861.5 to 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—49**

Aguiar	Davis	Lempert	Strom-Martin
Alby	Ducheny	Machado	Sweeney
Alquist	Escutia	Martinez	Thomson
Aroner	Figueroa	Mazzoni	Torlakson
Baca	Floyd	Morrissey	Vincent
Bordonaro	Gallegos	Murray	Washington
Bowen	Havice	Napolitano	Wayne
Bowler	Hertzberg	Ortiz	Wildman
Brown	Honda	Papan	Wright
Cardenas	House	Perata	Mr. Speaker
Cardoza	Keeley	Prenter	
Cedillo	Knox	Scott	
Cunneen	Kuehl	Shelley	

**NOES—25**

Ackerman	Goldsmith	McClintock	Pringle
Baldwin	Granlund	Miller	Richter
Battin	Kaloogian	Morrow	Runner
Baugh	Kuykendall	Olberg	Thompson
Brewer	Leach	Oller	
Campbell	Leonard	Pacheco	
Frusetta	Margett	Poochigian	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2088 (Floyd)**—An act to amend Section 21201 of, and to add Section 21204 to, the Financial Code, relating to pawnbrokers.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—73**

Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Alquist	Floyd	Martinez	Scott
Aroner	Frusetta	Mazzoni	Shelley
Ashburn	Gallegos	Migden	Strom-Martin
Baca	Goldsmith	Miller	Sweeney
Battin	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardoza	Kuehl	Papan	Wright
Cedillo	Kuykendall	Perata	Mr. Speaker
Cunneen	Leach	Poochigian	
Davis	Lempert	Prenter	
Ducheny	Leonard	Pringle	

**NOES—4**

Ackerman	Baldwin	Baugh	McClintock
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 194 (Thomson)**—An act to amend Sections 124900, 124905, 124910, and 124920 of, to add Sections 124906 and 124911 to, and to repeal Section 124935 of, the Health and Safety Code, relating to health care.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—74**

Ackerman	Escutia	Leonard	Pringle
Aguiar	Figueroa	Machado	Richter
Alquist	Firestone	Margett	Runner
Aroner	Floyd	Martinez	Scott
Ashburn	Frusetta	Mazzoni	Shelley
Baca	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Bordonaro	Granlund	Morrissey	Thompson
Bowen	Havice	Morrow	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Vincent
Brown	House	Olberg	Washington
Bustamante	Kaloogian	Oller	Wayne
Campbell	Keeley	Ortiz	Wildman
Cardoza	Knox	Pacheco	Woods
Cedillo	Kuehl	Papan	Wright
Cunneen	Kuykendall	Perata	Mr. Speaker
Davis	Leach	Poochigian	
Ducheny	Lempert	Prenter	

**NOES—4**

Alby	Baldwin	Baugh	McClintock
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 23 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Perata was granted unanimous consent that the vote be reconsidered whereby Assembly Bill No. 23 was refused concurrence; and that the bill be placed upon the inactive file.

**SENATE BILL NO. 507 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Shelley was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 507 was refused passage; and that the bill be placed upon the inactive file.

**SENATE BILL NO. 930 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given by Assembly Member Bowen, Assembly Member Papan was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 930 was refused passage; and that the bill be placed upon the inactive file.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)**

**SENATE BILL NO. 1610 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Floyd was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 1610 was refused passage.

**Further Consideration of Senate Bill No. 1610**

**SENATE BILL NO. 1610 (Burton)**—An act to amend Section 1776 of, and to add Article 6 (commencing with Section 1870) to Chapter 1 of Part 7 of Division 2 of, the Labor Code, relating to public works.

Bill read third time, and presented by Assembly Member Floyd.

Bill refused passage by the following vote:

**AYES—40**

Alquist	Escutia	Lempert	Strom-Martin
Aroner	Figueroa	Mazzoni	Sweeney
Baca	Floyd	Migden	Thomson
Brown	Gallegos	Murray	Torlakson
Bustamante	Havice	Napolitano	Vincent
Cardenas	Hertzberg	Ortiz	Washington
Cardoza	Honda	Papan	Wayne
Cedillo	Keeley	Perata	Wildman
Davis	Knox	Scott	Wright
Ducheny	Kuehl	Shelley	Mr. Speaker

**NOES—35**

Ackerman	Brewer	Kuykendall	Pacheco
Aguiar	Campbell	Leach	Poochigian
Alby	Cunneen	Leonard	Prenter
Ashburn	Firestone	Margett	Pringle
Baldwin	Frusetta	McClintock	Richter
Battin	Goldsmith	Miller	Runner
Baugh	Granlund	Morrow	Thompson
Bordonaro	House	Olberg	Woods
Bowler	Kaloogian	Oller	

**RULES SUSPENDED BY UNANIMOUS CONSENT**

Assembly Member Shelley was granted unanimous consent to suspend all Rules to permit consideration of Senate Bill No. 1765.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2019 (Kuehl)**—An act to amend Section 13320 of, to add Chapter 5.9 (commencing with Section 13399.25) to Division 7 of, and to add and repeal Section 13260.2 of, the Water Code, relating to water.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—53**

Alquist	Ducheny	Kuykendall	Shelley
Aroner	Escutia	Leach	Strom-Martin
Ashburn	Figueroa	Lempert	Sweeney
Baca	Firestone	Martinez	Thomson
Bordonaro	Floyd	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Vincent
Brown	Goldsmith	Murray	Washington
Bustamante	Havice	Napolitano	Wayne
Campbell	Hertzberg	Ortiz	Wildman
Cardenas	Honda	Papan	Wright
Cardoza	House	Perata	Mr. Speaker
Cedillo	Keeley	Prenter	
Cunneen	Knox	Runner	
Davis	Kuehl	Scott	

**NOES—25**

Ackerman	Brewer	Miller	Pringle
Aguiar	Frusetta	Morrissey	Richter
Alby	Granlund	Morrow	Thompson
Baldwin	Kaloogian	Olberg	Woods
Battin	Leonard	Oller	
Baugh	Margett	Pacheco	
Bowler	McClintock	Poochigian	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2019: Assembly Member Pacheco, from “Aye” to “No”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1100 (Thomson)**—An act to add Section 1374.72 to the Health and Safety Code, and to add Section 10144.5 to the Insurance Code, relating to health care coverage.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—54**

Aguiar	Ducheny	Leach	Shelley
Alquist	Escutia	Lempert	Strom-Martin
Aroner	Figueroa	Machado	Sweeney
Baca	Floyd	Martinez	Thomson
Bordonaro	Frusetta	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Vincent
Brewer	Granlund	Morrissey	Washington
Brown	Havice	Murray	Wayne
Bustamante	Hertzberg	Napolitano	Wildman
Cardenas	Honda	Ortiz	Woods
Cardoza	House	Papan	Wright
Cedillo	Keeley	Perata	Mr. Speaker
Cunneen	Knox	Prenter	
Davis	Kuehl	Scott	

**NOES—16**

Ackerman	Kaloogian	Miller	Pringle
Ashburn	Leonard	Morrow	Richter
Baldwin	Margett	Olberg	Runner
Campbell	McClintock	Oller	Thompson

Above bill ordered enrolled.

**MOTION TO RECONSIDER ASSEMBLY BILL NO. 2501**

In compliance with a motion given on a previous day, Assembly Member Pacheco requested unanimous consent that the vote be reconsidered whereby Senate amendments to Assembly Bill No. 2501 were concurred in.

Assembly Member Bowen withheld unanimous consent.

**Motion**

Assembly Member Pacheco moved that the vote be reconsidered whereby Senate amendments to Assembly Bill No. 2501 were concurred in.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Leonard moved a call of the Assembly.

Motion carried. Time, 5:49 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**At 5:49 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1700 (Hayden)**—An act to amend Sections 13825.2, 13825.4, and 13825.6 of the Penal Code and to amend Section 1915 of the Welfare and Institutions Code, relating to crime prevention, and making an appropriation therefor, and declaring the urgency therefor, to take effect immediately.

Bill read third time, and presented by Assembly Member Cedillo.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—57**

Aguiar	Ducheny	Leonard	Scott
Alquist	Escutia	Machado	Shelley
Aroner	Figueroa	Martinez	Strom-Martin
Baca	Firestone	Mazzoni	Sweeney
Battin	Floyd	Migden	Thomson
Bordonaro	Frusetta	Morrissey	Torlakson
Bowen	Gallegos	Murray	Vincent
Bowler	Havice	Napolitano	Washington
Brown	Hertzberg	Ortiz	Wayne
Bustamante	Honda	Pacheco	Wildman
Cardenas	Keeley	Papan	Wright
Cardoza	Knox	Perata	Mr. Speaker
Cedillo	Kuehl	Prenter	
Cunneen	Kuykendall	Pringle	
Davis	Lempert	Runner	

**NOES—22**

Ackerman	Campbell	Margett	Poochigian
Alby	Goldsmith	McClintock	Richter
Ashburn	Granlund	Miller	Thompson
Baldwin	House	Morrow	Woods
Baugh	Kaloogian	Olberg	
Brewer	Leach	Oller	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—57**

Aguiar	Ducheny	Leonard	Scott
Alquist	Escutia	Machado	Shelley
Aroner	Figueroa	Martinez	Strom-Martin
Baca	Firestone	Mazzoni	Sweeney
Battin	Floyd	Migden	Thomson
Bordonaro	Frusetta	Morrissey	Torlakson
Bowen	Gallegos	Murray	Vincent
Bowler	Havice	Napolitano	Washington
Brown	Hertzberg	Ortiz	Wayne
Bustamante	Honda	Pacheco	Wildman
Cardenas	Keeley	Papan	Wright
Cardoza	Knox	Perata	Mr. Speaker
Cedillo	Kuehl	Prenter	
Cunneen	Kuykendall	Pringle	
Davis	Lempert	Runner	

**NOES—22**

Ackerman	Campbell	Margett	Poochigian
Alby	Goldsmith	McClintock	Richter
Ashburn	Granlund	Miller	Thompson
Baldwin	House	Morrow	Woods
Baugh	Kaloogian	Olberg	
Brewer	Leach	Oller	

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)**  
**SENATE BILL NO. 412 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Bowen was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 412 was refused passage.

**Further Consideration of Senate Bill No. 412**

**SENATE BILL NO. 412 (Peace)**—An act to amend Section 10430 of, and to add Sections 10413 and 12122 to, the Public Contract Code, relating to state contracts.

Bill read third time, and presented by Assembly Member Bowen.

Bill passed by the following vote:

**AYES—43**

Alquist	Escutia	Martinez	Strom-Martin
Aroner	Figueroa	Mazzoni	Sweeney
Baca	Floyd	McClintock	Thomson
Bowen	Frusetta	Migden	Torlakson
Brown	Gallegos	Murray	Vincent
Bustamante	Havice	Napolitano	Washington
Cardenas	Hertzberg	Ortiz	Wayne
Cardoza	Honda	Papan	Wildman
Cedillo	Keeley	Perata	Wright
Davis	Knox	Scott	Mr. Speaker
Ducheny	Kuehl	Shelley	

**NOES—35**

Ackerman	Brewer	Leach	Pacheco
Aguiar	Campbell	Lempert	Poochigian
Alby	Cunneen	Leonard	Prenter
Ashburn	Firestone	Margett	Pringle
Baldwin	Goldsmith	Miller	Richter
Battin	Granlund	Morrissey	Runner
Baugh	House	Morrow	Thompson
Bordonaro	Kaloogian	Olberg	Woods
Bowler	Kuykendall	Oller	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2084 (Miller)**—An act to amend Section 3248 of the Civil Code, and to amend Sections 3400, 7107, 10121, 10127, 10140, 10240.1, 10261, 10262, 10262.5, 10263, and 22300 of, and to add Section 7200 to, the Public Contract Code, relating to public works contracts.

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	Cunneen	Leonard	Prenter
Aguiar	Ducheny	Machado	Pringle
Alby	Escutia	Margett	Richter
Alquist	Figueroa	Martinez	Runner
Aroner	Firestone	Mazzoni	Scott
Ashburn	Frusetta	McClintock	Shelley
Baca	Gallegos	Migden	Strom-Martin
Baldwin	Goldsmith	Miller	Sweeney
Battin	Granlund	Morrissey	Thompson
Baugh	Havice	Morrow	Torlakson
Bordonaro	Hertzberg	Murray	Vincent
Bowen	Honda	Napolitano	Washington
Bowler	House	Olberg	Wayne
Brewer	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Kuehl	Pacheco	Wright
Cardenas	Kuykendall	Papan	Mr. Speaker
Cardoza	Leach	Perata	
Cedillo	Lempert	Poochigian	

**NOES—None**

Above bill ordered enrolled.

**SENATE BILL NO. 1933 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Cedillo was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 1933 was refused passage.

**Further Consideration of Senate Bill No. 1933**

**SENATE BILL NO. 1933 (Johnston)**—An act to add Section 3202.3 to the Labor Code, and to add Section 2601.5 to the Unemployment Insurance Code, relating to alien workers, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Cedillo.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Cedillo moved a call of the Assembly.

Motion carried. Time, 6:12 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**MOTION TO RECONSIDER SENATE BILL NO. 1500 WAIVED**

Assembly Member Granlund waived his motion to reconsider the vote whereby Senate Bill No. 1500 was passed.

Senate Bill No. 1500 was ordered to the Senate immediately.

**CONSIDERATION OF SENATE BILL NO. 1765  
WITHOUT REFERENCE TO FILE**

Upon request of Assembly Member Shelley, earlier this day, Assembly Member Thompson was granted unanimous consent to take up Senate Bill No. 1765, without reference to file, for purpose of consideration.

**SENATE BILL NO. 1765 (Peace)**—An act to add Chapter 7 (commencing with Section 12560) to Part 5 of Division 6 of the Water Code, relating to the Colorado River Management Program.

**Rules Suspended**

Upon request of Assembly Member Shelley, earlier this day, Assembly Member Thompson was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 1765.

Bill read third time, and presented by Assembly Member Thompson.

**Senate Bill No. 1765 Passed Temporarily**

By unanimous consent Senate Bill No. 1765 was passed temporarily on file, to retain its place on file.

**MOTION TO RECONSIDER SENATE BILL NO. 1610  
ON NEXT LEGISLATIVE DAY**

Assembly Member Bowen moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1610 was this day refused passage.

**Motion Ruled Out of Order**

Speaker pro Tempore Kuehl ruled the motion out of order, as Senate Bill No. 1610 was previously reconsidered.

**CAUCUS ANNOUNCEMENTS**

At 6:30 p.m., by unanimous consent, the Republican Caucus was permitted to meet in the Assembly Lounge, and the Democratic Caucus was permitted to meet in the Tom Bane Rules Committee Room.

**RECESS**

By unanimous consent, at 6:31 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

**REASSEMBLED**

At 9:05 p.m., the Assembly reconvened.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 28, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 15   | Assembly Bill No. 1746 |
| Assembly Bill No. 236  | Assembly Bill No. 1792 |
| Assembly Bill No. 860  | Assembly Bill No. 2040 |
| Assembly Bill No. 1184 | Assembly Bill No. 2217 |
| Assembly Bill No. 1292 | Assembly Bill No. 2283 |
| Assembly Bill No. 1621 | Assembly Bill No. 2639 |
| Assembly Bill No. 1639 | Assembly Bill No. 2687 |
| Assembly Bill No. 1715 |                        |

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 28, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 92   | Assembly Bill No. 1737 |
| Assembly Bill No. 271  | Assembly Bill No. 1935 |
| Assembly Bill No. 623  | Assembly Bill No. 2215 |
| Assembly Bill No. 639  | Assembly Bill No. 2398 |
| Assembly Bill No. 762  | Assembly Bill No. 2452 |
| Assembly Bill No. 836  | Assembly Bill No. 2461 |
| Assembly Bill No. 1110 | Assembly Bill No. 2505 |
| Assembly Bill No. 1439 | Assembly Bill No. 2627 |
| Assembly Bill No. 1626 |                        |

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 28, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

- Assembly Concurrent Resolution No. 186
- Assembly Concurrent Resolution No. 187
- Assembly Concurrent Resolution No. 192

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Above resolutions ordered enrolled.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Governmental Organization**

Date of Hearing: August 28, 1998

Mr. Speaker: Your Committee on Governmental Organization reports:

- Assembly Bill No. 324
- Assembly Bill No. 576
- Assembly Bill No. 734

With the recommendation: That Senate amendments be concurred in.

BROWN, Chairwoman

Above bills ordered to unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
RICHTER MOTION TO SUSPEND RULES**

At 9:12 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 Richter motion to suspend Rules to permit consideration of a motion to withdraw Assembly Joint Resolution No. 78 from the Committee on Rules prior to the 2 days' calendar notice requirement lost by the following vote:

**AYES—34**

Ackerman	Brewer	Leach	Pacheco
Aguiar	Campbell	Leonard	Poochigian
Alby	Cunneen	Margett	Pringle
Ashburn	Firestone	McClintock	Richter
Baldwin	Frusetta	Miller	Runner
Battin	Goldsmith	Morrissey	Thompson
Baugh	Granlund	Morrow	Woods
Bordonaro	House	Olberg	
Bowler	Kalooagian	Oller	

**NOES—32**

Alquist	Escutia	Kuehl	Strom-Martin
Aroner	Floyd	Lempert	Sweeney
Bowen	Gallegos	Machado	Thomson
Brown	Havice	Martinez	Torlakson
Cardenas	Hertzberg	Mazzoni	Vincent
Cedillo	Honda	Murray	Washington
Davis	Keeley	Papan	Wright
Ducheny	Knox	Shelley	Mr. Speaker

**JOINT RULE 62(a) WAIVED**

Assembly Member Shelley was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 576 for hearing in the Committee on Governmental Organization.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 9:12 p.m., by unanimous consent, the members of the Committee on Governmental Organization were excused for the purpose of attending a meeting of the committee at this time in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Upon request of Assembly Member Shelley, Assembly Member Alquist was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Bill No. 1338**

August 27, 1998

*E. Dotson Wilson, Chief Clerk  
California State Assembly  
State Capitol  
Sacramento, California*

Dear Mr. Wilson: The purpose of this letter is to clarify my intent as the author of AB 1338 on the issues contained within this bill.

The bill requires Residential Care Facilities for the Elderly to provide residents with information regarding advance directives upon admission.

The bill is not intended to impose additional requirements upon the Department of Social Services as to the development of educational or informational materials. This bill is intended to require Residential Care Facilities for the Elderly to provide residents with consumer information previously developed, under a federal mandate, by the Department of Health Services.

Sincerely,

ELAINE WHITE ALQUIST, Assembly Member  
Twenty-second District

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Assembly Member Baugh was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Bill No. 726**

August 28, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*California State Assembly*  
*State Capitol*  
*Sacramento, California*

Dear Mr. Wilson: The purpose of this letter is to clarify my intent as the author of Assembly Bill 726 on issues related to the bill. The bill is not intended, nor should it be construed, to abrogate the authority of a city or county to regulate adult or sexually-oriented businesses pursuant to Government Code Section 65850(g).

Sincerely,

SCOTT R. BAUGH, Assembly Member  
Sixty-seventh District

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Assembly Member Keeley was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Bill No. 1755**

*AB 1755 (Keeley) Net Energy Metering: Solar Energy*

Assembly Bill 1755 contained two sections which together remove significant obstacles to the use of solar energy technology in California.

The first section made changes to California's existing net metering law, Section 2827 of the Public Utilities Code, which updates the law to reflect the fact that electric industry restructuring has taken place, and which addresses several areas where issues have arisen since the enabling net metering legislation was enacted into law in 1996.

My intent was that the following provisions of the legislation become law. First, I wanted to ensure that small commercial customers, in addition to residential customers, be able to benefit from net metering. I also wished to ensure that customers would not have to install additional electric meters at their own expense, since in virtually all cases the customer's existing meter can be used to provide net metering. I wanted to ensure that net metering customers would pay only for the net amount of electricity they consume over a yearly period, that they pay kilowatt-hour consumption-based charges only on that net electricity consumption, and that they not pay any consumption-based

charges on the electrical output of the eligible solar or wind electrical generating system.

Further, it was my intent that any entity offering net metering in California would, at a minimum, offer it under terms which are at least as favorable as the terms outlined in the legislation. I wanted to ensure that a net metering customer could have an annualization period commencing on a date of their own choosing, and that net metering customers would not be required to install unnecessary or duplicative hardware, purchase excessive liability insurance, or perform unnecessary tests. Finally, I wanted to ensure that as long as solar energy systems utilize hardware that meets the product safety guidelines referenced in the legislation, and in particular the Underwriters Laboratories certification, no further product testing or approval processes will be required of net metering customers by utilities or other energy service providers.

The second section of the legislation reinstates a property tax exemption for solar energy systems which expired due to a sunset provision in 1994. Property taxes levied on solar energy systems are a significant impediment to their purchase and use, and this section removes this obstacle. My intent in this section was to clarify that the original tax exemption language, in referencing the "parts" which constitute an active solar energy system, also covers spare parts specifically purchased, designed or fabricated for installation in an active solar energy system that may be kept on hand by solar energy system users, owners or operators. This provision is consistent with the intent of the prior solar energy system property tax exemption laws, and no provisions of this section in any way reduce the property tax exemption benefits that solar system owners enjoyed under the original law.

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Assembly Member Runner was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Senate Bill No. 520**

August 27, 1998

*Mr. E. Dotson Wilson, Chief Clerk  
California State Assembly  
State Capitol Building, Room 3196  
Sacramento, California*

Dear Mr. Wilson: I am writing to clarify the intent of SB 520 (Rainey) that authorizes the Secretary of State to place ACA 10 on the supplemental ballot on November 3, 1998. As a principal co-author of SB 520, and the author of ACA 10, it was always my intent that the election in question was November 3, 1998 notwithstanding the single reference to November 8, 1998.

This was clearly a typographical error as evidenced by the other three direct references to November 3, 1998, in the text of the measure. Thank you for this opportunity to clarify the record.

Sincerely,

GEORGE C. RUNNER, JR., Assembly Member  
Thirty-sixth District

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On behalf of Assembly Member Takasugi, Assembly Member Shelley was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Bill No. 2128**

August 28, 1998

*Mr. E. Dotson Wilson, Chief Clerk  
California State Assembly  
Sacramento, California*

Dear Mr. Wilson: I am writing to clarify the intent behind Section 10 of my Assembly Bill 2128, relating to the deposit of funds by local agencies with depository institutions.

The analysis of the bill prepared by the Assembly Banking and Finance Committee correctly notes that, as a result of the transfer last year of the Local Agency Security Program from the Department of Financial Institutions (“DFI”) to the State Treasurer (AB 1432 (Papan), Chapter 375, Statutes of 1997), the Treasurer as the new administrator—unlike the previous administrator DFI—is precluded by federal and state laws from receiving prior notification of the closing or placing into receivership of a depository institution holding local agency funds. As a result, local agency funds on deposit with an institution to be closed or seized, which are collateralized by securities held by a second institution (the “agency” institution), were potentially placed at risk following a closure of the depository until the administrator could issue a “no release order” to the agency institution holding the collateral for the funds.

Section 10 of AB 2128 amends Section 53656 of the Government Code to now place the responsibility on the “agency” institution to not release any security held to secure a local agency deposit *unless* the administrator (i.e. the State Treasurer) issues an order authorizing the release in those cases where the depository has been taken over by a federal or state regulator or put into receivership. An oversight in the bill fails to provide a mechanism for placing the “agency” institution on notice regarding the closure of the depository institution. However, it is my understanding that in the case of a depository that has been seized or closed, such a request would come from the Federal Deposit Insurance Corporation in its capacity as receiver or conservator of the depository. Accordingly, the agency of depository will or should know that the depository is in the hands of the FDIC at the time the request is made.

Although I will be retiring from the Legislature at the end of this year, I would encourage the enactment of a cleanup measure next year to make clear that a violation of statute would occur only in those instances where the agent of depository knew or should have known depository’s closure. Otherwise, the cost or availability of such agency services which facilitate the placing of public funds on deposit may be negatively impacted.

Thank you for the opportunity to provide this clarification.

Sincerely,

NAO TAKASUGI, Assembly Member  
Thirty-seventh District

Assembly Member Thomson was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Bill No. 1100**

August 26, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol*  
*Sacramento, California*

Dear Mr. Wilson,

Assemblyman Don Perata and I are carrying Assembly Bill 1100 which would require certain health care service plan contracts or disability insurance policies that are issued, amended or renewed on or after July 1, 1999, to provide coverage for the diagnosis and medically necessary treatment of specified severe, biologically based mental illnesses for persons of all ages, under the same terms and conditions applied to other medical conditions.

Assembly Bill 1100 is intended to expand access to adequate mental health care for all Californians who suffer from those illnesses.

This bill is not intended to be interpreted by regulatory agencies, health plans or insurers to restrict access for persons with severe, biologically based mental illnesses to psychological services which have been determined to be medically necessary. Any such interpretation or application would only serve to further restrict access to important mental health services, undermining the intent of this legislation.

Sincerely,

HELEN M. THOMSON, Assembly Member  
Eighth District

**REPORTS OF STANDING COMMITTEES**  
**Committee on Appropriations**

Date of Hearing: August 27, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 418

Senate Bill No. 752

With amendments with the recommendation: Amend, and do pass, as amended.

MIGDEN, Chairwoman

Above bills ordered to second reading.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 436**

At 9:13 p.m., on motion of Assembly Member Keeley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 436 passed by the following vote:

**AYES—42**

Alquist	Escutia	Machado	Sweeney
Aroner	Figueroa	Mazzoni	Thomson
Baca	Floyd	McClintock	Torlakson
Bowen	Gallegos	Migden	Vincent
Brown	Havice	Murray	Washington
Bustamante	Hertzberg	Napolitano	Wayne
Cardoza	Honda	Ortiz	Wildman
Cedillo	Keeley	Perata	Wright
Cunneen	Knox	Scott	Mr. Speaker
Davis	Kuehl	Shelley	
Ducheny	Lempert	Strom-Martin	

**NOES—35**

Ackerman	Brewer	Leach	Pacheco
Aguiar	Campbell	Leonard	Poochigian
Alby	Firestone	Margett	Prenter
Ashburn	Frusetta	Martinez	Pringle
Baldwin	Goldsmith	Miller	Richter
Battin	Granlund	Morrissey	Runner
Baugh	House	Morrow	Thompson
Bordonaro	Kaloogian	Olberg	Woods
Bowler	Kuykendall	Oller	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 436: Assembly Member Bowen, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 710**

At 9:17 p.m., on motion of Assembly Member Floyd, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 710 passed by the following vote:

**AYES—42**

Alquist	Figueroa	Martinez	Sweeney
Aroner	Floyd	Mazzoni	Thomson
Baca	Gallegos	Migden	Torlakson
Bowen	Havice	Morrissey	Vincent
Brown	Hertzberg	Murray	Washington
Bustamante	Honda	Napolitano	Wayne
Cardoza	Keeley	Ortiz	Wildman
Cedillo	Knox	Perata	Wright
Davis	Kuehl	Scott	Mr. Speaker
Ducheny	Lempert	Shelley	
Escutia	Machado	Strom-Martin	

**NOES—34**

Ackerman	Brewer	Leach	Poochigian
Aguiar	Campbell	Leonard	Prenter
Alby	Cunneen	Margett	Pringle
Ashburn	Firestone	McClintock	Richter
Baldwin	Frusetta	Miller	Runner
Battin	Goldsmith	Morrow	Thompson
Baugh	Granlund	Olberg	Woods
Bordonaro	House	Oller	
Bowler	Kaloogian	Pacheco	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1623**

At 9:18 p.m., on motion of Assembly Member Pacheco, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1623 passed by the following vote:

**AYES—57**

Alquist	Escutia	Leach	Shelley
Aroner	Figueroa	Lempert	Strom-Martin
Ashburn	Firestone	Machado	Sweeney
Baca	Floyd	Martinez	Thomson
Baugh	Gallegos	Mazzoni	Torlakson
Bowen	Goldsmith	McClintock	Vincent
Bowler	Havice	Migden	Washington
Brown	Hertzberg	Morrow	Wayne
Campbell	Honda	Murray	Wildman
Cardenas	House	Napolitano	Woods
Cardoza	Kaloogian	Ortiz	Wright
Cedillo	Keeley	Perata	Mr. Speaker
Cunneen	Knox	Richter	
Davis	Kuehl	Runner	
Ducheny	Kuykendall	Scott	

**NOES—19**

Ackerman	Bordonaro	Margett	Pacheco
Aguiar	Brewer	Miller	Poochigian
Alby	Frusetta	Morrissey	Prenter
Baldwin	Granlund	Olberg	Thompson
Battin	Leonard	Oller	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1203**

At 9:23 p.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.

Senate Bill No. 1203 refused passage by the following vote:

**AYES—31**

Alquist	Ducheny	Kuehl	Perata
Aroner	Escutia	Lempert	Strom-Martin
Baca	Figueroa	Martinez	Sweeney
Bowen	Havice	Mazzoni	Thomson
Brown	Hertzberg	Migden	Torlakson
Cardenas	Honda	Murray	Vincent
Cunneen	Keeley	Napolitano	Wayne
Davis	Knox	Ortiz	

**NOES—41**

Ackerman	Cardoza	Machado	Pringle
Aguiar	Floyd	Margett	Richter
Alby	Frusetta	McClintock	Runner
Ashburn	Gallegos	Miller	Scott
Baldwin	Goldsmith	Morrissey	Thompson
Battin	Granlund	Morrow	Washington
Baugh	House	Olberg	Wildman
Bordonaro	Kaloogian	Oller	Woods
Bowler	Kuykendall	Pacheco	
Brewer	Leach	Poochigian	
Campbell	Leonard	Prenter	

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 146**

At 9:24 p.m., on motion of Assembly Member Havice, 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. 146 by the following vote:

**AYES—43**

Alquist	Escutia	Machado	Strom-Martin
Aroner	Figueroa	Martinez	Sweeney
Baca	Floyd	Mazzoni	Thomson
Bowen	Gallegos	Migden	Torlakson
Brown	Havice	Murray	Vincent
Bustamante	Hertzberg	Napolitano	Washington
Cardenas	Honda	Ortiz	Wayne
Cardoza	Keeley	Papan	Wildman
Cedillo	Knox	Perata	Wright
Davis	Kuehl	Scott	Mr. Speaker
Ducheny	Lempert	Shelley	

**NOES—36**

Ackerman	Brewer	Kuykendall	Oller
Aguiar	Campbell	Leach	Pacheco
Alby	Cunneen	Leonard	Poochigian
Ashburn	Firestone	Margett	Prenter
Baldwin	Frusetta	McClintock	Pringle
Battin	Goldsmith	Miller	Richter
Baugh	Granlund	Morrissey	Runner
Bordonaro	House	Morrow	Thompson
Bowler	Kaloogian	Olberg	Woods

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2048**

At 9:25 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. 2048 by the following vote:

**AYES—45**

Alquist	Figueroa	Martinez	Sweeney
Aroner	Floyd	Mazzoni	Thomson
Baca	Frusetta	Migden	Torlakson
Bowen	Gallegos	Morrissey	Vincent
Brown	Havice	Murray	Washington
Bustamante	Hertzberg	Napolitano	Wayne
Cardenas	Honda	Ortiz	Wildman
Cardoza	Keeley	Papan	Wright
Cedillo	Knox	Perata	Mr. Speaker
Davis	Kuehl	Scott	
Ducheny	Lempert	Shelley	
Escutia	Machado	Strom-Martin	

**NOES—31**

Ackerman	Brewer	Leach	Poochigian
Aguiar	Campbell	Leonard	Pringle
Alby	Cunneen	Margett	Runner
Ashburn	Firestone	McClintock	Thompson
Baldwin	Goldsmith	Miller	Woods
Battin	Granlund	Morrow	
Baugh	House	Olberg	
Bordonaro	Kaloogian	Oller	
Bowler	Kuykendall		

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1345**

At 9:25 p.m., on motion of Assembly Member Alquist, 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. 1345 adopted by the following vote:

**AYES—63**

Aguiar	Figueroa	Machado	Pringle
Alquist	Firestone	Martinez	Runner
Aroner	Floyd	Mazzoni	Scott
Baca	Frusetta	McClintock	Shelley
Bordonaro	Gallegos	Migden	Strom-Martin
Bowen	Goldsmith	Miller	Sweeney
Brown	Granlund	Morrissey	Thomson
Bustamante	Havice	Morrow	Torlakson
Campbell	Hertzberg	Murray	Vincent
Cardenas	Honda	Napolitano	Washington
Cardoza	Keeley	Olberg	Wayne
Cedillo	Knox	Ortiz	Wildman
Cunneen	Kuehl	Papan	Woods
Davis	Kuykendall	Perata	Wright
Ducheny	Leach	Poochigian	Mr. Speaker
Escutia	Lempert	Prenter	

**NOES—15**

Ackerman	Battin	House	Oller
Alby	Baugh	Kaloogian	Pacheco
Ashburn	Bowler	Leonard	Thompson
Baldwin	Brewer	Margett	

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—63**

Aguiar	Figueroa	Machado	Pringle
Alquist	Firestone	Martinez	Runner
Aroner	Floyd	Mazzoni	Scott
Baca	Frusetta	McClintock	Shelley
Bordonaro	Gallegos	Migden	Strom-Martin
Bowen	Goldsmith	Miller	Sweeney
Brown	Granlund	Morrissey	Thomson
Bustamante	Havice	Morrow	Torlakson
Campbell	Hertzberg	Murray	Vincent
Cardenas	Honda	Napolitano	Washington
Cardoza	Keeley	Olberg	Wayne
Cedillo	Knox	Ortiz	Wildman
Cunneen	Kuehl	Papan	Woods
Davis	Kuykendall	Perata	Wright
Ducheny	Leach	Poochigian	Mr. Speaker
Escutia	Lempert	Prenter	

**NOES—15**

Ackerman	Battin	House	Oller
Alby	Baugh	Kaloogian	Pacheco
Ashburn	Bowler	Leonard	Thompson
Baldwin	Brewer	Margett	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 1524**

At 9:26 p.m., on motion of Assembly Member Wayne, 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. 1524 adopted by the following vote:

**AYES—54**

Alquist	Ducheny	Kuehl	Shelley
Aroner	Escutia	Kuykendall	Strom-Martin
Baca	Figueroa	Lempert	Sweeney
Baldwin	Firestone	Machado	Thomson
Bordonaro	Floyd	Martinez	Torlakson
Bowen	Frusetta	Mazzoni	Vincent
Brewer	Gallegos	Migden	Washington
Brown	Goldsmith	Morrissey	Wayne
Bustamante	Havice	Murray	Wildman
Cardenas	Hertzberg	Napolitano	Woods
Cardoza	Honda	Ortiz	Wright
Cedillo	Kaloogian	Papan	Mr. Speaker
Cunneen	Keeley	Perata	
Davis	Knox	Scott	

**NOES—23**

Ackerman	Bowler	Margett	Poochigian
Aguiar	Campbell	Miller	Pringle
Alby	Granlund	Morrow	Richter
Ashburn	House	Olberg	Runner
Battin	Leach	Oller	Thompson
Baugh	Leonard	Pacheco	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—54**

Alquist	Ducheny	Kuehl	Shelley
Aroner	Escutia	Kuykendall	Strom-Martin
Baca	Figueroa	Lempert	Sweeney
Baldwin	Firestone	Machado	Thomson
Bordonaro	Floyd	Martinez	Torlakson
Bowen	Frusetta	Mazzoni	Vincent
Brewer	Gallegos	Migden	Washington
Brown	Goldsmith	Morrissey	Wayne
Bustamante	Havice	Murray	Wildman
Cardenas	Hertzberg	Napolitano	Woods
Cardoza	Honda	Ortiz	Wright
Cedillo	Kaloogian	Papan	Mr. Speaker
Cunneen	Keeley	Perata	
Davis	Knox	Scott	

**NOES—23**

Ackerman	Bowler	Margett	Poochigian
Aguiar	Campbell	Miller	Pringle
Alby	Granlund	Morrow	Richter
Ashburn	House	Olberg	Runner
Battin	Leach	Oller	Thompson
Baugh	Leonard	Pacheco	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2229**

At 9:27 p.m., on motion of Assembly Member Keeley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2229 by the following vote:

**AYES—41**

Alquist	Figueroa	Mazzoni	Sweeney
Aroner	Floyd	Migden	Thomson
Brown	Gallegos	Murray	Torlakson
Bustamante	Hertzberg	Napolitano	Vincent
Cardenas	Honda	Ortiz	Washington
Cardoza	Keeley	Pacheco	Wildman
Cedillo	Knox	Papan	Wright
Cunneen	Kuehl	Perata	Mr. Speaker
Davis	Kuykendall	Richter	
Ducheny	Lempert	Shelley	
Escutia	Margett	Strom-Martin	

**NOES—33**

Ackerman	Bowler	Leonard	Prenter
Aguiar	Brewer	Martinez	Pringle
Alby	Campbell	McClintock	Runner
Ashburn	Frusetta	Miller	Thompson
Baldwin	Goldsmith	Morrissey	Wayne
Battin	Granlund	Morrow	Woods
Baugh	House	Olberg	
Bordonaro	Kaloogian	Oller	
Bowen	Leach	Poochigian	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 826**

At 9:28 p.m., on motion of Assembly Member Thomson, 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 Thomson moved to continue the call of the Assembly.

Motion carried. Time, 9:28 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 CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1339**

At 9:28 p.m., on motion of Assembly Member Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1339 by the following vote:

**AYES—47**

Alquist	Davis	Lempert	Shelley
Aroner	Ducheny	Machado	Strom-Martin
Baca	Escutia	Martinez	Sweeney
Battin	Figueroa	Mazzoni	Thomson
Bowen	Floyd	Migden	Torlakson
Brown	Gallegos	Morrissey	Vincent
Bustamante	Havice	Murray	Washington
Campbell	Hertzberg	Napolitano	Wayne
Cardenas	Honda	Ortiz	Wildman
Cardoza	Keeley	Papan	Wright
Cedillo	Knox	Perata	Mr. Speaker
Cunneen	Kuehl	Scott	

**NOES—28**

Ackerman	Bowler	Kuykendall	Oller
Aguiar	Brewer	Leach	Pacheco
Alby	Frusetta	Leonard	Poochigian
Ashburn	Goldsmith	Margett	Prenter
Baldwin	Granlund	Miller	Pringle
Baugh	House	Morrow	Runner
Bordonaro	Kaloogian	Olberg	Thompson

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 188**

At 9:29 p.m., on motion of Assembly Member 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. 188 by the following vote:

**AYES—45**

Alquist	Figueroa	Martinez	Strom-Martin
Aroner	Floyd	Mazzoni	Sweeney
Baca	Frusetta	Migden	Thomson
Bowen	Gallegos	Morrissey	Torlakson
Brown	Havice	Murray	Vincent
Bustamante	Hertzberg	Napolitano	Washington
Cardenas	Honda	Olberg	Wayne
Cardoza	Keeley	Ortiz	Wildman
Cedillo	Knox	Papan	Mr. Speaker
Davis	Kuehl	Perata	
Ducheny	Lempert	Scott	
Escutia	Machado	Shelley	

**NOES—33**

Ackerman	Brewer	Leach	Pringle
Aguiar	Campbell	Leonard	Richter
Alby	Cunneen	Margett	Runner
Ashburn	Firestone	McClintock	Thompson
Baldwin	Goldsmith	Miller	Woods
Battin	Granlund	Morrow	Wright
Baugh	House	Oller	
Bordonaro	Kaloogian	Pacheco	
Bowler	Kuykendall	Poohigian	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 822**

At 9:29 p.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.

The Assembly concurred in Senate amendments to Assembly Bill No. 822 by the following vote:

**AYES—58**

Aguiar	Ducheny	Leach	Scott
Alquist	Escutia	Lempert	Shelley
Aroner	Figueroa	Machado	Strom-Martin
Baca	Firestone	Martinez	Sweeney
Battin	Floyd	Mazzoni	Thomson
Bordonaro	Frusetta	Migden	Torlakson
Bowen	Gallegos	Miller	Vincent
Brewer	Goldsmith	Morrissey	Washington
Brown	Havice	Murray	Wayne
Bustamante	Hertzberg	Napolitano	Wildman
Cardenas	Honda	Ortiz	Woods
Cardoza	Keeley	Papan	Wright
Cedillo	Knox	Perata	Mr. Speaker
Cunneen	Kuehl	Prenter	
Davis	Kuykendall	Richter	

**NOES—19**

Ackerman	Bowler	Leonard	Pacheco
Alby	Campbell	Margett	Poochigian
Ashburn	Granlund	McClintock	Runner
Baldwin	House	Morrow	Thompson
Baugh	Kaloogian	Olberg	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1241**

At 9:29 p.m., on motion of Assembly Member Keeley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1241 by the following vote:

**AYES—45**

Alquist	Escutia	Lempert	Sweeney
Aroner	Figueroa	Machado	Thomson
Baca	Firestone	Martinez	Torlakson
Bowen	Floyd	Mazzoni	Vincent
Brown	Gallegos	Migden	Washington
Bustamante	Havice	Murray	Wayne
Cardenas	Hertzberg	Napolitano	Wildman
Cardoza	Honda	Ortiz	Wright
Cedillo	Keeley	Papan	Mr. Speaker
Cunneen	Knox	Perata	
Davis	Kuehl	Scott	
Ducheny	Kuykendall	Shelley	

**NOES—32**

Ackerman	Bowler	Leach	Oller
Aguiar	Brewer	Leonard	Pacheco
Alby	Campbell	Margett	Poochigian
Ashburn	Frusetta	McClintock	Prenter
Baldwin	Goldsmith	Miller	Pringle
Battin	Granlund	Morrissey	Runner
Baugh	House	Morrow	Thompson
Bordonaro	Kaloogian	Olberg	Woods

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1738**

At 9:29 p.m., on motion of Assembly Member Alquist, 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. 1738 by the following vote:

**AYES—58**

Aguiar	Ducheny	Leach	Scott
Alquist	Escutia	Lempert	Shelley
Aroner	Figueroa	Machado	Strom-Martin
Baca	Firestone	Margett	Sweeney
Battin	Floyd	Martinez	Thomson
Bordonaro	Frusetta	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Vincent
Brown	Granlund	Morrissey	Washington
Bustamante	Havice	Murray	Wayne
Campbell	Hertzberg	Napolitano	Wildman
Cardenas	Honda	Ortiz	Woods
Cardoza	Keeley	Papan	Wright
Cedillo	Knox	Perata	Mr. Speaker
Cunneen	Kuehl	Prenter	
Davis	Kuykendall	Runner	

**NOES—20**

Ackerman	Bowler	Leonard	Oller
Alby	Brewer	McClintock	Pacheco
Ashburn	Goldsmith	Miller	Poochigian
Baldwin	House	Morrow	Pringle
Baugh	Kaloogian	Olberg	Thompson

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1957**

At 9:30 p.m., on motion of Assembly Member Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1957 by the following vote:

**AYES—46**

Alquist	Firestone	Machado	Strom-Martin
Aroner	Floyd	Martinez	Sweeney
Baca	Frusetta	Mazzoni	Thomson
Bowen	Gallegos	Migden	Torlakson
Brown	Havice	Morrissey	Vincent
Bustamante	Hertzberg	Murray	Washington
Cardenas	Honda	Napolitano	Wayne
Cedillo	Keeley	Ortiz	Wildman
Davis	Knox	Papan	Wright
Ducheny	Kuehl	Perata	Mr. Speaker
Escutia	Kuykendall	Scott	
Figueroa	Lempert	Shelley	

**NOES—32**

Ackerman	Bowler	Leach	Pacheco
Aguiar	Brewer	Leonard	Poochigian
Alby	Campbell	Margett	Prenter
Ashburn	Cunneen	McClintock	Pringle
Baldwin	Goldsmith	Miller	Richter
Battin	Granlund	Morrow	Runner
Baugh	House	Olberg	Thompson
Bordonaro	Kaloogian	Oller	Woods

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2157**

At 9:30 p.m., on motion of Assembly Member Ortiz, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2157 by the following vote:

**AYES—42**

Alquist	Escutia	Machado	Sweeney
Aroner	Figueroa	Martinez	Thomson
Baca	Floyd	Migden	Torlakson
Bowen	Gallegos	Murray	Vincent
Brown	Havice	Napolitano	Washington
Bustamante	Hertzberg	Ortiz	Wayne
Cardenas	Honda	Papan	Wildman
Cardoza	Keeley	Perata	Wright
Cedillo	Knox	Scott	Mr. Speaker
Davis	Kuehl	Shelley	
Ducheny	Lempert	Strom-Martin	

**NOES—36**

Ackerman	Brewer	Kuykendall	Oller
Aguiar	Campbell	Leach	Pacheco
Alby	Cunneen	Leonard	Poochigian
Ashburn	Firestone	Margett	Prenter
Baldwin	Frusetta	McClintock	Pringle
Battin	Goldsmith	Miller	Richter
Baugh	Granlund	Morrissey	Runner
Bordonaro	House	Morrow	Thompson
Bowler	Kaloogian	Olberg	Woods

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2751**

At 9:31 p.m., on motion of Assembly Member Cardenas, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2751 by the following vote:

**AYES—41**

Alquist	Escutia	Machado	Sweeney
Aroner	Figueroa	Martinez	Thomson
Baca	Gallegos	Mazzoni	Torlakson
Bowen	Havice	Migden	Vincent
Brown	Hertzberg	Murray	Washington
Bustamante	Honda	Napolitano	Wayne
Cardenas	Keeley	Ortiz	Wright
Cardoza	Knox	Papan	Mr. Speaker
Cedillo	Kuehl	Perata	
Davis	Leach	Shelley	
Ducheny	Lempert	Strom-Martin	

**NOES—35**

Ackerman	Brewer	Kuykendall	Pacheco
Aguiar	Campbell	Leonard	Poochigian
Alby	Cunneen	Margett	Prenter
Ashburn	Firestone	McClintock	Pringle
Baldwin	Frusetta	Miller	Richter
Battin	Goldsmith	Morrissey	Runner
Baugh	Granlund	Morrow	Thompson
Bordonaro	House	Olberg	Woods
Bowler	Kaloogian	Oller	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
CONFERENCE REPORT ON ASSEMBLY BILL NO. 278**

At 9:32 p.m., on motion of Assembly Member Escutia, 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 Pringle moved to continue the call of the Assembly.

Motion carried. Time, 9:32 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. 2031**

At 9:32 p.m., on motion of Assembly Member Cedillo, 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. 2031 by the following vote:

**AYES—43**

Alquist	Figueroa	Martinez	Strom-Martin
Aroner	Floyd	Mazzoni	Sweeney
Baca	Frusetta	Migden	Thomson
Bowen	Gallegos	Morrissey	Torlakson
Brown	Hertzberg	Murray	Vincent
Campbell	Honda	Napolitano	Washington
Cardenas	Keeley	Papan	Wayne
Cedillo	Knox	Perata	Wildman
Davis	Kuehl	Prenter	Wright
Ducheny	Lempert	Scott	Mr. Speaker
Escutia	Machado	Shelley	

**NOES—31**

Ackerman	Bowler	Kuykendall	Oller
Aguiar	Brewer	Leach	Poochigian
Alby	Cunneen	Leonard	Pringle
Ashburn	Firestone	Margett	Richter
Baldwin	Goldsmith	McClintock	Runner
Battin	Granlund	Miller	Thompson
Baugh	House	Morrow	Woods
Bordonaro	Kaloogian	Olberg	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2079**

At 9:33 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. 2079 by the following vote:

**AYES—46**

Alquist	Escutia	Machado	Strom-Martin
Aroner	Figueroa	Martinez	Sweeney
Baca	Floyd	Mazzoni	Thomson
Bowen	Frusetta	Migden	Torlakson
Brown	Gallegos	Morrissey	Vincent
Bustamante	Havice	Murray	Washington
Cardenas	Hertzberg	Napolitano	Wayne
Cardoza	Honda	Ortiz	Wildman
Cedillo	Keeley	Papan	Wright
Cunneen	Knox	Perata	Mr. Speaker
Davis	Kuehl	Scott	
Ducheny	Lempert	Shelley	

**NOES—32**

Ackerman	Brewer	Leach	Pacheco
Aguiar	Campbell	Leonard	Poochigian
Alby	Firestone	Margett	Prenter
Ashburn	Goldsmith	McClintock	Pringle
Baldwin	Granlund	Miller	Richter
Baugh	House	Morrow	Runner
Bordonaro	Kaloogian	Olberg	Thompson
Bowler	Kuykendall	Oller	Woods

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2454**

At 9:34 p.m., on motion of Assembly Member 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. 2454 by the following vote:

**AYES—56**

Alquist	Ducheny	Leach	Perata
Aroner	Escutia	Lempert	Prenter
Baca	Figueroa	Machado	Scott
Battin	Floyd	Martinez	Shelley
Bowen	Frusetta	Mazzoni	Strom-Martin
Bowler	Gallegos	Migden	Sweeney
Brewer	Granlund	Miller	Thomson
Brown	Havice	Morrissey	Torlakson
Bustamante	Hertzberg	Murray	Vincent
Cardenas	Honda	Napolitano	Washington
Cardoza	Keeley	Oller	Wayne
Cedillo	Knox	Ortiz	Wildman
Cunneen	Kuehl	Pacheco	Wright
Davis	Kuykendall	Papan	Mr. Speaker

**NOES—22**

Ackerman	Bordonaro	Margett	Richter
Aguiar	Campbell	McClintock	Runner
Alby	Goldsmith	Morrow	Thompson
Ashburn	House	Olberg	Woods
Baldwin	Kaloogian	Poochigian	
Baugh	Leonard	Pringle	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
PACHECO MOTION TO RECONSIDER ASSEMBLY BILL NO. 2501**

At 9:34 p.m., on motion of Assembly Member Leonard, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Pacheco motion to reconsider the vote whereby Senate amendments to Assembly Bill No. 2501 were concurred in lost by the following vote:

**AYES—38**

Ackerman	Campbell	Lempert	Poochigian
Aguiar	Cunneen	Leonard	Prenter
Alby	Firestone	Margett	Pringle
Ashburn	Frusetta	McClintock	Richter
Baldwin	Goldsmith	Miller	Runner
Battin	Granlund	Morrissey	Thompson
Baugh	House	Morrow	Wayne
Bordonaro	Kaloogian	Olberg	Woods
Bowler	Kuykendall	Oller	
Brewer	Leach	Pacheco	

**NOES—38**

Alquist	Escutia	Machado	Strom-Martin
Aroner	Figueroa	Martinez	Sweeney
Baca	Floyd	Mazzoni	Thomson
Bowen	Gallegos	Migden	Torlakson
Brown	Havice	Murray	Vincent
Bustamante	Hertzberg	Napolitano	Washington
Cardenas	Honda	Ortiz	Wright
Cedillo	Keeley	Papan	Mr. Speaker
Davis	Knox	Perata	
Ducheny	Kuehl	Shelley	

Assembly Bill No. 2501 ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1933**

At 9:34 p.m., on motion of Assembly Member Cedillo, 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 Shelley moved to continue the call of the Assembly.

Motion carried. Time, 9:35 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1059 (Migden)**—An act to add Section 1374.58 to the Health and Safety Code, and to add Section 10121.7 to the Insurance Code, relating to domestic partners.

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 Migden moved a call of the Assembly.

Motion carried. Time, 9:38 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. 1901 (McPherson)**—An act to amend Sections 361.5, 366.21, 366.22, 366.3, and 15200 of, and to add Article 4.5 (commencing with Section 11360) to Chapter 2 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to guardianship, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Washington.

Bill passed by the following vote:

**AYES—75**

Ackerman	Davis	Leach	Prenter
Aguiar	Ducheny	Lempert	Pringle
Alby	Escutia	Leonard	Richter
Alquist	Figueroa	Machado	Runner
Aroner	Firestone	Margett	Scott
Ashburn	Floyd	Martinez	Shelley
Baca	Frusetta	Mazzoni	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Olberg	Washington
Brewer	House	Oller	Wayne
Brown	Kaloogian	Ortiz	Wildman
Cardenas	Keeley	Pacheco	Woods
Cardoza	Knox	Papan	Wright
Cedillo	Kuehl	Perata	Mr. Speaker
Cunneen	Kuykendall	Poochigian	

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2180 (Watson)**—An act to add Section 18924 to the Welfare and Institutions Code, relating to human services.

Bill read third time, and presented by Assembly Member Aroner.

Bill passed by the following vote:

**AYES—41**

Alquist	Escutia	Machado	Thomson
Aroner	Figueroa	Martinez	Torlakson
Baca	Floyd	Mazzoni	Vincent
Bowen	Frusetta	Murray	Washington
Brown	Gallegos	Ortiz	Wayne
Bustamante	Hertzberg	Papan	Wildman
Cardenas	Honda	Perata	Wright
Cardoza	Keeley	Scott	Mr. Speaker
Cedillo	Knox	Shelley	
Davis	Kuehl	Strom-Martin	
Ducheny	Lempert	Sweeney	

**NOES—34**

Ackerman	Brewer	Leach	Pacheco
Aguilar	Campbell	Leonard	Poochigian
Alby	Cunneen	Margett	Prenter
Ashburn	Firestone	McClintock	Pringle
Baldwin	Goldsmith	Miller	Richter
Battin	Granlund	Morrissey	Runner
Baugh	House	Morrow	Thompson
Bordonaro	Kaloogian	Olberg	
Bowler	Kuykendall	Oller	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 2180: Assembly Member Havice, from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1982 (Greene)**—An act to amend Sections 101, 144, 149, 205, and 655.2 of, to add Article 8 (commencing with Section 2539.5) to Chapter 5.3 of, to add Chapter 7.3 (commencing with Section 3200) of, and to add Article 8 (commencing with Section 3460) to Chapter 7.5 of, Division 2 of, and to repeal Chapter 5.3 (commencing with Section 2530) and Chapter 7.5 (commencing with Section 3300) of Division 2 of, the Business and Professions Code, to amend Section 10176 of the Insurance Code, and to amend Section 14132.55 of the Welfare and Institutions Code, relating to regulatory boards and commissions.

Bill read third time, and presented by Assembly Member Machado.

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, 9:51 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE CONCURRENT RESOLUTION NO. 101 TAKEN UP  
BY UNANIMOUS CONSENT**

Upon request of Assembly Member Shelley, Assembly Member Cunneen was granted unanimous consent to take up Senate Concurrent Resolution No. 101, without reference to committee or file.

**SENATE CONCURRENT RESOLUTION NO. 101**—Relative to the I.A.A.F. 2001 World Championships in Track and Field.

Resolution read, and adopted by the following vote:

**AYES—69**

Ackerman	Ducheny	Lempert	Prenter
Aguiar	Escutia	Leonard	Pringle
Alby	Figueroa	Machado	Runner
Alquist	Firestone	Margett	Scott
Ashburn	Floyd	Martinez	Shelley
Baca	Frusetta	Mazzoni	Sweeney
Battin	Gallegos	Migden	Thompson
Baugh	Goldsmith	Miller	Thomson
Bordonaro	Granlund	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Campbell	Kaloogian	Ortiz	Wright
Cardoza	Keeley	Pacheco	Mr. Speaker
Cedillo	Kuehl	Papan	
Cunneen	Kuykendall	Perata	
Davis	Leach	Poochigian	

**NOES—2**

Aroner                      Strom-Martin

Resolution ordered transmitted to the Senate.

**At 10:04 p.m., Speaker Antonio R. Villaraigosa, 45th District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 479 (Alpert)**—An act to amend Section 21362 of the Government Code, relating to retirement.

Bill read third time, and presented by Assembly Member Wayne.

Bill passed by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuehl	Perata
Aguiar	Cunneen	Kuykendall	Poochigian
Alby	Davis	Leach	Prenter
Alquist	Ducheny	Lempert	Pringle
Aroner	Escutia	Leonard	Richter
Ashburn	Figueroa	Machado	Scott
Baca	Firestone	Margett	Shelley
Baldwin	Floyd	Martinez	Strom-Martin
Battin	Frusetta	Mazzoni	Sweeney
Baugh	Gallegos	Migden	Thompson
Bordonaro	Goldsmith	Miller	Thomson
Bowen	Granlund	Morrissey	Torlakson
Bowler	Havice	Morrow	Vincent
Brewer	Hertzberg	Murray	Washington
Brown	Honda	Olberg	Wayne
Bustamante	House	Oller	Wildman
Campbell	Kaloogian	Ortiz	Woods
Cardenas	Keeley	Pacheco	Wright
Cardoza	Knox	Papan	Mr. Speaker

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 26 (Torlakson)**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (c) of Section 8 of, and by amending Section 12 of, Article IV thereof, relating to the State Budget.

Resolution read third time.

**Additional Time for Debate Granted**

Unanimous consent was granted that Assembly Member McClintock be granted 1 minute additional time for debate.

**Demand for Previous Question**

Assembly Members Baca, Shelley, Alquist, Lempert, and Campbell demanded the previous question.

**Roll Call Demanded**

Assembly Members Kuykendall, Olberg, and Leach, demanded a roll call.

The roll was called, and the demand for the previous question was sustained by the following vote:

**AYES—36**

Alquist	Davis	Keeley	Perata
Aroner	Ducheny	Knox	Shelley
Baca	Escutia	Kuehl	Strom-Martin
Bowen	Floyd	Lempert	Thomson
Brown	Gallegos	Martinez	Vincent
Bustamante	Havice	Mazzoni	Washington
Campbell	Hertzberg	Migden	Wayne
Cardoza	Honda	Murray	Wildman
Cedillo	Kaloogian	Ortiz	Mr. Speaker

**NOES—32**

Ackerman	Brewer	Margett	Poochigian
Aguiar	Cunneen	McClintock	Prenter
Alby	Firestone	Miller	Pringle
Ashburn	Goldsmith	Morrissey	Runner
Battin	Granlund	Morrow	Scott
Baugh	Kuykendall	Olberg	Thompson
Bordonaro	Leach	Oller	Woods
Bowler	Leonard	Pacheco	Wright

**Parliamentary Inquiry**

Assembly Member Olberg arose to the following parliamentary inquiry:

What is the proper motion to permit additional time for debate?

**Reply by Speaker Villaraigosa**

The Speaker replied that the demand for the previous question was sustained and Members may ask questions of the author on his closing time for debate.

The question being on the adoption of Assembly Constitutional Amendment No. 26.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Torlakson moved a call of the Assembly.

Motion carried. Time, 10:32 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  
CONFERENCE REPORT ON ASSEMBLY BILL NO. 278**

At 10:34 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.

Conference Committee Report on Assembly Bill No. 278 adopted by the following vote:

**AYES—41**

Alquist	Figueroa	Mazzoni	Thomson
Aroner	Floyd	Migden	Torlakson
Baca	Gallegos	Murray	Vincent
Bowen	Havice	Napolitano	Washington
Brown	Hertzberg	Ortiz	Wayne
Bustamante	Honda	Papan	Wildman
Cardenas	Keeley	Perata	Wright
Cedillo	Knox	Scott	Mr. Speaker
Davis	Kuehl	Shelley	
Ducheny	Lempert	Strom-Martin	
Escutia	Martinez	Sweeney	

**NOES—33**

Ackerman	Brewer	Machado	Poochigian
Aguiar	Campbell	Margett	Pringle
Alby	Cardoza	McClintock	Richter
Ashburn	Frusetta	Miller	Runner
Baldwin	Goldsmith	Morrissey	Thompson
Battin	Granlund	Morrow	Woods
Baugh	House	Olberg	
Bordonaro	Kalooogian	Oller	
Bowler	Leonard	Pacheco	

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1735 (Polanco)**—An act to add Section 11139.6 to the Government Code, relating to civil rights.

Bill read third time, and presented by Assembly Member Cedillo.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Cedillo moved a call of the Assembly.

Motion carried. Time, 10:59 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT**

Upon request of Assembly Member Shelley, Assembly Member Knox was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1715, without reference to file.

**ASSEMBLY BILL NO. 1715 (Knox)**—An act to amend Section 354.5 of the Code of Civil Procedure, and to add Chapter 4 (commencing with Section 13800) to Division 3 of the Insurance Code, relating to insurance claims of Holocaust victims, 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**

Ackerman	Davis	Lempert	Prenter
Aguiar	Ducheny	Leonard	Richter
Alby	Escutia	Machado	Runner
Alquist	Figueroa	Margett	Scott
Aroner	Firestone	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Thompson
Battin	Goldsmith	Miller	Thomson
Bordonaro	Granlund	Morrissey	Torlakson
Bowen	Havice	Morrow	Vincent
Bowler	Hertzberg	Murray	Washington
Brown	Honda	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker
Cedillo	Kuykendall	Perata	
Cunneen	Leach	Poochigian	

**NOES—None**

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 485 (Craven)**—An act to amend Sections 18400.1, 18424, and 18502 of the Health and Safety Code, relating to mobilehome parks, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Morrow.

Bill passed by the following vote:

**AYES—69**

Ackerman	Cunneen	Kuehl	Prenter
Aguiar	Davis	Kuykendall	Richter
Alquist	Ducheny	Leach	Runner
Aroner	Escutia	Lempert	Scott
Ashburn	Figueroa	Machado	Shelley
Baca	Firestone	Margett	Strom-Martin
Baldwin	Floyd	Martinez	Sweeney
Battin	Frusetta	Migden	Thompson
Baugh	Gallegos	Miller	Thomson
Bordonaro	Goldsmith	Morrissey	Torlakson
Bowen	Granlund	Morrow	Vincent
Bowler	Havice	Murray	Washington
Brewer	Hertzberg	Olberg	Wayne
Brown	Honda	Oller	Wildman
Bustamante	House	Ortiz	Mr. Speaker
Campbell	Kaloogian	Pacheco	
Cardoza	Keeley	Perata	
Cedillo	Knox	Poochigian	

**NOES—2**

Leonard                      McClintock

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1467 (Hughes)**—An act to amend Section 42249.4 of, and to add Section 42249.3 to, the Education Code, relating to school desegregation.

Bill read third time, and presented by Assembly Member Perata.

Bill passed by the following vote:

**AYES—47**

Alquist	Davis	Knox	Shelley
Aroner	Ducheny	Kuehl	Strom-Martin
Baca	Escutia	Leach	Sweeney
Battin	Figueroa	Lempert	Thomson
Bowen	Floyd	Machado	Torlakson
Brown	Frusetta	Migden	Vincent
Bustamante	Gallegos	Morrissey	Washington
Campbell	Granlund	Murray	Wayne
Cardenas	Havice	Ortiz	Wildman
Cardoza	Hertzberg	Papan	Wright
Cedillo	Honda	Perata	Mr. Speaker
Cunneen	Keeley	Scott	

**NOES—24**

Ackerman	Bordonaro	Leonard	Pacheco
Aguiar	Bowler	Margett	Poochigian
Alby	Brewer	McClintock	Richter
Ashburn	Goldsmith	Miller	Runner
Baldwin	House	Morrow	Thompson
Baugh	Kaloogian	Oller	Woods

Bill ordered transmitted to the Senate.

**REPORTS OF STANDING COMMITTEES**

**Committee on Appropriations**

Date of Hearing: August 27, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Concurrent Resolution No. 102

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MIGDEN, Chairwoman

Above resolution ordered to second reading.

**Senate Concurrent Resolution No. 102 Taken Up by Unanimous Consent for Second Reading**

Assembly Member Poochigian was granted unanimous consent to take up Senate Concurrent Resolution No. 102 without reference to file, for the purpose of reading the resolution a second time and adopting the committee amendments at this time.

**SENATE CONCURRENT RESOLUTION NO. 102**—Relative to highways.

Resolution read; amendments proposed by the Committee on Appropriations read and adopted; resolution ordered reprinted.

**Senate Concurrent Resolution No. 102 Removed from Consent Calendar and Taken Up**

Upon request of Assembly Member Shelley, Assembly Member Poochigian was granted unanimous consent that Senate Concurrent Resolution No. 102 be removed from the Consent Calendar, and to take the resolution up at this time, without reference to file, for purpose of consideration.

**SENATE CONCURRENT RESOLUTION NO. 102 (Costa)**—Relative to highways.

Resolution read, presented by Assembly Member Poochigian, and adopted by the following vote:

**AYES—72**

Ackerman	Cedillo	Kuykendall	Prenter
Aguiar	Cunneen	Leach	Pringle
Alby	Davis	Lempert	Richter
Alquist	Escutia	Leonard	Runner
Aroner	Figueroa	Machado	Scott
Ashburn	Firestone	Margett	Shelley
Baca	Frusetta	Martinez	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Olberg	Washington
Brewer	House	Oller	Wayne
Brown	Kaloogian	Ortiz	Wildman
Bustamante	Keeley	Pacheco	Woods
Campbell	Knox	Papan	Wright
Cardoza	Kuehl	Poochigian	Mr. Speaker

**NOES—None**

Resolution ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 715 (Figueroa)**—An act to amend Section 43601 of 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—70**

Ackerman	Cardoza	Kuehl	Poochigian
Aguiar	Cedillo	Kuykendall	Prenter
Alby	Cunneen	Leach	Pringle
Alquist	Davis	Lempert	Richter
Aroner	Ducheny	Leonard	Runner
Ashburn	Escutia	Machado	Shelley
Baca	Figueroa	Margett	Strom-Martin
Baldwin	Floyd	McClintock	Thompson
Battin	Gallegos	Migden	Thomson
Baugh	Goldsmith	Miller	Torlakson
Bordonaro	Granlund	Morrissey	Washington
Bowen	Havice	Morrow	Wayne
Bowler	Hertzberg	Murray	Wildman
Brewer	Honda	Olberg	Woods
Brown	House	Oller	Wright
Bustamante	Kaloogian	Ortiz	Mr. Speaker
Campbell	Keeley	Pacheco	
Cardenas	Knox	Papan	

**NOES—2**

Martinez                      Sweeney

Above bill ordered enrolled.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 2204**, on request of Assembly Member Hertzberg.

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1375 (Rosenthal)**—An act to amend Sections 19531 and 19596.1 of, and to repeal Section 19549.2 of, the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

**Rules Suspended**

Assembly Member Brown was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1375.

Bill read third time.

**Motion to Amend**

Assembly Member Brown moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

### Rules Suspended

Unanimous consent was granted that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to the following Senate bills:

Senate Bills Nos. 1336, 2139, 324, 557, 157, 25, 1064, and 1477.

**SENATE BILL NO. 1336 (Thompson)**—An act to amend Sections 7881, 9027, 9027.5, and 9029.5 of, to add Section 9001.7 to, and to add Article 17 (commencing with Section 8585) to Chapter 2 of Part 3 of Division 6 of, the Fish and Game Code, relating to commercial fishing, and making an appropriation therefor.

Bill read third time.

### Motion to Amend

Assembly Member Keeley moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 2139 (Lockyer)**—An act to amend Sections 470.3, 6152, 6301, 6302.5, 6321, 6322, 6341, 7028.2, 17209, 17536.5, and 25762 of the Business and Professions Code, to amend Sections 798.61, 1181, 1719, 1780, 1812.10, 2984.4, and 3342.5 of the Civil Code, to amend Sections 77, 82, 84, 86, 86.1, 91, 116.120, 116.210, 116.231, 116.250, 116.760, 116.770, 116.940, 116.950, 134, 166, 170.5, 170.7, 179, 194, 195, 198.5, 200, 215, 217, 234, 269, 274a, 274c, 392, 393, 395, 396, 396a, 400, 402, 422.30, 425.10, 425.11, 489.220, 564, 575, 575.1, 580, 581d, 594, 628, 631, 632, 655, 668, 670, 685.030, 688.010, 697.310, 697.350, 697.540, 703.600, 706.105, 708.180, 720.160, 720.260, 720.420, 871.3, 904.1, 904.2, 904.5, 911, 912, 996.430, 1014, 1033, 1052, 1052.5, 1060, 1068, 1085, 1103, 1134, 1140, 1141.11, 1141.12, 1161.2, 1167.2, 1171, 1206, 1281.5, 1283.05, 1287.4, 1710.20, 1775.1, and 2015.3 of, to amend the heading of Chapter 5 (commencing with Section 81) of Title 1 of Part 1 of, to add Sections 32.5, 38, 395.9, 399.5, 402.5, and 582.5 to, to add Chapter 5.1 (commencing with Section 85) to Title 1 of Part 1 of, and to add a heading to Article 1 (commencing with Section 85) and Article 2 (commencing with Section 90) to Chapter 5.1 of Title 1 of Part 1 of, and to repeal Sections 83, 85, 87, 88, 89, and 422.20 of, and to repeal the headings of Article 1 (commencing with Section 81) and Article 2 (commencing with Section 90) of Chapter 5 of Title 1 of Part 1 of, the Code of Civil Procedure, to amend Sections 44944, 45312, 48294, 48295, 87675, 87679, and 88131 of the Education Code, to amend Sections 325, 327, 8203, 13107, 13109, and 13111 of the Elections Code, to amend Section 300 of the Evidence Code, to amend Section 400 of the Family Code, to amend Sections 1785, 1824, 1893, 3102, 17335, 18415.2, 18495, 31713, and 34113 of, and to amend and repeal Section 16154 of, the Financial Code, to amend Sections 210, 309, 2357, 4341, 4755, 5934, 12150, and 12151 of the Fish and Game Code, to amend Sections 7581, 12647, 25564, 27601, 29733, 30801, 31503, 31621, 31622, 43039, 52514, 53564, and 59289 of the Food and Agricultural Code, to amend Sections 910, 945.3, 990.2, 1770, 3501.6, 6701, 11189, 11511, 12965, 12972, 12980, 15422, 18671, 23220, 23296, 23398, 23579, 24055, 24057, 25351.3, 25560.4, 26299.008, 26524, 26665, 26806, 26820, 26820.4, 26824, 26826, 26826.01, 26863, 27082, 27647, 27706, 28003 29603, 29610, 31469, 41606, 50920, 53069.4, 53075.6, 53075.61, 53679, 68071, 68072, 68074.1, 68081, 68084, 68086, 68090.7, 68093, 68098, 68108, 68112, 68114, 68114.5, 68114.6, 68115, 68152, 68206.2, 68505, 68513, 68540, 68542, 68542.5, 68546, 68547, 68551, 68620, 68902, 69510, 69744.5, 69746.5, 69753, 69957, 70141, 71002, 71004, 71010 71040, 71042.5, 71045, 71080, 71083, 71085, 71088, 71091, 71092, 71093, 71094, 71095, 71098, 71099, 71100, 71140, 71141, 71143, 71145, 71180.5, 71181, 71220, 71221, 71264, 71267, 71280, 71280.1, 71280.2, 71280.3, 71280.4, 71280.5, 71340, 71341, 71380, 71381, 71382, 71384, 71386, 72055, 72056, 72056.01, 72056.1, 72060, 72190, 72190.1, 72190.2, 72193, 72194.5, 72196, 72197, 72198, 72301, 72302, 72604, 75101, 75103, 75602, 77003, and 77007 of, to amend the headings of Chapter 6 (commencing with Section 71001) of Title 8 of, Article 7 (commencing with Section 71260) of Chapter 6 of Title 8 of, Article 10 (commencing with Section 71380) of Chapter 6 of Title 8 of, and Chapter 8 (commencing with Section 72000) of Title 8 of, to add Sections 3075 and 70140 to, to repeal and add Chapter 5.1 (commencing with Section 70200) of Title 8 of, to repeal Sections 29605, 68078, 68202.5, 68541, 69741.7, 71080.5, 71080.6, 71080.7, 71084, 71087, 71091.1, 71096, 71097, 71180.3, 71180.4, 71181.1, and 72785 of, and to repeal Chapter 7 (commencing with Section 71600) of Title 8 of, the Government Code, to amend Sections 664 and 667 of the Harbors and Navigation Code, to amend Sections

108580, 111880, 111895, 117070, and 117120 of the Health and Safety Code, to amend Section 12961 of the Insurance Code, to amend Sections 98, 98.2, 3352, 5710, and 6613 of the Labor Code, to amend Section 467 of the Military and Veterans Code, to amend Sections 190.9, 682, 691, 726, 737, 740, 804, 806, 808, 810, 813, 827, 829, 830.1, 832.4, 851.8, 859, 859a, 860, 869, 949, 977, 977.2, 977.4, 987.1, 987.2, 988, 990, 1000, 1007, 1009, 1010, 1016, 1038, 1050, 1130, 1150, 1187, 1191, 1203.1, 1203.1c, 1214, 1235, 1269, 1269b, 1278, 1281a, 1327, 1368.1, 1382, 1424, 1427, 1428, 1429, 1429.5, 1447, 1449, 1458, 1459, 1462, 1462.2, 1463, 1463.1, 1463.22, 1466, 1468, 1471, 1538.5, 2620, 2621, 2623, 3076, 4004, 4022, 4024.1, 4112, 13125, 13151, and 14154 of, to amend the headings of Title 9 (commencing with Section 1235) and Title 11 (commencing with Section 1427) of Part 2 of, Chapter 1 (commencing with Section 1427), Chapter 2 (commencing with Section 1466), and Chapter 3 (commencing with Section 1471) of, Title 11 of Part 2 of, to add Sections 859c and 1039 to, and to repeal Sections 97, 1309, and 1462.1 of, the Penal Code, to amend Sections 3357, 3769, and 5560 of the Public Resources Code, to amend Sections 1794, 5411.5, and 103100 of the Public Utilities Code, to amend Sections 6776, 6777, 19232, 19233, and 19280 of the Revenue and Taxation Code, to amend Sections 1785 and 1786 of the Unemployment Insurance Code, to amend Sections 2802.5, 9872.1, 10751, 11205, 14607.6, 27360, 40230, 40256, 40502, 40506.5, 40508.6, 42008, and 42203 of the Vehicle Code, to amend Sections 310 and 1100 of the Water Code, to amend Sections 245, 255, 601.4, 603.5, 656, 661, 742.16, 3050, 3051, 3200, and 11350.7 of the Welfare and Institutions Code, to amend Section 22 of Chapter 201 of the Statutes of 1895, and to amend Section 4 of Chapter 238 of the Statutes of 1903, relating to courts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Motion to Amend

Assembly Member Kuehl moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 324 (Rosenthal)**—An act to add Section 2052.1 to the Business and Professions Code, relating to medicine.

Bill read third time.

#### Motion to Amend

Assembly Member Gallegos moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 557 (Leslie)**—An act to amend Section 1626 of, and to add Section 2052.1 to, the Business and Professions Code, relating to healing arts.

Bill read third time.

#### Motion to Amend

Assembly Member Prenter moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 157 (Johannessen)**—An act relating to wildlife habitat, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Motion to Amend

Assembly Member Oller moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 25 (Maddy)**—An act to amend Sections 19805, 19842, and 19842A of the Business and Professions Code, and to amend Section 62 of Chapter 867 of the Statutes of 1997, relating to gambling establishments.

Bill read third time.

**Motion to Amend**

Assembly Member Aroner moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 1064 (Johnston)**—An act to amend Sections 2551.3, 17293, 49553, and 49559 of, to amend and renumber Section 8901 of, to add Article 7.1 (commencing with Section 54740) to Chapter 9 of Part 29 of, to repeal Sections 8900 and 8902 of, to repeal Article 17 (commencing with Section 8390) of Chapter 2 of, to repeal the heading of Chapter 6 (commencing with Section 8900) of, and to repeal Chapter 6.5 (commencing with Section 8910) of, Part 6 of, the Education Code, relating to education.

Bill read third time.

**Motion to Amend**

Assembly Member Kuehl moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 2168 (Lockyer)**—An act to amend Sections 11370.2 and 11379.9 of the Health and Safety Code, to amend Sections 245.1, 286, 288a, 289, 290, 368, 422.75, 667.61, 667.7, 1170.11, 1174.4, 1192.7, 1269b, 2933.5, 2962, 3003, and 3057 of the Penal Code, and to amend Sections 676, 707, and 3052 of the Welfare and Institutions Code, relating to crimes, and declaring the urgency thereof, to take effect immediately.

**Rules Suspended**

Assembly Member Hertzberg was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 2168.

Bill read third time.

**Motion to Amend**

Assembly Member Hertzberg moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 1477 (Kopp)**—An act to add Sections 2126.5 and 2127.5 to, and to repeal Sections 2126 and 2127 of, the Streets and Highways Code, relating to streets, and making an appropriation therefor.

Bill read third time.

**Motion to Amend by Assembly Member Miller—Set 1**

Assembly Member Miller moved the adoption of amendments.

Amendments read of 25 words or less.

**Motion to Table Miller Amendments  
to Senate Bill No. 1477—Set 1**

Assembly Member Shelley moved that the amendments offered by Assembly Member Miller to Senate Bill No. 1477—Set 1 be laid upon the table.

Assembly Member Baca seconded the motion.

Motion carried by the following vote:

**AYES—37**

Alquist	Ducheny	Lempert	Torlakson
Aroner	Escutia	Machado	Vincent
Baca	Floyd	Migden	Washington
Bowen	Gallegos	Ortiz	Wayne
Brown	Havice	Papan	Wildman
Bustamante	Hertzberg	Perata	Wright
Cardenas	Honda	Scott	Mr. Speaker
Cardoza	Keeley	Shelley	
Cedillo	Knox	Strom-Martin	
Davis	Kuehl	Sweeney	

**NOES—34**

Ackerman	Campbell	Leonard	Poochigian
Aguiar	Cunneen	Margett	Prenter
Alby	Firestone	McClintock	Pringle
Ashburn	Frusetta	Miller	Richter
Battin	Goldsmith	Morrissey	Runner
Baugh	Granlund	Morrow	Thompson
Bordonaro	House	Olberg	Woods
Bowler	Kaloogian	Oller	
Brewer	Kuykendall	Pacheco	

**ACTION RESCINDED ON SENATE BILL NO. 1823**

Assembly Member Aroner was granted unanimous consent to rescind the action whereby the Assembly, on August 26, 1998 (Assembly Journal, page 9062), passed Senate Bill No. 1823, and whereby the bill was ordered transmitted to the Senate.

**Consideration of Senate Bill No. 1823 Without Reference to File**

Assembly Member Aroner was granted unanimous consent to take up Senate Bill No. 1823, without reference to file.

**SENATE BILL NO. 1823 (Kelley)**—An act to add Sections 11466.24 and 16122.5 to the Welfare and Institutions Code, relating to public social services.

**Rules Suspended**

Assembly Member Aroner was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1823.

Bill read third time.

**Motion to Amend**

Assembly Member Aroner moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1059**

At 11:29 p.m., on motion of Assembly Member Migden, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Pringle moved to continue the call of the Assembly.

Motion carried. Time, 11:29 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**At 11:32 p.m., Hon. Fred Keeley, 27th District, presiding**

**OBJECTION TO VOTE ADDS**

Assembly Member Miller withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Shelley motion to table Miller amendments to Senate Bill No. 1477.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 826**

At 11:38 p.m., on motion of Assembly Member Thomson, 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. 826 by the following vote:

**AYES—45**

Alquist	Figueroa	Mazzoni	Thomson
Aroner	Floyd	Migden	Torlakson
Baca	Gallegos	Murray	Vincent
Bowen	Havice	Napolitano	Washington
Brown	Hertzberg	Ortiz	Wayne
Bustamante	Honda	Papan	Wildman
Cardenas	Keeley	Perata	Woods
Cardoza	Knox	Richter	Wright
Cedillo	Kuehl	Scott	Mr. Speaker
Davis	Lempert	Shelley	
Ducheny	Machado	Strom-Martin	
Escutia	Martinez	Sweeney	

**NOES—30**

Ackerman	Campbell	Leach	Pacheco
Aguiar	Firestone	Leonard	Poochigian
Alby	Frusetta	Margett	Prenter
Ashburn	Goldsmith	McClintock	Pringle
Baldwin	Granlund	Miller	Runner
Battin	House	Morrow	Thompson
Bordonaro	Kaloogian	Olberg	
Bowler	Kuykendall	Oller	

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1933**

At 11:40 p.m., on motion of Assembly Member Shelley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1933 passed by the following vote:

**AYES—41**

Alquist	Escutia	Martinez	Thomson
Aroner	Figueroa	Mazzoni	Torlakson
Baca	Floyd	Migden	Vincent
Bowen	Gallegos	Murray	Washington
Brown	Hertzberg	Napolitano	Wayne
Bustamante	Honda	Ortiz	Wildman
Cardenas	Keeley	Papan	Wright
Cardoza	Knox	Perata	Mr. Speaker
Cedillo	Kuehl	Shelley	
Davis	Lempert	Strom-Martin	
Ducheny	Machado	Sweeney	

**NOES—34**

Ackerman	Brewer	Kuykendall	Pacheco
Aguiar	Campbell	Leach	Poochigian
Alby	Cunneen	Leonard	Prenter
Ashburn	Firestone	Margett	Pringle
Baldwin	Frusetta	McClintock	Runner
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrow	Woods
Bordonaro	House	Olberg	
Bowler	Kaloogian	Oller	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1059**

At 11:40 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 Assembly concurred in Senate amendments to Assembly Bill No. 1059 by the following vote:

**AYES—41**

Alquist	Figueroa	Martinez	Sweeney
Aroner	Firestone	Mazzoni	Thomson
Bowen	Floyd	Migden	Torlakson
Brewer	Gallegos	Murray	Vincent
Brown	Hertzberg	Napolitano	Wayne
Bustamante	Honda	Ortiz	Wildman
Cedillo	Keeley	Papan	Wright
Cunneen	Knox	Perata	Mr. Speaker
Davis	Kuehl	Scott	
Ducheny	Kuykendall	Shelley	
Escutia	Lempert	Strom-Martin	

**NOES—36**

Ackerman	Bowler	Leach	Pacheco
Aguiar	Campbell	Leonard	Poochigian
Alby	Cardoza	Margett	Prenter
Ashburn	Frusetta	McClintock	Pringle
Baca	Goldsmith	Miller	Richter
Baldwin	Granlund	Morrissey	Runner
Battin	Havice	Morrow	Thompson
Baugh	House	Olberg	Washington
Bordonaro	Kaloogian	Oller	Woods

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 26**

At 11:41 p.m., on motion of Assembly Member Torlakson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Constitutional Amendment No. 26 refused adoption by the following vote:

**AYES—38**

Alquist	Escutia	Machado	Strom-Martin
Aroner	Firestone	Martinez	Sweeney
Baldwin	Gallegos	McClintock	Thomson
Bowen	Goldsmith	Murray	Torlakson
Bustamante	Hertzberg	Ortiz	Vincent
Cardenas	Kaloogian	Papan	Wayne
Cardoza	Keeley	Perata	Woods
Cedillo	Knox	Richter	Mr. Speaker
Cunneen	Kuykendall	Scott	
Davis	Lempert	Shelley	

**NOES—34**

Ackerman	Brown	Leonard	Poochigian
Aguiar	Campbell	Margett	Pringle
Alby	Floyd	Migden	Runner
Ashburn	Frusetta	Miller	Thompson
Battin	Granlund	Morrissey	Washington
Baugh	Havice	Morrow	Wildman
Bordonaro	House	Olberg	Wright
Bowler	Kuehl	Oller	
Brewer	Leach	Pacheco	

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1735**

At 11:46 p.m., on motion of Assembly Member Cedillo, 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 Cedillo moved to continue the call of the Assembly.

Motion carried. Time, 11:46 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. 1913 (Ayala)**—An act to amend Sections 6125, 6126, 6127, 6128, and 6129 of, and to add Sections 5066, 6126.1, and 6126.2 to, the Penal Code, relating to the office of the Inspector General, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Goldsmith.

**Amendments Withdrawn**

Without objection, Assembly Member Goldsmith withdrew his amendments to Senate Bill No. 1913.

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—69**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Runner
Alquist	Figueroa	Machado	Scott
Aroner	Firestone	Margett	Shelley
Ashburn	Floyd	Martinez	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Battin	Gallegos	Migden	Thompson
Baugh	Goldsmith	Miller	Vincent
Bordonaro	Granlund	Morrissey	Washington
Bowen	Havice	Morrow	Wayne
Bowler	Hertzberg	Murray	Wildman
Brewer	Honda	Olberg	Woods
Brown	House	Oller	Wright
Bustamante	Kaloogian	Ortiz	Mr. Speaker
Campbell	Keeley	Pacheco	
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

At 11:55 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2472 (Leonard)**—An act to amend Section 22822 of, to add Part 7 (commencing with Section 22960) to Division 5 of Title 2 of, to add Sections 3517.61, 19173.4, 19175.7, 21363.5, and 21465 to, and to repeal Article 2.1 (commencing with Section 21078) of Chapter 12 of Part 3 of Division 5 of Title 2 of, the Government Code, relating to state employees, 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.)*

**SIX HUNDRED THIRTY-SIXTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, August 29, 1998

At 12 midnight.

Speaker pro Tempore Sheila James Kuehl, presiding.

**ASSEMBLY BILL NO. 2472**

**Demand for Previous Question**

Assembly Members Murray, Thompson, Kuykendall, Brewer, and Shelley demanded the previous question. Demand sustained.

The question being on concurrence in Senate amendments.

Amendments concurred in by the following vote:

**AYES—68**

Ackerman	Cedillo	Kuehl	Perata
Aguiar	Cunneen	Kuykendall	Poochigian
Alby	Davis	Leach	Prenter
Alquist	Ducheny	Lempert	Pringle
Ashburn	Firestone	Leonard	Runner
Baca	Floyd	Machado	Scott
Baldwin	Frusetta	Margett	Shelley
Battin	Gallegos	Migden	Strom-Martin
Baugh	Goldsmith	Miller	Sweeney
Bordonaro	Granlund	Morrissey	Thompson
Bowen	Havice	Morrow	Thomson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Olberg	Washington
Bustamante	House	Oller	Wayne
Campbell	Kaloogian	Ortiz	Wildman
Cardenas	Keeley	Pacheco	Woods
Cardoza	Knox	Papan	Mr. Speaker

**NOES—3**

Escutia	Figueroa	McClintock
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Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1982**

At 12:10 a.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.

Senate Bill No. 1982 refused passage by the following vote:

**AYES—32**

Ackerman	Escutia	Machado	Scott
Alquist	Figueroa	Mazzoni	Shelley
Bowen	Gallegos	Migden	Strom-Martin
Brown	Goldsmith	Murray	Sweeney
Bustamante	Hertzberg	Ortiz	Thomson
Cedillo	Keeley	Papan	Torlakson
Davis	Kuehl	Perata	Wayne
Ducheny	Lempert	Prenter	Mr. Speaker

**NOES—35**

Aguiar	Cardoza	Kuykendall	Poochigian
Alby	Firestone	Leach	Pringle
Ashburn	Floyd	Margett	Richter
Baldwin	Frusetta	Martinez	Runner
Battin	Granlund	Miller	Thompson
Bordonaro	Havice	Morrissey	Washington
Bowler	House	Morrow	Woods
Brewer	Kalooagian	Olberg	Wright
Campbell	Knox	Pacheco	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 1982: Assembly Member Havice, from "Aye" to "No".

**Motion to Reconsider Senate Bill No. 1982  
on Next Legislative Day**

Assembly Member Machado moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1982 was this day refused passage.

Senate Bill No. 1982 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1735**

At 12:12 a.m., on motion of Assembly Member Cedillo, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1735 passed by the following vote:

**AYES—41**

Alquist	Escutia	Martinez	Sweeney
Aroner	Figueroa	Mazzoni	Thomson
Baca	Floyd	Migden	Torlakson
Bowen	Gallegos	Morrissey	Vincent
Brown	Hertzberg	Murray	Washington
Bustamante	Honda	Ortiz	Wildman
Cardenas	Keeley	Papan	Wright
Cardoza	Knox	Perata	Mr. Speaker
Cedillo	Kuehl	Scott	
Davis	Lempert	Shelley	
Ducheny	Machado	Strom-Martin	

**NOES—32**

Ackerman	Bowler	Havice	Morrow
Aguiar	Brewer	House	Oller
Alby	Campbell	Kaloogian	Poochigian
Ashburn	Cunneen	Leach	Pringle
Baldwin	Firestone	Leonard	Richter
Battin	Frusetta	Margett	Runner
Baugh	Goldsmith	McClintock	Thompson
Bordonaro	Granlund	Miller	Woods

Bill ordered transmitted to the Senate.

**CONSIDERATION OF CONSENT CALENDAR**

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

**Consent Calendar—Assembly Resolutions**

**HOUSE RESOLUTION NO. 89 (Takasugi)**—Relative to old Oxnard High School site.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY CONCURRENT RESOLUTION NO. 189 (Frusetta)**—Relative to September as Cowboy Appreciation Month.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**Consent Calendar Roll Call**

The roll was called, and the above resolution on the Consent Calendar adopted, by the following vote:

**AYES—73**

Ackerman	Cedillo	Kuehl	Poochigian
Aguiar	Cunneen	Kuykendall	Prenter
Alby	Davis	Leach	Pringle
Alquist	Ducheny	Lempert	Runner
Aroner	Escutia	Leonard	Scott
Ashburn	Figueroa	Machado	Strom-Martin
Baca	Firestone	Martinez	Sweeney
Baldwin	Floyd	McClintock	Thompson
Battin	Frusetta	Migden	Thomson
Baugh	Gallegos	Miller	Torlakson
Bordonaro	Goldsmith	Morrissey	Washington
Bowen	Granlund	Morrow	Wayne
Bowler	Havice	Murray	Wildman
Brewer	Hertzberg	Olberg	Woods
Brown	Honda	Oller	Wright
Bustamante	House	Ortiz	Mr. Speaker
Campbell	Kaloogian	Pacheco	
Cardenas	Keeley	Papan	
Cardoza	Knox	Perata	

**NOES—None****CONSIDERATION OF SPECIAL CONSENT CALENDAR**

The Speaker pro Tempore announced that the next roll call would be on the Special Consent Calendar.

**Consideration of Senate Amendments to Assembly Bills**

**ASSEMBLY BILL NO. 1091 (Committee on Judiciary)**—An act to amend Sections 215, 300, 300.1, 300.5, 301, 302, 304, 309, 319, 325, 328, 329, 331, 331.5, 332, 341, 358, 358.1, 360, 361.2, 361.5, 362, 362.8, 364, 365, 366.1, 366.21, 366.22, 366.26, 366.3, 367, 368, 369, 370, 380, 386, and 387 of, and to repeal Sections 332.5, 351.5, 353.5, 360.5, 362.5, 366.2, and 366.25 of, the Welfare and Institutions Code, relating to dependent 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. 1094 (Committee on Judiciary)**—An act to amend Sections 6301.1, 8030.2, 8030.4, 8030.6, 8030.8, and 22350 of the Business and Professions Code, to amend Sections 1793.23, 2924c, 2924j, and 2924.3 of the Civil Code, to amend Sections 77, 200, 484.70, 484.350, 569, 701.040, 1005, 1985.3, 1985.6, 2024, 2025, and 2031 of, and to repeal Section 87 of, the Code of Civil Procedure, to amend Sections 8603, 9501, 9502, and 9504 of the Commercial Code, to amend Sections 8023, 8040, and 8201 of the Elections Code, to amend Sections 400 and 4251 of the Family Code, to amend Sections 21290, 68152, 68511.3, 75050, and 76219 of the Government Code, to amend Sections 33502 and 115800.1 of the Health and Safety Code, to amend Sections 1368 and 11165.8 of the Penal Code and to amend Section 5 of Chapter 1125 of the Statutes of 1990, relating to civil actions and proceedings, 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. 1216 (Kalogian)**—An act to amend Section 49063 of, and to add Chapter 6.6 (commencing with Section 49091.10) to Part 27 of, the Education Code, relating to schools.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

*(For the vote on the above bill, see this day's  
Special Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 1290 (Havice)**—An act to amend Sections 261.5, 288, 667.71, 1170.1, and 12022.53 of the Penal Code, and to amend Sections 676, 707, and 828.1 of the Welfare and Institutions Code, relating to crime and punishment.

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. 1712 (Cunneen)**—An act to add Sections 96.28 and 97.39 to the Revenue and Taxation Code, relating to local government 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. 1763 (Mazzoni)**—An act to amend Section 60643 of the Education Code, relating to pupil testing.

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. 1942 (Papan)**—An act to amend Section 1250.8 of the Health and Safety Code, and to add Section 14105.986 to the Welfare and Institutions Code, relating to hospitals.

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. 1945 (Honda)**—An act to add Section 96.27 to the Revenue and Taxation Code, relating to local government 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. 1995 (Leach)**—An act to add Section 18104 to the Education Code, relating to library 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. 2132 (Committee on Transportation)**—An act to amend Sections 21644.5, 21670.4, 21681, 99155.1, 99238.5, and 99401.5 of the Public Utilities Code, to amend Section 8352.3 of the Revenue and Taxation Code, to amend Sections 73, 163, 164.11, 164.16, 164.17, 164.18, 253.1, 253.3, 302, 319, 336, 525, 887.4, 892.2, 892.4, 893, 893.6, 2106, 2551, 2553, and 2602 of, to add Section 407.1 to, and to repeal Sections 528 and 585 of, the Streets and Highways Code, and to amend Sections 1663, 11107, 11211, 11302, 11405, 11503, 11604, 11703, 11806, 11902, 12523.6, 12804.9, 13364, 13365, 13369, 13370, 13371, 14910, 21053, 21101, 21104, 22500, 27315, 34501.12, 34510, 34631.5, 35702, 35712, 35714, 36101, 40002.1, 40509, 40509.1, and 40509.5 of, to add Sections 2420.5, 11312, 11413, and 21201.3 to, to repeal and add Section 9250 of, and to repeal Sections 1656.5, 1660.5, 2420, 4000.5, and 9250.1 of, the Vehicle Code, relating to transportation.

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. 2316 (Knox)**—An act to amend Section 11166.1 of the Penal Code and to amend Section 317 of the Welfare and Institutions Code, relating to child abuse.

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. 2572 (Firestone)**—An act to amend Section 1760.6 of the Welfare and Institutions Code, relating to Youth Authority 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. 2697 (Ducheny)**—An act to amend Sections 18949.6 and 116049.1 of the Health and Safety Code, relating to building standards, 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.)*

**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	Cedillo	Kuehl	Perata
Aguiar	Cunneen	Kuykendall	Poochigian
Alby	Davis	Leach	Prenter
Alquist	Ducheny	Lempert	Pringle
Aroner	Escutia	Leonard	Runner
Ashburn	Figueroa	Machado	Scott
Baca	Firestone	Margett	Shelley
Baldwin	Floyd	Martinez	Strom-Martin
Battin	Frusetta	McClintock	Sweeney
Baugh	Gallegos	Migden	Thompson
Bordonaro	Goldsmith	Miller	Thomson
Bowen	Granlund	Morrissey	Torlakson
Bowler	Havice	Morrow	Vincent
Brewer	Hertzberg	Murray	Washington
Brown	Honda	Olberg	Wayne
Bustamante	House	Oller	Wildman
Campbell	Kaloogian	Ortiz	Woods
Cardenas	Keeley	Pacheco	Wright
Cardoza	Knox	Papan	Mr. Speaker

**NOES—None**

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Ducheny announced that the Committee on Budget would meet on Monday, August 31, 1998, off the Floor during Floor session.

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Shelley was granted unanimous consent that all bills on this day’s second reading file be ordered to the third reading file and that all bills reported from committee with amendments be taken up without reference to file for purpose of second reading and adoption of committee amendments and that the bills be ordered to the third reading file or Second Day Consent Calendar:

Senate Bills Nos. 2, 567, 977, 1574, 1757, 1854, 1857, 687, 779, 1717, 2121, and 2143 ordered to third reading; Senate Bills Nos. 326 and 1724 ordered to the Second Day Consent Calendar.

**READING OF SENATE BILLS**

**SENATE BILL NO. 2031**—An act relating to crimes against children, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Pursuant to the above motion, Senate Bill No. 2031 read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 418**—An act to amend Section 77201.3 of the Government Code, relating to trial court funding, 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 placed upon the third reading file.

**SENATE BILL NO. 752**—An act to amend Sections 26863, 68090.7, and 77212 of, to amend, repeal, and add Section 77201.1 of, to add Section 77201 to, and to add and repeal Section 77201.3 of, the Government Code, and to amend Section 100 of the Welfare and Institutions Code, relating to trial court funding, 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 placed upon the third reading file.

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Assembly Member Morrow was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Bill No. 682**

August 28, 1998

*Assembly Desk*

*California State Assembly  
Sacramento, California*

The purpose of this letter to the journal is to clarify a provision of my AB 682 (Morrow), regarding emergency health care services.

Section 1371.4 of the Health and Safety Code is designed to ensure that health care service plans provide coverage for emergency services and care up to the point of stabilization. After that point, the provider must call the plan for authorization in order to ensure reimbursement.

The amendments to Section 1371.4, enacted by AB 682, help clarify this purpose by stating that the definition in Section 1371.1 of the Health and Safety Code control the construction of this section. Among the definitions newly added to Section 1371.1 is a definition of “stabilized” or “stabilization,” which clarifies that a patient or enrollee is stabilized when the patient’s medical condition is such that no material deterioration is likely to result from a transfer, in other words, “stabilized” means safe for transfer.

In addition, the words “transferred or” were deleted from subdivision (a) of Section 1371.4 to eliminate conflict with the definition of “stabilized.” The deletion of the words “transferred or” does not result in any substantive change of the existing statute.

Sincerely,

BILL MORROW, Assembly Member  
Seventy-third District

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Senate Constitutional Amendment No. 13; Senate Bills Nos. 1784, 648 and 1966 were continued until the next legislative day.

**NOTICES OF MOTIONS TO WITHDRAW BILLS  
FROM COMMITTEE CONTINUED**

Assembly Member Pacheco was granted unanimous consent that the notice of motion to withdraw Assembly Bill No. 1735 from the Committee on Public Safety be continued until the next legislative day.

Assembly Member Morrow was granted unanimous consent that the notice of motion to withdraw Senate Bill No. 1536 from the Committee on Judiciary be continued until the next legislative day.

Assembly Member Olberg was granted unanimous consent that the notice of motion to withdraw Senate Bill No. 681 from the Committee on Natural Resources be continued until the next legislative day.

Assembly Member Oller was granted unanimous consent that the notice of motion to withdraw Assembly Bill No. 2795 from the Committee on Transportation be continued until the next legislative day.

**SENATE BILL NO. 1765 SET FOR SPECIAL ORDER**

By unanimous consent Senate Bill No. 1765 was made a special order of business for Monday, August 31, 1998, at 10 a.m.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items:

**Senate Bill No. 1468 and Urgency:** Aroner, Baldwin, Bordonaro, Brewer, Brown, Bustamante, Cardenas, Figueroa, Gallegos, Havice, Kaloogian, Machado, Margett, Martinez, Morrow, Olberg, Ortiz, Pacheco, Papan, Runner, Sweeney, and Torlakson—Aye.

**Senate Bill No. 2199:** Brown, Bustamante, Cardenas, Figueroa, Gallegos, Havice, Machado, Martinez, Oller, Ortiz, Papan, and Pringle—Aye; Kaloogian, Morrow, and Olberg—No.

**Senate Bill No. 2238:** Baldwin, Bustamante, Cardenas, Figueroa, Gallegos, Kaloogian, Machado, Morrow, Olberg, Ortiz, Pacheco, and Papan—Aye; Martinez and McClintock—No.

**Senate Bill No. 1173 and Urgency:** Battin, Bustamante, Havice, Machado, Martinez, Morrow, Papan, and Pringle—Aye.

**Senate Bill No. 2082 and Urgency:** Battin, Bustamante, Machado, Martinez, Morrow, and Papan—Aye.

**Senate Bill No. 1679 and Urgency:** Battin, Bustamante, Machado, Martinez, Morrow, Papan, and Pringle—Aye.

**Senate Bill No. 1469:** Baldwin, Baugh, Bustamante, Machado, Miller, Morrow, Oller, Papan, and Poochigian—Aye; Martinez—No.

**Senate Bill No. 1535:** Alby, Baldwin, Baugh, Bustamante, Campbell, Cunneen, Figueroa, Havice, Machado, Margett, Morrow, Olberg, Papan, Runner, and Wildman—Aye; Martinez—No.

**Senate Bill No. 1825:** Baugh, Campbell, Cunneen, Machado, Martinez, Morrow, Olberg, Papan, and Runner—Aye.

**Senate Bill No. 2159:** Baugh, Bustamante, Campbell, Cunneen, Martinez, Morrow, Papan, and Runner—Aye.

**Floyd Motion to Suspend the Rules:** Bustamante—Aye; Baugh, Campbell, Goldsmith, Miller, and Olberg—No.

**Assembly Bill No. 1384, Concurrence:** Baldwin, Campbell, Cunneen, Frusetta, Machado, Miller, Morrow, Papan, Pringle, Runner, and Woods—Aye; Martinez and McClintock—No.

**Assembly Bill No. 1596, Concurrence:** Aguiar, Bordonaro, Cedillo, Cunneen, Ducheny, Martinez, Morrow, and Papan—Aye; Baldwin, Campbell, Frusetta, Kaloogian, Kuykendall, Miller, Olberg, and Runner—No.

**Assembly Bill No. 1961, Concurrence:** Campbell, Cunneen, Hertzberg, Kaloogian, Kuykendall, Machado, Martinez, McClintock, Miller, Papan, Runner, Wildman, and Woods—Aye; Baugh and Brewer—No.

**Assembly Bill No. 205, Concurrence:** Aguiar, Bordonaro, Frusetta, Machado, Martinez, Miller, Olberg, Pacheco, Papan, and Runner—Aye; Bowler and Kaloogian—No.

**Assembly Bill No. 89, Concurrence:** Machado, Martinez, Miller, Morrissey, Pacheco, Papan, Runner, and Woods—Aye.

**Assembly Bill No. 462, Concurrence:** Battin, Granlund, Honda, Machado, Martinez, Morrissey, Murray, Olberg, Pacheco, Papan, and Woods—Aye; Miller, Pringle, and Runner—No.

**Assembly Bill No. 2595, Concurrence:** Aroner, Battin, Bustamante, Cardoza, Granlund, Honda, Machado, Martinez, Miller, Morrissey, Murray, Papan, Pringle, Runner, Strom-Martin, and Torlakson—Aye.

**Assembly Bill No. 561, Urgency and Concurrence:** Battin, Firestone, Goldsmith, Granlund, Keeley, Machado, Martinez, Miller, Morrissey, Pacheco, Papan, Poochigian, and Runner—Aye; Brewer—No.

**Assembly Bill No. 1092, Concurrence:** Ackerman, Baldwin, Ducheny, Granlund, Honda, Machado, Miller, Murray, Papan, Prenter, and Runner—Aye; Martinez—No.

**Assembly Bill No. 1166, Concurrence:** Ackerman, Baldwin, Bowen, Ducheny, Honda, Machado, Martinez, McClintock, Miller, Murray, Papan, Prenter, and Wildman—Aye.

**Assembly Bill No. 1208, Concurrence:** Havice and Martinez—Aye; Baldwin, Granlund, Miller, Pacheco, and Runner—No.

**Assembly Bill No. 1663, Concurrence:** Davis, Firestone, Granlund, and Machado—Aye; Ackerman, Alby, Baldwin, Baugh, Kaloogian, Martinez, Miller, Olberg, Oller, Poochigian, Prenter, Pringle, and Runner—No.

**Assembly Bill No. 1676, Concurrence:** Cedillo, Granlund, Machado, Martinez, and Miller—Aye; Frusetta and Runner—No.

**Assembly Bill No. 1845, Concurrence:** Granlund and Martinez—Aye; Battin, Cardoza, Miller, Olberg, and Pringle—No.

**Assembly Bill No. 1877, Concurrence:** Battin, Goldsmith, Granlund, Martinez, Miller, Oller, Prenter, and Pringle—Aye; Ackerman, Baugh, Kaloogian, McClintock, Runner, and Woods—No.

**Assembly Bill No. 1885, Concurrence:** Battin, Granlund, Martinez, Miller, and Pringle—Aye; McClintock—No.

**Assembly Bill No. 1889, Concurrence:** Cardenas, Gallegos, Granlund, Machado, Martinez, Miller, Papan, and Wright—Aye; McClintock—No.

**Assembly Bill No. 1916, Concurrence:** Battin, Cedillo, Granlund, Martinez, McClintock, and Papan—Aye; Miller and Olberg—No.

**Assembly Bill No. 1950, Concurrence:** Battin, Bowen, Cedillo, Granlund, Martinez, Miller, Papan and Pringle—Aye.

**Assembly Bill No. 1978, Concurrence:** Alby, Battin, Bowen, Cedillo, Frusetta, Granlund, McClintock, Miller, Papan, Pringle, and Wright—Aye; Martinez—No.

**Assembly Bill No. 2192, Concurrence:** Martinez and Papan—Aye; Ashburn, Goldsmith, Granlund, McClintock, Olberg, Pacheco, and Pringle—No.

**Assembly Bill No. 2216, Concurrence:** Baldwin, Bowen, Goldsmith, Granlund, Martinez, Pacheco, and Papan—Aye; Ashburn—No.

**Assembly Bill No. 2297, Concurrence:** Ashburn, Goldsmith, Granlund, Honda, Kuykendall, Margett, Murray, Olberg, Oller, Papan, Prenter, and Runner—Aye; Bordonaro, Havice, Kaloogian, and Martinez—No.

**Assembly Bill No. 2405, Concurrence:** Ashburn, Baldwin, Bowen, Cedillo, Goldsmith, Granlund, Martinez, and Papan—Aye.

**Assembly Bill No. 2403, Concurrence:** Alby, Alquist, Davis, Gallegos, Goldsmith, Granlund, Kuykendall, Machado, Martinez, Miller, Papan, Woods, and Wright—Aye; Ashburn, Brewer, Kaloogian, Margett, Oller, Poochigian, and Runner—No.

**Assembly Bill No. 2406, Urgency and Concurrence:** Ashburn, Goldsmith, Granlund, Martinez, and Papan—Aye.

**Assembly Bill No. 2755, Concurrence:** Granlund, Machado, Martinez, Miller, Olberg, Pacheco, and Papan—Aye; Kaloogian, Poochigian, Pringle, and Runner—No.

**Assembly Bill No. 2816, Concurrence:** Gallegos, Machado, Martinez, Pacheco, Papan, Poochigian, and Runner—Aye.

**Assembly Concurrent Resolution No. 185, Concurrence:** Bowen, Cedillo, Granlund, Machado, Martinez, Papan, and Runner—Aye.

**Assembly Bill No. 750, Concurrence:** Gallegos, Granlund, Lempert, Machado, Mazzoni, Papan, Runner, and Strom-Martin—Aye; Martinez—No.

**Assembly Bill No. 1820, Concurrence:** Machado, Martinez, Oller, and Papan—Aye; Kaloogian, Poochigian, and Runner—No.

**Richter Motion to Dispense with Call of the Assembly:** Miller—Aye.

**Assembly Bill No. 1915, Urgency and Concurrence:** Goldsmith, Machado, Martinez, Pacheco, and Papan—Aye; Campbell, Kaloogian, Margett, and Runner—No.

**Assembly Bill No. 2056, Concurrence:** Goldsmith, Granlund, Machado, and Martinez—Aye; Margett—No.

**Assembly Bill No. 2772, Concurrence:** Havice, Machado, Margett, Martinez, Morrissey, and Pacheco—Aye.

**Assembly Bill No. 2527, Concurrence:** Figueroa, Kuykendall, Machado, Martinez, Prenter, and Runner—Aye.

**Assembly Bill No. 117, Concurrence:** Aguiar, Keeley, Machado, Martinez, Papan, and Poochigian—Aye; Brewer, Olberg, and Runner—No.

**Assembly Bill No. 1182, Concurrence:** Machado and Martinez—Aye; Runner—No.

**Assembly Joint Resolution No. 59, Concurrence:** Machado and Martinez—Aye.

**Senate Bill No. 406, Conference Report:** Machado and Martinez—Aye; Cunneen—No.

**Senate Bill No. 1885, Conference Report:** Baldwin, Cardoza, Cunneen, Kaloogian, Machado, Martinez, and Oller—Aye; Baugh—No.

**Assembly Bill No. 399, Conference Report:** Cunneen, Machado, Martinez, and Papan—Aye; Kaloogian, Morrow, and Runner—No.

**Senate Bill No. 593, Conference Report:** Machado, Martinez, and Papan—Aye; Morrow and Runner—No.

**Assembly Bill No. 357, Concurrence:** Baugh, Frusetta, Granlund, Margett, Martinez, McClintock, Pacheco, and Strom-Martin—Aye.

**Assembly Bill No. 1052, Concurrence:** Aguiar, Cedillo, Cunneen, Frusetta, Granlund, Martinez, and Pacheco—Aye; Baldwin, McClintock, and Runner—No.

**Assembly Bill No. 1469, Concurrence:** Baugh, Cunneen, Granlund, Machado, Martinez, McClintock, and Pacheco—Aye.

**Assembly Bill No. 992, Concurrence:** Baldwin, Cardoza, Cunneen, Frusetta, Gallegos, Machado, and Martinez—Aye; Baugh, Granlund, McClintock, Olberg, and Pacheco—No.

**Assembly Bill No. 1183, Concurrence:** Cunneen, Machado, and Martinez—Aye; Battin, Baugh, Granlund, Kuykendall, McClintock, and Pringle—No.

**Assembly Bill No. 2088, Concurrence:** Cunneen, Granlund, Machado, and Martinez—Aye; Baldwin, Baugh, and McClintock—No.

**Assembly Bill No. 194, Concurrence:** Cunneen, Granlund, Machado, and Martinez—Aye; Baugh and McClintock—No.

**Assembly Bill No. 1610:** Baugh, Granlund, McClintock, and Prenter—No.

**Assembly Bill No. 2019, Concurrence:** Baca, Cardoza, Cunneen, Martinez, and Papan—Aye; Ackerman, Baugh, Granlund, McClintock, and Poochigian—No.

**Assembly Bill No. 1100, Concurrence:** Cunneen, Granlund, and Martinez—Aye; Pringle—No.

**Senate Bill No. 1700 and Urgency:** Battin, Martinez, and Pringle—Aye.

**Senate Bill No. 412:** Martinez and Papan—Aye; Battin and Lempert—No.

**Assembly Bill No. 2084, Concurrence:** Aguiar, Bowen, Honda, Machado, Martinez, Murray, Papan, and Wayne—Aye.

**Senate Bill No. 1623:** Gallegos—Aye; Olberg—No.

**Assembly Bill No. 146, Concurrence:** Wayne—Aye.

**Assembly Bill No. 2048, Concurrence:** McClintock and Woods—No.

**Assembly Bill No. 1345, Urgency and Concurrence:** Poochigian and Woods—Aye.

**Assembly Bill No. 188, Concurrence:** Honda—Aye.

**Assembly Bill No. 822, Concurrence:** Bordonaro—Aye; Poochigian—No.

**Assembly Bill No. 1957, Concurrence:** McClintock—No.

**Assembly Bill No. 2157, Concurrence:** Granlund and McClintock—No.

**Assembly Bill No. 2031, Concurrence:** McClintock—No.

**Assembly Bill No. 2079, Concurrence:** Morrissey—Aye; McClintock—No.

**Assembly Bill No. 2454, Concurrence:** Ducheny—Aye; McClintock—No.

**Assembly Bill No. 1901:** Morrow and Shelley—Aye; McClintock—No.

**Senate Concurrent Resolution No. 101:** Ducheny, Granlund, and Machado—Aye.

**Senate Bill No. 479:** Gallegos, Granlund, Havice, Machado, Martinez, Wayne, and Wright—Aye; McClintock—No.

**Assembly Constitutional Amendment No. 26:** Olberg—No.

**Assembly Bill No. 278, Conference Report:** Machado—No.

**Assembly Bill No. 1715, Concurrence:** Alby and Battin—Aye.

**Assembly Bill No. 485:** Battin, Cardoza, and Knox—Aye; McClintock—No.

**Senate Bill No. 1467:** Battin—Aye; Baldwin and McClintock—No.

**Senate Concurrent Resolution No. 102:** Battin and Pringle—Aye.

**Assembly Bill No. 715, Concurrence:** Bowen and Davis—Aye.

**Senate Bill No. 1913:** Machado—Aye.

**Assembly Bill No. 2472, Concurrence:** Ortiz—Aye.

**Special Consent Calendar:** Thompson—Aye.

#### MOTION TO ADJOURN

At 12:15 a.m., Assembly Member Bowler moved that the Assembly do now adjourn.

Assembly Member Washington seconded the motion.

Motion carried.

#### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:16 a.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

#### MESSAGES FROM THE SENATE

Senate Chamber, August 28, 1998

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. 278

Assembly Bill No. 399

GREG P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, August 28, 1998

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. 593  
Senate Bill No. 1885

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

#### **INTRODUCTION OF GUESTS**

Assembly Member Thomson, of the 8th Assembly District, introduced Ourania Riddle, of Dixon and Christiana Mantalvanos, who was visiting from Athens, Greece, and Chris Manson, Dixon City Councilmember.

#### **ADJOURNMENT**

At 12:17 a.m., pursuant to the motion by Assembly Member Bowler, the Assembly adjourned until 8:30 a.m., Monday, August 31, 1998, out of respect to the memory of Veronica Ganje on motion of Assembly Member Floyd; out of respect to the memory of Ted Pollock on motion of Assembly Member Aguiar; out of respect to the memory of Robert Boyd and John Butz on motion of Assembly Member Battin; out of respect to the memory of Frederick Reines on motion of Assembly Member Brewer; out of respect to the memory of Brigadier Francis H.B. Ingall on motion of Assembly Member Brown; out of respect to the memory of Jaime Garcia, on motion of Assembly Member Cardenas; out of respect to the memory of Charles McEwen Sr., Margaret M. Medrano, David A. D'Arrigo, Edna Bussey, and Thomas Garvie on motion of Assembly Member Frusetta; and out of respect to the memory of Richard Batten, on motion of Assembly Member Machado.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON AUGUST 28, 1998

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The following measures were amended in the Assembly on this day:

SB	RN	SB	RN
2	9820412	1717	9820666
25	9820702	1724	9820021
157	9820630	1757	9820715
324	9820820	1765	9820903
326	9820567	1823	9821031
557	9820847	1854	9820846
567	9820459	1857	9820733
687	9820902	2121	9820825
779	9820890	2139	9820718
977	9820707	2143	9820844
1064	9820838	2168	
1336	9820647		
1375	9821078	<b>SCR</b>	<b>RN</b>
1574	9820769	102	9820807

**Daily Total: 26**

**Cumulative Total: 7842**

Amendments were considered by the Assembly, but not adopted, to the following measure:

**SB**

1477 (Miller amendments—Set 1 \*)

(NOTE: \* Refers to amendments received in non-Legislative Counsel form.)

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 29, 1998**

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The following measures were amended in the Assembly on this day:

<b>SB</b>	<b>RN</b>
418	9820908
752	9820955
2031	9820513
<b>Daily Total:</b>	<b>3</b>
<b>Cumulative Total:</b>	<b>7845</b>

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, August 31, 1998**

**TWO HUNDRED SIXTY-SIXTH SESSION DAY  
SIX HUNDRED THIRTY-EIGHTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, August 31, 1998

The Assembly met at 8:30 a.m.  
Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

At 8:31 a.m., Speaker pro Tempore Kuehl placed a quorum call upon the Assembly.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

#### Quorum Present

At 9:15 a.m., Speaker pro Tempore Kuehl declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—78:

Ackerman	Cunneen	Lempert	Prenter
Aguiar	Davis	Leonard	Pringle
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*Lord God, As we pray at the end of this session, we thank You for the goodness and mercy that You have showered upon us. Lord, we ask that You be with us in the coming months and guide the people of this great state as they exercise their citizenship. Whatever the consequences, we will have You as our Guide and our Judge. May Your Spirit descend upon the people of California to kindle the fires of faith, so that this land will glow brightly as a beacon of hope for all mankind. Grant joy and peace to those whose work in this Assembly is concluded and to all others give strength and wisdom for the future.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Sweeney 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 Strom-Martin, seconded by Assembly Member Bordonaro.

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

*Because of illness: Assembly Members Firestone and Takasugi.*

**COMMUNICATIONS**

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

California State Auditor

97124

August 13, 1998

*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 some administrative practices of the Cajon Valley Union School District (district). This report concludes that the district needs to improve its procedures to account for and safeguard its property and equipment. Further, the district does not always follow its own policies or state or county guidelines for procuring goods and services or managing contracts.

Respectfully submitted,

KURT R. SJOBERG  
State Auditor

Above report referred to the Committee on Education.

**REPORTS**

The following report was presented by the Chief Clerk:

**Nuclear Power Emergency Preparedness  
Annual Report to the Legislature  
(Pursuant to Chapter 759 (SB 876), Statutes of 1993)**

Above transmitted report, together with letter of transmittal from Richard Andrews, Director, Office of the Director, Governor's Office of Emergency Services, Sacramento, dated August 4, 1998, referred by the Speaker to the Committee on Governmental Organization.

**REPORTS OF STANDING COMMITTEES  
Committee on Banking and Finance**

August 28, 1998

Mr. Speaker: Your Committee on Banking and Finance reports the following bill pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 1622

PAPAN, Chairman

Above bill ordered filed with the Chief Clerk.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 28, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 19  
Senate Bill No. 270  
Senate Bill No. 277  
Senate Bill No. 281  
Senate Bill No. 328  
Senate Bill No. 473  
Senate Bill No. 489  
Senate Bill No. 537  
Senate Bill No. 791  
Senate Bill No. 822  
Senate Bill No. 924  
Senate Bill No. 988  
Senate Bill No. 1033  
Senate Bill No. 1361  
Senate Bill No. 1393  
Senate Bill No. 1397  
Senate Bill No. 1415  
Senate Bill No. 1454  
Senate Bill No. 1462  
Senate Bill No. 1522

Senate Bill No. 1615  
Senate Bill No. 1624  
Senate Bill No. 1641  
Senate Bill No. 1645  
Senate Bill No. 1681  
Senate Bill No. 1691  
Senate Bill No. 1696  
Senate Bill No. 1712  
Senate Bill No. 1753  
Senate Bill No. 1754  
Senate Bill No. 1829  
Senate Bill No. 1835  
Senate Bill No. 1900  
Senate Bill No. 1909  
Senate Bill No. 1941  
Senate Bill No. 1950  
Senate Bill No. 1980  
Senate Bill No. 1981  
Senate Bill No. 1988  
Senate Bill No. 2014

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Senate Chamber, August 28, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 2030  
Senate Bill No. 2034  
Senate Bill No. 2045  
Senate Bill No. 2055  
Senate Bill No. 2074

Senate Bill No. 2145  
Senate Bill No. 2177  
Senate Bill No. 2208  
Senate Bill No. 2215  
Senate Bill No. 2234

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Senate Chamber, August 30, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

- |                      |                      |
|----------------------|----------------------|
| Senate Bill No. 309  | Senate Bill No. 1690 |
| Senate Bill No. 330  | Senate Bill No. 1697 |
| Senate Bill No. 393  | Senate Bill No. 1715 |
| Senate Bill No. 409  | Senate Bill No. 1744 |
| Senate Bill No. 715  | Senate Bill No. 1785 |
| Senate Bill No. 971  | Senate Bill No. 1825 |
| Senate Bill No. 984  | Senate Bill No. 1832 |
| Senate Bill No. 1190 | Senate Bill No. 1868 |
| Senate Bill No. 1194 | Senate Bill No. 1878 |
| Senate Bill No. 1292 | Senate Bill No. 1879 |
| Senate Bill No. 1412 | Senate Bill No. 1896 |
| Senate Bill No. 1453 | Senate Bill No. 1934 |
| Senate Bill No. 1468 | Senate Bill No. 1955 |
| Senate Bill No. 1481 | Senate Bill No. 1979 |
| Senate Bill No. 1485 | Senate Bill No. 2048 |
| Senate Bill No. 1530 | Senate Bill No. 2049 |
| Senate Bill No. 1537 | Senate Bill No. 2068 |
| Senate Bill No. 1540 | Senate Bill No. 2070 |
| Senate Bill No. 1550 | Senate Bill No. 2082 |
| Senate Bill No. 1555 | Senate Bill No. 2085 |
| Senate Bill No. 1559 | Senate Bill No. 2116 |
| Senate Bill No. 1560 | Senate Bill No. 2126 |
| Senate Bill No. 1679 | Senate Bill No. 2159 |
| Senate Bill No. 1689 | Senate Bill No. 2199 |

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Senate Chamber, August 30, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2075

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, August 30, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 468

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 30, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 48   | Assembly Bill No. 2415 |
| Assembly Bill No. 1784 | Assembly Bill No. 2782 |
| Assembly Bill No. 1791 | Assembly Bill No. 2804 |
| Assembly Bill No. 2025 |                        |

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.

August 30, 1998

*Hon. E. Dotson Wilson  
Chief Clerk of the Assembly  
Assembly Chamber*

Dear Dotson: By direction of the Senate I am returning Senate Bill 225 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT  
Secretary of the Senate

Above bill held at the Desk.

**BEST WISHES EXTENDED TO DAISY JOHNSON**

Speaker pro Tempore Kuehl announced that Daisy Johnson was retiring today after 9 years of service in the Chief Clerk's office and was joined by the Members of the Assembly in extending congratulations and best wishes to her in her retirement.

**ANNOUNCEMENT**

The Members of the Assembly extended congratulations to Assembly Member Steve Baldwin and his wife, Patti Jo, upon the birth of their son Robert Clay Baldwin, born on August 17, 1998.

**ADJOURN IN MEMORY**

Assembly Member Bowen was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Edward Rutowski, of Pacific Palisades, Chair of Adult Programs Committee and PSYCHRATICA, and longtime volunteer at the Unitarian Universalist Community Church of Santa Monica.

Assembly Member Bowler was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Merle James Hasty, of Sacramento.

Assembly Member Honda was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bob Spaulding, of San Jose.

Assembly Member Wildman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of his father, Richard Cornelius Wildman.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 9:20 a.m., by unanimous consent, the members of the Committee on Budget were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF CONSENT CALENDAR**

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

**Consent Calendar—Senate Bills**

**SENATE CONCURRENT RESOLUTION NO. 98 (Hurtt)**—Relative to state employee merit awards.

Resolution read.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Havice moved a call of the Assembly.

Motion carried. Time, 9:23 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF SPECIAL CONSENT CALENDAR**

The Speaker pro Tempore announced that the next roll call would be on the Special Consent Calendar.

**Consideration of Senate Amendments to Assembly Bills**

**ASSEMBLY BILL NO. 668 (Aroner)**—An act to add Section 14132.97 to the Welfare and Institutions Code, relating to human services, 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. 1788 (Wright)**—An act to amend Section 647 of the Penal Code, and to amend Sections 13201.5 and 22659.5 of the Vehicle Code, relating to prostitution.

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. 1875 (Prenter)**—An act to amend Section 52891 of, to repeal Section 6043.2 of, and to add Article 12 (commencing with Section 52981) to Chapter 4 of Division 18 of, the Food and Agricultural Code, relating to 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. 1911 (Ashburn)**—An act to add Section 14132.64 to the Welfare and Institutions Code, relating to health care.

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. 2197 (Washington)**—An act to add Section 1209.5 to the Penal Code, relating to penalties.

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. 2198 (Washington)**—An act to add Chapter 2.3 (commencing with Section 16135) to Part 4 of Division 9 of the Welfare and Institutions Code, relating to human services, and making an appropriation therefor.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

*(For the vote on the above bill, see this day's  
Special Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 2387 (Baugh)**—An act to add and repeal Section 14124.12 of the Welfare and Institutions Code, relating to healing arts.

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. 2492 (Pringle)**—An act to amend Sections 12401.5 and 12409 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. 2494 (Aguiar)**—An act to amend Sections 4711 and 4712 of, and to add Section 4714 to, the Welfare and Institutions Code, relating to developmental 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. 2630 (Wright)**—An act to add Section 6253.2 to the Government Code, relating to public 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. 2699 (Pringle)**—An act to add Sections 25350.75, 25350.85, 25350.95, 25350.105, and 25350.115 to, and to add and repeal Section 29530.6 of, the Government Code, to add and repeal Section 33670.95 of the Health and Safety Code, to add Section 96.165 to the Revenue and Taxation Code, and to add and repeal Section 2128.1 of the Streets and Highways Code, relating to local government finance, 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. 2773 (Committee on Human Services)**—An act to amend Sections 8700, 8707, 8708, and 8711 of, and to add Sections 8710.1, 8710.2, 8710.3, and 8710.4 to, the Family Code, to amend Sections 1505 and 1530.8 of, and to add Section 1502.6 to, the Health and Safety Code, and to amend Sections 319, 361.3, 361.5, 366, 366.1, 366.21, 366.22, 366.26, 366.3, 366.4, 10950, 11155.5, 11400, 11401, 11404.1, 11478.1, 16100, 16120, and 16501.1 of, and to add Sections 16131 and 16508.1 to, the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

*(For the vote on the above bill, see this day's Special Consent Calendar roll call.)*

**ASSEMBLY CONCURRENT RESOLUTION NO. 183 (Torlakson)**—Relative to Italian-American Wartime Internment Remembrance Week.

The Assembly concurred in the above Senate amendments; resolution ordered enrolled.

*(For the vote on the above resolution, see this day's Special Consent Calendar roll call.)*

**Special Consent Calendar Roll Call**

The roll was called, and the above bills on the Special Consent Calendar passed, and any urgency clauses to the bills adopted, by the following vote:

**AYES—75**

Ackerman	Cedillo	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Richter
Aroner	Escutia	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Floyd	Martinez	Shelley
Baldwin	Frusetta	Mazzoni	Strom-Martin
Battin	Gallegos	McClintock	Sweeney
Baugh	Goldsmith	Migden	Thompson
Bordonaro	Granlund	Miller	Thomson
Bowen	Havice	Morrissey	Torlakson
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Papan	

**NOES—None**

**At 9:28 a.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

**CONSIDERATION OF DAILY FILE  
THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 1375 (Rosenthal)**—An act to amend Sections 19531 and 19596.1 of, and to repeal Section 19549.2 of, the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Brown.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Brown moved a call of the Assembly.

Motion carried. Time, 9:29 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 2139 (Lockyer)**—An act to amend Sections 470.3, 6152, 6301, 6302.5, 6321, 6322, 6341, 7028.2, 17209, 17536.5, and 25762 of the Business and Professions Code, to amend Sections 798.61, 1181, 1719, 1780, 1812.10, 2984.4, and 3342.5 of the Civil Code, to amend Section 77, 82, 84, 86, 86.1, 91, 116.120, 116.210, 116.231, 116.250, 116.760, 116.770, 116.940, 116.950, 134, 166, 170.5, 170.7, 179, 194, 195, 198.5, 200, 215, 217, 234, 269, 274a, 274c, 392, 393, 395, 396, 396a, 400, 402, 422.30, 425.10, 425.11, 489.220, 564, 575, 575.1, 580, 581d, 594, 628, 631, 632, 655, 668, 670, 685.030, 688.010, 697.310, 697.350, 697.540, 703.600, 706.105, 708.180, 720.160, 720.260, 720.420, 871.3, 904.1, 904.2, 904.5, 911, 912, 996.430, 1014, 1033, 1052, 1052.5, 1060, 1068, 1085, 1103, 1134, 1140, 1141.11, 1141.12, 1161.2, 1167.2, 1171, 1206, 1281.5, 1283.05, 1287.4, 1710.20, 1775.1, and 2015.3 of, to amend the heading of Chapter 5 (commencing with Section 81) of Title 1 of Part 1 of, to add Sections 32.5, 38, 395.9, 399.5, and 582.5 to, to add Chapter 5.1 (commencing with Section 85) to Title 1 of Part 1 of, and to add a heading to Article 1 (commencing with Section 85) and Article 2 (commencing with Section 90) to Chapter 5.1 of Title 1 of Part 1 of, and to repeal Sections 83, 85, 87, 88, 89, and 422.20 of, and to repeal the headings of Article 1 (commencing with Section 81) and Article 2 (commencing with Section 90) of Chapter 5 of Title 1 of Part 1 of, the Code of Civil Procedure, to amend Sections 44944, 45312, 48294, 48295, 87675, 87679, and 88131 of the Education Code, to amend Sections 325, 327, 8203, 13107, 13109, and 13111 of the Elections Code, to amend Section 300 of the Evidence Code, to amend Section 400 of the Family Code, to amend Sections 1785, 1824, 1893, 3102, 17335, 18415.2, 18495, 31713, and 34113 of, and to amend and repeal Section 16154 of, the Financial Code, to amend Sections 210, 309, 2357, 4341, 4755, 5934, 12150, and 12151 of the Fish and Game Code, to amend Sections 7581, 12647, 25564, 27601, 29733, 30801, 31503, 31621, 31622, 43039, 52514, 53564, and 59289 of the Food and Agricultural Code, to amend Sections 910, 945.3, 990.2, 1770, 3501.6, 6701, 11189, 11511, 12965, 12972, 12980, 15422, 18671, 23220, 23296, 23398, 23579, 24055, 24057, 25351.3, 25560.4, 26299.008, 26524, 26665, 26806, 26820, 26820.4, 26824, 26826, 26826.01, 26863, 27082, 27647, 27706, 28003, 29603, 29610, 31469, 41606, 50920, 53069.4, 53075.6, 53075.61, 53679, 68071, 68072, 68074.1, 68081, 68084, 68086, 68090.7, 68093, 68098, 68108, 68112, 68114, 68114.5, 68114.6, 68115, 68152, 68206.2, 68505, 68513, 68540, 68542, 68542.5, 68546, 68547, 68551, 68620, 68902, 69510, 69744.5, 69746.5, 69753, 69957, 70141, 71002, 71004, 71010, 71040, 71042.5, 71045, 71080, 71083, 71085, 71088, 71091, 71092, 71093, 71094, 71095, 71098, 71099, 71100, 71140, 71141, 71143, 71145, 71180.5, 71181, 71220, 71221, 71264, 71267, 71280, 71280.1, 71280.2, 71280.3, 71280.4, 71280.5, 71340, 71341, 71380, 71381, 71382, 71384, 71388, 71389, 71388, 72055, 72056, 72056.01, 72056.1, 72060, 72190, 72190.1, 72190.2, 72193, 72194.5, 72196, 72197, 72198, 72301, 72302, 72604, 75101, 75103, 75602, 77003, and 77007 of, to amend the headings of Chapter 6 (commencing with Section 71001) of Title 8 of, Article 7 (commencing with Section 71260) of Chapter 6 to Title 8 of, Article 10 (commencing with Section 71380) of Chapter 6 of Title 8 of, and Chapter 8 (commencing with Section 72000) of Title 8 of, to add Sections 3075 and 70140 to, to repeal and add Chapter 5.1 (commencing with Section 70200) of Title 8 of, to repeal Sections 29605, 68078, 68202.5, 68541, 69741.7, 71080.5, 71080.6, 71080.7, 71084, 71087, 71091.1, 71096, 71097, 71180.3, 71180.4, 71181.1, and 72785 of, and to repeal Chapter 7 (commencing with Section 71600) of Title 8 of, the Government Code, to amend Sections 664 and 667 of the Harbors and Navigation Code, to amend Sections 108580, 111880, 111895, 117070, and 117120 of the Health and Safety Code, to amend Section 12961 of the Insurance Code, to amend Sections 98, 98.2, 3352, 5710, and 6613

of the Labor Code, to amend Section 467 of the Military and Veterans Code, to amend Sections 190.9, 682, 691, 726, 737, 740, 804, 806, 808, 810, 813, 827, 829, 830.1, 832.4, 851.8, 859, 859a, 860, 869, 949, 977, 977.2, 977.4, 987.1, 987.2, 988, 990, 1000, 1007, 1009, 1010, 1016, 1038, 1050, 1130, 1150, 1187, 1191, 1203.1, 1203.1c, 1214, 1235, 1269, 1269b, 1278, 1281a, 1327, 1368.1, 1382, 1424, 1427, 1428, 1429, 1429.5, 1447, 1449, 1458, 1459, 1462, 1462.2, 1463, 1463.1, 1463.22, 1466, 1468, 1471, 1538.5, 2620, 2621, 2623, 3076, 4004, 4022, 4024.1, 4112, 13125, 13151, and 14154 of, to amend the headings of Title 9 (commencing with Section 1235) and Title 11 (commencing with Section 1427) of Part 2 of, Chapter 1 (commencing with Section 1427), Chapter 2 (commencing with Section 1466), and Chapter 3 (commencing with Section 1471) of, Title 11 of Part 2 of, to add Sections 859c and 1039 to, and to repeal Sections 97, 1309, and 1462.1 of, the Penal Code, to amend Sections 3357, 3769, and 5560 of the Public Resources Code, to amend Sections 1794, 5411.5, and 103100 of the Public Utilities Code, to amend Sections 6776, 6777, 19232, 19233, and 19280 of the Revenue and Taxation Code, to amend Sections 1785 and 1786 of the Unemployment Insurance Code, to amend Sections 2802.5, 9872.1, 10751, 11205, 14607.6, 27360, 40230, 40256, 40502, 40506.5, 40508.6, 42008, and 42203 of the Vehicle Code, to amend Sections 310 and 1100 of the Water Code, to amend Sections 245, 255, 601.4, 603.5, 656, 661, 742.16, 3050, 3051, 3200, and 11350.7 of the Welfare and Institutions Code, to amend Section 22 of Chapter 201 of the Statutes of 1895, and to amend Section 4 of Chapter 238 of the Statutes of 1903, relating to courts, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Kuehl.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuykendall	Perata
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Pringle
Aroner	Escutia	Machado	Richter
Ashburn	Figueroa	Margett	Runner
Baca	Floyd	Martinez	Scott
Baldwin	Frusetta	Mazzoni	Shelley
Battin	Gallegos	McClintock	Strom-Martin
Baugh	Goldsmith	Migden	Sweeney
Bordonaro	Granlund	Miller	Thompson
Bowen	Havice	Morrissey	Thomson
Bowler	Hertzberg	Morrow	Torlakson
Brewer	Honda	Murray	Washington
Brown	House	Napolitano	Wayne
Bustamante	Kaloogian	Olberg	Wildman
Campbell	Keeley	Oller	Woods
Cardenas	Knox	Ortiz	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—1**

Pacheco

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuykendall	Perata
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Pringle
Aroner	Escutia	Machado	Richter
Ashburn	Figueroa	Margett	Runner
Baca	Floyd	Martinez	Scott
Baldwin	Frusetta	Mazzoni	Shelley
Battin	Gallegos	McClintock	Strom-Martin
Baugh	Goldsmith	Migden	Sweeney
Bordonaro	Granlund	Miller	Thompson
Bowen	Havice	Morrissey	Thomson
Bowler	Hertzberg	Morrow	Torlakson
Brewer	Honda	Murray	Washington
Brown	House	Napolitano	Wayne
Bustamante	Kalooogian	Olberg	Wildman
Campbell	Keeley	Oller	Woods
Cardenas	Knox	Ortiz	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—1**

Pacheco

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 557 (Leslie)**—An act to amend Section 1626 of, and to add Section Sections 2052.1 and 2052.2 to, the Business and Professions Code, relating to healing arts.

Bill read third time, and presented by Assembly Member Prenter.

**Point of Order**

Assembly Member McClintock arose to the following point of order:

Assembly Member Baugh's allotted time of 5 minutes for debate has not expired.

**Ruling by Assistant Speaker pro Tempore Baca**

The Assistant Speaker pro Tempore ruled the point of order well-taken.

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—54**

Aguiar	Davis	Kuykendall	Prenter
Alby	Ducheny	Lempert	Scott
Alquist	Escutia	Machado	Shelley
Aroner	Figueroa	Margett	Strom-Martin
Baca	Frusetta	Martinez	Sweeney
Bordonaro	Gallegos	Mazzoni	Thomson
Bowen	Goldsmith	Migden	Torlakson
Bowler	Granlund	Morrissey	Washington
Brown	Havice	Morrow	Wayne
Bustamante	Hertzberg	Murray	Wildman
Cardenas	Honda	Napolitano	Wright
Cardoza	Keeley	Ortiz	Mr. Speaker
Cedillo	Knox	Pacheco	
Cunneen	Kuehl	Perata	

**NOES—19**

Ackerman	Campbell	McClintock	Richter
Ashburn	House	Miller	Runner
Baldwin	Kaloogian	Olberg	Thompson
Baugh	Leach	Oller	Woods
Brewer	Leonard	Poochigian	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 557: Assembly Member Granlund, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2092 (Polanco)**—An act to add Section 14005.22 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, and presented by Assembly Member Gallegos.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Figueroa moved a call of the Assembly.

Motion carried. Time, 9:52 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 324 (Rosenthal)**—An act to add Section 2052.1 to the Business and Professions Code, relating to medicine.

**At 9:58 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

Bill read third time, and presented by Assembly Member Gallegos.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Gallegos moved a call of the Assembly.

Motion carried. Time, 9:59 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1701 (Schiff)**—An act to amend Section 51745 of the Education Code, and to amend Section 11322.6 of, and to add Section 1120.3 to, and to add Article 3.7 (commencing with Section 11340) to Chapter 2 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to juveniles.

Bill read third time, and presented by Assembly Member Keeley.

Bill passed by the following vote:

**AYES—51**

Alquist	Ducheny	Leach	Scott
Aroner	Escutia	Lempert	Shelley
Baca	Figueroa	Machado	Strom-Martin
Battin	Floyd	Martinez	Sweeney
Bowen	Frusetta	Mazzoni	Thomson
Brown	Gallegos	Migden	Torlakson
Bustamante	Havice	Morrissey	Vincent
Campbell	Hertzberg	Murray	Washington
Cardenas	Honda	Napolitano	Wayne
Cardoza	Keeley	Ortiz	Wildman
Cedillo	Knox	Papan	Wright
Cunneen	Kuehl	Perata	Mr. Speaker
Davis	Kuykendall	Prenter	

**NOES—26**

Ackerman	Bowler	McClintock	Pringle
Aguiar	Brewer	Miller	Richter
Alby	Goldsmith	Morrow	Runner
Ashburn	Granlund	Olberg	Thompson
Baldwin	House	Oller	Woods
Baugh	Kaloogian	Pacheco	
Bordonaro	Margett	Poochigian	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1038 (Thompson)**—An act to amend Sections 4512, 4596.5, 4640, 4646, 4646.5, 4648, 4648.1, 4681.1, 4685, 4689, 4712, 4712.5, 4731, 4740, 4741, 4742, 4743, 4744, 4745, and 4747 of, to add Sections 4685.1, 4689.7, 4697, 4742.1, and 4847 to, to add and repeal Section 4685.5 of, to repeal Section 4541 of, and to repeal and add Section 4696.1 of, the Welfare and Institutions Code, relating to human services, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Migden.

Bill passed by the following vote:

**AYES—78**

Ackerman	Cunneen	Lempert	Prenter
Aguiar	Davis	Leonard	Pringle
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**At 10:10 a.m., Hon. Fred Keeley, 27th District, presiding**

**SENATE BILL NO. 1064 (Johnston)**—An act to amend Sections 2551.3, 17293, 49553, and 49559 of, to amend and renumber Section 8901 of, to add Article 7.1 (commencing with Section 54740) to Chapter 9 of Part 29 of, to repeal Sections 8900 and 8902 of, to repeal Article 17 (commencing with Section 8390) of Chapter 2 of, to repeal the heading of Chapter 6 (commencing with Section 8900) of, and to repeal Chapter 6.5 (commencing with Section 8910) of, Part 6 of, the Education Code, relating to education.

Bill read third time, and presented by Assembly Member Kuehl.

Bill passed by the following vote:

**AYES—52**

Alquist	Ducheny	Leach	Prenter
Aroner	Escutia	Lempert	Scott
Baca	Figueroa	Machado	Shelley
Bowen	Floyd	Martinez	Strom-Martin
Bowler	Frusetta	Mazzoni	Sweeney
Brewer	Gallegos	Migden	Thomson
Brown	Havice	Morrissey	Torlakson
Bustamante	Hertzberg	Murray	Vincent
Cardenas	Honda	Napolitano	Washington
Cardoza	Keeley	Ortiz	Wayne
Cedillo	Knox	Pacheco	Wildman
Cunneen	Kuehl	Papan	Wright
Davis	Kuykendall	Perata	Mr. Speaker

**NOES—21**

Ackerman	Bordonaro	McClintock	Pringle
Aguiar	Campbell	Miller	Runner
Ashburn	Goldsmith	Morrow	Woods
Baldwin	Granlund	Olberg	
Battin	House	Oller	
Baugh	Kaloogian	Poochigian	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2186 (Knight)**—An act to add Section 1023.5 to the Military and Veterans Code, relating to veterans homes.

Bill read third time, and presented by Assembly Member Brown.

Bill passed by the following vote:

**AYES—74**

Ackerman	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Pringle
Alby	Davis	Machado	Richter
Alquist	Ducheny	Margett	Runner
Aroner	Escutia	Martinez	Scott
Ashburn	Figueroa	Mazzoni	Shelley
Baca	Floyd	Migden	Strom-Martin
Baldwin	Frusetta	Miller	Sweeney
Battin	Gallegos	Morrissey	Thomson
Baugh	Goldsmith	Morrow	Torlakson
Bordonaro	Granlund	Murray	Vincent
Bowen	Havice	Napolitano	Washington
Bowler	Hertzberg	Olberg	Wayne
Brewer	Honda	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1676 (Kopp)**—An act to add Section 12209.6 to the Business and Professions Code, relating weights and measures.

Bill read third time, and presented by Assembly Member Sweeney.

Bill passed by the following vote:

**AYES—72**

Aguiar	Cunneen	Lempert	Poochigian
Alby	Davis	Leonard	Prenter
Alquist	Ducheny	Machado	Pringle
Aroner	Escutia	Margett	Richter
Ashburn	Figueroa	Martinez	Runner
Baca	Frusetta	Mazzoni	Scott
Baldwin	Gallegos	McClintock	Shelley
Battin	Goldsmith	Miller	Strom-Martin
Baugh	Granlund	Morrissey	Sweeney
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	Kaloogian	Olberg	Washington
Bustamante	Keeley	Oller	Wayne
Campbell	Knox	Ortiz	Wildman
Cardenas	Kuehl	Pacheco	Woods
Cardoza	Kuykendall	Papan	Wright
Cedillo	Leach	Perata	Mr. Speaker

**NOES—2**

Ackerman House

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 567 (Schiff)**—An act to add Division 2 (commencing with Section 64000) to Title 6.7 of the Government Code, relating to the Transportation Finance Bank, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Escutia.

Bill passed by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Richter
Aroner	Escutia	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Floyd	Mazzoni	Shelley
Baldwin	Frusetta	Migden	Strom-Martin
Battin	Gallegos	Miller	Sweeney
Baugh	Goldsmith	Morrissey	Thompson
Bordonaro	Granlund	Morrow	Thomson
Bowen	Havice	Murray	Torlakson
Bowler	Hertzberg	Napolitano	Vincent
Brewer	Honda	Olberg	Washington
Brown	House	Oller	Wayne
Bustamante	Kaloogian	Ortiz	Wildman
Campbell	Keeley	Pacheco	Woods
Cardenas	Knox	Papan	Wright
Cardoza	Kuehl	Perata	Mr. Speaker

**NOES—2**

Martinez McClintock

Bill ordered transmitted to the Senate.

**At 10:18 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**CONSIDERATION OF SPECIAL ORDER—SENATE BILL NO. 1765**

The hour having arrived, Senate Bill No. 1765 was taken up.

(NOTE: Special Order set for 10 a.m.)

**SENATE BILL NO. 1765 (Peace)**—An act to add Chapter 7 (commencing with Section 12560) to Part 5 of Division 6 of the Water Code, relating to the Colorado River Management Program.

Bill read third time, and presented by Assembly Member Thompson.

**Senate Bill No. 1765 Passed Temporarily**

By unanimous consent Senate Bill No. 1765 was passed temporarily on file.

**At 10:20 a.m., Hon. Fred Keeley, 27th District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 977 (Sher)**—An act to add Section 383.7 to the Public Utilities Code, relating to public utilities.

Bill read third time, and presented by Assembly Member Strom-Martin.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Strom-Martin moved a call of the Assembly.

Motion carried. Time, 10:23 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1574 (Committee on Budget and Fiscal Review)**—An act making an appropriation in augmentation of the Budget Act of 1998, relating to state government, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Kuykendall.

**Urgency Clause**

Urgency clause read.

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, 10:26 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 1854 (Committee on Agriculture and Water Resources)**—An act to amend Section 21251 of the Public Contract Code, to amend Sections 10752 and 12310 of, and to add Sections 36424.1, 36561, and 37207.1 to, the Water Code, and to amend Sections 8.2 and 54 of the Sacramento County Water Agency Act (Chapter 10 of the Statutes of 1952, First Extraordinary Session), relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

#### Rules Suspended

Assembly Member Cordoza was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1854.

Bill read third time.

#### Motion to Amend

Assembly Member Cardoza moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 687 (Hughes)**—An act relating to health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Cedillo.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

#### AYES—65

Aguiar	Davis	Lempert	Richter
Alby	Ducheny	Leonard	Scott
Alquist	Escutia	Machado	Shelley
Aroner	Figueroa	Margett	Strom-Martin
Baca	Floyd	Martinez	Sweeney
Baldwin	Frusetta	Mazzoni	Thomson
Battin	Gallegos	Migden	Torlakson
Bordonaro	Goldsmith	Miller	Vincent
Bowen	Granlund	Morrissey	Washington
Bowler	Havice	Murray	Wayne
Brown	Hertzberg	Napolitano	Wildman
Bustamante	Honda	Oller	Woods
Campbell	House	Ortiz	Wright
Cardenas	Keeley	Pacheco	Mr. Speaker
Cardoza	Knox	Papan	
Cedillo	Kuehl	Perata	
Cunneen	Kuykendall	Prenter	

#### NOES—9

Ackerman	Kaloogian	Olberg
Baugh	McClintock	Runner
Brewer	Morrow	Thompson

The question being on the passage of the bill.

Bill passed by the following vote.

**AYES—65**

Aguiar	Davis	Lempert	Richter
Alby	Ducheny	Leonard	Scott
Alquist	Escutia	Machado	Shelley
Aroner	Figueroa	Margett	Strom-Martin
Baca	Floyd	Martinez	Sweeney
Baldwin	Frusetta	Mazzoni	Thomson
Battin	Gallegos	Migden	Torlakson
Bordonaro	Goldsmith	Miller	Vincent
Bowen	Granlund	Morrissey	Washington
Bowler	Havice	Murray	Wayne
Brown	Hertzberg	Napolitano	Wildman
Bustamante	Honda	Oller	Woods
Campbell	House	Ortiz	Wright
Cardenas	Keeley	Pacheco	Mr. Speaker
Cardoza	Knox	Papan	
Cedillo	Kuehl	Perata	
Cunneen	Kuykendall	Prenter	

**NOES—9**

Ackerman	Kaloogian	Olberg
Baugh	McClintock	Runner
Brewer	Morrow	Thompson

**Vote Changes**

By unanimous consent, the following vote change was permitted on the urgency clause to Senate Bill No. 687, and on passage of the bill: Assembly Member Woods, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 779 (Calderon)**—An act to amend Sections 311.5, 1701.1, 1701.2, 1701.3, 1701.4, 1706, 1759, and 1760 of, to amend, repeal, and add Sections 311, 1756, and 1758 of, to repeal Sections 311 and 1765 of, and to repeal, add and repeal, and add Sections 1757 and 1757.1 of, the Public Utilities Code, and to repeal Section 26 of Chapter 855 of the Statutes of 1996, relating to the Public Utilities Commission, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Escutia.

Bill passed by the following vote:

**AYES—78**

Ackerman	Cunneen	Lempert	Prenter
Aguiar	Davis	Leonard	Pringle
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kalooagian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**BILLS ORDERED TRANSMITTED TO THE SENATE**

By unanimous consent, all bills previously passed this day will be immediately transmitted to the Senate.

**SENATE BILL NO. 1717 (Sher)**—An act to add Section 3135 to, and to repeal and add Part 3 (commencing with Section 3400) of Division 8 of, the Family Code, relating to child custody.

Bill read third time, and presented by Assembly Member Kuehl.

Bill passed by the following vote:

**AYES—77**

Ackerman	Cunneen	Leonard	Pringle
Aguiar	Davis	Machado	Richter
Alby	Ducheny	Margett	Runner
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Shelley
Ashburn	Floyd	McClintock	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Thompson
Battin	Goldsmith	Morrissey	Thomson
Baugh	Granlund	Morrow	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Bowler	Honda	Olberg	Wayne
Brewer	Kaloogian	Oller	Wildman
Brown	Keeley	Ortiz	Woods
Bustamante	Knox	Pacheco	Wright
Campbell	Kuehl	Papan	Mr. Speaker
Cardenas	Kuykendall	Perata	
Cardoza	Leach	Poochigian	
Cedillo	Lempert	Prenter	

**NOES—1**

House

Bill ordered transmitted to the Senate.

**BEST WISHES EXTENDED TO ASSEMBLY MEMBER FIRESTONE**

Assembly Member Leonard was joined by the Members of the Assembly in extending best wishes for a speedy recovery to Assembly Member Brooks Firestone who was hospitalized over the past weekend.

**At 10:47 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 1196**, on request of Assembly Member Oller.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1771 (Johnston)**—An act to add Chapter 10.7 (commencing with Section 2880) to Division 3 of the Fish and Game Code, relating to wildlife, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Keeley.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Keeley moved a call of the Assembly.

Motion carried. Time, 10:51 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 752 (Schiff)**—An act to amend Sections 7201.3 and 77213 of, and to repeal and amend Section 77201.1 of, the Government Code, relating to trial court funding, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Torlakson.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—76**

Aekerman	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Machado	Richter
Aroner	Figueroa	Margett	Runner
Ashburn	Floyd	Martinez	Scott
Baea	Frussetta	Mazzoni	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	Houae	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker

**NOES—2**

Escutia                      McClintock

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—76**

Aekerman	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Machado	Richter
Aroner	Figueroa	Margett	Runner
Ashburn	Floyd	Martinez	Scott
Baea	Frussetta	Mazzoni	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	Houae	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker

**NOES—2**

Escutia                      McClintock

Bill ordered transmitted to the Senate.

(NOTE: Later this day, the action was rescinded whereby the urgency clause to Senate Bill No. 752 was adopted and the bill passed, and whereby the bill was ordered transmitted to the Senate. See page 9451.)

**SENATE BILL NO. 418 (Costa)**—An act to repeal and amend Section 77201.1 of the Government Code, relating to trial court funding, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Torlakson.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—76**

Ackerman	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Machado	Richter
Aroner	Figueroa	Margett	Runner
Ashburn	Floyd	Martinez	Scott
Baca	Frusetta	Mazzoni	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker

**NOES—2**

Escutia                      McClintock

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—76**

Ackerman	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Machado	Richter
Aroner	Figueroa	Margett	Runner
Ashburn	Floyd	Martinez	Scott
Baca	Frusetta	Mazzoni	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker

**NOES—2**

Escutia                      McClintock

Bill ordered transmitted to the Senate.

**FURTHER CONSIDERATION OF SENATE BILL NO. 1854, AS AMENDED,  
BY UNANIMOUS CONSENT**

Assembly Member Cardoza was granted unanimous consent to suspend Assembly Rule 69(d) to take up Senate Bill No. 1854, as amended, without reference to file.

**SENATE BILL NO. 1854 (Committee on Agriculture and Water Resources)**—An act to amend Section 21251 of the Public Contract Code, to amend Sections 10752 and 12310 of, and to add Sections 36424.1, 36561, and 37207.1 to, the Water Code, and to amend Sections 8.2 and 54 of the Sacramento County Water Agency Act (Chapter 10 of the Statutes of 1952, First Extraordinary Session), relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Cardoza.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—77**

Ackerman	Davis	Leonard	Pringle
Aguiar	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figuroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	
Cunneen	Lempert	Prenter	

**NOES—1**

Alby

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—77**

Ackerman	Davis	Leonard	Pringle
Aguiar	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	
Cunneen	Lempert	Prenter	

**NOES—1**

Alby

Bill ordered transmitted to the Senate.

**BILLS ORDERED TRANSMITTED TO THE SENATE**

By unanimous consent all bills passed earlier this day were transmitted to the Senate immediately.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 2 (Thompson)**—An act to add Chapter 1.692 (commencing with Section 5096.300) to Division 5 of the Public Resources Code, relating to financing a program for the acquisition, development, improvement, rehabilitation, restoration, enhancement, and protection of park, recreational, cultural, historical, fish and wildlife, lake riparian, reservoir, 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.

Bill read third time, and presented by Assembly Member Keeley.

**Urgency Clause**

Urgency clause read.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Keeley moved a call of the Assembly.

Motion carried. Time, 11:19 a.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.

**Senate Bill No. 157**, on request of Assembly Member Oller.

**FURTHER CONSIDERATION OF SPECIAL ORDER—SENATE BILL NO. 1765**

**SENATE BILL NO. 1765 (Peace)**—An act to add Chapter 7 (commencing with Section 12560) to Part 5 of Division 6 of the Water Code, relating to the Colorado River Management Program.

Bill read third time, and presented by Assembly Member Thompson.

Senate Bill No. 1765 passed by the following vote:

**AYES—68**

Ackerman  
Aguiar  
Alquist  
Aroner  
Ashburn  
Baca  
Baldwin  
Battin  
Baugh  
Bordonaro  
Bowen  
Bowler  
Brewer  
Bustamante  
Campbell  
Cardenas  
Cardoza

Cedillo  
Cunneen  
Davis  
Ducheny  
Escutia  
Figueroa  
Floyd  
Frusetta  
Gallegos  
Goldsmith  
Granlund  
Havice  
Hertzberg  
Honda  
House  
Kaloogian  
Keeley

Knox  
Kuehl  
Kuykendall  
Leach  
Leonard  
Machado  
Margett  
Mazzoni  
Migden  
Miller  
Morrissey  
Morrow  
Murray  
Napolitano  
Oller  
Ortiz  
Pacheco

Papan  
Poochigian  
Prenter  
Pringle  
Runner  
Scott  
Strom-Martin  
Thompson  
Thomson  
Torlakson  
Vincent  
Washington  
Wayne  
Wildman  
Woods  
Wright  
Mr. Speaker

**NOES—8**

Alby  
Brown

Martinez  
McClintock

Olberg  
Perata

Richter  
Sweeney

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 1765: Assembly Member Perata, from "Aye" to "No".

Bill ordered transmitted to the Senate.

**MESSAGES FROM THE SENATE**

Senate Chambers, August 31, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

- Assembly Bill No. 422
- Assembly Bill No. 1697
- Assembly Bill No. 2321

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.

August 31, 1998

*Hon. E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*Assembly Chamber*

Dear Dotson: By direction of the Senate I am returning Senate Bill 2192 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT  
Secretary of the Senate

Above bill held at the Desk.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 1574**

At 12:13 p.m., on motion of Assembly Member Kuykendall, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 1574 refused adoption by the following vote:

**AYES—53**

Alquist	Cunneen	Leach	Shelley
Aroner	Davis	Lempert	Strom-Martin
Baca	Ducheny	Leonard	Sweeney
Baldwin	Escutia	Machado	Thompson
Battin	Figueroa	Martinez	Thomson
Bordonaro	Floyd	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Washington
Brewer	Havice	Morrissey	Wayne
Brown	Hertzberg	Murray	Wildman
Bustamante	Honda	Ortiz	Wright
Campbell	Keeley	Papan	Mr. Speaker
Cardenas	Knox	Prenter	
Cardoza	Kuehl	Runner	
Cedillo	Kuykendall	Scott	

**NOES—16**

Aekerman	Baugh	House	Miller
Aguilar	Bowler	Kaloojian	Morrow
Alby	Frusetta	Margett	Olberg
Ashburn	Grantlund	McClintock	Oller

**Action Rescinded on Senate Bill No. 1574**

Upon request of Assembly Member Shelley, Assembly Member Kuykendall was granted unanimous consent to rescind the action whereby the Assembly refused adoption of the urgency clause to Senate Bill No. 1574.

**Further Consideration of Senate Bill No. 1574**

**SENATE BILL NO. 1574 (Committee on Budget and Fiscal Review)**—An act making an appropriation in augmentation of the Budget Act of 1998, relating to state government, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Kuykendall moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

**ACTION RESCINDED ON SENATE BILL NO. 1403**

Upon request of Assembly Member Shelley, Assembly Member Washington was granted unanimous consent to rescind the action whereby the Assembly, on August 25, 1998 (Assembly Journal, page 8934), passed Senate Bill No. 1403, and whereby the bill was ordered transmitted to the Senate.

**Consideration of Senate Bill No. 1403 Without Reference to File**

Assembly Member Washington was granted unanimous consent to take up Senate Bill No. 1403, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1403 (Polanco)**—An act to amend Section 27491.47 of the Government Code, to amend Sections 7055 and 7151.5 of the Health and Safety Code, and to amend, repeal, and add Sections 12811 and 13005 of, and to add Sections 1672.3 and 1672.5 to, the Vehicle Code, relating to anatomical gifts.

Bill read third time.

**Rules Suspended**

Assembly Member Washington was granted unanimous consent that Assembly Rule 69(e) be suspended to permit consideration of proposed amendments to Senate Bill No. 1403.

**Motion to Amend**

Assembly Member Washington moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

**ACTION RESCINDED ON SENATE BILL NO. 225**

Upon request of Assembly Member Shelley, Assembly Member Thomson was granted unanimous consent to rescind the action whereby the Assembly, on August 26, 1998 (Assembly Journal, page 9094), passed Senate Bill No. 225, and whereby the bill was ordered transmitted to the Senate.

**Consideration of Senate Bill No. 225 Without Reference to File**

Assembly Member Thomson was granted unanimous consent to take up Senate Bill No. 225, without reference to file, for purpose of amendment.

**SENATE BILL NO. 225 (Kopp)**—An act to repeal and add Section 12900 of the Insurance Code, relating to insurance.

Bill read third time.

**Rules Suspended**

Assembly Member Thomson was granted unanimous consent that Assembly Rule 69(e) be suspended to permit consideration of proposed amendments to Senate Bill No. 225.

**Motion to Amend**

Assembly Member Thomson moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

**CONSIDERATION OF SENATE BILL NO. 1582  
WITHOUT REFERENCE TO FILE**

Assembly Member Cardoza was granted unanimous consent to take up Senate Bill No. 1582, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1582 (Committee on Budget and Fiscal Review)**—An act relating to state government administration, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Rules Suspended**

Assembly Member Cardoza was granted unanimous consent that Assembly Rule 69(e) be suspended to permit consideration of proposed amendments to Senate Bill No. 1582.

**Motion to Amend**

Assembly Member Cardoza moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Assembly Member Keeley was granted unanimous consent that the following communication be printed in the Journal:

August 31, 1998

*E. Dotson Wilson, Chief Clerk  
California State Assembly  
State Capitol  
Sacramento, California*

Dear Mr. Wilson: I am writing to inform you of a clerical error that has occurred in the amending of SB 1336 by Senator Thompson.

As amended in the Assembly on August 28, 1998, Senate Bill 1336 adds Section 8588 to the Fish and Game Code that establishes a list of minimum size standards for ten species of nearshore rockfish. The purpose of the bill is to strike one species of nearshore rockfish, the brown rockfish, from an identical list in my Assembly Bill 1241 as enrolled. However, a printing error has occurred such that the legislative counsel version of the amendments (#RN9820647) is not reflected in SB 1336 and the brown rockfish has been retained (page 4, lines 25–26).

The Offices of Engrossing and Enrolling in both houses have been contacted. The bill will be corrected when it is sent to enrollment.

Thank you for your attention to this matter.

Sincerely,

FRED KEELEY, Assembly Member  
Twenty-seventh District

**ADJOURN IN MEMORY**

Assembly Member Brown was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jay Stromgren, of Santa Rosa.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 324 (Baldwin)**—An act to amend Section 1011 of the Military and Veterans Code, relating to veterans.

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	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Machado	Richter
Aroner	Escutia	Margett	Runner
Ashburn	Figuroa	Martinez	Scott
Baca	Frusetta	Mazzoni	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	

**NOES—1**

McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 576 (Baldwin)**—An act to amend Section 70 of the Military and Veterans Code, relating to veterans, 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	Cedillo	Leach	Perata
Aguiar	Cunneen	Lempert	Poochigian
Alby	Davis	Leonard	Prenter
Alquist	Ducheny	Machado	Pringle
Aroner	Escutia	Margett	Richter
Ashburn	Figueroa	Martinez	Runner
Baca	Frusetta	Mazzoni	Scott
Baldwin	Gallegos	McClintock	Shelley
Battin	Goldsmith	Migden	Strom-Martin
Baugh	Granlund	Miller	Sweeney
Bordonaro	Havice	Morrissey	Thompson
Bowen	Hertzberg	Morrow	Thomson
Bowler	Honda	Murray	Torlakson
Brewer	House	Napolitano	Washington
Brown	Kaloogian	Olberg	Wayne
Bustamante	Keeley	Oller	Wildman
Campbell	Knox	Ortiz	Woods
Cardenas	Kuehl	Pacheco	Wright
Cardoza	Kuykendall	Papan	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2339 (Sweeney)**—An act to amend Sections 13392.5, 13394, and 13395 of, and to add Sections 13394.7, 13394.8, 13394.9, 13394.10, and 13397 to, the Water Code, relating to water.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—46**

Alquist	Escutia	Machado	Strom-Martin
Aroner	Figueroa	Martinez	Sweeney
Baca	Floyd	Mazzoni	Thomson
Bowen	Gallegos	Migden	Torlakson
Brown	Havice	Murray	Vincent
Bustamante	Hertzberg	Napolitano	Washington
Cardenas	Honda	Ortiz	Wayne
Cardoza	Keeley	Pacheco	Wildman
Cedillo	Knox	Papan	Wright
Cunneen	Kuehl	Perata	Mr. Speaker
Davis	Leach	Scott	
Ducheny	Lempert	Shelley	

**NOES—32**

Ackerman	Bowler	Kuykendall	Oller
Aguiar	Brewer	Leonard	Poochigian
Alby	Campbell	Margett	Prenter
Ashburn	Frusetta	McClintock	Pringle
Baldwin	Goldsmith	Miller	Richter
Battin	Granlund	Morrissey	Runner
Baugh	House	Morrow	Thompson
Bordonaro	Kaloogian	Olberg	Woods

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 734 (Brown)**—An act to amend Sections 22953 and 22959 of the Business and Professions 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.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—60**

Aguiar	Davis	Leach	Prenter
Alquist	Ducheny	Lempert	Pringle
Aroner	Escutia	Leonard	Scott
Baca	Figueroa	Machado	Shelley
Battin	Floyd	Martinez	Strom-Martin
Bordonaro	Frusetta	Mazzoni	Sweeney
Bowen	Gallegos	Migden	Thompson
Brewer	Goldsmith	Morrissey	Thomson
Brown	Havice	Murray	Torlakson
Bustamante	Hertzberg	Napolitano	Vincent
Campbell	Honda	Ortiz	Washington
Cardenas	Keeley	Pacheco	Wayne
Cardoza	Knox	Papan	Wildman
Cedillo	Kuehl	Perata	Wright
Cunneen	Kuykendall	Poochigian	Mr. Speaker

**NOES—18**

Ackerman	Bowler	McClintock	Richter
Alby	Granlund	Miller	Runner
Ashburn	House	Morrow	Woods
Baldwin	Kaloojian	Olberg	
Baugh	Margett	Oller	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 377 (Baugh)**—An act to amend Section 939 of, and to add Section 939.21 to, the Penal Code, relating to grand juries.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

Ackerman	Cunneen	Leonard	Pringle
Aguiar	Davis	Machado	Richter
Alby	Ducheny	Margett	Runner
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Thompson
Battin	Granlund	Morrissey	Thomson
Baugh	Havice	Morrow	Torlakson
Bordonaro	Hertzberg	Murray	Vincent
Bowen	Honda	Napolitano	Washington
Bowler	House	Olberg	Wayne
Brewer	Kaloogian	Oller	Wildman
Brown	Keeley	Ortiz	Woods
Bustamante	Knox	Pacheco	Wright
Campbell	Kuehl	Papan	Mr. Speaker
Cardenas	Kuykendall	Perata	
Cardoza	Leach	Poochigian	
Cedillo	Lempert	Prenter	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2305 (Runner)**—An act to amend Sections 725, 1367.215 and 2024 of the Business and Professions Code, and to add Section 1367.215 to, the Health and Safety Code, relating to health care.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Thompson
Battin	Goldsmith	Morrissey	Thomson
Baugh	Granlund	Morrow	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—1**

McClintock

Above bill ordered enrolled.

**At 12:31 p.m., Assistant Speaker pro Tempore,  
Joe Baca, 62nd District, presiding**

**ASSEMBLY BILL NO. 96 (Strom-Martin)**—An act to amend Section 14526 of the Government Code, to amend Section 99315 of the Public Utilities Code, and to amend Section 164 of the Streets and Highways Code, relating to transportation.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—72**

Ackerman	Cedillo	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Runner
Aroner	Escutia	Machado	Scott
Ashburn	Figueroa	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Papan	Wright
Cardoza	Kuehl	Perata	Mr. Speaker

**NOES—6**

Baugh	Margett	Pacheco
Goldsmith	McClintock	Richter

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 542 (Perata)**—An act to add Section 14035.55 to the Government Code, relating to transportation.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—72**

Ackerman	Cunneen	Kuykendall	Poochigian
Aguiar	Davis	Leach	Prenter
Alby	Ducheny	Lempert	Pringle
Alquist	Escutia	Leonard	Runner
Ashburn	Figueroa	Machado	Scott
Baca	Floyd	Martinez	Shelley
Battin	Frusetta	Mazzoni	Strom-Martin
Baugh	Gallegos	Migden	Sweeney
Bordonaro	Goldsmith	Miller	Thompson
Bowen	Granlund	Morrissey	Thomson
Bowler	Havice	Morrow	Torlakson
Brewer	Hertzberg	Murray	Vincent
Brown	Honda	Napolitano	Washington
Bustamante	House	Olberg	Wayne
Campbell	Kaloogian	Ortiz	Wildman
Cardenas	Keeley	Pacheco	Woods
Cardoza	Knox	Papan	Wright
Cedillo	Kuehl	Perata	Mr. Speaker

**NOES—6**

Aroner	Margett	Oller
Baldwin	McClintock	Richter

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2086 (Keeley)**—An act to amend, repeal, and add Section 1282.4 of the Code of Civil Procedure, relating to arbitration.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—78**

Ackerman	Cunneen	Lempert	Prenter
Aguiar	Davis	Leonard	Pringle
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 92 (Cardoza)**—An act to add Section 77212.5 to the Government Code, relating to courts.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

Ackerman	Cunneen	Leonard	Pringle
Aguiar	Davis	Machado	Richter
Alby	Ducheny	Margett	Runner
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Thompson
Battin	Granlund	Morrissey	Thomson
Baugh	Havice	Morrow	Torlakson
Bordonaro	Hertzberg	Murray	Vincent
Bowen	Honda	Napolitano	Washington
Bowler	House	Olberg	Wayne
Brewer	Kaloogian	Oller	Wildman
Brown	Keeley	Ortiz	Woods
Bustamante	Knox	Pacheco	Wright
Campbell	Kuehl	Papan	Mr. Speaker
Cardenas	Kuykendall	Perata	
Cardoza	Leach	Poochigian	
Cedillo	Lempert	Prenter	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 623 (Machado)**—An act to add Chapter 9.5 (commencing with Section 71000) to Part 2 of Division 22 of the Food and Agricultural Code, relating to the California Rice Commission, and making an appropriation therefor.

Bill presented by Assembly Member Cardoza.

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	Cunneen	Lempert	Prenter
Aguiar	Davis	Leonard	Pringle
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	Migden	Strom-Martin
Baldwin	Gallegos	Miller	Sweeney
Battin	Goldsmith	Morrissey	Thompson
Baugh	Granlund	Morrow	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowler	Hertzberg	Napolitano	Vincent
Brewer	Honda	Olberg	Washington
Brown	House	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker
Cedillo	Leach	Poochigian	

**NOES—3**

Bowen	Kaloogian	McClintock
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 639 (Alby)**—An act to add Section 68084 to the Education Code, to amend Sections 15325 and 15346.1 of, and to add Section 15346.12 to, the Government Code, and to add and repeal Section 33334.27 of the Health and Safety Code, relating to defense conversion, 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—76**

Ackerman	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Machado	Richter
Aroner	Escutia	Margett	Runner
Ashburn	Figueroa	Martinez	Scott
Baca	Frusetta	Mazzoni	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker

**NOES—None**

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—76**

Ackerman	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Machado	Richter
Aroner	Escutia	Margett	Runner
Ashburn	Figueroa	Martinez	Scott
Baca	Frusetta	Mazzoni	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 762 (Torlakson)**—An act to amend Sections 11837 and 11837.1 of the Health and Safety Code, to amend Sections 1803, 12813, 13352, 13352.4, 14601.2, 23160, 23161, 23166, 23186, 23203, 23204, 23235, 23246, and 23247 of, to amend the heading of Article 4.5 (commencing with Section 23246) of Chapter 12 of Division 11 of, to add Section 23249.1 to, to repeal Sections 23167 and 23187 of, and to repeal and add Sections 13352.5 and 23249 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—75**

Ackerman	Cunneen	Lempert	Poochigian
Aguiar	Davis	Leonard	Prenter
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Frusetta	Mazzoni	Shelley
Baca	Gallegos	McClintock	Strom-Martin
Baldwin	Goldsmith	Migden	Sweeney
Battin	Granlund	Miller	Thompson
Baugh	Havice	Morrissey	Thomson
Bordonaro	Hertzberg	Morrow	Torlakson
Bowen	Honda	Murray	Vincent
Bowler	House	Napolitano	Washington
Brewer	Kaloogian	Olberg	Wayne
Bustamante	Keeley	Oller	Wildman
Campbell	Knox	Ortiz	Woods
Cardenas	Kuehl	Pacheco	Wright
Cardoza	Kuykendall	Papan	Mr. Speaker
Cedillo	Leach	Perata	

**NOES—1**

Floyd

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 836 (Sweeney)**—An act to amend Section 7273 of the Revenue and Taxation Code, relating to taxation.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—60**

Aguiar	Escutia	Leonard	Poochigian
Alquist	Figueroa	Machado	Prenter
Aroner	Gallegos	Margett	Richter
Ashburn	Goldsmith	Martinez	Scott
Baca	Havice	Mazzoni	Shelley
Bordonaro	Hertzberg	McClintock	Strom-Martin
Bowen	Honda	Migden	Sweeney
Brown	House	Morrissey	Thompson
Bustamante	Kaloogian	Murray	Thomson
Campbell	Keeley	Napolitano	Torlakson
Cardenas	Knox	Olberg	Washington
Cardoza	Kuehl	Oller	Wayne
Cedillo	Kuykendall	Ortiz	Wildman
Cunneen	Leach	Pacheco	Wright
Davis	Lempert	Perata	Mr. Speaker

**NOES—12**

Ackerman	Baugh	Frusetta	Morrow
Alby	Bowler	Granlund	Runner
Baldwin	Brewer	Miller	Woods

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1110 (Escutia)**—An act to add Section 68707 to the Government Code, relating to courts.

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 Escutia 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.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Cardoza.

*Resolved*, That Senate Bill No. 1582 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.

Resolution read, and adopted by the following vote:

**AYES—70**

Ackerman	Cunneen	Leach	Richter
Aguiar	Davis	Lempert	Runner
Alquist	Ducheny	Leonard	Scott
Aroner	Escutia	Machado	Shelley
Ashburn	Figueroa	Margett	Strom-Martin
Baca	Floyd	Martinez	Sweeney
Baldwin	Frusetta	Mazzoni	Thompson
Battin	Gallegos	Migden	Thomson
Baugh	Goldsmith	Miller	Torlakson
Bordonaro	Havice	Morrissey	Vincent
Bowen	Hertzberg	Murray	Washington
Bowler	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Perata	Mr. Speaker
Cardoza	Kuehl	Poochigian	
Cedillo	Kuykendall	Prenter	

**NOES—4**

Brewer	Granlund	McClintock	Pacheco
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Article IV, Section 8(b) of the Constitution was declared dispensed with.

**FURTHER CONSIDERATION OF SENATE BILL NO. 1582, AS AMENDED,  
BY UNANIMOUS CONSENT**

Assembly Member Cardoza was granted unanimous consent that Assembly Rule 69(d) be suspended to take up Senate Bill No. 1582, as amended, without reference to file.

**SENATE BILL NO. 1582 (Brulte)**—An act to add and repeal Chapter 12 (commencing with Section 11020) of Part 7 of the Education Code, relating to government.

Bill read third time, and presented by Assembly Member Cardoza.

Bill passed by the following vote:

**AYES—60**

Aguiar	Davis	Leach	Prenter
Alquist	Ducheny	Lempert	Scott
Aroner	Figueroa	Leonard	Shelley
Baca	Floyd	Machado	Strom-Martin
Battin	Frusetta	Margett	Sweeney
Bordonaro	Gallegos	Martinez	Thompson
Bowen	Granlund	Mazzoni	Thomson
Bowler	Havice	Migden	Torlakson
Brown	Hertzberg	Miller	Vincent
Bustamante	Honda	Morrissey	Washington
Campbell	House	Murray	Wayne
Cardenas	Keeley	Napolitano	Wildman
Cardoza	Knox	Ortiz	Woods
Cedillo	Kuehl	Perata	Wright
Cunneen	Kuykendall	Poochigian	Mr. Speaker

**NOES—12**

Ackerman	Baugh	Kaloogian	Oller
Ashburn	Brewer	McClintock	Pacheco
Baldwin	Goldsmith	Olberg	Runner

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2415 (Brown)**—An act to amend Section 337j of the Penal Code, as amended by Assembly Bill 518 of the 1997–98 Regular Session of the Legislature, relating to gambling, 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—72**

Ackerman	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Machado	Richter
Aroner	Escutia	Margett	Runner
Ashburn	Figueroa	Martinez	Scott
Baca	Floyd	Mazzoni	Shelley
Battin	Frusetta	Migden	Strom-Martin
Baugh	Gallegos	Miller	Sweeney
Bordonaro	Goldsmith	Morrissey	Thomson
Bowen	Granlund	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	Kalooagian	Olberg	Wayne
Bustamante	Keeley	Oller	Wildman
Campbell	Knox	Ortiz	Woods
Cardenas	Kuehl	Pacheco	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker

**NOES—2**

House Thompson

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—72**

Ackerman	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Machado	Richter
Aroner	Escutia	Margett	Runner
Ashburn	Figueroa	Martinez	Scott
Baca	Floyd	Mazzoni	Shelley
Battin	Frusetta	Migden	Strom-Martin
Baugh	Gallegos	Miller	Sweeney
Bordonaro	Goldsmith	Morrissey	Thomson
Bowen	Granlund	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	Kalooagian	Olberg	Wayne
Bustamante	Keeley	Oller	Wildman
Campbell	Knox	Ortiz	Woods
Cardenas	Kuehl	Pacheco	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker

**NOES—2**

House Thompson

Above bill ordered enrolled immediately.

**ASSEMBLY BILL NO. 1439 (Granlund)**—An act to add Article 7.5 (commencing with Section 680) to Chapter 1 of Division 2 of the Business and Professions Code, and to amend Section 5251 of 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—70**

Aguiar	Ducheny	Leonard	Prenter
Alby	Escutia	Machado	Pringle
Alquist	Figueroa	Margett	Richter
Aroner	Floyd	Martinez	Runner
Ashburn	Frusetta	Mazzoni	Scott
Baca	Gallegos	Migden	Shelley
Battin	Goldsmith	Miller	Strom-Martin
Bordonaro	Granlund	Morrissey	Sweeney
Bowen	Havice	Morrow	Thomson
Bowler	Honda	Murray	Torlakson
Brewer	House	Napolitano	Washington
Brown	Kaloogian	Olberg	Wayne
Bustamante	Keeley	Oller	Wildman
Cardenas	Knox	Ortiz	Woods
Cardoza	Kuehl	Pacheco	Wright
Cedillo	Kuykendall	Papan	Mr. Speaker
Cunneen	Leach	Perata	
Davis	Lempert	Poochigian	

**NOES—6**

Ackerman	Baugh	McClintock
Baldwin	Campbell	Thompson

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1737 (Torlakson)**—An act to add Sections 50670.5 and 5100.2 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—50**

Alquist	Figueroa	Machado	Strom-Martin
Aroner	Floyd	Martinez	Sweeney
Baca	Frusetta	Mazzoni	Thomson
Bowen	Gallegos	Migden	Torlakson
Brewer	Granlund	Miller	Vincent
Brown	Havice	Morrissey	Washington
Bustamante	Hertzberg	Murray	Wayne
Cardenas	Honda	Napolitano	Wildman
Cardoza	Keeley	Ortiz	Woods
Cedillo	Knox	Papan	Wright
Davis	Kuehl	Perata	Mr. Speaker
Ducheny	Leach	Scott	
Escutia	Lempert	Shelley	

**NOES—27**

Ackerman	Bordonaro	Kuykendall	Pacheco
Aguiar	Bowler	Leonard	Poochigian
Alby	Campbell	Margett	Prenter
Ashburn	Cunneen	McClintock	Pringle
Baldwin	Goldsmith	Morrow	Runner
Battin	House	Olberg	Thompson
Baugh	Kalooagian	Oller	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1737: Assembly Member Olberg, from “Aye” to “No”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2215 (Escutia)**—An act to amend Sections 1317, 17578, 35254, 41023, 41851.11, 41852, 48660, 48661, 52211, and 60510 of, to add Section 17584 to, to add Part 23.5 (commencing with Section 39800) to, to repeal Sections 39619, 41380, 41381, 41382, 42101, and 60511 of, to repeal Article 3 (commencing with Section 38150) of, and Article 4 (commencing with Section 38155) of, Chapter 4 of, and to repeal Chapter 2 (commencing with Section 38020) of, Part 23 of, the Education Code, and to amend Section 31 of Chapter 204 of the Statutes of 1996 and Section 39 of Chapter 299 of the Statutes of 1997, 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—77**

Ackerman	Cunneen	Leonard	Pringle
Aguiar	Davis	Machado	Richter
Alby	Ducheny	Margett	Runner
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Thompson
Battin	Granlund	Morrissey	Thomson
Baugh	Havice	Morrow	Torlakson
Bordonaro	Hertzberg	Murray	Vincent
Bowen	Honda	Napolitano	Washington
Bowler	House	Olberg	Wayne
Brewer	Kaloogian	Oller	Wildman
Brown	Keeley	Ortiz	Woods
Bustamante	Knox	Pacheco	Wright
Campbell	Kuehl	Papan	Mr. Speaker
Cardenas	Kuykendall	Perata	
Cardoza	Leach	Poochigian	
Cedillo	Lempert	Prenter	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2398 (Ducheny)**—An act to add Section 8539 to the Education Code, relating to school finance, 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—76**

Ackerman	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Machado	Richter
Aroner	Escutia	Margett	Runner
Ashburn	Figueroa	Martinez	Scott
Baca	Frusetta	Mazzoni	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker

**NOES—1**

McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2452 (Leach)**—An act to amend Section 7480 of the Government Code, relating to financial privacy.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Thompson
Battin	Goldsmith	Morrissey	Thomson
Baugh	Granlund	Morrow	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—None**

Above bill ordered enrolled.

**FURTHER CONSIDERATION OF SENATE BILL NO. 225, AS AMENDED, BY UNANIMOUS CONSENT**

Assembly Member Thomson was granted unanimous consent to suspend Assembly Rule 69(d) to take up Senate Bill No. 225, as amended, without reference to file.

**SENATE BILL NO. 225 (Kopp)**—An act to repeal and add Section 12900 of the Insurance Code, relating to insurance.

Bill read third time, and presented by Assembly Member Thomson.

**Request for Unanimous Consent**

Assembly Member Figueroa requested unanimous consent that Senate Bill No. 225 be passed temporarily on file.

Unanimous consent was withheld.

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 Thomson moved a call of the Assembly.

Motion carried. Time, 1:30 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2461 (Campbell)**—An act to add Chapter 1.5 (commencing with Section 270) to Part 1 of Division 1 of 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—75**

Ackerman	Cedillo	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Richter
Aroner	Escutia	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Floyd	Mazzoni	Shelley
Baldwin	Frusetta	Migden	Strom-Martin
Battin	Gallegos	Miller	Sweeney
Baugh	Goldsmith	Morrissey	Thompson
Bordonaro	Granlund	Morrow	Thomson
Bowen	Havice	Murray	Torlakson
Bowler	Hertzberg	Napolitano	Washington
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Wright
Cardenas	Knox	Papan	Mr. Speaker
Cardoza	Kuehl	Perata	

**NOES—2**

Martinez                      McClintock

Above bill ordered enrolled.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO  
ASSEMBLY RULE 77.2**

~~Pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 2505 to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.~~

(NOTE: Later this day, the action was rescinded whereby Assembly Bill No. 2505 was re-referred to the Committee on Consumer Protection, Governmental Efficiency and Economic Development pursuant to Assembly Rule 77.2. See page 9481.)

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2627 (Brown)**—An act to add Section 3260.2 to the Civil Code, relating to works of improvement.

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	Cedillo	Kuykendall	Perata
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Runner
Aroner	Escutia	Machado	Scott
Ashburn	Figueroa	Margett	Shelley
Baca	Floyd	Martinez	Strom-Martin
Baldwin	Frusetta	Mazzoni	Thompson
Battin	Gallegos	McClintock	Thomson
Baugh	Goldsmith	Migden	Torlakson
Bordonaro	Granlund	Miller	Washington
Bowen	Havice	Morrissey	Wayne
Bowler	Hertzberg	Morrow	Wildman
Brewer	Honda	Murray	Woods
Brown	House	Napolitano	Wright
Bustamante	Kaloogian	Olberg	Mr. Speaker
Campbell	Keeley	Oller	
Cardenas	Knox	Ortiz	
Cardoza	Kuehl	Papan	

**NOES—2**

Pacheco                      Prenter

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 15 (Knox)**—An act to add Section 233 to the Labor Code, relating to employment.

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 Knox moved a call of the Assembly.

Motion carried. Time, 1:34 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 860 (Ducheny)**—An act to add Section 44320.5 to the Education Code, relating to teacher preparation.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—44**

Alquist	Escutia	Lempert	Shelley
Aroner	Figueroa	Machado	Strom-Martin
Baca	Floyd	Martinez	Sweeney
Bowen	Gallegos	Mazzoni	Thomson
Brown	Havice	Migden	Torlakson
Bustamante	Hertzberg	Murray	Vincent
Cardenas	Honda	Napolitano	Washington
Cardoza	Keeley	Ortiz	Wayne
Cedillo	Knox	Papan	Wildman
Davis	Kuehl	Perata	Wright
Ducheny	Leach	Scott	Mr. Speaker

**NOES—34**

Ackerman	Brewer	Leonard	Poochigian
Aguiar	Campbell	Margett	Prenter
Alby	Cunneen	McClintock	Pringle
Ashburn	Frusetta	Miller	Richter
Baldwin	Goldsmith	Morrissey	Runner
Battin	Granlund	Morrow	Thompson
Baugh	House	Olberg	Woods
Bordonaro	Kaloogian	Oller	
Bowler	Kuykendall	Pacheco	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1375**

At 1:38 p.m., on motion of Assembly Member Brown, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1375 refused passage by the following vote:

**AYES—53**

Ackerman	Cunneen	Knox	Poochigian
Alquist	Davis	Kuehl	Prenter
Ashburn	Ducheny	Kuykendall	Richter
Baca	Escutia	Leach	Shelley
Battin	Figueroa	Lempert	Strom-Martin
Baugh	Floyd	Margett	Sweeney
Bordonaro	Frusetta	Mazzoni	Thomson
Bowler	Gallegos	McClintock	Torlakson
Brewer	Goldsmith	Migden	Wildman
Brown	Granlund	Morrissey	Wright
Campbell	Havice	Murray	Mr. Speaker
Cardenas	Hertzberg	Ortiz	
Cardoza	Honda	Papan	
Cedillo	Keeley	Perata	

**NOES—10**

Alby	Kaloogian	Miller	Wayne
Baldwin	Leonard	Thompson	
House	Martinez	Washington	

**Action Rescinded on Senate Bill No. 1375**

Assembly Member Brown was granted unanimous consent to rescind the action whereby the Senate Bill No. 1375 was refused passage.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 324**

At 1:39 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.

Senate Bill No. 324 passed by the following vote:

**AYES—48**

Alby	Ducheny	Machado	Scott
Alquist	Escutia	Martinez	Shelley
Aroner	Figueroa	Mazzoni	Strom-Martin
Baca	Floyd	Migden	Sweeney
Bowen	Gallegos	Morrissey	Thomson
Brown	Havice	Murray	Torlakson
Bustamante	Hertzberg	Napolitano	Vincent
Cardenas	Honda	Ortiz	Washington
Cardoza	Keeley	Pacheco	Wayne
Cedillo	Knox	Perata	Wildman
Cunneen	Kuehl	Prenter	Wright
Davis	Lempert	Richter	Mr. Speaker

**NOES—29**

Ackerman	Brewer	Leach	Poochigian
Aguiar	Campbell	Leonard	Pringle
Ashburn	Frusetta	Margett	Runner
Baldwin	Goldsmith	McClintock	Thompson
Battin	Granlund	Miller	Woods
Baugh	House	Morrow	
Bordonaro	Kalooagian	Olberg	
Bowler	Kuykendall	Oller	

**Vote Changes**

By unanimous consent, the following changes were permitted on Senate Bill No. 324: Assembly Members Richter and Wayne, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1292 (Migden)**—An act to add and repeal Chapter 12 (commencing with Section 11020) of Part 7 of the Education Code, relating to academic achievement partnerships, 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—69**

Ackerman	Cedillo	Leach	Runner
Aguiar	Cunneen	Lempert	Scott
Alby	Davis	Leonard	Shelley
Alquist	Ducheny	Machado	Strom-Martin
Aroner	Escutia	Martinez	Sweeney
Ashburn	Figueroa	Mazzoni	Thompson
Baca	Floyd	Migden	Thomson
Battin	Frusetta	Miller	Torlakson
Baugh	Gallegos	Morrissey	Vincent
Bordonaro	Goldsmith	Murray	Washington
Bowen	Granlund	Napolitano	Wayne
Bowler	Havice	Ortiz	Wildman
Brewer	Hertzberg	Pacheco	Woods
Brown	Honda	Papan	Wright
Bustamante	Keeley	Perata	Mr. Speaker
Campbell	Knox	Poochigian	
Cardenas	Kuehl	Prenter	
Cardoza	Kuykendall	Richter	

**NOES—7**

Baldwin	Kaloogian	Morrow	Oller
House	McClintock	Olberg	

Above bill ordered enrolled.

**ASSEMBLY BILL No. 1621 (Figueroa)**—An act to add Section 1367.63 to the Health and Safety Code, to add Section 10123.88 to the Insurance Code, and to add Section 14132.62 to the Welfare and Institutions Code, relating to health care coverage.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—63**

Aguiar	Cedillo	Kuykendall	Poochigian
Alby	Cunneen	Leach	Prenter
Alquist	Davis	Lempert	Pringle
Aroner	Ducheny	Machado	Richter
Ashburn	Escutia	Margett	Scott
Baca	Figueroa	Martinez	Shelley
Battin	Floyd	Mazzoni	Strom-Martin
Baugh	Frusetta	Migden	Sweeney
Bordonaro	Gallegos	Morrissey	Thomson
Bowen	Granlund	Morrow	Torlakson
Bowler	Havice	Murray	Washington
Brown	Hertzberg	Napolitano	Wayne
Bustamante	Honda	Ortiz	Wildman
Campbell	Keeley	Pacheco	Wright
Cardenas	Knox	Papan	Mr. Speaker
Cardoza	Kuehl	Perata	

**NOES—14**

Ackerman	House	Miller	Thompson
Baldwin	Kaloogian	Olberg	Woods
Brewer	Leonard	Oller	
Goldsmith	McClintock	Runner	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1639 (Sweeney)**—An act to add Section 37252.5 to the Education Code, relating to summer school, 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—78**

Ackerman	Cunneen	Lempert	Prenter
Aguiar	Davis	Leonard	Pringle
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	

**NOES—None**

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—78**

Ackerman	Cunneen	Lempert	Prenter
Aguiar	Davis	Leonard	Pringle
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1746 (Escutia)**—An act relating to class size reduction, 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	Cedillo	Leach	Poohigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Machado	Richter
Aroner	Escutia	Margett	Runner
Ashburn	Figueroa	Martinez	Scott
Baca	Floyd	Mazzoni	Shelley
Baldwin	Frusetta	McClintock	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker

**NOES—1**

Olberg

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1792 (Havice)**—An act to add Section 637.9 to the Penal Code, relating to personal information.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—78**

Ackerman	Cunneen	Lempert	Prenter
Aguiar	Davis	Leonard	Pringle
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2040 (Ashburn)**—An act to add Sections 14105.09 and 14105.10 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—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Thompson
Battin	Goldsmith	Morrissey	Thomson
Baugh	Granlund	Morrow	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—1**

McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2283 (Committee on Agriculture)**—An act to amend, repeal, and add Sections 2272 and 2282 of, and to add and repeal Sections 2282.5 and 2287 of, the Food and Agricultural Code, relating to pest control, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Cardoza.

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—78**

Ackerman	Cunneen	Lempert	Prenter
Aguiar	Davis	Leonard	Pringle
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	

**NOES—None**

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—78**

Ackerman	Cunneen	Lempert	Prenter
Aguiar	Davis	Leonard	Pringle
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2639 (Perata)**—An act to add Sections 1363.51, 1363.52, and 1367.665 to the Health and Safety Code, to add Sections 10123.135 and 10123.187 to the Insurance Code, and to add Section 14087.41 to the Welfare and Institutions 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—48**

Alquist	Escutia	Lempert	Scott
Aroner	Figueroa	Machado	Shelley
Baca	Floyd	Martinez	Strom-Martin
Bowen	Frusetta	Mazzoni	Sweeney
Brown	Gallegos	Migden	Thomson
Bustamante	Granlund	Morrissey	Torlakson
Cardenas	Havice	Murray	Vincent
Cardoza	Hertzberg	Napolitano	Washington
Cedillo	Honda	Ortiz	Wayne
Cunneen	Keeley	Papan	Wildman
Davis	Knox	Perata	Wright
Ducheny	Kuehl	Prenter	Mr. Speaker

**NOES—29**

Ackerman	Brewer	Margett	Pringle
Aguiar	Campbell	McClintock	Richter
Ably	Goldsmith	Miller	Runner
Ashburn	House	Morrow	Thompson
Baldwin	Kaloogian	Olberg	Woods
Baugh	Kuykendall	Oller	
Bordonaro	Leach	Pacheco	
Bowler	Leonard	Poochigian	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2639: Assembly Member Granlund, from “No” to “Aye”.

Above bill ordered enrolled.

**At 1:53 p.m., Hon. Fred Keeley, 27th District, presiding**

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 31, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2415

And reports the same correctly enrolled, and presented to the Governor at 1:30 p.m., August 31, 1998.

E. DOTSON WILSON, Chief Clerk

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 48 (Wright)**—An act to add Section 12281 to the Penal Code, relating to firearms, 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 Wright moved a call of the Assembly.

Motion carried. Time, 1:55 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 1784 (Baca)**—An act to add Chapter 4 (commencing with Section 11759) to Part 1 of Division 10.5 of the Health and Safety Code, relating to substance 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—69**

Aguiar	Escutia	Machado	Runner
Alby	Figueroa	Margett	Scott
Alquist	Floyd	Martinez	Shelley
Aroner	Frusetta	Mazzoni	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Murray	Torlakson
Bowler	Hertzberg	Napolitano	Vincent
Brewer	Honda	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardoza	Kuehl	Papan	Wright
Cedillo	Kuykendall	Perata	Mr. Speaker
Cunneen	Leach	Poochigian	
Davis	Lempert	Prenter	
Ducheny	Leonard	Richter	

**NOES—6**

Ackerman	Baldwin	House
Ashburn	Baugh	Morrow

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1791 (Miller)**—An act to amend Sections 11758.42, 11876, and 11877.5 of, and to add Section 11877.4 to, the Health and Safety Code, relating to drugs.

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	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Machado	Richter
Aroner	Escutia	Margett	Runner
Ashburn	Figueroa	Martinez	Scott
Baca	Frusetta	Mazzoni	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2025 (Aroner)**—An act to add Article 9.5 (commencing with Section 8254) to Chapter 2 of Part 6 of the Education Code, relating to child care.

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 Aroner moved a call of the Assembly.

Motion carried. Time, 1:58 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**At 1:59 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

**ASSEMBLY BILL NO. 2782 (Keeley)**—An act to amend and supplement the Budget Act of 1998 (Chapter 324 of the Statutes of 1998), relating to state government, 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 Keeley 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.

**At 2:01 p.m., Hon. Fred Keeley, 27th District, presiding**

**ASSEMBLY BILL NO. 2804 (Committee on Public Employees, Retirement and Social Security)**—An act to amend Sections 22951 and 22955 of, and to repeal Section 22952 of, the Education Code, relating to public retirement systems, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Honda.

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**

Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Machado	Richter
Aroner	Escutia	Margett	Shelley
Ashburn	Figueroa	Martinez	Strom-Martin
Baca	Floyd	Mazzoni	Sweeney
Battin	Frusetta	Migden	Torlakson
Bordonaro	Gallegos	Miller	Vincent
Bowen	Goldsmith	Morrissey	Washington
Bowler	Granlund	Murray	Wayne
Brewer	Havice	Napolitano	Wildman
Brown	Hertzberg	Oller	Woods
Bustamante	Honda	Ortiz	Wright
Campbell	Keeley	Pacheco	Mr. Speaker
Cardenas	Knox	Papan	
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	

**NOES—10**

Ackerman	Kaloogian	Morrow	Thompson
Baldwin	Leonard	Olberg	
Baugh	McClintock	Runner	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1102 (Knox)**—An act to amend Sections 22717, 22719, 24209, 24210, 24415, and 24417 of, to add Section 24203.5 to, to repeal and add Section 22954 of, and to repeal Section 24414 of, the Education Code, and to add Sections 20837 and 20963.5 to the Government Code, relating to public employers, 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—61**

Aguiar	Davis	Kuykendall	Richter
Alby	Ducheny	Leach	Shelley
Alquist	Escutia	Lempert	Strom-Martin
Aroner	Figueroa	Machado	Sweeney
Ashburn	Floyd	Margett	Thomson
Baca	Frusetta	Martinez	Torlakson
Battin	Gallegos	Mazzoni	Vincent
Bordonaro	Goldsmith	Migden	Washington
Bowen	Granlund	Miller	Wayne
Bowler	Havice	Morrissey	Wildman
Brown	Hertzberg	Murray	Woods
Bustamante	Honda	Napolitano	Wright
Cardenas	House	Ortiz	Mr. Speaker
Cardoza	Keeley	Papan	
Cedillo	Knox	Perata	
Cunneen	Kuehl	Prenter	

**NOES—13**

Ackerman	Kaloogian	Olberg	Thompson
Baldwin	Leonard	Oller	
Baugh	McClintock	Pringle	
Campbell	Morrow	Runner	

Above bill ordered enrolled.

**At 2:13 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

**ASSEMBLY BILL NO. 1150 (Prenter)**—An act to amend Section 24202 of, and to add Section 24202.5 to, the Education Code, relating to the State Teachers' Retirement System.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—72**

Ackerman	Cedillo	Kuykendall	Perata
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Machado	Pringle
Aroner	Escutia	Margett	Richter
Ashburn	Figueroa	Martinez	Runner
Baca	Floyd	Mazzoni	Shelley
Battin	Frusetta	Migden	Strom-Martin
Baugh	Gallegos	Miller	Sweeney
Bordonaro	Goldsmith	Morrissey	Thomson
Bowen	Granlund	Morrow	Torlakson
Bowler	Havice	Murray	Vincent
Brewer	Hertzberg	Napolitano	Washington
Brown	Honda	Olberg	Wayne
Bustamante	House	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—4**

Kaloogian	Leonard	McClintock	Thompson
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Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2782**

At 2:14 p.m., on motion of Assembly Member Keeley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly refused to concur in Senate amendments to Assembly Bill No. 2782 by the following vote:

**AYES—41**

Alquist	Figueroa	Martinez	Thomson
Aroner	Floyd	Mazzoni	Torlakson
Ashburn	Frusetta	Migden	Vinecent
Baen	Gallegos	Murray	Washington
Bowen	Havice	Napolitano	Wayne
Brown	Hertzberg	Ortiz	Wildman
Bustamante	Honda	Papan	Wright
Cardenas	Keeley	Scott	Mr. Speaker
Cedillo	Knox	Shelley	
Davis	Kuehl	Strom-Martin	
Escutia	Lempert	Sweeney	

**NOES—33**

Aekerman	Campbell	Margett	Prenter
Aguiar	Cunneen	McClintock	Pringle
Alby	Goldsmith	Miller	Richter
Baldwin	Granlund	Morrissey	Runner
Battin	House	Morrow	Thompson
Baugh	Kaloogian	Olberg	Woods
Bordonaro	Kuykendall	Oller	
Bowler	Leach	Pacheco	
Brewer	Leonard	Poochigian	

**Action Rescinded on Senate Bill No. 2782**

Assembly Member Keeley was granted unanimous consent to rescind the action whereby the Assembly, refused to concur in Senate amendments to Assembly Bill No. 2782.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO  
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Speaker re-referred Assembly Bill No. 2782 to the Committee on Appropriations:

(NOTE: Later this day, the action was rescinded whereby Assembly Bill No. 2782 was re-referred to committee pursuant to Assembly Rule 77.2. See page 9514.)

**MESSAGES FROM THE SENATE**

August 31, 1998

*Hon. E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*Assembly Chamber*

Dear Dotson: By direction of the Senate I am returning Senate Bill 752 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT  
Secretary of the Senate

**ACTION RESCINDED ON SENATE BILL NO. 752**

Assembly Member Shelley was granted unanimous consent to rescind the action whereby the Assembly, earlier this day (Assembly Journal, page 9417), adopted the urgency clause and passed Senate Bill No. 752, and whereby the bill was ordered transmitted to the Senate.

**At 2:19 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP  
SENATE BILL NO. 1574**

Assembly Member Kuykendall requested unanimous consent to take up Senate Bill No. 1574, as amended earlier this day, without reference to file.

Assembly Member Floyd withheld unanimous consent.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
THE CONSENT CALENDAR**

At 2:23 p.m., on motion of Assembly Member Havice, and in the absence of any objection, further proceedings under call of the Assembly were dispensed with.

The following items on the Consent Calendar were read:

**SENATE CONCURRENT RESOLUTION NO. 98 (Hurtt)**—Relative to state employee merit awards.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**SENATE BILL NO. 326 (Leslie)**—An act to amend Section 372 of, and to add Sections 374 and 374.5 to, the Code of Civil Procedure, relating to minors, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

*(For the vote on the above bill and urgency clause, see this day's  
Consent Calendar roll call.)*

**SENATE BILL NO. 1724 (Johannessen)**—An act to amend Section 100146 of the Health and Safety Code, relating to long-term care, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

*(For the vote on the above bill and urgency clause, see this day's  
Consent Calendar roll call.)*

**Consent Calendar Roll Call**

The roll was called, and the above bills on the Consent Calendar passed, and any urgency clauses to the bills adopted, by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Thompson
Battin	Goldsmith	Miller	Thomson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Morrow	Vincent
Bowen	Hertzberg	Murray	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—None****CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 2092**

At 2:24 p.m., on motion of Assembly Member Figueroa, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 2092 passed by the following vote:

**AYES—46**

Alquist	Ducheny	Lempert	Strom-Martin
Aroner	Escutia	Machado	Sweeney
Baca	Figueroa	Martinez	Thomson
Battin	Floyd	Mazzoni	Torlakson
Bowen	Frusetta	Migden	Vincent
Brown	Gallegos	Murray	Washington
Bustamante	Havice	Napolitano	Wayne
Cardenas	Hertzberg	Ortiz	Wildman
Cardoza	Honda	Papan	Wright
Cedillo	Keeley	Perata	Mr. Speaker
Cunneen	Knox	Scott	
Davis	Kuehl	Shelley	

**NOES—31**

Ackerman	Brewer	Leonard	Pacheco
Aguiar	Campbell	Margett	Poochigian
Alby	Goldsmith	McClintock	Prenter
Ashburn	Granlund	Miller	Richter
Baldwin	House	Morrissey	Runner
Baugh	Kaloogian	Morrow	Thompson
Bordonaro	Kuykendall	Olberg	Woods
Bowler	Leach	Oller	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 2092: Assembly Member Cunneen, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 977**

At 2:24 p.m., on motion of Assembly Member Strom-Martin, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 977 passed by the following vote:

**AYES—49**

Alquist	Escutia	Martinez	Strom-Martin
Aroner	Figueroa	Mazzoni	Sweeney
Baca	Floyd	Migden	Thomson
Battin	Frusetta	Morrissey	Torlakson
Bowen	Gallegos	Murray	Vincent
Brown	Havice	Napolitano	Washington
Bustamante	Hertzberg	Olberg	Wayne
Cardenas	Honda	Ortiz	Wildman
Cardoza	Keeley	Pacheco	Wright
Cedillo	Knox	Papan	Mr. Speaker
Cunneen	Kuehl	Perata	
Davis	Lempert	Scott	
Ducheny	Machado	Shelley	

**NOES—28**

Ackerman	Bowler	Kuykendall	Poochigian
Aguilar	Brewer	Leach	Prenter
Alby	Campbell	Margett	Pringle
Ashburn	Goldsmith	McClintock	Richter
Baldwin	Granlund	Miller	Runner
Baugh	House	Morrow	Thompson
Bordonaro	Kaloogian	Oller	Woods

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 977: Assembly Member Cunneen, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO  
ASSEMBLY RULE 77.2**

Upon request of Assembly Member Migden, pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bills Nos. 2108 and 491 to the Committee on Appropriations.

**JOINT RULE 62(a) WAIVED**

Assembly Member Migden was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting the following bills for hearing in the Committee on Appropriations, at 3:30 today: Senate Bills Nos. 2108, 491, 1496, 1032, 913, 1997, 1731, 1656, 2198, 1492, 1733, 918, 2080, 1546, and 974.

**BILL ORDERED TRANSMITTED TO SENATE**

Assembly Member Cardoza was granted unanimous consent that Senate Bill No. 1582 be transmitted to the Senate immediately.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1771**

At 2:30 p.m., on motion of Assembly Member Keeley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Keeley moved to continue the call of the Assembly.

Motion carried. Time, 2:30 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 2**

At 2:30 p.m., on motion of Assembly Member Keeley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Keeley moved to continue the call of the Assembly.

Motion carried. Time, 2:30 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1110**

At 2:30 p.m., on motion of Assembly Member Escutia, 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. 1110 by the following vote:

**AYES—45**

Alquist	Figueroa	Martinez	Sweeney
Aroner	Floyd	Mazzoni	Thomson
Baca	Gallegos	McClintock	Torlakson
Bowen	Goldsmith	Migden	Vincent
Brown	Havice	Murray	Washington
Bustamante	Hertzberg	Napolitano	Wayne
Cardenas	Honda	Ortiz	Wildman
Cardoza	Keeley	Papan	Wright
Cedillo	Knox	Perata	Mr. Speaker
Davis	Kuehl	Scott	
Ducheny	Lempert	Shelley	
Escutia	Machado	Strom-Martin	

**NOES—33**

Ackerman	Brewer	Leonard	Prenter
Aguiar	Campbell	Margett	Pringle
Alby	Cunneen	Miller	Richter
Ashburn	Frusetta	Morrissey	Runner
Baldwin	Granlund	Morrow	Thompson
Battin	House	Olberg	Woods
Baugh	Kalোগian	Oller	
Bordonaro	Kuykendall	Pacheco	
Bowler	Leach	Poochigian	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 15**

At 2:31 p.m., on motion of Assembly Member Knox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 15 by the following vote:

**AYES—48**

Alquist	Escutia	Lempert	Prenter
Aroner	Figueroa	Machado	Scott
Baca	Floyd	Margett	Shelley
Bowen	Frusetta	Martinez	Strom-Martin
Brown	Gallegos	Mazzoni	Sweeney
Bustamante	Havice	Migden	Thomson
Cardenas	Hertzberg	Morrissey	Torlakson
Cardoza	Honda	Murray	Vincent
Cedillo	Keeley	Napolitano	Washington
Cunneen	Knox	Ortiz	Wayne
Davis	Kuehl	Papan	Wildman
Ducheny	Kuykendall	Perata	Mr. Speaker

**NOES—29**

Ackerman	Bowler	Leonard	Pringle
Aguiar	Brewer	McClintock	Richter
Alby	Campbell	Miller	Runner
Ashburn	Goldsmith	Morrow	Thompson
Baldwin	Granlund	Olberg	Woods
Battin	House	Oller	
Baugh	Kalooagian	Pacheco	
Bordonaro	Leach	Poochigian	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 48**

At 2:33 p.m., on motion of Assembly Member Wright, 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. 48 by the following vote:

**AYES—72**

Ackerman	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Pringle
Alby	Davis	Leonard	Richter
Alquist	Ducheny	Machado	Runner
Ashburn	Escutia	Margett	Scott
Baca	Figueroa	Martinez	Shelley
Baldwin	Floyd	Mazzoni	Strom-Martin
Battin	Frusetta	Migden	Sweeney
Baugh	Gallegos	Miller	Thompson
Bordonaro	Goldsmith	Morrissey	Thomson
Bowen	Granlund	Murray	Torlakson
Bowler	Havice	Napolitano	Vincent
Brewer	Hertzberg	Olberg	Washington
Brown	Honda	Oller	Wayne
Bustamante	House	Ortiz	Wildman
Campbell	Kaloogian	Papan	Woods
Cardenas	Keeley	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker

**NOES—4**

Aroner	McClintock	Morrow	Pacheco
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**Vote Changes**

By unanimous consent, the following vote changes were permitted on concurrence in Senate amendments to Assembly Bill No. 48: Assembly Members Knox and Kuehl, from "Aye" to "Not Voting".

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2025**

At 2:34 p.m., on motion of Assembly Member Aroner, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2025 by the following vote:

**AYES—45**

Alquist	Escutia	Martinez	Sweeney
Aroner	Figueroa	Mazzoni	Thomson
Baca	Floyd	Migden	Torlakson
Bowen	Gallegos	Morrissey	Vincent
Brown	Havice	Murray	Washington
Bustamante	Hertzberg	Napolitano	Wayne
Cardenas	Honda	Ortiz	Wildman
Cardoza	Keeley	Papan	Wright
Cedillo	Knox	Perata	Mr. Speaker
Cunneen	Kuehl	Scott	
Davis	Lempert	Shelley	
Ducheny	Machado	Strom-Martin	

**NOES—32**

Ackerman	Bowler	Kuykendall	Oller
Aguiar	Brewer	Leach	Pacheco
Alby	Campbell	Leonard	Poochigian
Ashburn	Frusetta	Margett	Prenter
Baldwin	Goldsmith	McClintock	Pringle
Battin	Granlund	Miller	Runner
Baugh	House	Morrow	Thompson
Bordonaro	Kaloojian	Olberg	Woods

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 2025: Assembly Member Morrissey, from “No” and “Aye”.

Above bill ordered enrolled.

**FURTHER CONSIDERATION OF SENATE BILL NO. 1403, AS AMENDED,  
BY UNANIMOUS CONSENT**

Assembly Member Washington was granted unanimous consent to suspend Assembly Rule 69(d) to take up Senate Bill No. 1403, as amended, without reference to file.

**SENATE BILL NO. 1403 (Polanco)**—An act to amend Section 27491.47 of the Government Code, to amend Sections 7055 and 7151.5 of the Health and Safety Code, and to amend, repeal, and add Sections 12811 and 13005 of, and to add Sections 1672.3 and 1672.5 to, the Vehicle Code, relating to anatomical gifts.

Bill read third time, and presented by Assembly Member Washington.

Bill passed by the following vote:

**AYES—76**

Ackerman	Cedillo	Leach	Perata
Aguiar	Cunneen	Lempert	Poochigian
Alby	Davis	Leonard	Prenter
Alquist	Ducheny	Machado	Pringle
Aroner	Escutia	Margett	Richter
Ashburn	Figueroa	Martinez	Runner
Baca	Frusetta	Mazzoni	Scott
Baldwin	Gallegos	McClintock	Shelley
Battin	Goldsmith	Migden	Strom-Martin
Baugh	Granlund	Miller	Sweeney
Bordonaro	Havice	Morrissey	Thompson
Bowen	Hertzberg	Morrow	Thomson
Bowler	Honda	Murray	Torlakson
Brewer	House	Napolitano	Vincent
Brown	Kaloogian	Olberg	Washington
Bustamante	Keeley	Oller	Wayne
Campbell	Knox	Ortiz	Wildman
Cardenas	Kuehl	Pacheco	Woods
Cardoza	Kuykendall	Papan	Mr. Speaker

**NOES—None**

Bill ordered transmitted to the Senate immediately.

**FURTHER CONSIDERATION OF SENATE BILL NO. 1574, AS AMENDED, BY UNANIMOUS CONSENT**

Assembly Member Kuykendall was granted unanimous consent to suspend Assembly Rule 69(d) to take up Senate Bill No. 1574, as amended, without reference to file.

**SENATE BILL NO. 1574 (Committee on Budget and Fiscal Review)**—An act making an appropriation in augmentation of the Budget Act of 1998, relating to state government, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Kuykendall.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—69**

Ackerman	Cunneen	Lempert	Runner
Aguiar	Davis	Leonard	Scott
Alby	Ducheny	Machado	Shelley
Alquist	Escutia	Margett	Strom-Martin
Aroner	Figueroa	Martinez	Sweeney
Ashburn	Floyd	Mazzoni	Thompson
Baca	Frusetta	Migden	Thomson
Battin	Gallegos	Miller	Torlakson
Baugh	Granlund	Morrissey	Vincent
Bordonaro	Havice	Murray	Washington
Bowen	Hertzberg	Napolitano	Wayne
Bowler	Honda	Olberg	Wildman
Brewer	House	Ortiz	Woods
Brown	Keeley	Perata	Wright
Bustamante	Knox	Poochigian	Mr. Speaker
Cardenas	Kuehl	Prenter	
Cardoza	Kuykendall	Pringle	
Cedillo	Leach	Richter	

**NOES—7**

Baldwin	Goldsmith	McClintock	Oller
Campbell	Kaloogian	Morrow	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—69**

Ackerman	Cunneen	Lempert	Runner
Aguiar	Davis	Leonard	Scott
Alby	Ducheny	Machado	Shelley
Alquist	Escutia	Margett	Strom-Martin
Aroner	Figueroa	Martinez	Sweeney
Ashburn	Floyd	Mazzoni	Thompson
Baca	Frusetta	Migden	Thomson
Battin	Gallegos	Miller	Torlakson
Baugh	Granlund	Morrissey	Vincent
Bordonaro	Havice	Murray	Washington
Bowen	Hertzberg	Napolitano	Wayne
Bowler	Honda	Olberg	Wildman
Brewer	House	Ortiz	Woods
Brown	Keeley	Perata	Wright
Bustamante	Knox	Poochigian	Mr. Speaker
Cardenas	Kuehl	Prenter	
Cardoza	Kuykendall	Pringle	
Cedillo	Leach	Richter	

**NOES—7**

Baldwin	Goldsmith	McClintock	Oller
Campbell	Kaloogian	Morrow	

Bill ordered transmitted to the Senate.

**JOINT RULE 62(a) WAIVED**

Assembly Member Migden was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 2154 and Senate Bill No. 2132 for hearing in the Committee on Appropriations, today, at 3:30 p.m.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 225**

At 2:40 p.m., on motion of Assembly Member Thomson, 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, 2:40 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. 1336 (Thompson)**—An act to add Section 8588 to the Fish and Game Code, relating to commercial fishing.

Bill read third time, and presented by Assembly Member Keeley.

Bill passed by the following vote:

**AYES—44**

Alquist	Ducheny	Kuehl	Shelley
Aroner	Escutia	Lempert	Strom-Martin
Baca	Figueroa	Machado	Sweeney
Bowen	Floyd	Mazzoni	Thomson
Brown	Gallegos	Migden	Torlakson
Bustamante	Granlund	Murray	Vincent
Cardenas	Havice	Napolitano	Washington
Cardoza	Hertzberg	Ortiz	Wayne
Cedillo	Honda	Papan	Wildman
Cunneen	Keeley	Perata	Wright
Davis	Knox	Scott	Mr. Speaker

**NOES—33**

Ackerman	Brewer	Martinez	Prenter
Aguiar	Campbell	McClintock	Pringle
Alby	Frusetta	Miller	Richter
Ashburn	Goldsmith	Morrissey	Runner
Baldwin	House	Morrow	Thompson
Battin	Kaloogian	Olberg	Woods
Baugh	Leach	Oller	
Bordonaro	Leonard	Pacheco	
Bowler	Margett	Poochigian	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 989 (Sher)**—An act to amend Sections 11126, 24008, 25639, 51102, 51113, 51133, and 61601.25 of the Government Code, to amend Sections 13132.7 and 42311.2 of the Health and Safety Code, to amend Section 1547 of the Penal Code, to amend Sections 700, 712, 730, 731.1, 4002, 4129, 4521.3, 4604, 4662, 4789.2, 5093.52, 5093.68, 30404, and 30417 of, and to amend the heading of Article 2 (commencing with Section 730) of Chapter 2.5 of Division 1 of, the Public Resources Code, and to amend Sections 431 and 434 of the Revenue and Taxation Code, relating to forestry.

Bill read third time, and presented by Assembly Member Lempert.

Bill passed by the following vote:

**AYES—78**

Ackerman	Cunneen	Lempert	Prenter
Aguiar	Davis	Leonard	Pringle
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figuroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poohigian	

**NOES—None**

**At 2:45 p.m., Assistant Speaker pro Tempore Joe Baca, 62nd District, presiding**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 535 (Vasconcellos)**—An act to add Section 11362.59 to the Health and Safety Code, relating to marijuana, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Migden.

**Urgency Clause**

Urgency clause read.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Migden moved a call of the Assembly.

Motion carried. Time, 3:11 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE BILL NO. 25 (Maddy)**—An act to amend Sections 19805, 19842, 19842A, and 19852.1 of the Business and Professions Code, and to amend Section 62 of Chapter 867 of the Statutes of 1997, relating to gambling establishments.

Bill read third time, and presented by Assembly Member Aroner.

Bill passed by the following vote:

**AYES—68**

Ackerman	Cardoza	Kuehl	Pacheco
Aguiar	Cedillo	Kuykendall	Papan
Alby	Cunneen	Leach	Perata
Alquist	Davis	Lempert	Poochigian
Aroner	Ducheny	Leonard	Prenter
Ashburn	Escutia	Machado	Pringle
Baca	Figueroa	Margett	Richter
Baldwin	Floyd	Mazzoni	Runner
Battin	Frusetta	Migden	Shelley
Baugh	Gallegos	Miller	Strom-Martin
Bordonaro	Goldsmith	Morrissey	Thomson
Bowler	Granlund	Morrow	Torlakson
Brewer	Hertzberg	Murray	Vincent
Brown	Honda	Napolitano	Wayne
Bustamante	Kalooagian	Olberg	Woods
Campbell	Keeley	Oller	Wright
Cardenas	Knox	Ortiz	Mr. Speaker

**NOES—6**

Bowen	Martinez	Thompson
Havice	McClintock	Washington

Bill ordered transmitted to the Senate.

**REQUEST TO DISPENSE WITH CALL OF THE ASSEMBLY**

Assembly Member Papan requested unanimous consent to dispense with the call of the Assembly as it relates to Senate Bill No. 225.

Assembly Member Martinez withheld unanimous consent.

**Point of Order**

Assembly Member Papan arose to the following point of order:

Assembly Member Martinez is not at her desk.

**Reply by Assistant Speaker pro Tempore Baca**

The Assistant Speaker pro Tempore replied that the point of order raised would have been ruled well-taken had it been raised in a timely manner.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1823 (Kelley)**—An act to add Section 11466.24 to, and to add and repeal Section 16122.5 of, the Welfare and Institutions Code, relating to public social services.

Bill read third time, and presented by Assembly Member Wayne.

Bill passed by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Prenter
Aguiar	Davis	Leonard	Pringle
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Wayne
Brewer	House	Olberg	Wildman
Brown	Kaloogian	Oller	Woods
Bustamante	Keeley	Ortiz	Wright
Campbell	Knox	Pacheco	Mr. Speaker
Cardenas	Kuehl	Papan	
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2031 (Lockyer)**—An act relating to crimes against children and the elderly, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Wayne.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—75**

Aguiar	Davis	Lempert	Prenter
Alby	Ducheny	Leonard	Pringle
Alquist	Escutia	Machado	Richter
Aroner	Figueroa	Margett	Runner
Ashburn	Floyd	Martinez	Scott
Baca	Frusetta	Mazzoni	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Bordonaro	Granlund	Morrissey	Thompson
Bowen	Havice	Morrow	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Vincent
Brown	House	Olberg	Washington
Bustamante	Kaloogian	Oller	Wayne
Campbell	Keeley	Ortiz	Wildman
Cardenas	Knox	Pacheco	Woods
Cardoza	Kuehl	Papan	Wright
Cedillo	Kuykendall	Perata	Mr. Speaker
Cunneen	Leach	Poochigian	

**NOES—2**

Ackerman                      Baugh

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—75**

Aguiar	Davis	Lempert	Prenter
Alby	Ducheny	Leonard	Pringle
Alquist	Escutia	Machado	Richter
Aroner	Figueroa	Margett	Runner
Ashburn	Floyd	Martinez	Scott
Baca	Frusetta	Mazzoni	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Bordonaro	Granlund	Morrissey	Thompson
Bowen	Havice	Morrow	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Vincent
Brown	House	Olberg	Washington
Bustamante	Kaloogian	Oller	Wayne
Campbell	Keeley	Ortiz	Wildman
Cardenas	Knox	Pacheco	Woods
Cardoza	Kuehl	Papan	Wright
Cedillo	Kuykendall	Perata	Mr. Speaker
Cunneen	Leach	Poochigian	

**NOES—2**

Ackerman                      Baugh

Bill ordered transmitted to the Senate.

**At 3:16 p.m., Hon. Fred Keeley, 27th District, presiding**

**REQUEST TO DISPENSE WITH CALL OF THE ASSEMBLY**

Assembly Member Papan requested unanimous consent to Dispense with the Call of the Assembly as it relates to Senate Bill No. 225.

Assembly Member Martinez withheld unanimous consent.

**Motion to Dispense with Call of the Assembly**

Assembly Member Papan moved that the Call of the Assembly be dispensed with as it relates to Senate Bill No. 225.

Assembly Member Thompson seconded the motion.

Motion carried.

**Call of the Assembly Dispensed with on  
Senate Bill No. 225**

At 3:37 p.m., on motion of Assembly Member Papan, 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 Martinez moved to continue the call of the Assembly.

Motion carried. Time, 3:17 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**REQUEST TO DISPENSE WITH CALL OF THE ASSEMBLY**

Assembly Member Papan requested unanimous consent to Dispense with the Call of the Assembly as it relates to Senate Bill No. 225.

Assembly Member Martinez withheld unanimous consent.

**Motion to Dispense with Call of the Assembly**

Assembly Member Papan moved that the Call of the Assembly be dispensed with as it relates to Senate Bill No. 225.

Assembly Member Thompson seconded the motion.

Motion carried.

**Call of the Assembly Dispensed with on  
Senate Bill No. 225**

At 3:19 p.m., on motion of Assembly Member Papan, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 225 passed by the following vote:

**AYES—51**

Ackerman	Campbell	Lempert	Prenter
Aguilar	Cardenas	Leonard	Richter
Alby	Cardoza	Machado	Runner
Alquist	Cedillo	Margett	Shelley
Ashburn	Cunneen	Mazzoni	Strom-Martin
Baca	Floyd	McClintock	Thompson
Baldwin	Goldsmith	Miller	Thomson
Battin	Honda	Murray	Torlakson
Baugh	Kaloogian	Napolitano	Vincent
Bordonaro	Keeley	Oller	Wildman
Bowler	Knox	Ortiz	Woods
Brewer	Kuykendall	Papan	Wright
Bustamante	Leach	Poochigian	

**NOES—23**

Aroner	Frusetta	Martinez	Pringle
Bowen	Gallegos	Migden	Scott
Brown	Granlund	Morrissey	Sweeney
Davis	Havice	Olberg	Washington
Escutia	House	Pacheco	Wayne
Figueroa	Kuehl	Perata	

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Bill No. 225: Assembly Members Frusetta and Havice, from “Aye” to “No”.

**Motion to Reconsider Senate Bill No. 225  
on Next Legislative Day**

Assembly Member Martinez moved to reconsider on the next legislative day the vote whereby Senate Bill No. 225 was this day passed.

**Motion Ruled Out of Order**

Acting Speaker Keeley ruled the motion out of order as a motion to reconsider is not in order on a bill that is passed on the last two legislative days preceding the final recess pursuant to the Rules.

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1373 (Schiff)**—An act to add Sections 8760 and 8761 to the Government Code, relating to the California Arts Council.

Bill read third time, and presented by Assembly Member Kuehl.

Bill passed by the following vote:

**AYES—51**

Alquist	Figueroa	Lempert	Shelley
Aroner	Floyd	Machado	Strom-Martin
Baca	Frusetta	Martinez	Sweeney
Battin	Gallegos	Mazzoni	Thomson
Bowen	Havice	Migden	Torlakson
Brown	Hertzberg	Morrissey	Vincent
Bustamante	Honda	Murray	Washington
Cardenas	House	Napolitano	Wayne
Cedillo	Keeley	Ortiz	Wildman
Cunneen	Knox	Pacheco	Woods
Davis	Kuehl	Papan	Wright
Ducheny	Kuykendall	Perata	Mr. Speaker
Escutia	Leach	Scott	

**NOES—26**

Ackerman	Bowler	Margett	Prenter
Aguiar	Brewer	McClintock	Pringle
Alby	Campbell	Miller	Richter
Ashburn	Goldsmith	Morrow	Runner
Baldwin	Granlund	Olberg	Thompson
Baugh	Kaloogian	Oller	
Bordonaro	Leonard	Poochigian	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 1373: Assembly Member Leach, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1587 (Alpert)**—An act to add Article 3 (commencing with Section 11970) to Chapter 2 of Part 3 of Division 10.5 of the Health and Safety Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Baca.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuykendall	Perata
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Pringle
Aroner	Escutia	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Floyd	Martinez	Shelley
Baldwin	Frusetta	Mazzoni	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—1**

McClintock

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuykendall	Perata
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Pringle
Aroner	Escutia	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Floyd	Martinez	Shelley
Baldwin	Frusetta	Mazzoni	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—1**

McClintock

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 378 (Morrow)**—An act relating to local government, 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	Cedillo	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Richter
Aroner	Escutia	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Floyd	Mazzoni	Shelley
Baldwin	Frusetta	Migden	Strom-Martin
Battin	Gallegos	Miller	Sweeney
Baugh	Goldsmith	Morrissey	Thompson
Bordonaro	Granlund	Morrow	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Vincent
Brown	House	Olberg	Wayne
Bustamante	Kalooogian	Oller	Woods
Campbell	Keeley	Ortiz	Mr. Speaker
Cardenas	Knox	Papan	
Cardoza	Kuehl	Perata	

**NOES—4**

Bowen	Martinez	McClintock	Washington
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Above bill ordered enrolled.

**BILL ORDERED TRANSMITTED TO SENATE**

Assembly Member Baca was granted unanimous consent that Senate Bill No. 1587 be transmitted to the Senate immediately.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 31, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 34	Assembly Bill No. 1625
Assembly Bill No. 214	Assembly Bill No. 1664
Assembly Bill No. 425	Assembly Bill No. 1724
Assembly Bill No. 431	Assembly Bill No. 1755
Assembly Bill No. 497	Assembly Bill No. 1872
Assembly Bill No. 750	Assembly Bill No. 1888
Assembly Bill No. 880	Assembly Bill No. 1927
Assembly Bill No. 1121	Assembly Bill No. 2039
Assembly Bill No. 1225	Assembly Bill No. 2286
Assembly Bill No. 1534	Assembly Bill No. 2366

And reports the same correctly enrolled, and presented to the Governor at 2 p.m., August 31, 1998.

E. DOTSON WILSON, Chief Clerk

**MESSAGES FROM THE SENATE**

Senate Chamber, August 31, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 106

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Senate Chamber, August 31, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 107

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following resolutions were read:

**SENATE CONCURRENT RESOLUTION NO. 106**—Relative to the Honorable Frank K. Richardson.

**SENATE CONCURRENT RESOLUTION NO. 107**—Relative to Joint Rule 51.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**MOTION TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 78  
FROM COMMITTEE**

In compliance with a notice given on a previous day, Assembly Member Richter moved that Assembly Joint Resolution No. 78 be withdrawn from the Committee on Rules.

Assembly Member Morrissey seconded the motion.

**Point of Order**

Assembly Member Shelley arose to the following point of order:

Assembly Member Richter is not limiting debate to the merits of the motion to withdraw Assembly Joint Resolution No. 78 from committee.

**Ruling by Speaker pro Tempore Kuehl**

The Speaker pro Tempore ruled the point of order well-taken.

The question being on the Richter motion to withdraw Assembly Joint Resolution No. 78 from the Committee on Rules.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Richter moved a call of the Assembly.

Motion carried. Time, 3:38 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**At 3:38 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 271 (Villaraigosa)**—An act to amend Sections 6051, 13600, 13601, and 13602 of, and to add Chapter 6.5 (commencing with Section 6065) to Title 7 of Part 3 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—78**

Ackerman	Cunneen	Lempert	Prenter
Aguiar	Davis	Leonard	Pringle
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 236 (Figueroa)**—An act to amend, repeal, and add Section 4600 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—52**

Alquist	Escutia	Lempert	Richter
Aroner	Figueroa	Leonard	Scott
Baca	Floyd	Machado	Shelley
Bordonaro	Frusetta	Martinez	Strom-Martin
Bowen	Gallegos	Mazzoni	Sweeney
Brown	Havice	Migden	Thomson
Bustamante	Hertzberg	Morrissey	Torlakson
Cardenas	Honda	Murray	Vincent
Cardoza	House	Napolitano	Washington
Cedillo	Keeley	Ortiz	Wayne
Cunneen	Knox	Papan	Wildman
Davis	Kuehl	Perata	Wright
Ducheny	Kuykendall	Prenter	Mr. Speaker

**NOES—23**

Ackerman	Brewer	Margett	Poochigian
Aguiar	Campbell	McClintock	Pringle
Ashburn	Goldsmith	Miller	Runner
Baldwin	Granlund	Morrow	Thompson
Baugh	Kaloogian	Olberg	Woods
Bowler	Leach	Oller	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1626 (Wayne)**—An act to add Sections 48070.5 and 60648 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	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Floyd	McClintock	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Thompson
Battin	Goldsmith	Morrissey	Thomson
Baugh	Granlund	Morrow	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—None**

Above bill ordered enrolled.

**At 3:54 p.m., Hon. Fred Keeley, 27th District, presiding**

**ASSEMBLY BILL NO. 1935 (Aroner)**—An act to amend Section 631.3 of the Code of Civil Procedure, and to amend Sections 68070, 68085, 68113, 68502.5, 77009, 77205, 77212, and 77654 of, and to add Sections 77009.1, 77201.2, and 77206.1 to, the Government Code, relating to trial court funding.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Thompson
Battin	Goldsmith	Miller	Thomson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Morrow	Vincent
Bowen	Hertzberg	Murray	Washington
Bowler	Honda	Napolitano	Wayne
Brewer	House	Olberg	Wildman
Brown	Kaloogian	Oller	Woods
Bustamante	Keeley	Ortiz	Wright
Campbell	Knox	Pacheco	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1882 RETURNED TO ENROLLMENT**

Assembly Member Cedillo was granted unanimous consent that Assembly Bill No. 1882 be returned to Enrollment.

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2687 (Gallegos)**—An act to add Section 11352.1 to, and to add and repeal Section 101070 of the Health and Safety Code, relating to healing arts, 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	Davis	Lempert	Prenter
Aguiar	Ducheny	Leonard	Pringle
Alby	Escutia	Machado	Richter
Aroner	Figueroa	Margett	Runner
Ashburn	Floyd	Martinez	Scott
Baca	Frusetta	Mazzoni	Shelley
Battin	Gallegos	Migden	Strom-Martin
Baugh	Goldsmith	Miller	Sweeney
Bordonaro	Granlund	Morrissey	Thompson
Bowen	Havice	Morrow	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Vincent
Brown	House	Olberg	Washington
Bustamante	Kaloogian	Oller	Wayne
Campbell	Keeley	Ortiz	Wildman
Cardenas	Knox	Pacheco	Woods
Cardoza	Kuehl	Papan	Wright
Cedillo	Kuykendall	Perata	Mr. Speaker
Cunneen	Leach	Poochigian	

**NOES—2**

Baldwin                      McClintock

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—75**

Ackerman	Davis	Lempert	Prenter
Aguiar	Ducheny	Leonard	Pringle
Alby	Escutia	Machado	Richter
Aroner	Figueroa	Margett	Runner
Ashburn	Floyd	Martinez	Scott
Baca	Frusetta	Mazzoni	Shelley
Battin	Gallegos	Migden	Strom-Martin
Baugh	Goldsmith	Miller	Sweeney
Bordonaro	Granlund	Morrissey	Thompson
Bowen	Havice	Morrow	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Vincent
Brown	House	Olberg	Washington
Bustamante	Kaloogian	Oller	Wayne
Campbell	Keeley	Ortiz	Wildman
Cardenas	Knox	Pacheco	Woods
Cardoza	Kuehl	Papan	Wright
Cedillo	Kuykendall	Perata	Mr. Speaker
Cunneen	Leach	Poochigian	

**NOES—2**

Baldwin                      McClintock

Above bill ordered enrolled.

**ACTION RESCINDED ON ASSEMBLY BILL NO. 2505**

Assembly Member Cardoza was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 9442), Assembly Bill No. 2505 was re-referred to the Committee on Consumer Protection, Governmental Efficiency and Economic Development pursuant to Assembly Rule 77.2.

**BILL RETURNED TO SENATE**

Upon request of Assembly Member Cardoza, Assembly Member Olberg was granted unanimous consent that Assembly Bill No. 2505 be returned to the Senate for further action.

**PARLIAMENTARY INQUIRY**

Assembly Member McClintock arose to the following parliamentary inquiry:

What would be the effect if unanimous consent was withheld on a request to pass temporarily on file if the Orders of the Day were demanded previously?

**Reply by Acting Speaker Keeley**

The Acting Speaker replied that if unanimous consent was withheld on a request to pass temporarily on file, it would require  $\frac{2}{3}$  present and voting to suspend the Rules to permit a measure to be passed temporarily on file.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 737**, on request of Assembly Member Aroner.

**SENATE CONCURRENT RESOLUTION NO. 106 TAKEN UP  
BY UNANIMOUS CONSENT**

Assembly Member Morrow was granted unanimous consent to take up Senate Concurrent Resolution No. 106, without reference to committee or file.

**SENATE CONCURRENT RESOLUTION NO. 106**—Relative to the Honorable Frank K. Richardson.

Resolution read.

**Motion to Amend**

Assembly Member Morrow moved the adoption of amendments.

Amendments read and adopted; resolution ordered reprinted.

**Request for Unanimous Consent**

Assembly Member Morrow was granted unanimous consent to take up Senate Concurrent Resolution No. 106, as amended, without reference to file.

**Consideration of Senate Concurrent Resolution No. 106, as Amended**

**SENATE CONCURRENT RESOLUTION NO. 106**—Relative to the Honorable Frank K. Richardson.

Resolution read.

**Members Made Coauthors of Senate Concurrent Resolution No. 106**

Assembly Member Morrow was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 106.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Ackerman, Aguiar, Alquist, Baca, Battin, Baugh, Bowler, Brown, Bustamante, Campbell, Cunneen, Davis, Ducheny, Escutia, Figueroa, Frusetta, Goldsmith, Granlund, Havice, Hertzberg, House, Kaloogian, Keeley, Knox, Kuykendall, Leach, Lempert, Leonard, Machado, Margett, Martinez, Mazzoni, McClintock, Migden, Miller, Morrissey, Morrow, Napolitano, Olberg, Oller, Poochigian, Prenter, Richter, Runner, Scott, Shelley, Sweeney, Torlakson, Villaraigosa, Vincent, Wayne, Wildman, and Woods.

**Request for Unanimous Consent**

Assembly Member Morrow was granted unanimous consent to take up Senate Concurrent Resolution No. 106, as amended, without reference to print or file.

**Consideration of Senate Concurrent Resolution No. 106, as Amended**

**SENATE CONCURRENT RESOLUTION NO. 106**—Relative to the Honorable Frank K. Richardson.

Resolution read, as amended, and adopted by the following vote:

**AYES—73**

Ackerman	Cunneen	Machado	Richter
Aguiar	Davis	Margett	Runner
Alby	Ducheny	Martinez	Scott
Alquist	Escutia	Mazzoni	Shelley
Aroner	Figueroa	McClintock	Strom-Martin
Ashburn	Frusetta	Migden	Sweeney
Baca	Goldsmith	Miller	Thompson
Baldwin	Granlund	Morrissey	Thomson
Battin	Havice	Morrow	Torlakson
Baugh	Honda	Murray	Vincent
Bordonaro	House	Napolitano	Washington
Bowen	Kaloogian	Olberg	Wayne
Bowler	Keeley	Oller	Wildman
Brewer	Knox	Ortiz	Woods
Brown	Kuehl	Pacheco	Wright
Bustamante	Kuykendall	Papan	Mr. Speaker
Campbell	Leach	Perata	
Cardenas	Lempert	Poochigian	
Cardoza	Leonard	Prenter	

**NOES—None**

Resolution ordered transmitted to the Senate.

**At 4:20 p.m., Hon. Valerie Brown, 7th District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1757 (Peace)**—An act to add Section 341.5 to, and to add Chapter 2.2 (commencing with Section 328) to Part 1 of Division 1 of, the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Keeley.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuykendall	Perata
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Pringle
Aroner	Escutia	Machado	Richter
Ashburn	Figueroa	Margett	Runner
Baca	Floyd	Martinez	Scott
Baldwin	Frusetta	Mazzoni	Shelley
Battin	Gallegos	Migden	Strom-Martin
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—1**

McClintock

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuykendall	Perata
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Pringle
Aroner	Escutia	Machado	Richter
Ashburn	Figueroa	Margett	Runner
Baca	Floyd	Martinez	Scott
Baldwin	Frusetta	Mazzoni	Shelley
Battin	Gallegos	Migden	Strom-Martin
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kalooagian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker

**NOES—1**

McClintock

**Vote Changes**

By unanimous consent, the following vote change was permitted on the urgency clause to Senate Bill No. 1757, and on passage of the bill: Assembly Member Sweeney, from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

**SPECIAL CEREMONY HONORING RETIRING MEMBERS**

At 4:25 p.m., a special ceremony was convened to honor Members retiring from the California State Assembly.

The following resolution was read:

**House Resolution No. 67 Taken Up by Unanimous Consent**

By unanimous consent House Resolution No. 67 was taken up, without reference to committee or file.

**HOUSE RESOLUTION NO. 67**—Relative to commending the Honorable Barbara Alby.

WHEREAS, The Honorable Barbara Alby is drawing to a close her tenure with California State Assembly following 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, Rising from a welfare mother and a victim of domestic abuse to a successful businesswoman and legislator, the Honorable Barbara Alby is truly an American success story; and

WHEREAS, Through her own inner strength and faith in her ability to overcome circumstances and put the promise of America to the test, Barbara Alby turned her life around, and with that same tenacity and personal strength, she won a seat in California State Assembly in a 1993 special election; and

WHEREAS, She was subsequently re-elected to office in 1994 and 1996 with more than 60 percent of the vote, and most recently she has represented the 5th Assembly District in Northern California; and

WHEREAS, Foremost among her legislative accomplishments are laws to protect children from sexual predators, including authoring legislation that established the Child Molester I.D. phone line and “Megan’s Law” in California, which legislation enables parents and

concerned community members to know when convicted sex offenders are living in their community; and

WHEREAS, She authored legislation that prohibits HMOs from writing gag orders in their contracts with medical providers that would keep doctors from discussing all treatment options with their patients; and

WHEREAS, She has been a strong supporter of commonsense balance in protecting the environment and reforms to the California Endangered Species Act that would protect private property and allow for the timely repair of flood protection levees; and

WHEREAS, Knowing first-hand the day-to-day operations of a small business, she believes that small business flourishes and families better provide for themselves when government reduces burdensome regulations, taxes, and fees, and thus the National Tax Limitation Committee named her "Taxfighter of the Year" for her efforts on behalf of working families; and

WHEREAS, Assembly Member Alby is Vice Chair of the Assembly Select Committee on Defense Conversion and a member of the Assembly Insurance, Utilities and Commerce, and Judiciary Committees, the Assembly Select Committee on Veterans Affairs, and the Joint Committee on the Headwaters Forest and Ecosystem Management Planning; and

WHEREAS, Barbara Alby brought to the Legislature a breadth of knowledge and personal life experience that few others in elective office have; and

WHEREAS, Assembly Member Alby and her husband, Dennis, have been married for 30 years and have five children and three grandchildren; and

WHEREAS, Through her public service activities she has made a significant impact on the people of the 5th Assembly District and throughout the state, and she will be very much missed by those individuals with whom she has been associated; now, therefore, be it

*Resolved by the Assembly of the State of California,* That they express their commendations and appreciation to their colleague, the Honorable Barbara Alby, for her outstanding record of dedicated service to her constituents and to all of the people of California, and convey to her best wishes for every success in her future endeavors.

Resolution read and adopted unanimously.

#### **HOUSE RESOLUTION NO. 68 TAKEN UP BY UNANIMOUS CONSENT**

By unanimous consent House Resolution No. 68 was taken up, without reference to committee or file.

**HOUSE RESOLUTION NO. 68**—Relative to commending the Honorable Larry Bowler.

WHEREAS, The Honorable Larry Bowler 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 commendations; and

WHEREAS, Larry Bowler was first elected to the California State Assembly in 1992 as the representative of the 10th Assembly District; and

WHEREAS, He was elected to a third term in the Assembly in

November 1996 and won that election by a 49 percent to 44 percent to 6 percent margin over his Democratic and Reform party opponents, a margin of nearly 7,000 votes; and

WHEREAS, In his first term, he served on the Assembly Committees on Education, Banking and Finance, Utilities and Commerce, and Public Employees, Retirement and Social Security, and he also served as Chairman of the Assembly Republican Task Force on Youth and Gang Violence; and

WHEREAS, During his first term, Assembly Member Bowler coauthored the landmark 'Three Strikes' legislation, in addition to enabling legislation to bring Packard Bell to the Sacramento Army Depot, and he also coauthored bipartisan legislation to convert Mather Air Force Base to civilian use, including the operation of several major air-cargo carriers; and

WHEREAS, In 1996 he was appointed Chairman of the Assembly Committee on Transportation, and he authored legislation that eased restrictions placed on the public by the 'Smog Check II' program and worked to make transportation by rail a priority, advocating the increased use of commuter rail and high speed rail; and

WHEREAS, Assembly Member Bowler authored legislation that banned the mind altering drug, Rohypnol; this drug produced a loss of consciousness and memory that allowed a rapist to attack an innocent victim without the victim knowing or remembering the attack; and in 1997-98 Regular Session of the Legislature, he has authored legislation to ban the possession of GHB, another designer drug that has proven fatal; and

WHEREAS, Prior to his election to the Assembly, Larry Bowler served with distinction for 30 years in the Sacramento County Sheriff's Department, working his way up to the rank of lieutenant; and

WHEREAS, He is past President of the Northern California Detention and Corrections Association, and he served as a two-time gubernatorial appointee to the State Advisory Board of Drug Programs; and

WHEREAS, A lifelong Sacramento resident, Assembly Member Bowler served as a radioman in the United States Navy, and he is a credentialed community college instructor in the Los Rios Community College District; and

WHEREAS, Larry is the father of two grown children, Monica and Darren, and has two grandchildren; he lives in Elk Grove with his wife, Melva, and daughter, Kimberly; now, therefore, be it

*Resolved by the Assembly of the State of California*, That they take great pride in honoring Assembly Member Larry Bowler for his outstanding service to the 10th Assembly District and the people of California during his tenure as a Member of the California State Assembly, and extend to him heartiest best wishes for happiness and success in his future endeavors.

Resolution read and adopted unanimously.

**HOUSE RESOLUTION NO. 69 TAKEN UP BY UNANIMOUS CONSENT**

By unanimous consent House Resolution No. 69 was taken up, without reference to committee or file.

**HOUSE RESOLUTION NO. 69**—Relative to commending the Honorable Diane Martinez.

WHEREAS, The Honorable Diane Martinez is drawing to a close her 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 her illustrious tenure and to extend to her the highest commendation; and

WHEREAS, Diane Martinez was first elected to the California State Assembly on November 3, 1992, as the representative of the 49th Assembly District; and

WHEREAS, Upon election to the Assembly, she gained immediate recognition as a serious legislator after authoring a bill to facilitate completion of a 6.2 mile missing link in the 710 Long Beach Freeway; and

WHEREAS, Assembly Member Martinez is currently the Chairwoman of the Assembly Committee on Utilities and Commerce, and serves on the Assembly Committees on Insurance, Education, and the Judiciary, and she was appointed by the Speaker of the Assembly to serve on the Little Hoover Commission and the Electricity Oversight Board; and

WHEREAS, In 1993 she became the Chairwoman of the Assembly Committee on Elections, Reapportionment and Constitutional Amendments—the first freshman legislator ever to be appointed as chair of a standing committee; and

WHEREAS, Assembly Member Martinez also served as Chairwoman of the Assembly Committee on Utilities and Commerce from June 1995 to January 1996, and she chaired numerous hearings on electrical restructuring, the future of telecommunications, and universal service; and

WHEREAS, She has received numerous awards and acknowledgements for her work in the community with education, the environment, energy, public utilities, and law enforcement issues, and she received international recognition as the author of a 1994 pant bill which made it legal for women to wear pants in the workplace; and

WHEREAS, Assembly Member Martinez served as a member and President of the Garvey School Board, and prior to her election to the Assembly, she worked in the telecommunications industry for 17 years; and

WHEREAS, She is married to Dr. Jon Elliott Mandaville, and she is the mother of one daughter, Kate; and

WHEREAS, Through her professional, public, and community activities, Assembly Member Diane Martinez has made a significant impact on the people of the 49th Assembly District and throughout the state, and she 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 they take great pride in honoring Assembly Member Diane Martinez for her outstanding service to the residents of 49th 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.

Resolution read and adopted unanimously.

**HOUSE RESOLUTION NO. 78 TAKEN UP BY UNANIMOUS CONSENT**

By unanimous consent House Resolution No. 78 was taken up, without reference to committee or file.

**HOUSE RESOLUTION NO. 78**—Relative to commending the Honorable Bill Morrow.

WHEREAS, The tenure of Assembly Member Bill Morrow with the California State Assembly is drawing to a close 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, Bill Morrow was first elected to the California State Assembly in 1992 as the representative of the 73rd Assembly District, which includes South Orange County and North San Diego County, and he was reelected in 1994 and 1996 by an overwhelming majority; and

WHEREAS, After serving his first term in the Assembly, he was named Legislator of the Year by the Orange County League of Cities, and in 1995, the Pro-Life PAC of Orange County selected him as Legislator of the Year; he served as Chairman of the powerful Judiciary Committee while Republicans held the majority in the Assembly in 1996, and recognizing his efforts to effect legal reform, the Orange County Citizens Against Lawsuit Abuse selected him as their Civil Justice Reform Legislator of the Year for 1996, and the Golden State Mobilehome Owners League, Inc., recently named him 1998 Legislator of the Year; and

WHEREAS, Assembly Member Morrow has been the point person in the fight against frivolous lawsuit abuse; his legislative victories include school funding equalization, which gave more than \$5.2 million to low wealth school districts in his Assembly District, and he has focused attention on the senseless delays in the appeals process for criminals who have received the death penalty and successfully introduced and passed legislation to expedite capital punishment cases; and

WHEREAS, Since his election to the Assembly, he has consistently supported legislation to limit government, while upholding his pledge to vote against all new taxes, and he serves as Vice Chairman of the prestigious Assembly Judiciary Committee and is a member of the Assembly Committees on Transportation, Health, and Education; and

WHEREAS, Assembly Member Morrow has been an active member of his community through his support of the Boys & Girls Clubs, Chambers of Commerce, Kiwanis Clubs, YMCA, Laura's House, the American Legion, and the Veterans of Foreign Wars, and he has been a keynote speaker at the Veterans's Loyalty Day celebration in San Clemente for the past four years; and

WHEREAS, Born and raised in Southern California, he was the student body president of his class at Mt. San Antonio College, and he graduated from UCLA with honors and received his Doctor of Jurisprudence degree from the Pepperdine School of Law; and

WHEREAS, Assembly Member Morrow served in the United States Marine Corps with distinction for eight years as a commissioned officer

and Military Judge Advocate and was Chief Trial Counsel and Prosecutor at Camp Pendleton before leaving active duty in 1987, at which time he became a small business attorney; now, therefore, be it

*Resolved by the Assembly of the State of California,* That they take great pride in honoring Assembly Member Bill Morrow for his outstanding service to the residents of the 73rd Assembly District and the people of California during his tenure as a Member of the Legislature, and extend to him heartiest best wishes for happiness and success in his future endeavors.

Resolution read and adopted unanimously.

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Upon request of Assembly Member Shelley, Assembly Member Wright was granted unanimous consent that the following communication be printed in the Journal:

August 31, 1998

*E. Dotson Wilson, Chief Clerk  
California State Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: I authored Assembly Bill 2594, which is Chapter 327 of 1998. That measure provides the framework for operation of the Repeat Offender Pilot Project in several counties.

In the rush to include Assembly Bill 2594 as a State budget trailer bill, two drafting errors remained uncorrected. The first error is a reference in Section 744 of the Welfare and Institutions Code to a nonexistent subdivision in Section 745 of the Welfare and Institutions Code. Prior amendments had deleted the need for subdivisions in Section 745, but Section 744's reference to subdivision (b) was not deleted.

The second error is a technical failure to clarify, following June 10, 1998, amendments, that the Multi-Agency At-Risk Youth Program (MAARYC) operated by Los Angeles County may operate and receive funds as part of the Repeat Offender Pilot Project and may continue its focus upon early intervention, rather than waiting for minors to be declared wards of the juvenile court for the first time. The bill contains a reference to the MAARYC program, but the reference needs some clarifying language.

The debate and analyses all clearly indicate that these were inadvertent drafting errors. I intend to introduce urgency legislation in December to make the necessary corrections. In the meantime, the Board of Corrections should begin to develop the necessary selection criteria and funding deadlines to conform with the intention of the legislation.

Sincerely,

RODERICK D. WRIGHT, Assembly Member  
Forty-eighth Assembly District

Upon request of Assembly Member Shelley, Assembly Member Knox was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Bill No. 1102**

August 31, 1998

*Hon. Antonio R. Villaraigosa  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Speaker Villaraigosa: I am submitting this letter and requesting that it be included in the Assembly Journal to clarify my intent with respect to Assembly Bill 1102. AB 1102 establishes a number of benefit improvements for members of the State Teachers' Retirement System, including an additional retirement allowance for members with 30 or more years of service. This additional allowance was also intended to be made available to members who retired from STRS, reinstated their membership and subsequently re-retired, and had a total of at least 30 years over the course of their entire career. Unfortunately, the specific language added to Sections 24209 and 24210 of the Education Code did not clearly state that intent.

STRS staff has stated that they will evaluate the most appropriate way to achieve that intent, and will propose the necessary technical changes in legislation next year.

Thank your for this opportunity to state my intent for the record.

Sincerely,

WALLY KNOX, Assembly Member  
Forty-second District

Upon request of Assembly Member Shelley, Assembly Member Davis was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Bill No. 984**

August 31, 1998

*E. Dotson Wilson, Chief Clerk  
California Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: I respectfully request that this letter be printed in the Assembly Journal for purposes of clarifying the intent of my Assembly Bill 984.

The amendments to Health and Safety Code Section 1345 are intended to assure that the new Section 1371.5 controls when ambulance transport services are to be part of "basic health care services." In addition, the phrase "emergency condition did not exist" contained in subdivision (d) of new Section 1371.5 is not intended to modify, but rather is reflective of, the reasonableness standard set forth in subdivision (a), (b), and (c).

Sincerely,

SUSAN A. DAVIS, Assembly Member  
Seventy-sixth District

**GOVERNOR'S VETOES STRICKEN FROM FILE**

Assembly Member Shelley was granted unanimous consent that the Governor's vetoes of Assembly Bills Nos. 2675, 2556, 2194, 1428, 1656, 2778, 2781, 2789, 182, 1815, and 1643 be stricken from file.

**SENATE CONCURRENT RESOLUTION NO. 105 TAKEN UP BY UNANIMOUS CONSENT**

Upon request of Assembly Member Shelley, Assembly Member Gallegos was granted consent to take up Senate Concurrent Resolution No. 105, without reference to committee or file.

**SENATE CONCURRENT RESOLUTION NO. 105**—Relative to newborn hearing screening.

Resolution read, and adopted by the following vote:

**AYES—56**

Aguiar	Ducheny	Lempert	Runner
Alquist	Escutia	Machado	Scott
Aroner	Figueroa	Margett	Shelley
Baca	Floyd	Martinez	Strom-Martin
Battin	Frusetta	Mazzoni	Sweeney
Bordonaro	Gallegos	Migden	Thomson
Bowen	Havice	Morrissey	Torlakson
Brown	Hertzberg	Murray	Vincent
Bustamante	Honda	Napolitano	Washington
Cardenas	Keeley	Ortiz	Wayne
Cardoza	Knox	Papan	Wildman
Cedillo	Kuehl	Perata	Woods
Cunneen	Kuykendall	Prenter	Wright
Davis	Leach	Richter	Mr. Speaker

**NOES—19**

Ackerman	Campbell	Leonard	Oller
Alby	Goldsmith	McClintock	Poochigian
Ashburn	Granlund	Miller	Pringle
Baugh	House	Morrow	Thompson
Bowler	Kaloogian	Olberg	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Concurrent Resolution No. 105: Assembly Member House, from "Aye" to "No".

Resolution ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****CONFERENCE COMMITTEE REPORTS**

**SENATE BILL NO. 1561** (As proposed by the Conference Committee)—An act to add Chapter 6.1 (commencing with Section 52050) to, and to add and repeal Article 3 (commencing with Section 52052) of Chapter 6.1 of, Part 28 of the Education Code, relating to school accountability, and making an appropriation therefor.

Conference Committee Report presented by Assembly Member Strom-Martin.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Pacheco moved a call of the Assembly.

Motion carried. Time, 4:48 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 581 (Martinez)**—An act to add Section 376.5 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.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Martinez moved a call of the Assembly.

Motion carried. Time, 4:49 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 2121 (Hurtt)**—An act to amend Sections 16301.6, 16301.8, and 16302.1 of the Government Code, relating to state finance.

Bill read third time, and presented by Assembly Member Migden.

Bill passed by the following vote:

**AYES—69**

Ackerman	Cardoza	Lempert	Richter
Aguiar	Cunneen	Leonard	Runner
Alby	Ducheny	Machado	Scott
Alquist	Escutia	Margett	Shelley
Aroner	Figueroa	Martinez	Strom-Martin
Ashburn	Frusetta	Mazzoni	Sweeney
Baca	Gallegos	Migden	Thompson
Baldwin	Goldsmith	Miller	Torlakson
Battin	Granlund	Morrissey	Vincent
Baugh	Havice	Morrow	Washington
Bordonaro	Hertzberg	Napolitano	Wayne
Bowen	Honda	Olberg	Wildman
Bowler	House	Oller	Woods
Brewer	Kaloogian	Ortiz	Wright
Brown	Keeley	Perata	Mr. Speaker
Bustamante	Kuehl	Poochigian	
Campbell	Kuykendall	Prenter	
Cardenas	Leach	Pringle	

**NOES—None**

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2217 (Villaraigosa)**—An act to amend and supplement the Budget Act of 1998 by adding Item 8260-104-0001 to Section 2.00 thereof, 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—75**

Ackerman	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Pringle
Alby	Davis	Leonard	Richter
Alquist	Ducheny	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Floyd	Martinez	Shelley
Baca	Frusetta	Mazzoni	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Poochigian	

**NOES—None**

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—75**

Ackerman	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Pringle
Alby	Davis	Leonard	Richter
Alquist	Ducheny	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Floyd	Martinez	Shelley
Baca	Frusetta	Mazzoni	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Poochigian	

**NOES—None**

Above bill ordered enrolled.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 5:05 p.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1857 (Brulte)**—An act to add and repeal Chapter 9 (commencing with Section 44275) of Part 5 of Division 26 of the Health and Safety Code, relating to air pollution, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Villaraigosa.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—73**

Ackerman	Cedillo	Kuykendall	Prenter
Aguiar	Cunneen	Leach	Pringle
Alby	Davis	Lempert	Runner
Alquist	Ducheny	Leonard	Scott
Aroner	Escutia	Machado	Shelley
Ashburn	Figueroa	Martinez	Strom-Martin
Baca	Floyd	Mazzoni	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Granlund	Morrow	Vincent
Bowen	Havice	Murray	Washington
Bowler	Hertzberg	Napolitano	Wayne
Brewer	Honda	Olberg	Wildman
Brown	House	Oller	Wright
Bustamante	Kaloogian	Ortiz	Mr. Speaker
Campbell	Keeley	Papan	
Cardenas	Knox	Perata	
Cardoza	Kuehl	Poochigian	

**NOES—None**

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—73**

Ackerman	Cedillo	Kuykendall	Prenter
Aguiar	Cunneen	Leach	Pringle
Alby	Davis	Lempert	Runner
Alquist	Ducheny	Leonard	Scott
Aroner	Escutia	Machado	Shelley
Ashburn	Figueroa	Martinez	Strom-Martin
Baca	Floyd	Mazzoni	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Granlund	Morrow	Vincent
Bowen	Havice	Murray	Washington
Bowler	Hertzberg	Napolitano	Wayne
Brewer	Honda	Olberg	Wildman
Brown	House	Oller	Wright
Bustamante	Kaloogian	Ortiz	Mr. Speaker
Campbell	Keeley	Papan	
Cardenas	Knox	Perata	
Cardoza	Kuehl	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**BILL RETURNED TO ENROLLMENT**

Assembly Member Villaraigosa was granted unanimous consent that Assembly Bill No. 1368 be returned to Enrollment.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Assembly Bill No. 1194**, on request of Assembly Member Villaraigosa.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Budget**

Date of Hearing: August 31, 1998

Mr. Speaker: Your Committee on Budget reports:

Senate Bill No. 1518

With the recommendation: Do pass.

DUCHENY, Chairwoman

Above bill ordered to second reading.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Wright.

*Resolved*, That Senate Bill No. 1518 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.

Resolution read, and adopted by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Thompson
Battin	Goldsmith	Miller	Thomson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Morrow	Vincent
Bowen	Hertzberg	Murray	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—None**

Article IV, Section 8(b) of the Constitution was declared dispensed with.

**Second Reading of Senate Bill No. 1518**

**SENATE BILL NO. 1518**—An act relating to the payment of judgments and settlement claims against the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Senate Bill No. 1518 Without Reference to File**

Assembly Member Wright was granted unanimous consent to take up Senate Bill No. 1518, without reference to file, for purpose of consideration.

**SENATE BILL NO. 1518 (Committee on Appropriations)**—An act relating to the payment of judgments and settlement claims against the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Wright.

**Urgency Clause**

Urgency clause read.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Wright moved a call of the Assembly.

Motion carried. Time, 5:35 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
MOTION TO WITHDRAW ASSEMBLY BILL NO. 2795  
FROM COMMITTEE**

In compliance with a notice given on a previous day, Assembly Member Oller moved that Assembly Bill No. 2795 be withdrawn from the Committee on Transportation.

Assembly Member Morrissey seconded the motion.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Oller moved a call of the Assembly.

Motion carried. Time, 5:40 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. 1771**

At 5:51 p.m., on motion of Assembly Member Keeley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Keeley moved to continue the call of the Assembly.

Motion carried. Time, 5:52 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 URGENCY  
CLAUSE TO SENATE BILL NO. 2**

At 5:53 p.m., on motion of Assembly Member Keeley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Keeley moved to continue the call of the Assembly.

Motion carried. Time, 5:53 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 URGENCY  
CLAUSE TO SENATE BILL NO. 535**

At 5:55 p.m., on motion of Assembly Member Migden, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Migden moved to continue the call of the Assembly.

Motion carried. Time, 5:55 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  
RICHTER MOTION TO WITHDRAW  
ASSEMBLY JOINT RESOLUTION NO. 78 FROM COMMITTEE**

At 5:55 p.m., on motion of Assembly Member Richter, 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 Richter moved to continue the call of the Assembly.

Motion carried. Time, 5:56 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
CONFERENCE REPORT ON SENATE BILL NO. 1561**

At 5:57 p.m., on motion of Assembly Member Pacheco, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Pacheco moved to continue the call of the Assembly.

Motion carried. Time, 5:57 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. 581**

At 5:58 p.m., on motion of Assembly Member Martinez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Martinez moved to continue the call of the Assembly.

Motion carried. Time, 5:58 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 1518**

At 5:58 p.m., on motion of Assembly Member Wright, 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 Wright moved to continue the call of the Assembly.

Motion carried. Time, 5:58 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  
OLLER MOTION TO WITHDRAW  
ASSEMBLY BILL NO. 2795 FROM COMMITTEE**

At 5:59 p.m., on motion of Assembly Member Oller, 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 Oller moved to continue the call of the Assembly.

Motion carried. Time, 5:59 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**PARLIAMENTARY INQUIRY**

Assembly Member Kaloogian arose to the following parliamentary inquiry:

What is the policy of the House with respect to the number of Calls of the Assembly permitted on any question and will opposition be permitted an equal opportunity for Calls of the Assembly as the proponents on a question?

**Reply by Acting Speaker Brown**

The Acting Speaker replied that it has been the policy to permit 3 Calls of the Assembly on any question.

**Parliamentary Inquiry**

Assembly Member Bowen arose to the following parliamentary inquiry:

Is it not the decision of the House as to how many Calls of the Assembly are permitted?

**Reply by Acting Speaker Brown**

The Acting Speaker replied in the affirmative.

**At 6 p.m., Hon. Fred Keeley, 27th District, presiding**

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
OLLER MOTION TO WITHDRAW  
ASSEMBLY BILL NO. 2795 FROM COMMITTEE**

At 6:06 p.m., on motion of Assembly Member Oller, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Oller motion to withdraw Assembly Bill No. 2795 from committee lost by the following vote:

**AYES—40**

Ackerman	Campbell	Leonard	Pacheco
Aguiar	Cardoza	Machado	Papan
Alby	Cunneen	Margett	Poochigian
Ashburn	Frusetta	McClintock	Prenter
Baldwin	Goldsmith	Miller	Pringle
Battin	Granlund	Morrissey	Richter
Baugh	House	Morrow	Runner
Bordonaro	Kaloogian	Olberg	Thompson
Bowler	Kuykendall	Oller	Thomson
Brewer	Leach	Ortiz	Woods

**NOES—16**

Aroner	Ducheny	Gallegos	Perata
Bowen	Escutia	Knox	Shelley
Brown	Figueroa	Kuehl	Torlakson
Cedillo	Floyd	Migden	Mr. Speaker

**FURTHER CONSIDERATION OF SENATE BILL NO. 752  
BY UNANIMOUS CONSENT**

**SENATE BILL NO. 752 (Schiff)**—An act to amend Sections 77201.3 and 77213 of, and to repeal and amend Section 77201.1 of, the Government Code, relating to trial court funding, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Torlakson.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—75**

Ackerman	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Pringle
Alby	Davis	Leonard	Richter
Alquist	Ducheny	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	Migden	Strom-Martin
Baldwin	Gallegos	Miller	Sweeney
Battin	Goldsmith	Morrissey	Thompson
Baugh	Granlund	Morrow	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Vincent
Bowler	Honda	Olberg	Washington
Brewer	House	Oller	Wayne
Brown	Kaloogian	Ortiz	Wildman
Bustamante	Keeley	Pacheco	Woods
Campbell	Knox	Papan	Wright
Cardenas	Kuehl	Perata	Mr. Speaker
Cardoza	Kuykendall	Poochigian	

**NOES—3**

Escutia	Martinez	McClintock
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The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—75**

Ackerman	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Pringle
Alby	Davis	Leonard	Richter
Alquist	Ducheny	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	Migden	Strom-Martin
Baldwin	Gallegos	Miller	Sweeney
Battin	Goldsmith	Morrissey	Thompson
Baugh	Granlund	Morrow	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Vincent
Bowler	Honda	Olberg	Washington
Brewer	House	Oller	Wayne
Brown	Kaloogian	Ortiz	Wildman
Bustamante	Keeley	Pacheco	Woods
Campbell	Knox	Papan	Wright
Cardenas	Kuehl	Perata	Mr. Speaker
Cardoza	Kuykendall	Poochigian	

**NOES—3**

Escutia	Martinez	McClintock
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Bill ordered transmitted to the Senate.

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Upon request of Assembly Member Shelley, Assembly Member Wright was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Bill No. 48**

August 31, 1998

*E. Dotson Wilson, Chief Clerk  
California State Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: The purpose of this letter is to clarify my intent as the author of AB 48 on an issue contained within the bill.

The bill allows for compensation of the lawful owners of SKS rifles under certain conditions. The question raised is what value will be placed on the SKS rifles to compensate owners.

The Senate Appropriations Committee suggested that the cost of each rifle would likely be \$230. It is my intent in enacting AB 48 that those who relinquish and have a receipt should be compensated for their actual cost. Those who do not have a receipt should receive \$230, a reasonable fair market value for the rifle.

Sincerely,

RODERICK D. WRIGHT, Assembly Member  
Forty-eighth District

Upon request of Assembly Member Shelley, Assembly Member Sweeney was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Bill No. 2339**

August 31, 1998

*The Honorable Antonio Villaraigosa  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: I submit this letter to the Assembly Journal to make clear the legislative intent of my Assembly Bill 2339, which was approved today by the Legislature.

It is my intent that Sections 2 and 8 of AB 2339 provide a mechanism to ensure that cleanups carried out under the Bay Protection and Toxic Cleanup Program (BPTCP) do not duplicate efforts being implemented under other state or federal regulatory programs, and that the efforts of the BPTCP focus on high priority contaminated areas where action is needed.

During discussions about these provisions of the bill, the State Water Resources Control Board (SWRCB) raised questions about mechanisms for ensuring accountability for those sites under other programs. There may be toxic hot spots under the jurisdiction of another regulatory program for which a Regional Water Quality Control Board (RWQCB) has raised questions regarding the equivalency of the cleanup requirements compared to the BPTCP. For those toxic hot spots, it is my intent that the RWQCB demonstrate the conditions of the

statewide consolidated toxic hot spots cleanup plan that are not being met which pose a significant threat to public health, safety or the environment.

In case of a disagreement between a RWQCB, a lead agency, and/or an affected party, it is also intended that the site designation committee created by Chapter 6.65 of the Health and Safety Code (consisting of the Secretary of Environmental Protection, the Director of Toxic Substances Control, the Chairperson of the SWRCB, the Director of Fish and Game, the Director of the Office of Environmental Health Hazard Assessment, and the Chairperson of the State Air Resources Board) will decide whether the RWQCB has demonstrated that there is a significant threat to public health, safety or the environment, and therefore, if it is necessary for the lead agency to impose additional conditions on the cleanup effort. In the case of a toxic hot spot with a federal lead agency, the federal agency should be included in the decision-making process.

I believe this clarifying letter will enable the RWQCBs and SWRCB to move forward expeditiously to implement the statewide consolidated toxic hot spots cleanup plan prepared pursuant to Section 13394 of the Water Code.

Sincerely,

MICHAEL SWEENEY, Assembly Member  
Eighteenth District

#### **REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Shelley was granted unanimous consent that all bills reported from the Committee on Appropriations with a "Do Pass" recommendation, be taken up without reference to file for purpose of second reading, and that the bills be ordered to third reading on a supplemental file; and that all bills reported with a "Do Pass as Amended" recommendation, be taken up without reference to file for purpose of second reading and adoption of committee amendments and that the bills be ordered to third reading on a supplemental file.

#### **MESSAGES FROM THE SENATE**

Senate Chamber, August 31, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 426  
Assembly Bill No. 1291  
Assembly Bill No. 1332

Assembly Bill No. 1899  
Assembly Bill No. 2744

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.

#### **REPORTS OF STANDING COMMITTEES** **Committee on Appropriations**

Date of Hearing: August 31, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 491  
Senate Bill No. 2108

With amendments with the recommendation: Amend, and do pass, as amended.

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: August 31, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 913

Senate Bill No. 1546

Senate Bill No. 1032

Senate Bill No. 2198

Senate Bill No. 1496

With amendments with the recommendation: Amend, and do pass, as amended.

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: August 31, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1997

Senate Bill No. 2132

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: August 31, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 2154

With the recommendation: That the Senate amendments be concurred in.

MIGDEN, Chairwoman

Above bill ordered to unfinished business.

Date of Hearing: August 31, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 918

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: August 31, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1656

With amendments with the recommendation: Amend, and do pass, as amended.

MIGDEN, Chairwoman

Above bill ordered to second reading.

### **SECOND READING OF BILLS BY UNANIMOUS CONSENT**

**SENATE BILL NO. 491**—An act to add Section 14672.14 to the Government Code, relating to state property.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 2108**—An act relating to corrections, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 913**—An act to amend Sections 25284 and 25292.3 of the Health and Safety Code, relating to underground storage tanks.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1032**—An act to amend Section 41204.1 of the Education Code, and to add Section 97.52 to the Revenue and Taxation Code, relating to local government.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1496**—An act to amend Sections 17024.5, 17052.12, 17052.25, 17062, 17073.5, 17088.5, 17088.6, 17132.6, 17152, 17276, 17279.5, 17507.6, 17559, 17564, 17570, 17760.5, 17856, 18037.3, 18042, 18178, 18505, 18510, 18572, 18641, 18645, 19057, 19132, 19133.5, 19136, 19141.2, 19141.5, 19182, 19184, 19521, 19524, 23456, 23609, 23701t, 23704, 23712, 23771, 23800.5, 23806, 24349, 24357.7, 24357.8, 24402, 24416, 24424, 24652.5, 24661.5, 24673.2, 24710, 24871.5, 24872.4, 24872.5, 24872.7, 24875.5, 24949.1, and 24994 of, to amend and renumber Section 19721.6 of, to amend and repeal Section 24954 of, to add Sections 17062.5, 17140.3, 17279.4, 17751, 17752, 17865, 18038.4, 19066.5, 19136.6, 23455.5, 23704.3, 23711, 24309.5, 24355.4, 24357.9, and 24369.4 to, and to repeal Sections 17085.8, 17210.6, 17507.4, and 18037.6 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1546**—An act to add Section 1586 to the Fish and Game Code, relating to fish and game, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 2198**—An act to amend Sections 25281.5 and 40440.8 of, to add Sections 43830.5 and 116367.5 to, to add and repeal Section 116367 of, to repeal Section 25299.99 of, and to repeal, add, and repeal Article 13 (commencing with Section 25299.99) of Chapter 6.75 of Division 20 of, the Health and Safety Code, relating to pollution, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1997**—An act to amend Section 110 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 2132**—An act to amend Sections 35735.1 and 35735.2 of the Education Code, relating to school finance.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 918**—An act to amend Section 2166 of the Elections Code, relating to elections.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 1656**—An act to amend Section 41204.1 of the Education Code, to amend Section 51298 of the Government Code, and to add Section 97.24 to the Revenue and Taxation Code, relating to local government finance.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**At 6:21 p.m., Assistant Speaker pro Tempore Joe Baca,  
62nd District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 468 (Wayne)**—An act to amend Sections 14549, 14560, 14571.8, 14573, 14573.5, 14574, 14575, 14580, 14581, 14885, and 14591.1 of, to amend and repeal Section 14549.6 of, and to add Sections 14514.4.1, 14549.7, and 14571.5 to, the Public Resources Code, and to add Sections 6011.3 and 6012.3 to the Revenue and Taxation Code, relating to beverage containers, 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 Wayne moved a call of the Assembly.

Motion carried. Time, 6:55 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. 1477 (Kopp)**—An act to add Sections 2126.5 and 2127.5 to, and to repeal Sections 2126 and 2127 of, the Streets and Highways Code, relating to streets, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Torlakson.

Bill passed by the following vote:

**AYES—48**

Aguiar	Ducheny	Kuehl	Papan
Alquist	Escutia	Kuykendall	Perata
Aroner	Figueroa	Leach	Poochigian
Ashburn	Floyd	Lempert	Prenter
Baca	Frusetta	Machado	Shelley
Brown	Gallegos	Martinez	Strom-Martin
Bustamante	Granlund	Mazzoni	Sweeney
Cardenas	Havice	Migden	Thomson
Cardoza	Hertzberg	Miller	Torlakson
Cedillo	Honda	Morrissey	Vincent
Cunneen	Keeley	Napolitano	Wayne
Davis	Knox	Ortiz	Mr. Speaker

**NOES—26**

Ackerman	Bowler	Margett	Richter
Alby	Brewer	McClintock	Runner
Baldwin	Campbell	Murray	Thompson
Battin	Goldsmith	Olberg	Woods
Baugh	House	Oller	Wright
Bordonaro	Kaloogian	Pacheco	
Bowen	Leonard	Pringle	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 1477: Assembly Member Scott, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate immediately.

**At 7:13 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding**

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 1518**

At 7:13 p.m., on motion of Assembly Member Wright, 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. 1518 adopted by the following vote:

**AYES—54**

Ackerman	Escutia	Lempert	Scott
Alquist	Figueroa	Leonard	Shelley
Aroner	Floyd	Machado	Strom-Martin
Baca	Frusetta	Margett	Sweeney
Bowen	Gallegos	Mazzoni	Thomson
Brewer	Goldsmith	Migden	Torlakson
Brown	Havice	Miller	Vincent
Bustamante	Hertzberg	Morrissey	Washington
Cardenas	Honda	Murray	Wayne
Cardoza	House	Napolitano	Wildman
Cedillo	Keeley	Ortiz	Wright
Cunneen	Knox	Papan	Mr. Speaker
Davis	Kuehl	Perata	
Ducheny	Kuykendall	Runner	

**NOES—21**

Alby	Bowler	Morrow	Richter
Ashburn	Campbell	Olberg	Thompson
Baldwin	Granlund	Oller	Woods
Battin	Kaloogian	Poochigian	
Baugh	Martinez	Prenter	
Bordonaro	McClintock	Pringle	

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—54**

Ackerman	Escutia	Lempert	Scott
Alquist	Figueroa	Leonard	Shelley
Aroner	Floyd	Machado	Strom-Martin
Baca	Frusetta	Margett	Sweeney
Bowen	Gallegos	Mazzoni	Thomson
Brewer	Goldsmith	Migden	Torlakson
Brown	Havice	Miller	Vincent
Bustamante	Hertzberg	Morrissey	Washington
Cardenas	Honda	Murray	Wayne
Cardoza	House	Napolitano	Wildman
Cedillo	Keeley	Ortiz	Wright
Cunneen	Knox	Papan	Mr. Speaker
Davis	Kuehl	Perata	
Ducheny	Kuykendall	Runner	

**NOES—21**

Alby	Bowler	Morrow	Richter
Ashburn	Campbell	Olberg	Thompson
Baldwin	Granlund	Oller	Woods
Battin	Kaloogian	Poochigian	
Baugh	Martinez	Prenter	
Bordonaro	McClintock	Pringle	

**Vote Changes**

By unanimous consent, the following vote change was permitted on the urgency clause to Senate Bill No. 1518, and on passage of the bill: Assembly Member Prenter, from "Aye" to "No".

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 491 (Brulte)**—An act to add Section 14672.14 to the Government Code, to add Sections 3054 and 6259 to the Penal Code, and to amend Section 749.22 of the Welfare and Institutions Code, relating to state property, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Knox.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—67**

Ackerman	Cunneen	Kuykendall	Perata
Aguiar	Davis	Leach	Poochigian
Alquist	Ducheny	Lempert	Prenter
Aroner	Escutia	Leonard	Richter
Ashburn	Figueroa	Machado	Runner
Baca	Floyd	Margett	Scott
Baldwin	Frusetta	Mazzoni	Shelley
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thomson
Bordonaro	Granlund	Morrissey	Torlakson
Bowen	Havice	Murray	Vincent
Brown	Hertzberg	Napolitano	Washington
Bustamante	Honda	Olberg	Wayne
Campbell	Kaloogian	Oller	Wildman
Cardenas	Keeley	Ortiz	Wright
Cardoza	Knox	Pacheco	Mr. Speaker
Cedillo	Kuehl	Papan	

**NOES—7**

Alby	Brewer	Martinez	Thompson
Bowler	House	McClintock	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—67**

Ackerman	Cunneen	Kuykendall	Perata
Aguiar	Davis	Leach	Poochigian
Alquist	Ducheny	Lempert	Prenter
Aroner	Escutia	Leonard	Richter
Ashburn	Figueroa	Machado	Runner
Baca	Floyd	Margett	Scott
Baldwin	Frusetta	Mazzoni	Shelley
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thomson
Bordonaro	Granlund	Morrissey	Torlakson
Bowen	Havice	Murray	Vincent
Brown	Hertzberg	Napolitano	Washington
Bustamante	Honda	Olberg	Wayne
Campbell	Kaloogian	Oller	Wildman
Cardenas	Keeley	Ortiz	Wright
Cardoza	Knox	Pacheco	Mr. Speaker
Cedillo	Kuehl	Papan	

**NOES—7**

Alby	Brewer	Martinez	Thompson
Bowler	House	McClintock	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2108 (Vasconcellos)**—An act to amend and supplement the Budget Act of 1998 (Chapter 324 of the Statutes of 1998), relating to correctional facilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Aguiar.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—71**

Ackerman	Davis	Leach	Prenter
Aguiar	Ducheny	Lempert	Pringle
Alquist	Escutia	Leonard	Richter
Aroner	Figueroa	Machado	Runner
Ashburn	Floyd	Margett	Scott
Baca	Frusetta	Mazzoni	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Vincent
Brown	Honda	Olberg	Washington
Bustamante	House	Oller	Wayne
Campbell	Kaloogian	Ortiz	Wildman
Cardenas	Keeley	Pacheco	Woods
Cardoza	Knox	Papan	Wright
Cedillo	Kuehl	Perata	Mr. Speaker
Cunneen	Kuykendall	Poochigian	

**NOES—6**

Alby	Brewer	McClintock
Bowler	Martinez	Thompson

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—71**

Ackerman	Davis	Leach	Prenter
Aguiar	Ducheny	Lempert	Pringle
Alquist	Escutia	Leonard	Richter
Aroner	Figueroa	Machado	Runner
Ashburn	Floyd	Margett	Scott
Baca	Frusetta	Mazzoni	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Vincent
Brown	Honda	Olberg	Washington
Bustamante	House	Oller	Wayne
Campbell	Kaloogian	Ortiz	Wildman
Cardenas	Keeley	Pacheco	Woods
Cardoza	Knox	Papan	Wright
Cedillo	Kuehl	Perata	Mr. Speaker
Cunneen	Kuykendall	Poochigian	

**NOES—6**

Alby	Brewer	McClintock
Bowler	Martinez	Thompson

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1032 (Kopp)**—An act to add Section 97.53 to the Revenue and Taxation Code, relating to local government, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Shelley.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—60**

Aguiar	Ducheny	Leonard	Prenter
Alquist	Escutia	Machado	Richter
Aroner	Figueroa	Margett	Scott
Ashburn	Floyd	Martinez	Shelley
Baca	Frusetta	Mazzoni	Strom-Martin
Bordonaro	Gallegos	Migden	Sweeney
Bowen	Havice	Miller	Thomson
Brown	Hertzberg	Morrissey	Torlakson
Bustamante	Honda	Murray	Vincent
Campbell	Keeley	Napolitano	Washington
Cardenas	Knox	Ortiz	Wayne
Cardoza	Kuehl	Pacheco	Wildman
Cedillo	Kuykendall	Papan	Woods
Cunneen	Leach	Perata	Wright
Davis	Lempert	Poochigian	Mr. Speaker

**NOES—17**

Ackerman	Bowler	Kaloogian	Runner
Alby	Brewer	McClintock	Thompson
Baldwin	Goldsmith	Olberg	
Battin	Granlund	Oller	
Baugh	House	Pringle	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—60**

Aguiar	Ducheny	Leonard	Prenter
Alquist	Escutia	Machado	Richter
Aroner	Figueroa	Margett	Scott
Ashburn	Floyd	Martinez	Shelley
Baca	Frusetta	Mazzoni	Strom-Martin
Bordonaro	Gallegos	Migden	Sweeney
Bowen	Havice	Miller	Thomson
Brown	Hertzberg	Morrissey	Torlakson
Bustamante	Honda	Murray	Vincent
Campbell	Keeley	Napolitano	Washington
Cardenas	Knox	Ortiz	Wayne
Cardoza	Kuehl	Pacheco	Wildman
Cedillo	Kuykendall	Papan	Woods
Cunneen	Leach	Perata	Wright
Davis	Lempert	Poochigian	Mr. Speaker

**NOES—17**

Ackerman	Bowler	Kaloogian	Runner
Alby	Brewer	McClintock	Thompson
Baldwin	Goldsmith	Olberg	
Battin	Granlund	Oller	
Baugh	House	Pringle	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2198 (Sher)**—An act to amend Sections 25281.5 and 40440.8 of, to add Sections 43830.8 and 116367.5 to, to add and repeal Section 116367 of, to repeal Section 25299.99 of, and to repeal, add, and repeal Article 13 (commencing with Section 25299.99) of Chapter 6.75 of Division 20 of, the Health and Safety Code, relating to pollution, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Runner.

Bill passed by the following vote:

**AYES—73**

Ackerman	Davis	Leonard	Richter
Aguiar	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Thompson
Battin	Goldsmith	Morrissey	Thomson
Baugh	Granlund	Murray	Torlakson
Bordonaro	Havice	Napolitano	Vincent
Bowen	Hertzberg	Olberg	Washington
Brewer	Honda	Oller	Wayne
Brown	Kaloogian	Ortiz	Wildman
Bustamante	Keeley	Pacheco	Woods
Campbell	Knox	Papan	Wright
Cardenas	Kuehl	Perata	Mr. Speaker
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	
Cunneen	Lempert	Pringle	

**NOES—4**

Alby	Bowler	House	McClintock
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Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1496 (O'Connell)**—An act to amend Sections 6055 and 6203.5 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Migden.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Thompson
Battin	Goldsmith	Miller	Thomson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Thompson
Battin	Goldsmith	Miller	Thomson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**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. 2168**, on request of Assembly Member Keeley.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 913 (Kelley)**—An act to amend Sections 25284 and 25292.3 of the Health and Safety Code, relating to underground storage tanks, and declaring the urgency thereof, to take effect immediately.

Bill read third time and presented by Assembly Member Cunneen.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Thompson
Battin	Goldsmith	Miller	Thomson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Thompson
Battin	Goldsmith	Miller	Thomson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2132 (Monteith)**—An act to amend Sections 35735.1 and 35735.2 of the Education Code, relating to school finance.

Bill read third time.

**Rules Suspended**

Assembly Member Machado was granted unanimous consent that Assembly Rule 69(e) be suspended to permit consideration of proposed amendments to Senate Bill No. 2132.

Assembly Member Machado moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

**Further Consideration of Senate Bill No. 2132, as Amended by Unanimous Consent**

Assembly Member Machado was granted unanimous consent to take up Senate Bill No. 2132, as amended, without reference to file.

**SENATE BILL NO. 2132 (Monteith)**—An act to amend Section 35732.2 of, and to add Section 35735.4 to, the Education Code, relating to school finance.

Bill read third time, and presented by Assembly Member Machado.

Bill passed by the following vote:

**AYES—75**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Floyd	Martinez	Shelley
Baca	Frusetta	Mazzoni	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Murray	Torlakson
Bowler	Hertzberg	Napolitano	Vincent
Brewer	Honda	Olberg	Washington
Brown	House	Oller	Wayne
Bustamante	Kaloogian	Ortiz	Wildman
Campbell	Keeley	Pacheco	Woods
Cardenas	Knox	Papan	Wright
Cardoza	Kuehl	Perata	Mr. Speaker
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**ACTION RESCINDED ON ASSEMBLY BILL ON 2782**

Assembly Member Migden was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 9456), Assembly Bill No. 2782 was re-referred to the Committee on Appropriations pursuant to Assembly Rule 77.2.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 468**

At 7:49 p.m., on motion of Assembly Member Wayne, 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. 468 by the following vote:

**AYES—50**

Alquist	Floyd	Machado	Shelley
Baca	Frusetta	Margett	Strom-Martin
Bordonaro	Granlund	Martinez	Sweeney
Bowen	Havice	Mazzoni	Thomson
Bustamante	Hertzberg	Migden	Torlakson
Cardenas	Honda	Morrissey	Vincent
Cardoza	House	Murray	Washington
Cedillo	Keeley	Napolitano	Wayne
Cunneen	Knox	Ortiz	Wildman
Davis	Kuehl	Papan	Wright
Ducheny	Kuykendall	Perata	Mr. Speaker
Escutia	Leach	Richter	
Figueroa	Lempert	Scott	

**NOES—21**

Ackerman	Campbell	Morrow	Runner
Aguiar	Gallegos	Olberg	Thompson
Ashburn	Kaloogian	Oller	Woods
Baldwin	Leonard	Poochigian	
Bowler	McClintock	Prenter	
Brewer	Miller	Pringle	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 468: Assembly Member Bowler, from "Aye" to "No"; Assembly Member Bordonaro, from "No" to "Aye".

Bill ordered transmitted to the Senate.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 2143**, on request of Assembly Member Hertzberg.

**RECESS**

By unanimous consent, at 7:54 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

**REASSEMBLED**

At 7:56 p.m., the Assembly reconvened.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF SENATE BILL NO. 1375  
WITHOUT REFERENCE TO FILE**

Assembly Member Brown was granted unanimous consent to take up Senate Bill No. 1375, without reference to file, for purpose of amendment.

**SENATE BILL NO. 1375 (Rosenthal)**—An act to amend Sections 19531 and 19596.1 of, and to repeal Section 19549.2 of, the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

Bill read third time.

**Rules Suspended**

Assembly Member Brown was granted unanimous consent that Assembly Rule 69(e) be suspended to permit consideration of proposed amendments to Senate Bill No. 1375.

**Motion to Amend**

Assembly Member Brown moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

**Further Consideration of Senate Bill No. 1375, as Amended,  
by Unanimous Consent**

Assembly Member Brown was granted unanimous consent to take up Senate Bill No. 1375, as amended, without reference to file.

**SENATE BILL NO. 1375 (Rosenthal)**—An act to add Sections 19596.11 and 19602.1 to the Business and Professions Code, relating to horse racing.

Bill read third time, and presented by Assembly Member Brown.

Bill passed by the following vote:

**AYES—66**

Ackerman	Cardoza	Kuehl	Papan
Aguiar	Cedillo	Kuykendall	Perata
Alby	Cunneen	Leach	Richter
Alquist	Davis	Lempert	Runner
Aroner	Ducheny	Leonard	Shelley
Ashburn	Escutia	Machado	Strom-Martin
Baca	Figueroa	Margett	Sweeney
Battin	Floyd	Mazzoni	Thomson
Baugh	Frusetta	McClintock	Torlakson
Bordonaro	Gallegos	Migden	Vincent
Bowen	Granlund	Miller	Washington
Bowler	Hertzberg	Morrissey	Wayne
Brewer	Honda	Murray	Wildman
Brown	House	Napolitano	Wright
Bustamante	Kaloogian	Olberg	Mr. Speaker
Campbell	Keeley	Oller	
Cardenas	Knox	Ortiz	

**NOES—3**

Baldwin	Martinez	Thompson
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Bill ordered transmitted to the Senate.

**OBJECTION TO VOTE CHANGES**

Assembly Member Wayne withheld unanimous consent on any requests for vote changes on the roll call vote taken on this day on Assembly Bill No. 468.

**OBJECTION TO VOTE ADDS**

Assembly Member Oller withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Oller motion to withdraw Assembly Bill No. 2795 from the Committee on Transportation.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
MOTION TO WITHDRAW SENATE BILL NO. 1536  
FROM COMMITTEE**

In compliance with a notice given on a previous day by Assembly Member Morrow, Assembly Member Baugh moved that Senate Bill No. 1536 be withdrawn from the Committee on Judiciary.

Assembly Member Leonard seconded the motion.

**Point of Order**

Assembly Member Shelley arose to the following point of order:

Assembly Member Baugh is not limiting debate to the merits of the motion to withdraw Assembly Bill No. 1536 from committee.

**Ruling by Speaker pro Tempore Kuehl**

The Speaker pro Tempore ruled the point of order well-taken.

**Point of Order**

Assembly Member Shelley arose to the following point of order:

Assembly Member Baugh is not limiting debate to the merits of the motion to withdraw Senate Bill No. 1536 from committee.

**Ruling by Speaker pro Tempore Kuehl**

The Speaker pro Tempore ruled the point of order well-taken.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Woods moved a call of the Assembly.

Motion carried. Time, 8:10 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**OBJECTION WITHDRAWN**

Assembly Member Oller withdrew his objection to any requests for vote adds or vote changes on the roll call vote taken on this day on the Oller motion to withdraw Assembly Bill No. 2795 from committee.

**OBJECTION TO VOTE ADDS**

Assembly Member Olberg withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Oller motion to withdraw Assembly Bill No. 2795 from the Committee on Transportation.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1546 (Johnson)**—An act to add Section 1586 to the Fish and Game Code, relating to fish and game, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Brewer.

Bill passed by the following vote:

**AYES—72**

Ackerman	Cunneen	Kuykendall	Perata
Aguiar	Davis	Leach	Poohigian
Alby	Ducheny	Lempert	Prenter
Alquist	Escutia	Leonard	Pringle
Aroner	Figueroa	Machado	Runner
Ashburn	Floyd	Margett	Scott
Baca	Frusetta	Martinez	Shelley
Battin	Gallegos	Mazzoni	Strom-Martin
Baugh	Goldsmith	Migden	Sweeney
Bordonaro	Granlund	Miller	Thompson
Bowen	Havice	Morrissey	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Vincent
Bustamante	House	Olberg	Washington
Campbell	Kaloogian	Oller	Wayne
Cardenas	Keeley	Ortiz	Wildman
Cardoza	Knox	Pacheco	Wright
Cedillo	Kuehl	Papan	Mr. Speaker

**NOES—2**

Baldwin                      McClintock

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
MOTION TO RECONSIDER SENATE BILL NO. 648  
Request for Reconsideration**

In compliance with a motion given on a previous day, Assembly Member Thomson requested unanimous consent that the vote be reconsidered whereby Senate Bill No. 648 was refused passage.

Unanimous consent was withheld.

**Motion**

Assembly Member Thomson moved that the vote be reconsidered whereby Senate Bill No. 648 was refused passage.

Senate Bill No. 648 reconsidered by the following vote:

**AYES—43**

Alquist	Escutia	Machado	Strom-Martin
Aroner	Figueroa	Martinez	Sweeney
Baca	Floyd	Mazzoni	Thomson
Bowen	Frusetta	Migden	Torlakson
Brown	Gallegos	Murray	Vincent
Bustamante	Hertzberg	Napolitano	Washington
Cardenas	Honda	Ortiz	Wayne
Cardoza	Keeley	Papan	Wildman
Cedillo	Knox	Perata	Wright
Davis	Kuehl	Scott	Mr. Speaker
Ducheny	Lempert	Shelley	

**NOES—28**

Ackerman	Bowler	Kuykendall	Pacheco
Aguiar	Campbell	Leonard	Poochigian
Ashburn	Cunneen	Margett	Prenter
Baldwin	Goldsmith	McClintock	Pringle
Battin	Granlund	Miller	Richter
Baugh	House	Olberg	Runner
Bordonaro	Kaloogian	Oller	Thompson

**Further Consideration of Senate Bill No. 648**

**SENATE BILL NO. 648 (Burton)**—An act to add Sections 10354.1, 10354.2, 10354.3, and 10354.4 to the Public Contract Code, relating to personal services contracts.

Bill read third time, and presented by Assembly Member Thomson.

Bill passed by the following vote:

**AYES—41**

Alquist	Escutia	Martinez	Thomson
Aroner	Figueroa	Mazzoni	Torlakson
Baca	Floyd	Migden	Vincent
Bowen	Gallegos	Murray	Washington
Brown	Hertzberg	Napolitano	Wayne
Bustamante	Honda	Ortiz	Wildman
Cardenas	Keeley	Papan	Wright
Cardoza	Knox	Perata	Mr. Speaker
Cedillo	Kuehl	Shelley	
Davis	Lempert	Strom-Martin	
Ducheny	Machado	Sweeney	

**NOES—30**

Ackerman	Campbell	Leach	Prenter
Aguiar	Cunneen	Leonard	Pringle
Ashburn	Frusetta	Margett	Richter
Baldwin	Goldsmith	McClintock	Runner
Battin	Granlund	Miller	Thompson
Baugh	House	Olberg	Woods
Bordonaro	Kaloogian	Oller	
Bowler	Kuykendall	Poochigian	

Bill ordered transmitted to the Senate.

**At 8:34 p.m., Hon. Fred Keeley, 27th District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 422 (Floyd)**—An act to amend Sections 19531 and 19596.1 of, to add Section 19596.28 to, to repeal Section 19549.2 of, and to repeal and add Section 19602 of, the Business and Professions Code, relating to horse racing, 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—64**

Aguiar	Davis	Leach	Perata
Alquist	Ducheny	Lempert	Poochigian
Aroner	Escutia	Machado	Pringle
Ashburn	Figueroa	Margett	Richter
Baca	Floyd	Martinez	Runner
Battin	Frusetta	Mazzoni	Scott
Baugh	Gallegos	McClintock	Shelley
Bowen	Goldsmith	Migden	Strom-Martin
Brewer	Granlund	Miller	Sweeney
Brown	Hertzberg	Morrissey	Thomson
Bustamante	Honda	Murray	Torlakson
Campbell	Kaloogian	Napolitano	Vincent
Cardenas	Keeley	Olberg	Wayne
Cardoza	Knox	Oller	Wildman
Cedillo	Kuehl	Ortiz	Wright
Cunneen	Kuykendall	Papan	Mr. Speaker

**NOES—10**

Ackerman	Havice	Prenter	Woods
Alby	House	Thompson	
Bowler	Leonard	Washington	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 422: Assembly Member Washington, from "Aye" to "No".

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2321 (Knox)**—An act to add Sections 3068 and 3070 to the Penal Code, relating to parole, 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—72**

Ackerman	Cunneen	Kuykendall	Poochigian
Aguiar	Davis	Leach	Prenter
Alquist	Ducheny	Lempert	Pringle
Aroner	Escutia	Leonard	Runner
Ashburn	Figueroa	Machado	Scott
Baca	Floyd	Margett	Shelley
Battin	Frusetta	Martinez	Strom-Martin
Baugh	Gallegos	Mazzoni	Sweeney
Bordonaro	Goldsmith	Migden	Thompson
Bowen	Granlund	Miller	Thomson
Bowler	Havice	Morrissey	Torlakson
Brewer	Hertzberg	Murray	Vincent
Brown	Honda	Napolitano	Washington
Bustamante	House	Olberg	Wayne
Campbell	Kaloogian	Oller	Wildman
Cardenas	Keeley	Ortiz	Woods
Cardoza	Knox	Papan	Wright
Cedillo	Kuehl	Perata	Mr. Speaker

**NOES—None**

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—72**

Ackerman	Cunneen	Kuykendall	Poochigian
Aguiar	Davis	Leach	Prenter
Alquist	Ducheny	Lempert	Pringle
Aroner	Escutia	Leonard	Runner
Ashburn	Figueroa	Machado	Scott
Baca	Floyd	Margett	Shelley
Battin	Frusetta	Martinez	Strom-Martin
Baugh	Gallegos	Mazzoni	Sweeney
Bordonaro	Goldsmith	Migden	Thompson
Bowen	Granlund	Miller	Thomson
Bowler	Havice	Morrissey	Torlakson
Brewer	Hertzberg	Murray	Vincent
Brown	Honda	Napolitano	Washington
Bustamante	House	Olberg	Wayne
Campbell	Kaloogian	Oller	Wildman
Cardenas	Keeley	Ortiz	Woods
Cardoza	Knox	Papan	Wright
Cedillo	Kuehl	Perata	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1697 (Torlakson)**—An act to amend, repeal, and add Section 50842 of the Health and Safety Code, relating to housing finance, 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 Torlakson moved a call of the Assembly.

Motion carried. Time, 8:39 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 1332 (Murray)**—An act to add Chapter 6 (commencing with Section 295) to Title 9 of Part 1 of, and to repeal Section 290.2 of, the Penal Code, relating to criminal identification.

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	Cunneen	Lempert	Prenter
Aguilar	Davis	Leonard	Pringle
Alby	Escutia	Machado	Richter
Alquist	Figueroa	Margett	Runner
Ashburn	Floyd	Martinez	Scott
Baca	Frusetta	Mazzoni	Shelley
Baldwin	Gallegos	McClintock	Strom-Martin
Battin	Goldsmith	Migden	Sweeney
Baugh	Granlund	Miller	Thompson
Bordonaro	Havice	Morrissey	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker
Cedillo	Leach	Poochigian	

#### NOES—None

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1291 (Strom-Martin)**—An act to amend Section 1094.5 of the Code of Civil Procedure, to amend Sections 3517.6, 18670, 18903, 19056.5, 19141, 19142, 19170.1, 19173.1, 19175.3, 19570.1, 19572.1, 19574, 19582, 19582.1, 19582.6, 19702, 19786, 19798, 19815.41, 19816.2, 19817, 19826.1, 19828, 19829, 19832, 19834, 19835, 19836.1, 19841, 19994, 19994.1, 19994.2, 19997, 19997.3, 19997.4, 19997.5, 19997.6, 19997.7, 19997.8, 19997.11, 19997.13, 22754, 22754.5, and 22955 of, and to add Sections 19576.5, 21363.6, 21465.5, 22754.7, 22955.5, and 22960.100 to, the Government Code, and to amend Sections 10295 and 10344.1 of the Public Contract Code, relating to state employees, 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—76**

Ackerman	Cedillo	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Richter
Aroner	Escutia	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Floyd	Martinez	Shelley
Baldwin	Frusetta	Mazzoni	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Murray	Torlakson
Bowler	Hertzberg	Napolitano	Vincent
Brewer	Honda	Olberg	Washington
Brown	House	Oller	Wayne
Bustamante	Kaloogian	Ortiz	Wildman
Campbell	Keeley	Pacheco	Woods
Cardenas	Knox	Papan	Wright
Cardoza	Kuehl	Perata	Mr. Speaker

**NOES—1**

McClintock

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—76**

Ackerman	Cedillo	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Richter
Aroner	Escutia	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Floyd	Martinez	Shelley
Baldwin	Frusetta	Mazzoni	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Murray	Torlakson
Bowler	Hertzberg	Napolitano	Vincent
Brewer	Honda	Olberg	Washington
Brown	House	Oller	Wayne
Bustamante	Kaloogian	Ortiz	Wildman
Campbell	Keeley	Pacheco	Woods
Cardenas	Knox	Papan	Wright
Cardoza	Kuehl	Perata	Mr. Speaker

**NOES—1**

McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1899 (Davis)**—An act to amend Section 1345 of the Health and Safety Code, relating to health care.

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	Cunneen	Leach	Poochigian
Aguiar	Davis	Lempert	Prenter
Alby	Ducheny	Leonard	Pringle
Aroner	Escutia	Machado	Richter
Ashburn	Figueroa	Margett	Runner
Baca	Floyd	Martinez	Scott
Baldwin	Frusetta	Mazzoni	Shelley
Battin	Gallegos	McClintock	Strom-Martin
Baugh	Goldsmith	Migden	Sweeney
Bordonaro	Granlund	Miller	Thompson
Bowen	Havice	Morrissey	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Vincent
Brown	House	Olberg	Washington
Bustamante	Kaloogian	Oller	Wayne
Campbell	Keeley	Ortiz	Wildman
Cardenas	Knox	Pacheco	Woods
Cardoza	Kuehl	Papan	Wright
Cedillo	Kuykendall	Perata	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 426 (Alquist)**—An act to amend Section 14089 of the Welfare and Institutions Code, relating to health 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—75**

Ackerman	Cedillo	Kuykendall	Poochigian
Aguiar	Cunneen	Leach	Prenter
Alby	Davis	Lempert	Pringle
Alquist	Ducheny	Leonard	Richter
Aroner	Escutia	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Floyd	Martinez	Shelley
Baldwin	Frusetta	Mazzoni	Strom-Martin
Battin	Gallegos	McClintock	Sweeney
Baugh	Goldsmith	Migden	Thomson
Bordonaro	Granlund	Miller	Torlakson
Bowen	Havice	Morrissey	Vincent
Bowler	Hertzberg	Murray	Washington
Brewer	Honda	Napolitano	Wayne
Brown	House	Olberg	Wildman
Bustamante	Kaloogian	Oller	Woods
Campbell	Keeley	Ortiz	Wright
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Perata	

**NOES—1**

Thompson

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2744 (Cardenas)**—An act to add and repeal Section 11462.07 of the Welfare and Institutions Code, relating to community care facilities.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—74**

Ackerman	Cedillo	Leach	Pringle
Aguiar	Cunneen	Lempert	Richter
Alby	Davis	Leonard	Runner
Alquist	Ducheny	Machado	Scott
Aroner	Escutia	Margett	Shelley
Ashburn	Figueroa	Martinez	Strom-Martin
Baca	Floyd	Mazzoni	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Granlund	Murray	Vincent
Bowen	Havice	Napolitano	Washington
Bowler	Hertzberg	Olberg	Wayne
Brewer	Honda	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Papan	Wright
Campbell	Knox	Perata	Mr. Speaker
Cardenas	Kuehl	Poochigian	
Cardoza	Kuykendall	Prenter	

**NOES—3**

House	McClintock	Pacheco
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Above bill ordered enrolled.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Papan.

*Resolved,* That Senate Bill No. 1997 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.

Resolution read, and adopted by the following vote:

**AYES—77**

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Thompson
Battin	Goldsmith	Miller	Thomson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Morrow	Vincent
Bowen	Hertzberg	Murray	Washington
Bowler	Honda	Olberg	Wayne
Brewer	House	Oller	Wildman
Brown	Kaloogian	Ortiz	Woods
Bustamante	Keeley	Pacheco	Wright
Campbell	Knox	Papan	Mr. Speaker
Cardenas	Kuehl	Perata	
Cardoza	Kuykendall	Poochigian	
Cedillo	Leach	Prenter	

**NOES—None**

Article IV, Section 8(b) of the Constitution was declared dispensed with.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1997 (Johnson)**—An act to amend Section 110 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, and presented by Assembly Member Papan.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Martinez moved a call of the Assembly.

Motion carried. Time, 8:52 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**Request to Dispense with Calls of the Assembly**

Assembly Member Thompson requested that the Call of the Assembly be dispensed with as it relates to Senate Bill No. 1997.

Assembly Member Leonard requested that Calls of the Assembly be dispensed with as relates to all Senate bills under Call.

**CAUCUS ANNOUNCEMENTS**

At 8:58 p.m., Speaker pro Tempore Kuehl was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

**RECESS**

By unanimous consent, at 8:59 p.m., Acting Speaker Keeley declared the Assembly recessed.

**REASSEMBLED**

At 9:25 p.m., the Assembly reconvened.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1997**

At 9:25 p.m., on motion of Assembly Member Martinez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Brewer moved to continue the call of the Assembly.

Motion carried. Time, 9:25 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, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 105

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, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 830

Assembly Bill No. 2536

Assembly Bill No. 2505

Assembly Bill No. 2785

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, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 2791

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, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 2796

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.

**REPORTS OF STANDING COMMITTEES****Committee on Appropriations**

Date of Hearing: August 31, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1492

Senate Bill No. 1733

With amendments with the recommendation: Amend, and do pass, as amended.

MIGDEN, Chairwoman

Above bills ordered to second reading.

**SECOND READING OF BILLS BY UNANIMOUS CONSENT**

Pursuant to unanimous consent granted earlier this day, the following bills were taken up without reference to file for purpose of second reading and adoption of committee amendments:

**SENATE BILL NO. 1492**—An act to amend Section 14132.765 of the Welfare and Institutions Code, relating to health.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**SENATE BILL NO. 1733**—An act to add Section 41851.15 to the Education Code, relating to school finance, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1997**

At 9:26 p.m., on motion of Assembly Member Papan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Brewer moved to continue the call of the Assembly.

Motion carried. Time, 9:27 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**REQUEST TO RESCIND ACTION**

Assembly Member Migden requested unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 9493), Senate Bill No. 2121 was passed and ordered transmitted to the Senate.

Assembly Member McClintock withheld unanimous consent.

**Unanimous Consent Withheld**

Assembly Member McClintock announced that he would withhold unanimous consent on any requests to suspend Assembly Rule 69(e) as relates to amendments to Senate Bill No. 2121.

**PARLIAMENTARY INQUIRY**

Assembly Member Thompson arose to the following parliamentary inquiry:

Has the Senate adjourned the 1997–98 session?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
RICHTER MOTION TO WITHDRAW  
ASSEMBLY JOINT RESOLUTION NO. 78 FROM COMMITTEE**

At 9:42 p.m., on motion of Assembly Member Richter, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Richter motion to withdraw Assembly Joint Resolution No. 78 from the Committee on Rules lost by the following vote:

**AYES—30**

Ackerman	Brewer	Leonard	Poochigian
Alby	Campbell	Margett	Pringle
Ashburn	Cunneen	McClintock	Richter
Baldwin	Goldsmith	Morrissey	Runner
Battin	Granlund	Morrow	Thompson
Baugh	House	Olberg	Woods
Bordonaro	Kaloogian	Oller	
Bowler	Leach	Pacheco	

**NOES—19**

Aroner	Figueroa	Kuehl	Perata
Bowen	Floyd	Mazzoni	Shelley
Cedillo	Gallegos	Migden	Washington
Ducheny	Keeley	Murray	Mr. Speaker
Escutia	Knox	Napolitano	

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 581**

At 9:43 p.m., on motion of Assembly Member Martinez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly refused to concur in Senate amendments to Assembly Bill No. 581 by the following vote:

**AYES—33**

Alquist	Floyd	Mazzoni	Thomson
Aroner	Gallegos	Migden	Torlakson
Bowen	Havice	Murray	Vincent
Brown	Hertzberg	Napolitano	Washington
Cedillo	Honda	Ortiz	Wright
Davis	Keeley	Perata	Mr. Speaker
Ducheny	Knox	Shelley	
Escutia	Kuehl	Strom-Martin	
Figueroa	Martinez	Sweeney	

**NOES—34**

Ackerman	Brewer	Leonard	Poochigian
Aguiar	Campbell	Margett	Prenter
Alby	Cunneen	McClintock	Pringle
Ashburn	Goldsmith	Miller	Richter
Baldwin	Granlund	Morrissey	Runner
Battin	House	Morrow	Thompson
Baugh	Kaloogian	Olberg	Woods
Bordonaro	Kuykendall	Oller	
Bowler	Leach	Pacheco	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 581: Assembly Member Bustamante, from "Aye" to "Not Voting".

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1697**

At 9:44 p.m., on motion of Assembly Member Torlakson, 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 Torlakson moved to continue the call of the Assembly.

Motion carried. Time, 9:44 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  
CONFERENCE REPORT ON SENATE BILL NO. 1561**

At 9:50 p.m., on motion of Assembly Member Pacheco, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Conference Committee Report on Senate Bill No. 1561 adopted by the following vote:

**AYES—43**

Alquist	Escutia	Lempert	Strom-Martin
Aroner	Figueroa	Machado	Sweeney
Baca	Floyd	Martinez	Thomson
Bowen	Frusetta	Migden	Torlakson
Brown	Gallegos	Murray	Vincent
Bustamante	Havice	Napolitano	Washington
Cardenas	Hertzberg	Ortiz	Wayne
Cardoza	Honda	Papan	Wildman
Cedillo	Keeley	Perata	Wright
Davis	Knox	Scott	Mr. Speaker
Ducheny	Kuehl	Shelley	

**NOES—31**

Ackerman	Bowler	Leonard	Pacheco
Aguiar	Brewer	Margett	Poochigian
Alby	Campbell	McClintock	Pringle
Ashburn	Goldsmith	Miller	Richter
Baldwin	Granlund	Morrissey	Runner
Battin	House	Morrow	Thompson
Baugh	Kaloogian	Olberg	Woods
Bordonaro	Leach	Oller	

**At 9:54 p.m., Assistant Speaker pro Tempore Joe Baca,  
62nd District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 105 (Wayne)**—An act to amend Sections 11370.2 and 11379.9 of the Health and Safety Code, to amend Sections 245.1, 286, 288a, 289, 368, 422.75, 667.61, 667.7, 1170.11, 1174.4, 1192.7, 1269b, 2933.5, 2962, 3003, 3057, and 12022.53 of the Penal Code, and to amend Sections 676, 707, and 3052 of the Welfare and Institutions Code, relating to crimes, 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 Wayne moved a call of the Assembly.

Motion carried. Time, 10:31 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 2505 (Olberg)**—An act to amend Section 14837 of the Government Code, relating to state contracts.

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	Cedillo	Kuykendall	Richter
Aguiar	Cunneen	Leach	Runner
Alby	Escutia	Lempert	Scott
Alquist	Figueroa	Leonard	Shelley
Ashburn	Frusetta	Machado	Strom-Martin
Baca	Gallegos	Morrissey	Thompson
Baldwin	Goldsmith	Murray	Torlakson
Battin	Granlund	Napolitano	Vincent
Baugh	Havice	Olberg	Wayne
Bordonaro	Hertzberg	Oller	Wildman
Brewer	Honda	Ortiz	Woods
Bustamante	House	Pacheco	Wright
Campbell	Kalooogian	Poochigian	Mr. Speaker
Cardenas	Keeley	Prenter	
Cardoza	Kuehl	Pringle	

**NOES—2**

Bowen                      McClintock

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2785 (Richter)**—An act to add Part 9 (commencing with Section 998) to Division 3.6 of Title 1 of the Government Code, relating to the Department of Fish and Game, 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 Richter moved a call of the Assembly.

Motion carried. Time, 10:38 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**At 10:41 p.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding  
REQUEST TO TAKE UP ASSEMBLY BILL NO. 2154  
OUT OF ORDER**

Assembly Member Pacheco requested unanimous consent to take up Assembly Bill No. 2154, out of order.

Assembly Member Martinez withheld unanimous consent.

**Objection Withdrawn**

Assembly Member Martinez withdrew her objection to the request by Assembly Member Pacheco.

**Objection Raised**

Assembly Member Napolitano withheld unanimous consent on the request by Assembly Member Pacheco.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2536 (Poochigian)**—An act to add and repeal Chapter 3.8 (commencing with Section 8660) of Part 6 of the Education Code, relating to the California State Summer School for Mathematics and Science, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—73**

Ackerman	Cunneen	Leach	Richter
Aguiar	Davis	Lempert	Runner
Alby	Ducheny	Leonard	Scott
Alquist	Escutia	Machado	Shelley
Aroner	Figueroa	Margett	Strom-Martin
Ashburn	Floyd	Martinez	Sweeney
Baca	Frusetta	Mazzoni	Thompson
Baldwin	Gallegos	Migden	Thomson
Battin	Goldsmith	Morrissey	Torlakson
Baugh	Granlund	Murray	Vincent
Bordonaro	Havice	Napolitano	Washington
Bowen	Hertzberg	Olberg	Wayne
Brewer	Honda	Oller	Wildman
Brown	House	Ortiz	Woods
Bustamante	Kaloogian	Pacheco	Wright
Campbell	Keeley	Papan	Mr. Speaker
Cardenas	Knox	Poochigian	
Cardoza	Kuehl	Prenter	
Cedillo	Kuykendall	Pringle	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2796 (Wright)**—An act to add Article 18.8 (commencing with Section 749.3) to Part 1 of Division 2 of, and to add Chapter 2.5 (commencing with Section 990) to Part 1 of Division 2 of, the Welfare and Institutions Code, relating to juvenile correctional facilities and youth centers, 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—66**

Aguiar	Davis	Kuykendall	Richter
Alby	Ducheny	Leach	Runner
Alquist	Escutia	Lempert	Scott
Aroner	Figueroa	Leonard	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Battin	Gallegos	Morrissey	Thompson
Bordonaro	Goldsmith	Murray	Thomson
Bowen	Granlund	Napolitano	Torlakson
Brewer	Havice	Olberg	Vincent
Brown	Hertzberg	Oller	Washington
Bustamante	Honda	Ortiz	Wayne
Campbell	House	Pacheco	Wildman
Cardenas	Kaloogian	Papan	Wright
Cardoza	Keeley	Poochigian	Mr. Speaker
Cedillo	Knox	Prenter	
Cunneen	Kuehl	Pringle	

**NOES—6**

Ackerman	Margett	McClintock
Baugh	Martinez	Woods

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—66**

Aguiar	Davis	Kuykendall	Richter
Alby	Ducheny	Leach	Runner
Alquist	Escutia	Lempert	Scott
Aroner	Figueroa	Leonard	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Battin	Gallegos	Morrissey	Thompson
Bordonaro	Goldsmith	Murray	Thomson
Bowen	Granlund	Napolitano	Torlakson
Brewer	Havice	Olberg	Vincent
Brown	Hertzberg	Oller	Washington
Bustamante	Honda	Ortiz	Wayne
Campbell	House	Pacheco	Wildman
Cardenas	Kaloogian	Papan	Wright
Cardoza	Keeley	Poochigian	Mr. Speaker
Cedillo	Knox	Prenter	
Cunneen	Kuehl	Pringle	

**NOES—6**

Ackerman	Margett	McClintock
Baugh	Martinez	Woods

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1997**

At 10:52 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. 1997 passed by the following vote:

**AYES—68**

Ackerman	Cardenas	Keeley	Papan
Aguiar	Cardoza	Kuehl	Poochigian
Alby	Cedillo	Kuykendall	Prenter
Alquist	Cunneen	Leach	Pringle
Aroner	Davis	Lempert	Richter
Ashburn	Ducheny	Leonard	Runner
Baca	Figueroa	Machado	Scott
Baldwin	Floyd	Margett	Shelley
Battin	Frusetta	Martinez	Strom-Martin
Baugh	Gallegos	Mazzoni	Sweeney
Bordonaro	Goldsmith	McClintock	Thompson
Bowen	Granlund	Miller	Torlakson
Bowler	Havice	Morrissey	Washington
Brewer	Hertzberg	Napolitano	Wayne
Brown	Honda	Olberg	Woods
Bustamante	House	Oller	Wright
Campbell	Kaloogian	Pacheco	Mr. Speaker

**NOES—None**

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1697**

At 10:53 p.m., on motion of Assembly Member Torlakson, 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. 1697 by the following vote:

**AYES—58**

Alquist	Escutia	Lempert	Scott
Aroner	Figueroa	Machado	Shelley
Baca	Floyd	Margett	Strom-Martin
Baugh	Frusetta	Martinez	Sweeney
Bordonaro	Gallegos	Mazzoni	Thomson
Bowen	Granlund	Migden	Torlakson
Brown	Havice	Morrissey	Vincent
Bustamante	Hertzberg	Murray	Washington
Campbell	Honda	Napolitano	Wayne
Cardenas	Kaloogian	Ortiz	Wildman
Cardoza	Keeley	Pacheco	Woods
Cedillo	Knox	Papan	Wright
Cunneen	Kuehl	Perata	Mr. Speaker
Davis	Kuykendall	Prenter	
Ducheney	Leach	Richter	

**NOES—19**

Ackerman	Battin	Leonard	Poochigian
Aguiar	Bowler	McClintock	Pringle
Alby	Brewer	Miller	Runner
Ashburn	Goldsmith	Olberg	Thompson
Baldwin	House	Oller	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1697: Assembly Member Baugh, from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2782 (Keeley)**—An act to amend and supplement the Budget Act of 1998 (Chapter 324 of the Statutes of 1998), relating to state government, 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 Aguiar moved a call of the Assembly.

Motion carried. Time, 10:55 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, 1998

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. 1561

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Senate Chamber, August 31, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 1986

Assembly Bill No. 2788

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, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 1671

Assembly Bill No. 1812

Assembly Bill No. 2794

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, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 823

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, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 1919

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. 1986 (Migden)**—An act relating to forest resources, 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 Migden moved a call of the Assembly.

Motion carried. Time, 11:15 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 2791 (Thomson)**—An act to amend Section 77201.3 of, and to repeal and amend Section 77201.1 of, the Government Code, relating to trial court funding, 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—68**

Ackerman	Cedillo	Kuehl	Prenter
Aguiar	Cunneen	Kuykendall	Pringle
Alby	Davis	Leach	Richter
Alquist	Ducheny	Lempert	Runner
Aroner	Figueroa	Leonard	Scott
Ashburn	Floyd	Machado	Shelley
Baca	Frusetta	Margett	Strom-Martin
Baldwin	Gallegos	Mazzoni	Sweeney
Battin	Goldsmith	Migden	Thomson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Napolitano	Vincent
Bowen	Hertzberg	Olberg	Washington
Brewer	Honda	Oller	Wayne
Brown	House	Ortiz	Wildman
Bustamante	Kaloogian	Pacheco	Woods
Campbell	Keeley	Papan	Wright
Cardoza	Knox	Poochigian	Mr. Speaker

**NOES—3**

Escutia	McClintock	Thompson
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The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—68**

Ackerman	Cedillo	Kuehl	Prenter
Aguiar	Cunneen	Kuykendall	Pringle
Alby	Davis	Leach	Richter
Alquist	Ducheny	Lempert	Runner
Aroner	Figueroa	Leonard	Scott
Ashburn	Floyd	Machado	Shelley
Baca	Frusetta	Margett	Strom-Martin
Baldwin	Gallegos	Mazzoni	Sweeney
Battin	Goldsmith	Migden	Thomson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Napolitano	Vincent
Bowen	Hertzberg	Olberg	Washington
Brewer	Honda	Oller	Wayne
Brown	House	Ortiz	Wildman
Bustamante	Kaloogian	Pacheco	Woods
Campbell	Keeley	Papan	Wright
Cardoza	Knox	Poochigian	Mr. Speaker

**NOES—3**

Escutia	McClintock	Thompson
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Above bill ordered enrolled.

**Request for Unanimous Consent**

Speaker pro Tempore Kuehl requested unanimous consent to return to Assembly Bill No. 2154, out of order.

Assembly Member Floyd withheld unanimous consent.

**Motion to Suspend Rules**

Without objection, Speaker pro Tempore Kuehl moved that the Rules be suspended to permit consideration of Assembly Bill No. 2154, out of order.

Motion carried.

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2154 (Pacheco)**—An act to amend Section 217.1 of the Penal Code, relating to sentencing.

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	Cedillo	Leach	Prenter
Aguiar	Cunneen	Lempert	Pringle
Alby	Davis	Leonard	Richter
Alquist	Ducheny	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Frusetta	Martinez	Shelley
Baldwin	Gallegos	Mazzoni	Sweeney
Battin	Goldsmith	McClintock	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Vincent
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Wright
Campbell	Keeley	Pacheco	Mr. Speaker
Cardenas	Knox	Papan	
Cardoza	Kuykendall	Poochigian	

**NOES—4**

Aroner	Escutia	Floyd	Kuehl
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 823 (Papan)**—An act to amend Section 2052 of, and to add Section 2052.2 to, the Business and Professions Code, to add Section 1368.07 to the Health and Safety Code, and to add Section 10140.7 to the Insurance Code, relating to health care.

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	Cedillo	Kuehl	Papan
Aguiar	Cunneen	Kuykendall	Poochigian
Alby	Davis	Leach	Prenter
Alquist	Ducheny	Lempert	Pringle
Aroner	Escutia	Leonard	Richter
Ashburn	Figueroa	Machado	Scott
Baca	Floyd	Margett	Shelley
Baldwin	Frusetta	Martinez	Strom-Martin
Battin	Gallegos	Mazzoni	Sweeney
Baugh	Goldsmith	McClintock	Thompson
Bordonaro	Granlund	Migden	Thomson
Bowen	Havice	Morrissey	Torlakson
Brewer	Hertzberg	Murray	Vincent
Brown	Honda	Napolitano	Washington
Bustamante	House	Olberg	Wayne
Campbell	Kaloogian	Oller	Wildman
Cardenas	Keeley	Ortiz	Wright
Cardoza	Knox	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 830 (Pringle)**—An act to amend Section 53 of Chapter 330 of the Statutes of 1998, relating to education finance, 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—67**

Ackerman	Cunneen	Leach	Pringle
Aguiar	Davis	Lempert	Richter
Alquist	Ducheny	Leonard	Runner
Aroner	Escutia	Machado	Scott
Ashburn	Figueroa	Margett	Shelley
Baca	Frusetta	Mazzoni	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Morrissey	Thomson
Baugh	Granlund	Murray	Torlakson
Bordonaro	Havice	Napolitano	Vincent
Bowen	Hertzberg	Olberg	Washington
Brewer	Honda	Oller	Wayne
Brown	House	Ortiz	Wildman
Bustamante	Kaloogian	Pacheco	Woods
Campbell	Keeley	Papan	Wright
Cardoza	Kuehl	Poochigian	Mr. Speaker
Cedillo	Kuykendall	Prenter	

**NOES—3**

Floyd	McClintock	Thompson
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The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—67**

Ackerman	Cunneen	Leach	Pringle
Aguiar	Davis	Lempert	Richter
Alquist	Ducheny	Leonard	Runner
Aroner	Escutia	Machado	Scott
Ashburn	Figueroa	Margett	Shelley
Baca	Frusetta	Mazzoni	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Morrissey	Thomson
Baugh	Granlund	Murray	Torlakson
Bordonaro	Havice	Napolitano	Vincent
Bowen	Hertzberg	Olberg	Washington
Brewer	Honda	Oller	Wayne
Brown	House	Ortiz	Wildman
Bustamante	Kaloogian	Pacheco	Woods
Campbell	Keeley	Papan	Wright
Cardoza	Kuehl	Poochigian	Mr. Speaker
Cedillo	Kuykendall	Prenter	

**NOES—3**

Floyd	McClintock	Thompson
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1812 (Machado)**—An act relating to water, 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—56**

Aguiar	Davis	Leach	Runner
Alquist	Ducheny	Lempert	Scott
Aroner	Escutia	Leonard	Shelley
Ashburn	Figueroa	Machado	Strom-Martin
Baca	Gallegos	Margett	Sweeney
Battin	Granlund	Martinez	Thompson
Bordonaro	Havice	Mazzoni	Thomson
Bowen	Hertzberg	Migden	Torlakson
Brown	Honda	Murray	Vincent
Bustamante	House	Napolitano	Washington
Cardenas	Keeley	Papan	Wayne
Cardoza	Knox	Poochigian	Wildman
Cedillo	Kuehl	Prenter	Wright
Cunneen	Kuykendall	Richter	Mr. Speaker

**NOES—13**

Ackerman	Brewer	McClintock	Woods
Alby	Campbell	Morrissey	
Baldwin	Frusetta	Olberg	
Baugh	Kaloogian	Oller	

**Vote Changes**

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1812: Assembly Member Pacheco, from “Aye” to “Not Voting”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2794 (Committee on Budget)**—An act to amend and supplement the Budget Act of 1998 (Chapter 324 of the Statutes of 1998), and to amend Section 53 of Chapter 330 of the Statutes of 1998, relating to state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Ducheny.

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—65**

Aguiar	Ducheny	Machado	Scott
Alquist	Figueroa	Margett	Shelley
Aroner	Floyd	Martinez	Strom-Martin
Baca	Frusetta	Mazzoni	Sweeney
Baldwin	Gallegos	Migden	Thompson
Battin	Granlund	Morrissey	Thomson
Baugh	Havice	Murray	Torlakson
Bordonaro	Hertzberg	Napolitano	Vincent
Bowen	Honda	Olberg	Washington
Brown	House	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cedillo	Leach	Pringle	
Cunneen	Lempert	Richter	
Davis	Leonard	Runner	

**NOES—7**

Ackerman	Ashburn	Kaloogian	Prenter
Alby	Brewer	McClintock	

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—65**

Aguiar	Ducheny	Machado	Scott
Alquist	Figueroa	Margett	Shelley
Aroner	Floyd	Martinez	Strom-Martin
Baca	Frusetta	Mazzoni	Sweeney
Baldwin	Gallegos	Migden	Thompson
Battin	Granlund	Morrissey	Thomson
Baugh	Havice	Murray	Torlakson
Bordonaro	Hertzberg	Napolitano	Vincent
Bowen	Honda	Olberg	Washington
Brown	House	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cedillo	Leach	Pringle	
Cunneen	Lempert	Richter	
Davis	Leonard	Runner	

**NOES—7**

Ackerman	Ashburn	Kaloogian	Prenter
Alby	Brewer	McClintock	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2782**

At 11:38 p.m., on motion of Assembly Member Aguiar, 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. 2782 by the following vote:

**AYES—63**

Aguiar	Ducheny	Leach	Poochigian
Alquist	Escutia	Lempert	Richter
Ashburn	Figueroa	Leonard	Runner
Baca	Floyd	Machado	Scott
Battin	Frusetta	Margett	Shelley
Bordonaro	Gallegos	Martinez	Strom-Martin
Bowen	Granlund	Mazzoni	Sweeney
Brewer	Havice	Migden	Thomson
Brown	Hertzberg	Morrissey	Torlakson
Bustamante	Honda	Murray	Vincent
Campbell	House	Napolitano	Washington
Cardenas	Kaloogian	Olberg	Wayne
Cardoza	Keeley	Oller	Wildman
Cedillo	Knox	Ortiz	Wright
Cunneen	Kuehl	Pacheco	Mr. Speaker
Davis	Kuykendall	Papan	

**NOES—6**

Ackerman	Baugh	Pringle
Alby	Prenter	Thompson

Above bill ordered enrolled.

**UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1671 (Keeley)**—An act relating to fish and game, 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—58**

Aguiar	Figueroa	Leonard	Shelley
Alquist	Floyd	Machado	Strom-Martin
Aroner	Frusetta	Margett	Sweeney
Baca	Gallegos	Martinez	Thompson
Battin	Granlund	Mazzoni	Thomson
Bordonaro	Havice	Migden	Torlakson
Bowen	Hertzberg	Morrissey	Vincent
Brown	Honda	Murray	Washington
Bustamante	House	Napolitano	Wayne
Cardenas	Keeley	Oller	Wildman
Cardoza	Knox	Ortiz	Woods
Cedillo	Kuehl	Papan	Wright
Cunneen	Kuykendall	Poochigian	Mr. Speaker
Davis	Leach	Richter	
Escutia	Lempert	Scott	

**NOES—12**

Ackerman	Brewer	Kaloogian	Prenter
Ashburn	Campbell	McClintock	Pringle
Baugh	Goldsmith	Olberg	Runner

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—58**

Aguiar	Figueroa	Leonard	Shelley
Alquist	Floyd	Machado	Strom-Martin
Aroner	Frusetta	Margett	Sweeney
Baca	Gallegos	Martinez	Thompson
Battin	Granlund	Mazzoni	Thomson
Bordonaro	Havice	Migden	Torlakson
Bowen	Hertzberg	Morrissey	Vincent
Brown	Honda	Murray	Washington
Bustamante	House	Napolitano	Wayne
Cardenas	Keeley	Oller	Wildman
Cardoza	Knox	Ortiz	Woods
Cedillo	Kuehl	Papan	Wright
Cunneen	Kuykendall	Poochigian	Mr. Speaker
Davis	Leach	Richter	
Escutia	Lempert	Scott	

**NOES—12**

Ackerman	Brewer	Kaloogian	Prenter
Ashburn	Campbell	McClintock	Pringle
Baugh	Goldsmith	Olberg	Runner

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1919 (Thomson)**—An act to amend Section 53227 of the Government Code, relating to public employees, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

**Urgency Clause**

Urgency clause read.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Thomson moved a call of the Assembly.

Motion carried. Time, 11:49 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 2788 (Thomson)**—An act to amend Sections 77201.1 and 77201.3 of the Government Code, relating to trial court funding, 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—64**

Ackerman	Cedillo	Kuykendall	Pringle
Aguiar	Cunneen	Leach	Richter
Alquist	Davis	Lempert	Runner
Aroner	Figueroa	Leonard	Scott
Ashburn	Floyd	Machado	Shelley
Baca	Frusetta	Mazzoni	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Murray	Torlakson
Bowen	Havice	Napolitano	Vincent
Brewer	Hertzberg	Olberg	Washington
Brown	Honda	Oller	Wayne
Bustamante	House	Ortiz	Wildman
Campbell	Keeley	Papan	Woods
Cardenas	Knox	Poochigian	Wright
Cardoza	Kuehl	Prenter	Mr. Speaker

**NOES—8**

Alby	Escutia	Margett	McClintock
Baldwin	Kaloogian	Martinez	Thompson

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—64**

Ackerman	Cedillo	Kuykendall	Pringle
Aguiar	Cunneen	Leach	Richter
Alquist	Davis	Lempert	Runner
Aroner	Figueroa	Leonard	Scott
Ashburn	Floyd	Machado	Shelley
Baca	Frusetta	Mazzoni	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Murray	Torlakson
Bowen	Havice	Napolitano	Vincent
Brewer	Hertzberg	Olberg	Washington
Brown	Honda	Oller	Wayne
Bustamante	House	Ortiz	Wildman
Campbell	Keeley	Papan	Woods
Cardenas	Knox	Poochigian	Wright
Cardoza	Kuehl	Prenter	Mr. Speaker

**NOES—8**

Alby	Escutia	Margett	McClintock
Baldwin	Kaloogian	Martinez	Thompson

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1986**

At 11:55 p.m., on motion of Assembly Member Migden, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Papan moved to continue the call of the Assembly.

Motion carried. Time, 11:56 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. 1771**

At 11:58 p.m., on motion of Assembly Member Keeley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1771 refused passage by the following vote:

**AYES—49**

Alby	Ducheny	Lempert	Strom-Martin
Alquist	Escutia	Machado	Sweeney
Aroner	Figueroa	Martinez	Thomson
Baca	Floyd	Mazzoni	Torlakson
Bordonaro	Gallegos	Migden	Vincent
Bowen	Havice	Morrissey	Washington
Brown	Hertzberg	Murray	Wayne
Bustamante	Honda	Napolitano	Wildman
Cardenas	Keeley	Ortiz	Wright
Cardoza	Knox	Papan	Mr. Speaker
Cedillo	Kuehl	Perata	
Cunneen	Kuykendall	Scott	
Davis	Leach	Shelley	

**NOES—27**

Ackerman	Brewer	Margett	Prenter
Aguiar	Campbell	McClintock	Pringle
Ashburn	Frusetta	Miller	Richter
Baldwin	Granlund	Morrow	Runner
Battin	House	Olberg	Thompson
Baugh	Kaloogian	Oller	Woods
Bowler	Leonard	Poochigian	

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 2**

At 11:59 p.m., on motion of Assembly Member Keeley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 2 refused adoption by the following vote:

**AYES—46**

Alquist	Ducheny	Leach	Strom-Martin
Aroner	Escutia	Lempert	Sweeney
Baca	Figueroa	Mazzoni	Thomson
Battin	Floyd	Migden	Torlakson
Bordonaro	Frusetta	Morrissey	Vincent
Bowen	Gallegos	Murray	Wayne
Brown	Granlund	Napolitano	Wildman
Bustamante	Hertzberg	Ortiz	Woods
Cardenas	Honda	Papan	Wright
Cedillo	Keeley	Perata	Mr. Speaker
Cunneen	Knox	Scott	
Davis	Kuehl	Shelley	

**NOES—27**

Ackerman	Brewer	Martinez	Poochigian
Aguiar	Campbell	McClintock	Prenter
Alby	Goldsmith	Miller	Pringle
Ashburn	House	Morrow	Richter
Baldwin	Kaloogian	Olberg	Runner
Baugh	Leonard	Oller	Thompson
Bowler	Margett	Pacheco	

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 535**

At 11:59 p.m., on motion of Assembly Member Migden, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 535 refused adoption by the following vote:

**AYES—42**

Alquist	Davis	Lempert	Strom-Martin
Aroner	Ducheny	Martinez	Sweeney
Baugh	Escutia	Mazzoni	Thompson
Bowen	Figueroa	Migden	Thomson
Bowler	Floyd	Morrow	Torlakson
Brewer	Gallegos	Ortiz	Vincent
Brown	Hertzberg	Papan	Woods
Campbell	Honda	Perata	Wright
Cardenas	Keeley	Pringle	Mr. Speaker
Cedillo	Knox	Runner	
Cunneen	Kuehl	Shelley	

**NOES—24**

Ackerman	Bordonaro	House	Olberg
Aguiar	Cardoza	Kaloogian	Oller
Alby	Frusetta	Leach	Pacheco
Ashburn	Goldsmith	McClintock	Prenter
Baldwin	Granlund	Miller	Washington
Battin	Havice	Morrissey	Wayne

**Vote Changes**

By unanimous consent, the following vote change was permitted on the urgency clause to Senate Bill No. 535, and on passage of the bill: Assembly Member Granlund, from "Aye" to "No".

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
MOTION TO WITHDRAW  
SENATE BILL NO. 1536 FROM COMMITTEE**

At 11:59 p.m., on motion of Assembly Member Leonard, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Morrow motion to withdraw Senate Bill No. 1536 from the Committee on Judiciary lost by the following vote:

**AYES—33**

Ackerman	Campbell	Leonard	Prenter
Aguiar	Cunneen	Margett	Pringle
Alby	Frusetta	McClintock	Richter
Ashburn	Goldsmith	Miller	Runner
Battin	Granlund	Morrissey	Thompson
Baugh	House	Olberg	Woods
Bordonaro	Kaloogian	Oller	
Bowler	Kuykendall	Pacheco	
Brewer	Leach	Poochigian	

**NOES—23**

Alquist	Escutia	Kuehl	Perata
Aroner	Figueroa	Martinez	Shelley
Bowen	Floyd	Mazzoni	Strom-Martin
Brown	Honda	Migden	Torlakson
Cedillo	Keeley	Murray	Mr. Speaker
Ducheny	Knox	Papan	

**AUTHOR'S AMENDMENTS**  
**Committee on Water, Parks and Wildlife**

August 31, 1998

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:  
 Senate Bill No. 1011

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MACHADO, Chairman

**SENATE BILL NO. 1011**—An act to amend Sections 1011 and 1707 of, to add Sections 1014, 1015, 1016, and 1017 to, and to repeal and add Sections 1726, 1727, and 1732 of, 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.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 31, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this passed:

Assembly Bill No. 574

GREG P. SCHMIDT, Secretary of the Senate  
 By John W. Rovane, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, August 31, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 189

Assembly Concurrent Resolution No. 191

GREG P. SCHMIDT, Secretary of the Senate  
 By John W. Rovane, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, August 31, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 25  
 Senate Bill No. 184  
 Senate Bill No. 324  
 Senate Bill No. 326  
 Senate Bill No. 412  
 Senate Bill No. 418  
 Senate Bill No. 436  
 Senate Bill No. 479  
 Senate Bill No. 485  
 Senate Bill No. 491  
 Senate Bill No. 557  
 Senate Bill No. 567  
 Senate Bill No. 648  
 Senate Bill No. 687  
 Senate Bill No. 779  
 Senate Bill No. 913  
 Senate Bill No. 977  
 Senate Bill No. 989  
 Senate Bill No. 1032  
 Senate Bill No. 1038

Senate Bill No. 1064  
 Senate Bill No. 1125  
 Senate Bill No. 1173  
 Senate Bill No. 1247  
 Senate Bill No. 1336  
 Senate Bill No. 1340  
 Senate Bill No. 1373  
 Senate Bill No. 1375  
 Senate Bill No. 1403  
 Senate Bill No. 1467  
 Senate Bill No. 1469  
 Senate Bill No. 1477  
 Senate Bill No. 1500  
 Senate Bill No. 1535  
 Senate Bill No. 1546  
 Senate Bill No. 1574  
 Senate Bill No. 1582  
 Senate Bill No. 1587  
 Senate Bill No. 1600  
 Senate Bill No. 1623

GREG P. SCHMIDT, Secretary of the Senate  
 By John W. Rovane, Assistant Secretary

Senate Chamber, August 31, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

- Senate Bill No. 1676
- Senate Bill No. 1700
- Senate Bill No. 1701
- Senate Bill No. 1717
- Senate Bill No. 1724
- Senate Bill No. 1735
- Senate Bill No. 1757
- Senate Bill No. 1765
- Senate Bill No. 1800
- Senate Bill No. 1823
- Senate Bill No. 1854
- Senate Bill No. 1857
- Senate Bill No. 1901

- Senate Bill No. 1913
- Senate Bill No. 1999
- Senate Bill No. 2031
- Senate Bill No. 2092
- Senate Bill No. 2108
- Senate Bill No. 2132
- Senate Bill No. 2139
- Senate Bill No. 2180
- Senate Bill No. 2186
- Senate Bill No. 2198
- Senate Bill No. 2238
- Senate Concurrent Resolution No. 102
- Senate Concurrent Resolution No. 106

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Senate Chamber, August 31, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

- Senate Bill No. 610
- Senate Bill No. 702
- Senate Bill No. 955
- Senate Bill No. 956

- Senate Bill No. 1370
- Senate Bill No. 1488
- Senate Bill No. 2224

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

**CONSIDERATION OF DAILY FILE (RESUMED)**  
**UNFINISHED BUSINESS (RESUMED)**  
**MOTIONS TO RECONSIDER BILLS LAPSED**

The motions to reconsider the votes on Senate Constitutional Amendment No. 13; and Senate Bills Nos. 1784, 1966 and 1982 lapsed.

**NOTICES OF MOTIONS TO WITHDRAW BILLS FROM COMMITTEE LAPSED**

The notice of motion to withdraw Assembly Bill No. 1735 from the Committee on Public Safety lapsed.

The notice of motion to withdraw Senate Bill No. 681 from the Committee on Natural Resources lapsed.

**SIX HUNDRED THIRTY-NINTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, September 1, 1998

At 12 midnight.

Speaker pro Tempore Sheila James Kuehl, presiding.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 105**

At 12 p.m., on motion of Assembly Member Wayne, 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. 105 adopted by the following vote:

**AYES—67**

Aguiar	Cunneen	Kuykendall	Prenter
Alby	Davis	Leach	Pringle
Alquist	Ducheny	Lempert	Richter
Aroner	Escutia	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Frusetta	Martinez	Shelley
Baldwin	Gallegos	Mazzoni	Strom-Martin
Battin	Goldsmith	McClintock	Sweeney
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Murray	Thomson
Bowen	Hertzberg	Napolitano	Torlakson
Brown	Honda	Olberg	Vincent
Bustamante	House	Oller	Wayne
Campbell	Kaloogian	Ortiz	Wildman
Cardenas	Keeley	Pacheco	Woods
Cardoza	Knox	Papan	Mr. Speaker
Cedillo	Kuehl	Poohigian	

**NOES—4**

Ackerman	Migden	Washington	Wright
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The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—67**

Aguiar	Cunneen	Kuykendall	Prenter
Alby	Davis	Leach	Pringle
Alquist	Ducheny	Lempert	Richter
Aroner	Escutia	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Frusetta	Martinez	Shelley
Baldwin	Gallegos	Mazzoni	Strom-Martin
Battin	Goldsmith	McClintock	Sweeney
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Murray	Thomson
Bowen	Hertzberg	Napolitano	Torlakson
Brown	Honda	Olberg	Vincent
Bustamante	House	Oller	Wayne
Campbell	Kaloogian	Ortiz	Wildman
Cardenas	Keeley	Pacheco	Woods
Cardoza	Knox	Papan	Mr. Speaker
Cedillo	Kuehl	Poochigian	

**NOES—4**

Ackerman	Migden	Washington	Wright
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**Vote Changes**

By unanimous consent, the following vote change was permitted on the urgency clause and concurrence in Senate amendments to Assembly Bill No. 105: Assembly Member Kuehl, 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. 2785**

At 12:03 a.m., on motion of Assembly Member Richter, 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 Richter moved to continue the call of the Assembly.

Motion carried. Time, 12:03 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 URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1986**

At 12:03 a.m., on motion of Assembly Member Papan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Migden moved to continue the call of the Assembly.

Motion carried. Time, 12:03 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  
URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1919**

At 12:04 a.m., on motion of Assembly Member Thomson, 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 Thomson moved to continue the call of the Assembly.

Motion carried. Time, 12:04 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**SENATE CONCURRENT RESOLUTION NO. 104 TAKEN UP  
BY UNANIMOUS CONSENT**

Assembly Member Aguiar was granted unanimous consent to take up Senate Concurrent Resolution No. 104, without reference to committee or file.

**SENATE CONCURRENT RESOLUTION NO. 104**—Relative to the William E. Leonard Interchange.

Resolution read and adopted.

Resolution ordered transmitted to the Senate.

**RECESS**

By unanimous consent, at 12:12 a.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

**REASSEMBLED**

At 12:13 a.m., the Assembly reconvened.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1986**

At 12:22 a.m., on motion of Assembly Member Migden, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 1986 adopted by the following vote:

**AYES—55**

Aguiar	Ducheny	Leach	Scott
Alquist	Escutia	Lempert	Shelley
Baca	Figueroa	Leonard	Strom-Martin
Baugh	Floyd	Machado	Sweeney
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Thomson
Brown	Goldsmith	Migden	Torlakson
Bustamante	Granlund	Morrissey	Vincent
Campbell	Havice	Murray	Washington
Cardenas	Hertzberg	Napolitano	Wayne
Cardoza	Honda	Pacheco	Wildman
Cedillo	Keeley	Papan	Wright
Cunneen	Knox	Richter	Mr. Speaker
Davis	Kuehl	Runner	

**NOES—12**

Ackerman	Ashburn	Margett	Oller
Alby	Battin	McClintock	Prenter
Aroner	House	Olberg	Woods

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—55**

Aguiar	Ducheny	Leach	Scott
Alquist	Escutia	Lempert	Shelley
Baca	Figueroa	Leonard	Strom-Martin
Baugh	Floyd	Machado	Sweeney
Bordonaro	Frusetta	Martinez	Thompson
Bowen	Gallegos	Mazzoni	Thomson
Brown	Goldsmith	Migden	Torlakson
Bustamante	Granlund	Morrissey	Vincent
Campbell	Havice	Murray	Washington
Cardenas	Hertzberg	Napolitano	Wayne
Cardoza	Honda	Pacheco	Wildman
Cedillo	Keeley	Papan	Wright
Cunneen	Knox	Richter	Mr. Speaker
Davis	Kuehl	Runner	

**NOES—12**

Ackerman	Ashburn	Margett	Oller
Alby	Battin	McClintock	Prenter
Aroner	House	Olberg	Woods

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2785**

At 12:27 a.m., on motion of Assembly Member Richter, and in the absence of any objection, further proceedings under call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 2785 adopted by the following vote:

**AYES—57**

Ackerman	Davis	Margett	Shelley
Alby	Ducheny	Martinez	Sweeney
Alquist	Escutia	Mazzoni	Thompson
Aroner	Figueroa	Migden	Thomson
Ashburn	Frusetta	Morrissey	Torlakson
Battin	Goldsmith	Murray	Vincent
Baugh	Havice	Napolitano	Washington
Bordonaro	Hertzberg	Oller	Wayne
Bowen	Honda	Ortiz	Wildman
Bustamante	House	Papan	Woods
Campbell	Knox	Prenter	Wright
Cardenas	Kuehl	Pringle	Mr. Speaker
Cardoza	Leach	Richter	
Cedillo	Lempert	Runner	
Cunneen	Leonard	Scott	

**NOES—8**

Aguiar	Granlund	Kuykendall	Olberg
Floyd	Kaloogian	McClintock	Poochigian

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—57**

Ackerman	Davis	Margett	Shelley
Alby	Ducheny	Martinez	Sweeney
Alquist	Escutia	Mazzoni	Thompson
Aroner	Figueroa	Migden	Thomson
Ashburn	Frusetta	Morrissey	Torlakson
Battin	Goldsmith	Murray	Vincent
Baugh	Havice	Napolitano	Washington
Bordonaro	Hertzberg	Oller	Wayne
Bowen	Honda	Ortiz	Wildman
Bustamante	House	Papan	Woods
Campbell	Knox	Prenter	Wright
Cardenas	Kuehl	Pringle	Mr. Speaker
Cardoza	Leach	Richter	
Cedillo	Lempert	Runner	
Cunneen	Leonard	Scott	

**NOES—8**

Aguiar	Granlund	Kuykendall	Olberg
Floyd	Kaloogian	McClintock	Poochigian

**Vote Changes**

By unanimous consent, the following vote change was permitted on the urgency clause and concurrence in Senate amendments to Assembly Bill No. 2785: Assembly Member Runner, 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. 1919**

At 12:27 a.m., on motion of Assembly Member Thomson, 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. 1919 by the following vote:

**AYES—36**

Alquist	Ducheny	Kuehl	Richter
Aroner	Escutia	Lempert	Shelley
Baca	Figueroa	Machado	Strom-Martin
Bowen	Floyd	Mazzoni	Thomson
Brown	Gallegos	Migden	Torlakson
Bustamante	Hertzberg	Murray	Vincent
Cardenas	Honda	Napolitano	Wayne
Cedillo	Keeley	Ortiz	Wright
Davis	Knox	Papan	Mr. Speaker

**NOES—34**

Ackerman	Campbell	Kuykendall	Poochigian
Aguiar	Cardoza	Leach	Prenter
Alby	Cunneen	Leonard	Pringle
Ashburn	Frusetta	Margett	Runner
Baldwin	Goldsmith	McClintock	Scott
Battin	Granlund	Morrissey	Thompson
Baugh	Havice	Olberg	Washington
Bordonaro	House	Oller	
Brewer	Kaloogian	Pacheco	

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items:

**Special Consent Calendar:** Alby, Aroner, Ashburn, Battin, Bowen, Bustamante, Goldsmith, Kaloogian, Knox, Lempert, Machado, Martinez, Miller, Napolitano, Pacheco, Pringle, and Scott—Aye.

**Senate Bill No. 2139 and Urgency:** Alby, Aroner, Battin, Bowen, Bustamante, Campbell, Goldsmith, Kaloogian, Lempert, Martinez, Miller, Morrow, Napolitano, Perata, Pringle, Runner, and Scott—Aye; Pacheco—No.

**Senate Bill No. 557:** Aroner, Bowen, Bustamante, Goldsmith, Martinez, Morrow, Napolitano, Pacheco, Perata, Shelley, and Thomson—Aye; Kaloogian, Oller, and Runner—No.

**Senate Bill No. 1701:** Aroner, Bustamante, Havice, Knox, Martinez, Napolitano, Perata, and Prenter—Aye; Kaloogian, Morrow, and Pringle—No.

**Senate Bill No. 1038:** Aroner, Bustamante, Kaloogian, Martinez, Morrow, Napolitano, Perata, and Pringle—Aye.

**Senate Bill No. 1064:** Aroner, Bowen, Bustamante, Martinez, Migden, Napolitano, Perata, Prenter, and Washington—Aye; Baldwin, Kaloogian, McClintock, Morrow, and Pringle—No.

**Senate Bill No. 2186:** Aroner, Bustamante, Kaloogian, Martinez, Morrow, Napolitano, Perata, and Pringle—Aye.

**Senate Bill No. 1676:** Aroner, Bowen, Bustamante, Havice, Honda, Kaloogian, Machado, Martinez, Morrow, Murray, Napolitano, Olberg, Ortiz, Perata, Pringle, Torlakson, Washington, and Woods—Aye.

**Senate Bill No. 567:** Aroner, Ashburn, Baldwin, Bowen, Bustamante, Goldsmith, Kaloogian, Machado, Morrow, Napolitano, Ortiz, Perata, and Pringle—Aye; Martinez—No.

**Senate Bill No. 687 and Urgency:** Alby, Aroner, Frusetta, Goldsmith, Machado, Martinez, Napolitano, Pacheco, and Perata—Aye; Kaloogian, Morrow, and Olberg—No.

**Senate Bill No. 779:** Aroner, Kaloogian, Machado, Martinez, Morrow, Napolitano, Oller, Pacheco, Perata, and Pringle—Aye.

**Senate Bill No. 1717:** Aroner, Baca, Honda, Kaloogian, Martinez, Morrow, Murray, Napolitano, Olberg, Pacheco, Perata, Pringle, Runner, and Woods—Aye.

**Senate Bill No. 752 and Urgency:** Aroner, Campbell, Kaloogian, Martinez, Morrow, Napolitano, Pacheco, Perata, Runner, and Wright—Aye.

**Senate Bill No. 418 and Urgency:** Aroner, Battin, Campbell, Kaloogian, Martinez, Morrow, Napolitano, Perata, Pringle, and Shelley—Aye.

**Senate Bill No. 1854 and Urgency:** Aroner, Kaloogian, Martinez, Miller, Morrow, Napolitano, Pacheco, Perata, and Poochigian—Aye; Alby—No.

**Senate Bill No. 1765, Special Order:** Aroner, Granlund, Migden, Morrow, and Napolitano—Aye; Alby and Martinez—No.

**Senate Bill No. 1574 and Urgency:** Aroner, Baldwin, and Martinez—Aye; Frusetta, Granlund, Kaloogian, and Morrow—No.

**Assembly Bill No. 324, Concurrence:** Aroner, Battin, Cedillo, Martinez, Migden, Morrow, Napolitano, Pringle, and Washington—Aye; McClintock—No.

**Assembly Bill No. 576, Concurrence:** Aroner, Cedillo, Martinez, Morrow, and Napolitano—Aye.

**Assembly Bill No. 2339, Concurrence:** Aroner, Martinez, Napolitano, and Papan—Aye; Aguiar, Bordonaro, Goldsmith, Morrow, and Runner—No.

**Assembly Bill No. 734, Concurrence:** Aroner, Ducheny, Goldsmith, Martinez, Napolitano, and Poochigian—Aye; Morrow—No.

**Assembly Bill No. 377, Concurrence:** Aroner, Bustamante, Cardoza, Martinez, Morrow, and Napolitano—Aye.

**Assembly Bill No. 2305, Concurrence:** Aroner, Baldwin, Bowen, Knox, Martinez, Morrow, and Napolitano—Aye.

**Assembly Bill No. 96, Concurrence:** Aroner, Baldwin, Bowen, Bustamante, Cardoza, Gallegos, Honda, Knox, Kuykendall, Martinez, Morrow, Murray, Napolitano, and Runner—Aye; Baugh—No.

**Assembly Bill No. 542, Concurrence:** Martinez, Morrow, Napolitano, and Runner—Aye; Aroner—No.

**Assembly Bill No. 2086, Concurrence:** Aroner, Baugh, Bowen, Bustamante, Knox, Martinez, McClintock, Morrow, and Napolitano—Aye.

**Assembly Bill No. 92, Concurrence:** Aroner, Bowen, Bustamante, Davis, Honda, Martinez, Morrow, Murray, Napolitano, Pacheco, Prenter, Runner, and Strom-Martin—Aye.

**Assembly Bill No. 623, Concurrence:** Aroner, Honda, Keeley, Martinez, Morrow, Murray, Napolitano, Oller, Richter, Runner, and Strom-Martin—Aye.

**Assembly Bill No. 639, Concurrence:** Aroner, Davis, Keeley, Martinez, Morrow, Napolitano, Shelley, Strom-Martin, and Wright—Aye.

**Assembly Bill No. 762, Concurrence:** Aroner, Battin, Cedillo, Davis, Figueroa, Gallegos, Havice, Machado, Martinez, Morrow, Napolitano, Perata, Vincent, and Wright—Aye.

**Assembly Bill No. 836, Concurrence:** Aroner, Knox, Machado, Martinez, and Napolitano—Aye; Baugh, Frusetta, Morrow, and Runner—No.

**Senate Bill No. 1582, Resolution to Invoke Article IV Section 8(b):** Aroner, Battin, Baugh, Bowler, Campbell, Cunneen, Martinez, Morrissey, Napolitano, Poochigian, and Runner—Aye; Granlund and McClintock—No.

**Senate Bill No. 1582:** Aroner, Battin, Bowen, Campbell, Cunneen, Lempert, Martinez, Napolitano, Poochigian, and Wayne—Aye; Baldwin, Baugh, McClintock, and Runner—No.

**Assembly Bill No. 2415, Urgency and Concurrence:** Aroner, Baugh, Cardoza, Cunneen, Goldsmith, Machado, Martinez, Morrow, Napolitano, Olberg, and Runner—Aye.

**Assembly Bill No. 1439, Concurrence:** Aroner, Cedillo, Gallegos, Honda, Machado, Martinez, Morrow, Murray, and Napolitano—Aye; Baugh and McClintock—No.

**Assembly Bill No. 1737, Concurrence:** Aroner, Machado, Martinez, and Napolitano—Aye; Aguiar, Bordonaro, Goldsmith, Kuykendall, McClintock, Morrow, Pacheco, Poochigian, and Runner—No.

**Assembly Bill No. 2215, Concurrence:** Aroner, Baugh, Kuykendall, Machado, Martinez, McClintock, Morrow, Napolitano, Olberg, Pacheco, and Wright—Aye.

**Assembly Bill No. 2398, Concurrence:** Aroner, Baugh, Honda, Machado, Martinez, Mazzoni, Morrow, Murray, Napolitano, and Runner—Aye; McClintock—No.

**Assembly Bill No. 2452, Concurrence:** Aroner, Baldwin, Knox, Machado, Martinez, Mazzoni, Morrow, Napolitano, Oller, and Runner—Aye.

**Assembly Bill No. 2461, Concurrence:** Baldwin, Battin, Bowen, Bustamante, Cardoza, Frusetta, Keeley, Lempert, Morrow, Napolitano, Pringle, Runner, Shelley, Torlakson, and Wayne—Aye; Martinez—No.

**Assembly Bill No. 2627, Concurrence:** Frusetta, Kaloogian, Keeley, Kuykendall, Lempert, Martinez, Morrow, Napolitano, Oller, Runner, and Wayne—Aye.

**Assembly Bill No. 860, Concurrence:** Keeley, Martinez, and Napolitano—Aye; Frusetta and Morrow—No.

**Senate Bill No. 1375:** Battin, Campbell, Cedillo, Cunneen, Goldsmith, and Havice—Aye; Alby, Kaloogian, Martinez, and Miller—No.

**Senate Bill No. 324:** Cunneen, Martinez, and Napolitano—Aye; Kaloogian, Morrow, Oller, and Pringle—No.

**Assembly Bill No. 1292, Concurrence:** Ackerman, Battin, Campbell, Frusetta, Gallegos, Martinez, Napolitano, Runner, and Wright—Aye; Kaloogian, Morrow, and Oller—No.

**Assembly Bill No. 1621, Concurrence:** Battin, Campbell, Frusetta, Martinez, Morrow, Napolitano, and Scott—Aye; Kaloogian, Oller, and Runner—No.

**Assembly Bill No. 1639, Urgency and Concurrence:** Battin, Bowler, Campbell, Keeley, Martinez, Morrow, Napolitano, Pringle, and Runner—Aye.

**Assembly Bill No. 1746, Concurrence:** Battin, Campbell, Cardenas, Ducheny, Frusetta, Kaloogian, Knox, Martinez, Morrow, Napolitano, Oller, Pringle, and Runner—Aye.

**Assembly Bill No. 1792, Concurrence:** Battin, Bowen, Campbell, Frusetta, Martinez, Morrow, Napolitano, Pringle, and Runner—Aye.

**Assembly Bill No. 2040, Concurrence:** Battin, Campbell, Cunneen, Frusetta, Granlund, Honda, Martinez, Morrow, Murray, Napolitano, Pringle, and Runner—Aye; McClintock—No.

**Assembly Bill No. 2283, Urgency and Concurrence:** Campbell, Frusetta, Martinez, Morrow, Napolitano, and Runner—Aye.

**Assembly Bill No. 2639, Concurrence:** Cunneen, Frusetta, Havice, Martinez, and Napolitano—Aye; Campbell, McClintock, Morrow, Pringle, and Runner—No.

**Assembly Bill No. 1784, Concurrence:** Battin, Bowen, Campbell, Cardoza, Ducheny, Frusetta, Gallegos, Havice, Martinez, Napolitano, Runner, and Torlakson—Aye; Ashburn and Morrow—No.

**Assembly Bill No. 1791, Concurrence:** Battin, Campbell, Cedillo, Ducheny, Frusetta, Havice, Knox, Leach, Martinez, Morrow, Napolitano, Pringle, and Runner—Aye.

**Assembly Bill No. 2804, Concurrence:** Campbell, Havice, Machado, Martinez, Miller, Napolitano, Oller, Papan, and Richter—Aye; Morrow, Olberg, and Runner—No.

**Assembly Bill No. 1102, Concurrence:** Ashburn, Bustamante, Cardoza, Honda, Kuykendall, Machado, Martinez, Murray, and Napolitano—Aye; Morrow, Olberg, and Pringle—No.

**Assembly Bill No. 1150, Concurrence:** Ashburn, Morrow, Napolitano, Oller, and Poochigian—Aye.

**Assembly Bill No. 2782, Concurrence:** Figueroa, Frusetta, Martinez, and Napolitano—Aye; Cunneen, Goldsmith, Morrow, and Prenter—No.

**Senate Bill No. 2092:** Machado and Napolitano—Aye; Kaloogian—No.

**Senate Bill No. 977:** Napolitano—Aye; Granlund, House and Kaloogian—No.

**Assembly Bill No. 1110, Concurrence:** Machado and Napolitano—Aye; Baugh and Morrow—No.

**Assembly Bill No. 15, Concurrence:** Machado, Napolitano, and Washington—Aye; Miller and Woods—No.

**Assembly Bill No. 48, Concurrence:** Ashburn, Bowen, Campbell, and Napolitano—Aye; Morrow—No.

**Assembly Bill No. 2025, Concurrence:** Cardoza, Machado, and Napolitano—Aye.

**Senate Bill No. 1403:** Ducheny, Goldsmith, Granlund, Knox, Machado, Napolitano, and Pacheco—Aye.

**Senate Bill No. 1574 and Urgency:** Ashburn, Granlund, Knox, Machado, Napolitano, Olberg, and Poochigian—Aye; Baldwin—No.

**Senate Bill No. 1336:** Granlund, Machado, and Napolitano—Aye; Morrow, Pacheco, and Runner—No.

**Senate Bill No. 989:** Granlund, Knox, Kuykendall, Machado, Martinez, Morrow, Napolitano, Pacheco, and Runner—Aye.

**Senate Bill No. 25:** Ackerman, Alby, Baldwin, Cedillo, Granlund, Kaloogian, Knox, Napolitano, Oller, Pacheco, and Prenter—Aye; Martinez and McClintock—No.

**Senate Bill No. 1823:** Goldsmith, Granlund, McClintock, Migden, Napolitano, and Pacheco—Aye.

**Senate Bill No. 2031 and Urgency:** Baldwin, Cedillo, Granlund, Honda, Kaloogian, Knox, Morrow, Murray, Napolitano, Oller, Ortiz, Pacheco, Runner, and Torlakson—Aye.

**Senate Bill No. 225:** Napolitano and Prenter—Aye; Perata—No.

**Senate Bill No. 1373:** Bustamante, Morrissey, Napolitano, Pacheco, Papan, and Woods—Aye; Goldsmith and Granlund—No.

**Senate Bill No. 1587 and Urgency:** Bustamante, Granlund, Havice, House, Miller, Napolitano, Olberg, Pacheco, and Woods—Aye.

**Assembly Bill No. 378, Concurrence:** Granlund, Honda, Napolitano, and Thompson—Aye.

**Assembly Bill No. 271, Concurrence:** Aguiar, Granlund, Napolitano, and Pacheco—Aye.

**Assembly Bill No. 236, Concurrence:** Napolitano—Aye; Aguiar, Granlund, Olberg, and Woods—No.

**Assembly Bill No. 1626, Concurrence:** Aguiar, Ashburn, Figueroa, Granlund, Honda, Martinez, Murray, Napolitano, Pacheco, Poochigian, Prenter, Runner, Strom-Martin, and Wildman—Aye.

**Assembly Bill No. 1935, Concurrence:** Aguiar, Ashburn, Goldsmith, Granlund, Kaloogian, Martinez, Napolitano, Olberg, Oller, Pacheco, Poochigian, and Runner—Aye.

**Assembly Bill No. 2687, Urgency and Concurrence:** Aguiar, Ashburn, Campbell, Goldsmith, Granlund, Morrow, Napolitano, Olberg, Pacheco, and Runner—Aye.

**Senate Concurrent Resolution No. 106, Coauthors:** Aguiar, Battin, Bowler, Bustamante, Ducheny, Figueroa, Granlund, Knox, Machado, Martinez, Migden, Olberg, Prenter, Runner, and Wildman—Aye.

**Senate Concurrent Resolution No. 106:** Aguiar, Battin, Granlund, Olberg, Pacheco, and Runner—Aye.

**Senate Bill No. 1757 and Urgency:** Aguiar, Ashburn, Bowen, Goldsmith, Granlund, Martinez, Napolitano, Olberg, Pacheco, and Runner—Aye.

**Senate Concurrent Resolution No. 105:** Aguiar, Battin, Bordonaro, Ducheny, Knox, Kuykendall, Leach, Prenter, Runner, and Sweeney—

Aye; Ackerman, Ashburn, Campbell, Granlund, Kaloogian, Morrow, Olberg, Oller, and Poochigian—No.

**Senate Bill No. 2121:**—Bustamante, Cardoza, Ducheny, Honda, Kaloogian, and Martinez—Aye.

**Assembly Bill No. 2217, Urgency and Concurrence:** Figueroa, Kaloogian, and Pacheco—Aye.

**Senate Bill No. 1857 and Urgency:** Baugh, Bowen, Cunneen, Davis, Frusetta, Havice, Kaloogian, Martinez, Miller, Runner, and Sweeney—Aye.

**Assembly Bill No. 2795, Oller Motion to Withdraw from Committee:** Cardoza, Granlund, Olberg, Ortiz, and Runner—Aye.

**Senate Bill No. 752 and Urgency:** Ackerman, Frusetta, Granlund, Miller, Olberg, Prenter, and Woods—Aye; Martinez—No.

**Senate Bill No. 1477:** Cunneen, Granlund, Honda, Kuykendall, Machado, Martinez, and Mazzoni—Aye; Bowen, Kaloogian, Olberg, Oller, and Runner—No.

**Senate Bill No. 1518 and Urgency:** Olberg—No.

**Senate Bill No. 491 and Urgency:** Aroner, Bowen, Cedillo, Machado, Mazzoni, and Morrissey—Aye; Martinez—No.

**Senate Bill No. 2108 and Urgency:** Baldwin, Bowen, Machado, Mazzoni, and Napolitano—Aye; Martinez—No.

**Senate Bill No. 1032 and Urgency:** Bowen, Machado, Martinez, and Poochigian—Aye; Baldwin, Oller, and Runner—No.

**Senate Bill No. 2198:** Baldwin, Machado, and Martinez—Aye.

**Senate Bill No. 1496 and Urgency:** Baldwin, Battin, Martinez, and Napolitano—Aye.

**Senate Bill No. 913 and Urgency:** Baldwin, Martinez, and Napolitano—Aye.

**Senate Bill No. 2132:** Martinez and Oller—Aye.

**Assembly Bill No. 468, Concurrence:** Cardoza and Martinez—Aye.

**Senate Bill No. 1375:** Ackerman, Ashburn, Battin, Campbell, Knox, Mazzoni, and Miller—Aye; Baldwin and Martinez—No.

**Senate Bill No. 1546:** Bowen, Campbell, Davis, Martinez, Miller, Oller, and Poochigian—Aye; Baldwin—No.

**Senate Bill No. 648, Motion to Reconsider:** Frusetta—Aye; Baldwin, Baugh, Bowler, Campbell, Cunneen, Granlund, Poochigian, and Prenter—No.

**Senate Bill No. 648:** Baldwin, Baugh, Cunneen, and Leach—No.

**Assembly Bill No. 422, Concurrence:** Baugh, Cunneen, Frusetta, Kuykendall, Machado, and Olberg—Aye; Havice—No.

**Assembly Bill No. 2321, Urgency and Concurrence:** Baugh, Cunneen, Frusetta, Kuykendall, and Olberg—Aye.

**Assembly Bill No. 1332, Concurrence:** Baldwin, Baugh, Cunneen, Frusetta, Kuykendall, Pacheco, and Washington—Aye.

**Assembly Bill No. 1291, Urgency and Concurrence:** Baca, Frusetta, Kuykendall, Olberg, and Pacheco—Aye.

**Assembly Bill No. 1899, Concurrence:** Baca, Kuykendall, and Pacheco—Aye.

**Assembly Bill No. 426, Concurrence:** Kaloogian, Kuykendall, and Pacheco—Aye.

**Assembly Bill No. 2744, Concurrence:** Kuykendall and Olberg—Aye; Pacheco—No.

**Assembly Bill No. 2505, Concurrence:** Havice, Ortiz, Pacheco, and Torlakson—Aye.

**Assembly Bill No. 2796, Urgency and Concurrence:** Kaloogian—Aye.

**Senate Bill No. 1997:** Bustamante and Cardenas—Aye.

**Assembly Bill No. 1697, Concurrence:** Olberg—No.

**Assembly Bill No. 823, Concurrence:** McClintock—Aye.

**Assembly Bill No. 830, Concurrence:** McClintock—No.

**Assembly Bill No. 1812, Concurrence:** McClintock—No.

**Assembly Bill No. 2794, Urgency and Concurrence:** Olberg—Aye; Ackerman—No.

**Assembly Bill No. 2782, Concurrence:** Baugh—No.

**Assembly Bill No. 1671, Urgency and Concurrence:** Olberg—No.

**Assembly Bill No. 2788, Concurrence:** Prenter—Aye.

**Senate Bill No. 1771:** Poochigian—No.

**Senate Bill No. 2 and Urgency:** Bordonaro—Aye.

**Senate Bill No. 5356 and Urgency:** McClintock—No.

**Assembly Bill No. 105, Concurrence:** Bordonaro and Frusetta—Aye.

**Assembly Bill No. 1986, Urgency and Concurrence:** Runner—Aye.

#### MOTION TO ADJOURN

At 12:35 a.m., Assembly Member Shelley moved that the Assembly adjourn for the Final Recess of the 1997–98 Regular Session, pursuant to Joint Rule 51, until adjournment *sine die* on November 30, 1998.

Assembly Member Alquist seconded the motion.

#### REMARKS ON CONDITION OF THE FILE

Assembly Member Machado arose to speak on the condition of the file.

#### FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Shelley that the Assembly adjourn.

Motion carried.

#### ANNOUNCEMENTS

Speaker pro Tempore Kuehl announced that pursuant to Article IV, Section 3 (a), the House will convene the 1999–2000 Regular Session on Monday, December 7th, at 12 noon.

**INTRODUCTION OF GUESTS**

Assembly Member Washington, of the 52nd Assembly District, introduced former Member of the Assembly Gwen Moore.

Assembly Member Baca, of the 62nd Assembly District, introduced Sandra Rowe and Meredith Rowe, of Folsom and Kim Love, of Granite Bay.

**ADJOURNMENT**

At 12:38 a.m., pursuant to the motion by Assembly Member Shelley and the provisions of Joint Rule 51, the Assembly adjourned for the Final Recess of the 1997–98 Regular Session, out of respect to the memory of Jay Stromgren, on motion of Assembly Member Brown; out of respect to the memory of Bob Spaulding, on motion of Assembly Member Honda; out of respect to the memory of Edward Rutowski, on motion of Assembly Member Bowen; out of respect to the memory of Merle James Hasty, on motion of Assembly Member Bowler; and out of respect to the memory of Richard Cornelius Wildman, on motion of Assembly Member Wildman.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 31, 1998**

The following measures were amended in the Assembly on this day:

<b>SB</b>	<b>RN</b>
225	9819464
491	9821119
913	9821056
1011	9821299
1032	9820157
1375	9821249
1403	9821083
1492	9820895
1496	9820429
1546	9821238
1574	*
1582	9821059
1656	9821305
1733	9821274
1854	9821065
2108	9821118
2132	9817868
2198	9821224

<b>SCR</b>	<b>RN</b>
106	9821226

**Daily Total: 19**  
**Cumulative Total: 7864**

(NOTE: \* Refers to amendments received in non-Legislative Counsel form.)

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 26

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**FINAL RECESS**

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Assembly Chamber, Sacramento  
October 1, 1998

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1997-98 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:

September 8, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Sheila Kuehl as Chair of the Select Committee on Entertainment and the Arts in place of myself.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

September 10, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Rod Wright as Chairman of the Utilities and Commerce Committee in place of Assemblymember Diane Martinez.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

**Explanation of Vote—Assembly Bill No. 2794**

September 11, 1998

*E. Dotson Wilson, Chief Clerk  
California State Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: I am writing this letter for submission to the journal to explain my vote on AB 2794.

In the final hours of session during the early morning of September 1, I incorrectly cast a “no” vote on AB 2794. Given the fact that I was the member who submitted the portion of the bill concerning the Kerman Community Center, obviously I supported the bill, but confused it with another.

Sincerely,

ROBERT PRENTER, Assembly Member  
Thirtieth District

The following qualified initiative was received by the Chief Clerk from:

Bill Jones, Secretary of State, dated August 19, 1998, entitled:

**Juvenile Crime. Initiative Statute.**

Referred pursuant to Elections Code, Section 9034, to the Committees on Public Safety and Elections, Reapportionment and Constitutional Amendments.

The following proposed initiative was received by the Chief Clerk from:

Connie Lemus, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title, summary, and text of the following proposed initiative pursuant to Elections Code, Section 9007.

**State Officers' Compensation. Voter Approval.  
Initiative Constitutional Amendment.**

Referred by the Speaker to the Committee on Rules.

The following communications were received from:

Connie Lemus, Initiative Coordinator, Department of Justice, Office of the Attorney General, transmitting copies of the ballot titles, summaries, and labels, November 3, 1998 General Election Ballot, for the following Propositions in accordance with the provisions of Section 3 (Chapter 413, Statutes of 1997) and in accordance with Elections Code, Sections 9050–9051, 13280–13281, and 13247, and Government Code, Sections 88002–88003:

**Proposition 1A  
Class Size Reduction Kindergarten–University  
Public Education Facilities Bond Act of 1998.  
Chapter 407, Statutes of 1998 (SB 50).**

Referred by the Speaker to the Committees on Education and Higher Education.

**Proposition 11  
Local Sales and Use Taxes—Revenue Sharing.  
Legislative Constitutional Amendment.  
Resolution Chapter 133, Statutes of 1998 (ACA 10).  
Chapter 408, Statutes of 1998 (SB 520).**

Referred by the Speaker to the Committee on Local Government.

The following proposed initiative was received from:

Connie Lemus, 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.

**Referendum Vote to Overturn Previously Approved Gaming Compacts.  
(SA 98 RF 0018)**

Referred by the Speaker to the Committee on Governmental Organization.

The following communication was presented by the Chief Clerk from:

S. Kimberly Belshé, Director, Department of Health Services, relative to appropriation of funds for local health agencies to implement beach safety and water quality monitoring program mandated by Chapter 765, Statutes of 1997.

Referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**REPORTS**

The following reports were presented by the Chief Clerk:

**1998 OAL Determination No. 13  
(Department of Corrections) Docket No. 91-010**

**1998 OAL Determination No. 14  
(Employment Development Department) Docket No. 91-011**

**1998 OAL Determination No. 15  
(Board of Registration for Professional Engineers and Land Surveyors)  
Docket No. 91-013**

**1998 OAL Determination No. 16  
(Franchise Tax Board) Docket No. 91-014**

**1998 OAL Determination No. 17  
(Department of Corrections) Docket No. 91-015**

**1998 OAL Determination No. 18  
(Department of Corrections) Docket No. 91-016**

**1998 OAL Determination No. 19  
(Department of Corrections) Docket No. 91-019**

Above transmitted reports, together with letters of transmittal from Edward G. Heidig, Director, Office of Administrative Law, Sacramento, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**Final Environmental Assessment  
Public Law 84-99 Levee Rehabilitation in Reclamation Districts 108 and 787  
and Sacramento River Bank Protection Project  
Rock Slope Protection in Reclamation District 108  
Left Bank of Colusa Basin Drain Yolo and Colusa Counties, California**

Above transmitted report, together with letter of transmittal from Dorothy F. Klasse, Colonel, Corps of Engineers, District Engineer, Department of the Army, Sacramento, dated August 7, 1998, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Draft Environmental Assessment/Initial Study  
Public Law 84-99 Levee Restoration Reclamation District 17  
San Joaquin County, California**

**Draft Environmental Assessment and Initial Study  
PL 84-99 Levee Rehabilitation  
Reclamation District 999  
Sutter Slough and Miner Slough  
Solano County and South Levee, Sacramento Bypass Yolo County, California**

**Draft Environmental Assessment/Initial Study  
Public Law 84-99 Levee Restoration Marysville Levee District  
Yuba County, California**

Above transmitted reports, together with letter of transmittal from Raymond E. Williams, Chief, Phase III Final Restoration Branch, Department of the Army, Sacramento, dated August 18, 1998, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Quarterly Report to the Governor and Legislature on  
Parole Revocation Hearing Process Hold-to-Disposition Statistics  
(Pursuant to Item 5440-001-0001,  
Supplemental Report of the 1997 Budget Act)**

Above transmitted report, together with letter of transmittal from James W. Nielsen, Chairman, Board of Prison Terms, Sacramento, dated August 19, 1998, referred by the Speaker to the Committee on Budget.

**Trial Court Unification: Revision of Codes,  
28 Cal.L. Revision Comm'n Reports 51(1998)  
(Pursuant to Sections 8291 and 9795, Government Code)**

Above transmitted report, together with letter of transmittal from Nathaniel Sterling, Executive Secretary, California Law Revision Commission, Palo Alto, dated August 20, 1998, referred by the Speaker to the Committee on Judiciary.

**Report on Lottery Expenditures for K-12 Education, 1996-97  
(Pursuant to Control Section 24.60, Department of Education,  
Budget Act of 1997)**

Above transmitted report, together with letter of transmittal from Susie Lange, Deputy Superintendent, Department Management Services Branch, Department of Education, Sacramento, dated July 31, 1998, referred by the Speaker to the Committee on Budget.

**1998 Transmission Reliability Report  
(Pursuant to Section 350, Public Utilities Code)**

Above transmitted report, together with letter of transmittal from Gary C. Heath, Executive Director, Electricity Oversight Board, Sacramento, dated September 3, 1998, referred by the Speaker to the Committee on Utilities and Commerce.

**Consulting Services Contract Report  
(Pursuant to Section 10359, Public Contract Code)**

Above transmitted report, together with letter of transmittal from Ray Remy, Director, Employment Development Department, dated August 11, 1998, referred by the Speaker to the Committee on Labor and Employment.

**Employment Development Department Building Fund Transfers to  
the Federal Unemployment Fund  
(Pursuant to Item 5100-311-0690, Chapter 282, Statutes of 1997)**

Above transmitted report, together with letter of transmittal from Ray Remy, Director, Employment Development Department, Sacramento, dated September 2, 1998, referred by the Speaker to the Committee on Budget.

**Employment Training Fund Disencumbrances and Reappropriations  
(Pursuant to Item 5100-001-0514, Chapter 282, Statutes of 1997)**

Above transmitted report, together with letter of transmittal from Ray Remy, Director, Employment Development Department, Sacramento, dated September 2, 1998, referred by the Speaker to the Committee on Budget.

**Employment Training Panel  
Strategic Plan 1998–2001  
(Pursuant to Section 10205(a), Unemployment Insurance Code)**

Above transmitted report, together with letter of transmittal from Gerald G. Geismar, Executive Director, Employment Training Panel, Sacramento, dated August 25, 1998, referred by the Speaker to the Committee on Labor and Employment.

**Development of Risk-Based Concentrations for  
Arsenic, Cadmium, and Lead in Inorganic Commercial Fertilizers  
(Pursuant to Item 8570-001-0001 of  
the Supplemental Report of the 1998 Budget Act,  
1998–99 Fiscal Year)**

Above transmitted report, together with letter of transmittal from Ann M. Veneman, Secretary, Department of Food and Agriculture, dated September 1, 1998, referred by the Speaker to the Committee on Budget.

**Franchise Tax Board Daily Compound Interest Rate Table  
from January 1, 1999–June 30, 1999  
(Pursuant to Section 19521, Revenue and Taxation Code)**

Above transmitted report, together with letter of transmittal from George Ramsey, Manager, Statistical Research Bureau, Franchise Tax Board, Sacramento, dated August 12, 1998, referred by the Speaker to the Committee on Revenue and Taxation.

**Electronically Issuing Orders to Withhold to Financial Institutions  
(Pursuant to Assembly Bill 1011, Chapter 222, Statutes of 1995)**

Above transmitted report, together with letter of transmittal from Laurie Rhea, Senior Analyst, Research & Innovation Section, Franchise Tax Board, Sacramento, dated September 1, 1998, referred by the Speaker to the Committee on Revenue and Taxation.

**Review of Statewide Uniform Child Support Guideline 1998  
(Pursuant to Section 4054, Family Code)**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, San Francisco, dated August 21, 1998, referred by the Speaker to the Committee on Judiciary.

**Office of Inspector General—  
Office of Investigation State Fraud Branch—  
Medicaid Fraud Control Unit Quarterly Statistical Report**

Above transmitted report, together with letter of transmittal from Thomas A. Temmerman, Director, Bureau of Medi-Cal Fraud, Department of Justice, dated August 12, 1998, referred by the Speaker to the Committee on Health.

**Report on Interest Penalties Paid on Undisputed Refund Claims  
(Pursuant to Section 926.19, Government Code)**

Above transmitted report, together with letter of transmittal from Sally R. Reed, Director, Department of Motor Vehicles, Sacramento, dated August 26, 1998, referred by the Speaker to the Committee on Transportation.

**1997–98 Consulting Services Contract Reports  
(Pursuant to Section 10359, Public Contract Code)**

Above transmitted report, together with letter of transmittal from David J. Tirapelle, Director, Department of Personnel Administration, Sacramento, dated August 11, 1998, referred by the Speaker to the Committee on Labor and Employment.

**Report to the California Legislature and  
Exclusive Representatives of State Employees on  
Information Relevant to the Salaries for Female Dominated Jobs  
(Pursuant to Section 19827.2, Government Code)**

Above transmitted report, together with letter of transmittal from David J. Tirapelle, Director, Department of Personnel Administration, Sacramento, dated September 1, 1998, referred by the Speaker to the Committee on Labor and Employment.

**Report to the Legislature on  
New Career Executive Assignment (C.E.A.) Positions  
(Pursuant to Item 1880-001-0001,  
Supplemental Report of the 1997 Budget Act)**

Above transmitted report, together with letter of transmittal from Walter Vaughn, Executive Officer, California State Personnel Board, Sacramento, dated August 28, 1998, referred by the Speaker to the Committee on Budget.

**Report to the Legislature on  
the Implementation of Women, Minority and Disabled Veterans  
Business Enterprises Program for Public Utilities  
(Pursuant to Section 8283, Public Utilities Code)**

Above transmitted report, together with letter of transmittal from Wesley M. Franklin, Executive Director, Public Utilities Commission, San Francisco, dated September 1, 1998, referred by the Speaker to the Committee on Utilities and Commerce.

**Children Freed for Adoption Prior to Identifying an Adoptive Family  
(Pursuant to AB 1523, Chapter 540, Statutes of 1995)**

Above transmitted report, together with letter of transmittal from Eloise Anderson, Director, Department of Social Services, Sacramento, dated August 5, 1998, referred by the Speaker to the Committee on Human Services.

**Public Authorities and Nonprofit Consortia to Provide for  
the Delivery of In-Home Supportive Services  
(Pursuant to Chapter 206, Statutes of 1996)**

Above transmitted report, together with letter of transmittal from Eloise Anderson, Director, Department of Social Services, Sacramento, dated August 14, 1998, referred by the Speaker to the Committee on Human Services.

**Status of the Implementation of  
the Task Frequency Mode of Service Delivery  
(Pursuant to Section 12302.7(s), Welfare and Institutions Code)**

Above transmitted report, together with letter of transmittal from Eloise Anderson, Director, Department of Social Services, Sacramento, dated August 17, 1998, referred by the Speaker to the Committee on Human Services.

**Addendum to Report to the Legislature on  
Regulatory Activities of South Coast Air Quality Management District  
(Pursuant to Chapter 1702, Statutes of 1990)**

Above transmitted report, together with letter of transmittal from Barry R. Wallerstein, D.Env. Acting Executive Director, South Coast Air Quality Management District, Diamond Bar, dated July 29, 1998, referred by the Speaker to the Committee on Natural Resources.

**Annual Report Cal-Vet Insurance Plans  
(Pursuant to AB 4355, Chapter 1170, Statutes of 1974)**

Above transmitted report, together with letter of transmittal from Michael Madalo, Chief, Farm and Home Purchases, Department of Veterans Affairs, Sacramento, dated September 1, 1998, referred by the Speaker to the Committee on Governmental Organization.

**Report to the Legislature on Administration of  
the Clean Water Bond Law of 1984 (Proposition 25)  
Water Conservation and Water Quality Bond Law of 1986  
(Proposition 44)**

**Water Conservation Bond Law of 1988 (Proposition 82)  
(Pursuant to Section 14014, Water Code)**

Above transmitted report, together with letter of transmittal from David N. Kennedy, Director, Department of Water Resources, dated August 11, 1998, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**1997 Annual Census of State Employees and  
Affirmative Action Report  
(Pursuant to Sections 19237, 19405, 19705, 19792.5(b), and 19793,  
Government Code)**

Above transmitted report, together with letter of transmittal from Walter Vaughn, Executive Officer, California State Personnel Board, Sacramento, dated August 31, 1998, referred by the Speaker to the Committee on Labor and Employment.

**Quarterly Report to the Governor and Legislature on  
Pardon and Death Penalty Investigations  
(Pursuant to Item 5440-001-0001,  
Supplemental Report of the 1997 Budget Act)**

Above transmitted report, together with letter of transmittal from James W. Nielsen, Chairman, Board of Prison Terms, Sacramento, dated September 2, 1998, referred by the Speaker to the Committee on Budget.

**Implementation Plan for Increasing the  
Number of Level of Care Staff in the Developmental Centers  
(Pursuant to the 1998-99 Budget Act Language, Item 4300-003-001)**

Above transmitted report, together with letter of transmittal from Cliff Allenby, Director, Department of Developmental Services, Sacramento, dated September 21, 1998, referred by the Speaker to the Committee on Budget.

**Natural Community Conservation Planning  
(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 21, 1998, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Apprenticeship Related and Supplemental Instruction Programs for 1996-97  
(Pursuant to the Budget Act of 1997, Item 6110-103-0001)**

Above transmitted report, together with letter of transmittal from Daniel Alvarez, Deputy Superintendent, External Affairs Branch, Department of Education, Sacramento, dated September 15, 1998, referred by the Speaker to the Committee on Budget.

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**COMMUNICATIONS**

The following letters of transmittal were presented by the Speaker, and ordered printed in the Journal:

California State Auditor

98023

August 27, 1998

*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 audit report concerning the State's reported progress in fixing its critical computer projects for the year 2000. This report concludes that state agencies may not be as far along in fixing their critical computer projects as previously reported. Furthermore, many critical projects may not actually be ready for the next millennium because state agencies are not thoroughly testing their remediation efforts, have not completed all the necessary steps to address interfaces with data exchange partners, such as counties and the federal government, and

have not completed business-continuation plans to ensure the uninterrupted delivery of critical services into the next century.

Respectfully submitted,

KURT R. SJOBERG  
State Auditor

Above report referred to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

California State Auditor

Investigative Report I98-2  
September 2, 1998

*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 it investigative report concerning investigations of improper governmental activity completed from February 1 through June 30, 1998.

Respectfully submitted,

KURT R. SJOBERG  
State Auditor

Above report referred to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

California State Auditor

97127  
September 9, 1998

*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 use of bond proceeds issued under the Marks-Roos Local Bond Pooling Act of 1985 (act). This report concludes that the cities of Waterford and San Joaquin have exploited the act to generate lucrative fees by financing highly speculative projects that do not directly benefit their cities. The cities established Public Finance Authorities (PFA) which issued \$148.9 million in bonds to finance projects located throughout the State and, in return, received \$1.3 million in fees. However, they exercised little control over the projects to ensure their viability and control costs, and many of the projects are not generating sufficient revenues to make debt payments. Unless the PFAs are able to raise the money to make these payments, they will default on the bonds. The cities of Lake Elsinore, Coalinga, and Oroville also engaged in questionable, though less egregious,

practices. Finally, although the other seven cites did not appear to have misused the act, four exposed bondholders to increased risk by financing projects outside their jurisdictions.

Respectfully submitted,

KURT R. SJOBERG  
State Auditor

Above report referred to the Committee on Local Government.

California State Auditor

97125  
September 15, 1998

*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 annual cost to the State for incarcerating inmates under the jurisdiction of the Department of Corrections (department). The report reviews the department's own calculation of inmate costs at the 32 prisons and determines whether the included cost factors are appropriate and reasonable. We also calculated the annual incarceration costs per inmate for each of the 32 state-run prisons operating during fiscal year 1996-97, as well as a statewide cost per inmate. This report concludes that the department's calculation appropriately includes most of the direct and indirect operating costs but lacks certain indirect operating costs as well as capital costs for prison construction and expansion. Our calculation includes all operating (direct and indirect) costs and capital costs. We found that per-inmate costs vary significantly from one prison to another. Annual costs per inmate for the 32 prisons ranged from \$18,562 to \$38,554 for fiscal year 1996-97. The statewide average was \$24,807.

In conclusion, we recommend that, to accurately determine the cost of incarceration, the department should include all costs, both operating and capital, when calculating how much the State pays annually to incarcerate criminals.

Respectfully submitted,

KURT R. SJOBERG  
State Auditor

Above report referred to the Committee on Public Safety.

California State Auditor

98102  
September 24, 1998

*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 Prison Industry Authority's (PIA) purchase and resale of finished goods and services. This report concludes that the PIA bought finished goods from the private sector 656 times and lost \$208,000 on their resale during the period we reviewed with the losses being subsidized by customers buying the PIA's other goods and services. Further, for some items it frequently purchases from the private sector, the PIA does not plan ahead to meet its customers' demands. Instead, the PIA sometimes uses emergency procurement procedures inappropriately to purchase finished goods and services, which limits competition and may not reflect the lowest cost. In addition, the PIA does not technically have the legal authority to buy and resell finished goods and services to its customers. This authority is vested in the Prison Industry Board and has not been delegated to the PIA. Finally, the PIA is acting strictly as a middleman in its purchase and resale of processed eggs, a product the PIA does not produce. Such an arrangement does not contribute to its mission of promoting inmate employment, duplicates the efforts of other state procurement units, and may result in additional administrative costs.

Respectfully submitted,

MARIANNE P. EVASHENK

for

KURT R. SJOBERG

State Auditor

Above report referred to the Committee on Public Safety.

#### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 1, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 64  
 Assembly Concurrent Resolution No. 92  
 Assembly Concurrent Resolution No. 133  
 Assembly Concurrent Resolution No. 155  
 Assembly Concurrent Resolution No. 161  
 Assembly Concurrent Resolution No. 171  
 Assembly Concurrent Resolution No. 184  
 Assembly Joint Resolution No. 76

And reports the same correctly enrolled, and presented to the Secretary of State on the 1st day of September, 1998, at 11:45 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 1, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 284	Assembly Bill No. 1944
Assembly Bill No. 789	Assembly Bill No. 1959
Assembly Bill No. 898	Assembly Bill No. 2438
Assembly Bill No. 930	Assembly Bill No. 2473
Assembly Bill No. 1389	Assembly Bill No. 2506
Assembly Bill No. 1570	Assembly Bill No. 2557
Assembly Bill No. 1726	Assembly Bill No. 2597
Assembly Bill No. 1733	Assembly Bill No. 2620
Assembly Bill No. 1780	Assembly Bill No. 2705
Assembly Bill No. 1931	

And reports the same correctly enrolled, and presented to the Governor at 12:15 p.m., September 1, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 2, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 66	Assembly Bill No. 1368
Assembly Bill No. 118	Assembly Bill No. 1635
Assembly Bill No. 191	Assembly Bill No. 1692
Assembly Bill No. 368	Assembly Bill No. 1730
Assembly Bill No. 423	Assembly Bill No. 2002
Assembly Bill No. 966	Assembly Bill No. 2275
Assembly Bill No. 1021	Assembly Bill No. 2329
Assembly Bill No. 1053	Assembly Bill No. 2812

And reports the same correctly enrolled, and presented to the Governor at 12:15 p.m., September 2, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 1, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1882  
Assembly Bill No. 2472

And reports the same correctly enrolled, and presented to the Governor at 4:15 p.m., September 1, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 3, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 20	Assembly Bill No. 1873
Assembly Bill No. 80	Assembly Bill No. 1966
Assembly Bill No. 93	Assembly Bill No. 2067
Assembly Bill No. 228	Assembly Bill No. 2102
Assembly Bill No. 434	Assembly Bill No. 2172
Assembly Bill No. 1133	Assembly Bill No. 2292
Assembly Bill No. 1205	Assembly Bill No. 2696
Assembly Bill No. 1338	Assembly Bill No. 2707
Assembly Bill No. 1650	Assembly Bill No. 2801
Assembly Bill No. 1838	

And reports the same correctly enrolled, and presented to the Governor at 11:15 a.m., September 3, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 3, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1102  
Assembly Bill No. 1150  
Assembly Bill No. 2804

And reports the same correctly enrolled, and presented to the Governor at 2:30 p.m., September 3, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 4, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 20  
Assembly Concurrent Resolution No. 176  
Assembly Concurrent Resolution No. 180  
Assembly Joint Resolution No. 58  
Assembly Joint Resolution No. 71  
Assembly Joint Resolution No. 77

And reports the same correctly enrolled, and presented to the Secretary of State on the 4th day of September, 1998, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 4, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2771

And reports the same correctly enrolled, and presented to the Governor at 1 p.m., September 4, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 4, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 7

Assembly Bill No. 976

Assembly Bill No. 1068

Assembly Bill No. 1397

Assembly Bill No. 1569

Assembly Bill No. 1686

Assembly Bill No. 1789

Assembly Bill No. 1857

Assembly Bill No. 1864

Assembly Bill No. 1884

Assembly Bill No. 2006

Assembly Bill No. 2272

Assembly Bill No. 2301

Assembly Bill No. 2416

Assembly Bill No. 2633

Assembly Bill No. 2643

Assembly Bill No. 2650

Assembly Bill No. 2682

Assembly Bill No. 2697

Assembly Bill No. 2737

And reports the same correctly enrolled, and presented to the Governor at 1 p.m., September 4, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 4, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 227

Assembly Bill No. 469

Assembly Bill No. 496

Assembly Bill No. 535

Assembly Bill No. 805

Assembly Bill No. 1392

Assembly Bill No. 1605

Assembly Bill No. 1682

Assembly Bill No. 1827

Assembly Bill No. 2016

Assembly Bill No. 2023

Assembly Bill No. 2052

Assembly Bill No. 2224

Assembly Bill No. 2233

Assembly Bill No. 2268

Assembly Bill No. 2375

Assembly Bill No. 2407

Assembly Bill No. 2522

Assembly Bill No. 2693

And reports the same correctly enrolled, and presented to the Governor at 3 p.m., September 4, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 131

Assembly Bill No. 509

Assembly Bill No. 645

Assembly Bill No. 910

Assembly Bill No. 911

Assembly Bill No. 947

Assembly Bill No. 984

Assembly Bill No. 1024

Assembly Bill No. 1136

Assembly Bill No. 1155

Assembly Bill No. 1169

Assembly Bill No. 1450

Assembly Bill No. 1651

Assembly Bill No. 1687

Assembly Bill No. 2066

Assembly Bill No. 2103

Assembly Bill No. 2173

Assembly Bill No. 2404

Assembly Bill No. 2554

Assembly Bill No. 2725

And reports the same correctly enrolled, and presented to the Governor at 10 a.m., September 8, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 466	Assembly Bill No. 2231
Assembly Bill No. 810	Assembly Bill No. 2401
Assembly Bill No. 1551	Assembly Bill No. 2421
Assembly Bill No. 1630	Assembly Bill No. 2432
Assembly Bill No. 1910	Assembly Bill No. 2521
Assembly Bill No. 1962	Assembly Bill No. 2528
Assembly Bill No. 1967	Assembly Bill No. 2636
Assembly Bill No. 1988	Assembly Bill No. 2733
Assembly Bill No. 2022	Assembly Bill No. 2739
Assembly Bill No. 2061	Assembly Bill No. 2741

And reports the same correctly enrolled, and presented to the Governor at 12 m., September 8, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 9, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 341	Assembly Bill No. 2342
Assembly Bill No. 424	Assembly Bill No. 2363
Assembly Bill No. 604	Assembly Bill No. 2383
Assembly Bill No. 1613	Assembly Bill No. 2390
Assembly Bill No. 1685	Assembly Bill No. 2437
Assembly Bill No. 1748	Assembly Bill No. 2447
Assembly Bill No. 1859	Assembly Bill No. 2495
Assembly Bill No. 1963	Assembly Bill No. 2551
Assembly Bill No. 2053	Assembly Bill No. 2569
Assembly Bill No. 2128	Assembly Bill No. 2598

And reports the same correctly enrolled, and presented to the Governor at 11 a.m., September 9, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 9, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 142  
 Assembly Concurrent Resolution No. 145  
 Assembly Concurrent Resolution No. 190

And reports the same correctly enrolled, and presented to the Secretary of State on the 9th day of September, 1998, at 11:45 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 10, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 332	Assembly Bill No. 1342
Assembly Bill No. 357	Assembly Bill No. 1624
Assembly Bill No. 698	Assembly Bill No. 1785
Assembly Bill No. 952	Assembly Bill No. 1879
Assembly Bill No. 972	Assembly Bill No. 2169
Assembly Bill No. 1096	Assembly Bill No. 2282
Assembly Bill No. 1134	Assembly Bill No. 2536
Assembly Bill No. 1183	Assembly Bill No. 2651
Assembly Bill No. 1233	

And reports the same correctly enrolled, and presented to the Governor at 11:54 a.m., September 10, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 10, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 3    | Assembly Bill No. 1639 |
| Assembly Bill No. 964  | Assembly Bill No. 1642 |
| Assembly Bill No. 1077 | Assembly Bill No. 1665 |
| Assembly Bill No. 1161 | Assembly Bill No. 2116 |
| Assembly Bill No. 1453 | Assembly Bill No. 2377 |
| Assembly Bill No. 1560 | Assembly Bill No. 2611 |
| Assembly Bill No. 1626 |                        |

And reports the same correctly enrolled, and presented to the Governor at 3 p.m., September 10, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 11, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 89   | Assembly Bill No. 2197 |
| Assembly Bill No. 821  | Assembly Bill No. 2222 |
| Assembly Bill No. 1264 | Assembly Bill No. 2237 |
| Assembly Bill No. 1345 | Assembly Bill No. 2238 |
| Assembly Bill No. 1384 | Assembly Bill No. 2510 |
| Assembly Bill No. 1386 | Assembly Bill No. 2534 |
| Assembly Bill No. 1738 | Assembly Bill No. 2565 |
| Assembly Bill No. 1978 | Assembly Bill No. 2592 |
| Assembly Bill No. 2004 | Assembly Bill No. 2621 |
| Assembly Bill No. 2192 | Assembly Bill No. 2637 |

And reports the same correctly enrolled, and presented to the Governor at 10:45 a.m., September 11, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 11, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 278  | Assembly Bill No. 1663 |
| Assembly Bill No. 462  | Assembly Bill No. 1845 |
| Assembly Bill No. 561  | Assembly Bill No. 1856 |
| Assembly Bill No. 954  | Assembly Bill No. 1916 |
| Assembly Bill No. 1092 | Assembly Bill No. 1994 |
| Assembly Bill No. 1166 | Assembly Bill No. 1999 |
| Assembly Bill No. 1208 | Assembly Bill No. 2501 |
| Assembly Bill No. 1339 | Assembly Bill No. 2560 |
| Assembly Bill No. 1374 | Assembly Bill No. 2712 |
| Assembly Bill No. 1629 | Assembly Bill No. 2790 |

And reports the same correctly enrolled, and presented to the Governor at 2 p.m., September 11, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 11, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 2796

And reports the same correctly enrolled, and presented to the Governor at 4:15 p.m., September 11, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 15	Assembly Bill No. 1885
Assembly Bill No. 668	Assembly Bill No. 1915
Assembly Bill No. 1290	Assembly Bill No. 1942
Assembly Bill No. 1439	Assembly Bill No. 1950
Assembly Bill No. 1596	Assembly Bill No. 1995
Assembly Bill No. 1676	Assembly Bill No. 2040
Assembly Bill No. 1712	Assembly Bill No. 2406
Assembly Bill No. 1763	Assembly Bill No. 2429
Assembly Bill No. 1820	Assembly Bill No. 2595
Assembly Bill No. 1877	Assembly Bill No. 2816

And reports the same correctly enrolled, and presented to the Governor at 9:30 a.m., September 14, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 117	Assembly Bill No. 1889
Assembly Bill No. 310	Assembly Bill No. 1945
Assembly Bill No. 822	Assembly Bill No. 2003
Assembly Bill No. 1216	Assembly Bill No. 2011
Assembly Bill No. 1381	Assembly Bill No. 2019
Assembly Bill No. 1424	Assembly Bill No. 2056
Assembly Bill No. 1654	Assembly Bill No. 2150
Assembly Bill No. 1655	Assembly Bill No. 2216
Assembly Bill No. 1716	Assembly Bill No. 2572
Assembly Bill No. 1761	Assembly Bill No. 2755

And reports the same correctly enrolled, and presented to the Governor at 9:30 a.m., September 14, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 146	Assembly Bill No. 2079
Assembly Bill No. 188	Assembly Bill No. 2088
Assembly Bill No. 194	Assembly Bill No. 2157
Assembly Bill No. 205	Assembly Bill No. 2229
Assembly Bill No. 818	Assembly Bill No. 2297
Assembly Bill No. 992	Assembly Bill No. 2403
Assembly Bill No. 1052	Assembly Bill No. 2405
Assembly Bill No. 1182	Assembly Bill No. 2454
Assembly Bill No. 1961	Assembly Bill No. 2527
Assembly Bill No. 2048	Assembly Bill No. 2751

And reports the same correctly enrolled, and presented to the Governor at 9:30 a.m., September 14, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 639	Assembly Bill No. 2198
Assembly Bill No. 1737	Assembly Bill No. 2207
Assembly Bill No. 1788	Assembly Bill No. 2387
Assembly Bill No. 1875	Assembly Bill No. 2461
Assembly Bill No. 1911	Assembly Bill No. 2492
Assembly Bill No. 1986	Assembly Bill No. 2494
Assembly Bill No. 2075	Assembly Bill No. 2580
Assembly Bill No. 2084	Assembly Bill No. 2630
Assembly Bill No. 2142	Assembly Bill No. 2699
Assembly Bill No. 2196	Assembly Bill No. 2730

And reports the same correctly enrolled, and presented to the Governor at 11:15 a.m., September 14, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 92   | Assembly Bill No. 1110 |
| Assembly Bill No. 324  | Assembly Bill No. 1671 |
| Assembly Bill No. 377  | Assembly Bill No. 1715 |
| Assembly Bill No. 399  | Assembly Bill No. 1803 |
| Assembly Bill No. 542  | Assembly Bill No. 1957 |
| Assembly Bill No. 576  | Assembly Bill No. 2217 |
| Assembly Bill No. 715  | Assembly Bill No. 2321 |
| Assembly Bill No. 734  | Assembly Bill No. 2398 |
| Assembly Bill No. 796  | Assembly Bill No. 2491 |
| Assembly Bill No. 1078 | Assembly Bill No. 2782 |

And reports the same correctly enrolled, and presented to the Governor at 2:45 p.m., September 14, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 15, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 378  | Assembly Bill No. 1784 |
| Assembly Bill No. 426  | Assembly Bill No. 1812 |
| Assembly Bill No. 574  | Assembly Bill No. 2305 |
| Assembly Bill No. 836  | Assembly Bill No. 2328 |
| Assembly Bill No. 860  | Assembly Bill No. 2351 |
| Assembly Bill No. 1059 | Assembly Bill No. 2456 |
| Assembly Bill No. 1291 | Assembly Bill No. 2505 |
| Assembly Bill No. 1697 | Assembly Bill No. 2627 |
| Assembly Bill No. 1745 | Assembly Bill No. 2732 |
| Assembly Bill No. 1746 | Assembly Bill No. 2765 |

And reports the same correctly enrolled, and presented to the Governor at 9:30 a.m., September 15, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 15, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 96   | Assembly Bill No. 2025 |
| Assembly Bill No. 236  | Assembly Bill No. 2031 |
| Assembly Bill No. 271  | Assembly Bill No. 2086 |
| Assembly Bill No. 422  | Assembly Bill No. 2132 |
| Assembly Bill No. 623  | Assembly Bill No. 2154 |
| Assembly Bill No. 823  | Assembly Bill No. 2215 |
| Assembly Bill No. 1332 | Assembly Bill No. 2316 |
| Assembly Bill No. 1621 | Assembly Bill No. 2639 |
| Assembly Bill No. 1791 | Assembly Bill No. 2687 |
| Assembly Bill No. 1899 | Assembly Bill No. 2729 |

And reports the same correctly enrolled, and presented to the Governor at 2 p.m., September 15, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 15, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 48   | Assembly Bill No. 2283 |
| Assembly Bill No. 1100 | Assembly Bill No. 2339 |
| Assembly Bill No. 1292 | Assembly Bill No. 2452 |
| Assembly Bill No. 1469 | Assembly Bill No. 2788 |
| Assembly Bill No. 1792 | Assembly Bill No. 2791 |
| Assembly Bill No. 1935 |                        |

And reports the same correctly enrolled, and presented to the Governor at 2:30 p.m., September 15, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 15, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 762  
 Assembly Bill No. 1094  
 Assembly Bill No. 2744

Assembly Bill No. 2785  
 Assembly Bill No. 2794

And reports the same correctly enrolled, and presented to the Governor at 4:15 p.m., September 15, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 99  
 Assembly Concurrent Resolution No. 183  
 Assembly Concurrent Resolution No. 185  
 Assembly Concurrent Resolution No. 186  
 Assembly Concurrent Resolution No. 187  
 Assembly Concurrent Resolution No. 188  
 Assembly Concurrent Resolution No. 189  
 Assembly Concurrent Resolution No. 191  
 Assembly Concurrent Resolution No. 192  
 Assembly Joint Resolution No. 59

And reports the same correctly enrolled, and presented to the Secretary of State on the 16th day of September, 1998, at 9:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 468  
 Assembly Bill No. 2772

And reports the same correctly enrolled, and presented to the Governor at 10:15 a.m. September 16, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 830  
 Assembly Bill No. 1241

And reports the same correctly enrolled, and presented to the Governor at 2:30 p.m. September 16, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 105  
 Assembly Bill No. 2773

And reports the same correctly enrolled, and presented to the Governor at 3:30 p.m. September 16, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2809

And reports the same correctly enrolled, and presented to the Governor at 4:15 p.m. September 16, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1091

And reports the same correctly enrolled, and presented to the Governor at 3 p.m. September 17, 1998.

E. DOTSON WILSON, Chief Clerk

**ASSEMBLY COMMITTEE INTERIM HEARINGS—FINAL RECESS****Tuesday, September 8, 1998**

Joint Hearing: Senate Select Committee on Economic Development, Senate Select Committee on Procurement, Expenditures and Information Technology and Assembly Information Technology at 3 p.m.—Room 112

Subject: Y2K: DoIT's response to the State Auditor's report.

**Wednesday, September 9, 1998**

Joint Hearing Assembly and Senate Committees on Public Safety at 9 a.m.—Room 3191

Subject: Proposition 6—Prohibition on Slaughter of Horses and Sale of Horsemeat for Human Consumption.

**Monday, September 14, 1998**

Joint Legislative Audit Committee at 9:30 a.m. to 12:30 p.m.; Burbank City Council Chambers, 275 East Olive Avenue, Burbank

Subject: Adequacy of direct care staff: Serving adults with developmental disabilities.

**Thursday, September 17, 1998**

Joint Hearing: Assembly Education Committee and Senate Education Committee at 2 p.m. to 5 p.m.—Room 4203

Subject: Proposition 8: Public Schools; Permanent Class Size Reduction; Parent-Teacher Councils; Teacher Credentialing; Pupil Suspension for Drug Possession; Chief Inspector's Office; Initiative Statute.

**Tuesday, September 22, 1998**

Insurance Subcommittee on Insurance Reform at 9 a.m.—3 p.m.—Room 126

Subject: Worker's Compensation/Long Term Care.

**Wednesday, September 23, 1998**

Insurance Subcommittee on Insurance Reform at 10 a.m. to 2 p.m.—Room 126

Subject: Earthquake Insurance/CEA.

**Friday, September 25, 1998**

Insurance Subcommittee on Insurance Reform at 10 a.m. to 2 p.m.—Room 126

Subject: Proposition 213.

**Monday, September 28, 1998**

Joint Hearing: Assembly Governmental Organization, Assembly Elections, Reapportionment and Constitutional Amendments, and Senate Committee on Governmental Organization at 10 a.m. to 2 p.m.—Room 4202

Subject: Proposition 5—Tribal State Gaming Compacts. Tribal Casino's.

Joint Hearing: Assembly Utilities and Commerce Committee and Senate Energy, Utilities and Communications Committee at 10 a.m.—Room 112

Subject: Proposition 9: 'The Utility Rate Reduction and Reform Act.'

**Tuesday, September 29, 1998**

Public Safety at 9:30 a.m. to 2:30 p.m.; Council Chambers, Modesto City Hall, 801 Eleventh Street, Modesto

Subject: Impact of Methamphetamine in the Central Valley.

Joint Hearing: Assembly Human Services Committee and Senate Health and Human Services Committee at 9:30 to 12:30 p.m., Ronald Reagan State Building, Auditorium, 300 South Spring Street, Los Angeles.

Subject: Proposition 10. State and County Early Childhood Development Programs. Additional Tobacco Surtax.

**Friday, October 2, 1998**

Select Committee on Rural Economic Development at 8 a.m. to 1 p.m.; Bodega Bay Marine Lab, Lecture Hall, 2099 Westside Road, Bodega Bay

Subject: Economic Decline of the North Coast Fishing Industry: Strategy and Overview for the Future.

**Monday, October 5, 1998**

Select Committee on the Coastal Protection at 10 a.m. to 1 p.m.; Coast Guard Island, (specific facility to be announced), Alameda

Informational Hearing

Subject: Reducing the Introduction of Harmful Exotic Species Through Ballast Water.

**Wednesday, October 7, 1998**

Select Committee on the Compton Unified School District at 6 to 8 p.m.; Boardroom Chambers, Compton Unified School District, 604 South Tamarind Avenue, Compton

Subject: Implementation of AB 52.

Agriculture at 1:30 p.m. to 4:30 p.m.; Patterson City Council Chambers, 84 Salado Avenue, Patterson

Subject: Effects of the Food Quality Protection Act on The Central Valley.

**Thursday, October 8, 1998**

Joint Legislative Audit at 9:30 a.m.—Room 437

Audit Requests

City and County of San Francisco Municipal Railway—Senator Kopp;

California Department of Education's compliance with the Perkins Vocational and Applied Technology Act—Senator Rainey;

Medi-Cal Managed Care Two Plan Model (revised)—Wildman.

**Friday, October 16, 1998**

Transportation at 9:30 to 1:30 p.m.; Metropolitan Transportation Authority, Boardroom Auditorium, One Gateway Plaza, Los Angeles

Subject: Compliance with the federal consent decree for bus service and regional transit alternative analysis.

**Wednesday, October 21, 1998**

Joint Hearing: Assembly Health and Insurance Committees and Senate Insurance and Health and Human Services Committees at 9:30 a.m. to 1:30 p.m.; County Board of Supervisors Chambers, Los Angeles

Subject: Enrollment Issues: Healthy Families and Medi-Cal Programs.

**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. 227**

Governor's Office, Sacramento  
September 11, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 227 without my signature.

This bill would require health plans to make capitation payments to contracting providers retroactive to the enrollee's enrollment date.

The timing of contractual payments is appropriately a matter of negotiation between the contracting parties, not the Legislature.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 790**

Governor's Office, Sacramento  
September 11, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 790 without my signature.

This bill would require the Department of Health Services to review the adequacy of prenatal nutrition information available to physicians providing healthcare to pregnant women, and report its findings to the Legislature by January 1, 2000.

This bill is unnecessary. Physicians have the training and experience to review for themselves the adequacy of available prenatal information.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 795**

Governor's Office, Sacramento  
September 11, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 795 without my signature.

This bill would require the Department of Social Services to apply for federal grant funds for child custody and visitation programs.

This bill is unnecessary because the Department already applies for these funds. The Department applied for and received a federal Access and Visitation Program grant of \$1.1 million in both 1997–98 and 1998–99. These funds are used by the Judicial Council for mediation, education, counseling and visitation services, including supervising

visits between children and noncustodial parents and making neutral arrangements for visitation drop-offs and pick-ups.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1053**

Governor's Office, Sacramento  
September 11, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1053 without my signature.

This bill would require health care service plans to provide coverage for all medically necessary pediatric vaccines and to augment a physician's capitation rate for any vaccines that are added to the Recommended Childhood Immunization Schedule. The bill would also prohibit a plan from including pediatric vaccines in the capitation rate of a physician who is individually capitated.

This bill is not about providing children with vaccines. Existing law already requires health care service plans to provide pediatric vaccines pursuant to the most current version of the Recommended Childhood Immunization Schedule/United States, jointly adopted by the American Academy of Pediatrics, the Advisory Committee on Immunization Practices, and the American Academy of Family Physicians.

This bill is really about how physicians are paid. These matters are best left to the contracting parties. This bill would also establish a precedent for excluding services and procedures from the capitation rate, resulting in increased health care costs.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1112**

Governor's Office, Sacramento  
September 11, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1112 without my signature.

This bill would require health care service plans and disability insurers that provide coverage for outpatient prescription drug benefits to include coverage for a variety of federal Food and Drug Administration approved prescription contraceptive methods. Religious organizations that object to contraceptives for religious reasons would be exempt. However, employees of these exempt religious organizations with a family income up to 400 percent of the federal poverty level would be entitled to coverage through the California State-Only Family Planning Program.

Few can argue with the benefits of this bill; requiring health plans and disability insurers to provide coverage for contraceptives and including a religious exemption clause. However, it is inappropriate for taxpayers to pay for contraceptives for certain employees that earn up to 400 percent of the federal poverty level, or over \$65,800 for a family of four. This bill would now be law but for the author's insistence that a state program designed for the working poor be used to provide benefits for those not in need of state assistance.

Having advocated contraception services for the poor for years, I am disappointed and frankly disgusted that a bill that could have so easily

served as a vehicle to provide such services was needlessly burdened with so inappropriate a requirement. This is the second time that the author has made such an unfortunate choice.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1298**

Governor's Office, Sacramento  
September 11, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1298 without my signature.

This bill would prohibit a health care service plan, disability insurer, or a contracting provider from impeding or impairing communication or the right of free association or free speech among enrollees or insureds.

This bill is unnecessary. The United States Constitution and the California Constitution already guarantee the right of free speech and free association.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1680**

Governor's Office, Sacramento  
September 11, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1680 without my signature.

This bill would require the Employment Development Department to provide an appeal form to unemployment insurance and disability insurance claimants who have been denied benefits.

This bill is unnecessary. I have already signed AB 2779 (Aroner), Chapter 329, Statutes of 1998, which requires the Department to include an appeal form with all Notices of Determination.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1726**

Governor's Office, Sacramento  
September 11, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1726 without my signature.

This bill would state that it is the goal of the Legislature that Californians enrolled in health care service plans receive the best possible health care. The bill also sets forth the Legislature's intent to state principles to accomplish this purpose.

This bill is not a serious attempt at managed care reform. It does not change the law. It does not enact any new reforms. It merely states the Legislature's "goal" and "intent" to ensure that Californians receive the best possible health care. In fact, the "principles" enumerated in the bill are merely restatements of existing law. This bill presents the false hope of reform without helping a single person.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2171**

Governor's Office, Sacramento  
September 11, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2171 without my signature.

This bill would expand the Healthy Families Program to legal immigrants not eligible for federally funded benefits.

The Healthy Families Program is a federally funded benefit. Thus, this bill would create a state-only funded program. In addition, it is premature to expand this new program until after completion of the startup of the program as originally enacted.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2516**

Governor's Office, Sacramento  
September 11, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2516 without my signature.

This bill would require the Department of Health Services to submit to the Legislature an annual report reviewing Medi-Cal reimbursement rates for physicians and dentists. A similar requirement for an annual report was repealed in 1992.

This bill is unnecessary. The Legislature can request this information from the Department through the annual budget process. In fact, the 1998 Budget Act includes rate increases for various Medi-Cal providers.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2705**

Governor's Office, Sacramento  
September 11, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2705 without my signature.

This bill would establish minimum qualifications for the State Long-Term Care Ombudsman.

This bill imposes overly restrictive requirements on the appointments process. The executive branch should have the flexibility to appoint the best person for a particular job, and be accountable for that appointment, without restrictive statutory requirements.

Cordially,

PETE WILSON

**RECEIPT**

I acknowledge receipt this 11th day of September 1998, at 5:17 p.m., of Assembly Bills Nos. 227, 790, 795, 1053, 1112, 1298, 1680, 1726, 2171, 2516, and 2705, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

RALPH ROMO  
Acting Assembly Chief Clerk

**Veto Message—Assembly Bill No. 88**

Governor's Office, Sacramento  
September 13, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 88 without my signature.

This bill would authorize school districts, community college districts and county superintendents of schools to elect a new early retirement option for employees who are members of the State Teachers' Retirement Systems (STRS).

This bill would permit retirement at or over age 55, without an allowance reduction, if the total of the member's age and credited service is a least 85 (Rule of 85).

This bill is similar to Assembly Bill 276 (Filante, 1991), and Assembly Bill 449 (Horcher, 1993), which were both vetoed. The reasons for those vetoes have not changed. This measure does not include fiscal safeguards to determine if the program is truly cost neutral, nor does it set a time limit for district financing of the enhanced benefits.

More importantly, by creating an incentive for teachers to retire, this bill is contrary to current efforts to retain qualified teachers to implement the Class Size Reduction Program. Further, the funding of the "Rule of 85" would come from existing Proposition 98 allocations, which could be better spent in the classroom.

Lastly, I continue to question the need for yet another early retirement option for STRS members. Many options currently exist such as the standard early retirement, the "30 and out," the limited term reduction, the two year golden handshake, and other early retirement incentives.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2156**

Governor's Office, Sacramento  
September 13, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2156 without my signature.

This bill would, among other provisions, extend the statutory time period for filing administrative complaints regarding Labor Code violations from thirty days to one year.

This bill is unnecessary. Current law provides that individuals who believe they have been discharged from employment or discriminated against in violation of any provision of the Labor Code may file a complaint with the Labor Commissioner within thirty days after the occurrence of the violation. However, that thirty-day period may be extended for good cause. Moreover, the complainant has the option of filing a civil action and pursuing the matter through the courts. There is no requirement to file a complaint with the Labor Commissioner *before* initiating civil action.

Extending the complaint period could encourage the filing of frivolous complaints which nevertheless would require time consuming, difficult and costly investigations. The current statutory time frame is intended to make employees whole through reinstatement

or reimbursement as quickly as possible. This process has provided a fair, efficient, and effective remedy to complaints of Labor Code violations.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2163**

Governor's Office, Sacramento  
September 13, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2163 without my signature.

This bill would authorize the award of attorney fees against any employer if payment of workers' compensation benefits is unreasonably delayed or refused subsequent to the issuance of an award.

Current law provides that employees injured in the course of employment may be entitled to various workers' compensation benefits depending on the nature and severity of the injury. When payment of these benefits has been unreasonably delayed or refused, the Workers' Compensation Appeals Board is authorized to increase the award by 10 percent. This "penalty" has been determined by the courts to apply to the entire award rather than the unpaid portion. Consequently, significant penalties may be assessed for small amounts left unpaid or delayed.

Moreover, the Division of Worker's Compensation is required to audit carriers, self-insured employers and third party administrators and to impose penalties against them for failure to pay any undisputed portion of a claim or to comply with a penalty assessment.

The existing penalty structure for delayed workers' compensation payments has been criticized for being too harsh in some cases, but too lenient in others. The Commission on Health, Safety and Workers' Compensation is currently studying the audit function and is expected to issue recommendations for a more rational penalty structure this fall. It would be premature to simply add attorneys fees to the existing penalty structure for some cases at this time.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2199**

Governor's Office, Sacramento  
September 13, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2199 without my signature.

This bill would make a minor change to law relating to conservation education.

Current law requires the State Department of Education to encourage the development of educational opportunities relating to the conservation, interpretation, and use of natural resources in the State of California and including, among other things, the development of education curriculum on factors affecting environmental quality. This bill states that factors affecting environmental quality include "environmental hazards."

This bill makes a change in law that is unnecessary and misleading. Clearly, environmental hazards are one of many factors which affect

environmental quality. Adding this language will only send a signal that additional amendments are needed to list other possible factors.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2295**

Governor's Office, Sacramento  
September 13, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2295 without my signature.

This bill would permit specified individuals who retire from state service prior to January 1, 1999, and who are eligible to enroll in a health benefits plan sponsored by the California Public Employees' Retirement System (CalPERS), at the time of retirement, to enroll in that plan during a 60-day open enrollment period in 1999.

Current law requires a state employee to be enrolled in a CalPERS sponsored health plan at the time of separation from employment and to retire within 120 days of separation in order to continue coverage into retirement. This bill would allow individuals who elected not to enroll in a health benefits plan prior to separation and retirement from state service, to enroll themselves and eligible family members during a specified open enrollment period.

This measure could result in significant general fund costs to pay health benefit premiums for additional annuitants, dependents and survivors who previously forfeited those benefits. Since this group of retired employees and their survivors would be eligible to enroll during an open period, no health exam would be required. Moreover, since the bill provides that the annuitant shall be eligible for the "applicable employer contribution" without defining that amount, it is conceivable that the annuitant and his/her survivors would receive more post-retirement health benefits than the employee who elected to continue health benefit coverage prior to separation from employment.

I understand from the author of this measure that CalPERS may not have adequately informed some state employees that failure to elect coverage prior to retirement would be irrevocable. CalPERS is considering administrative remedies on behalf of those members. That appears to be the appropriate solution.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2365**

Governor's Office, Sacramento  
September 13, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2365 without my signature.

This bill would authorize agencies that contract with the Public Employees' Retirement System (PERS), to provide an enhanced benefit level for their members under the "1959 survivor" benefit program. This new benefit level would include an automatic annual cost-of-living adjustment (COLA).

This bill is similar to Senate Bill 1229 (McCorquodale), which was vetoed in 1992. In that veto message I stated that I strongly support frequent review by public employers of the adequacy of the survivor

benefits they pay. Although it is somewhat more complex administratively, it is more fiscally responsible to authorize additional benefits periodically rather than enact a benefit which includes an automatic COLA.

The following year, I signed Senate Bill 887 (Hughes, 1993), which was consistent with the veto message. That bill enacted a new benefit level without the automatic COLA, thus balancing the benefit increases against the public entity's ability to pay them.

Although the cost of supporting the "1959 survivor" benefit program is relatively small and despite the present existence of an accumulated surplus of employee assets, this bill contains indexation and automatic escalators which would eliminate the flexibility a contracting agency currently enjoys when it determines its budget. That flexibility is not only prudent, but a necessary part of a practical budget process.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2603**

Governor's Office, Sacramento  
September 13, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2603 without my signature.

This bill would, among other provisions, create the Local Government Labor Relations Improvement Act of 1998, and would require that any complaint that alleges a violation of the Meyers-Milias-Brown Act or of any rule or regulation which has been adopted by a public agency, be processed as an unfair practice charge by the state Public Employment Relations Board (PERB).

Under current law, the Meyers-Milias-Brown Act allows public agencies to develop rules, regulations and procedures governing collective bargaining and resolution of disputes between employers and recognized bargaining representatives in each jurisdiction. This Act is unique among the state's collective bargaining laws because it permits each local public employer to develop its own rules and regulations governing employment relations.

Local governmental labor relations disputes are more appropriately resolved at the local level. Transferring authority for resolution of these disputes to the state will cause delay and disruption to labor-management relations and will unfairly restrict local officials in their ability to respond to the particular needs of their community.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2768**

Governor's Office, Sacramento  
September 13, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2768 without my signature.

This bill would require that the four members of the State Teachers' Retirement System Board (STRS), representing active and retired

teachers, be elected from their respective constituencies rather than appointed by the Governor.

This bill is virtually identical to AB 885 (Honda), which was vetoed in 1997, and SB 277 (Hughes), which was vetoed in 1994. The reasons supporting those vetoes have not changed. There is no need to substitute for the current appointments process a cumbersome election process costing the Teachers' Retirement Fund over \$150,000 a year.

Proposition 162 established in the state constitution the responsibilities and priorities for STRS Board members. As such, Board members are responsible for representing the interests of the entire system, not just those of individual constituencies. Conducting elections to name parochial representatives would undermine this principle.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 697**

Governor's Office, Sacramento  
September 13, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 697 without my signature.

This bill would require the Economic Research and Strategic Planning Unit within the Trade and Commerce Agency to develop by July 1, 1999, quantifiable benchmarks, goals, and objectives to determine the success and effectiveness of each of the Agency's programs. The Agency is to develop these items in coordination with the Legislature, the Department of Finance, the State Auditor, the Legislative Analyst, and the customers and users of the Agency's programs—within existing resources.

In compliance with existing law, the Trade and Commerce Agency has already prepared a strategic plan and updates it annually. In its strategic planning process, the Agency systematically evaluates its evolving nature with respect to California's global, fast-moving economy. It defines its long-term objectives, identifies quantifiable benchmarks and goals, develops strategies to reach those objectives and goals, and requests appropriate budgetary modifications to carry out those strategies.

This bill creates a duplicative and unnecessary statutory obligation.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1941**

Governor's Office, Sacramento  
September 13, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1941 without my signature.

This bill would require sex education course materials and instruction to be medically accurate, and prohibit racial, ethnic, and gender bias in the course materials and instruction. The bill would define medically accurate as supported by research, recognized as accurate and objective by leading medical, psychological, psychiatric and public health organizations and agencies.

This bill is largely duplicative of current law. Current law requires all instructional materials to be accurate, objective and current. Current law

also provides protections against racial, ethnic and gender bias.

To the extent some school districts are providing inaccurate information or biased instruction in violation of state law, actions other than enactment of additional state legislation should be pursued to remedy the problem.

Moreover, the definition of “medically accurate” is so broad and vague that it may create more problems than it solves. No criteria are provided to determine who or what are “leading medical, psychological, psychiatric, and public health organizations and agencies.” But to such unknown entities is entrusted the role of determining the adequacy of instructional programs, and therefore the power to find them inadequate. Such findings could provide the basis for lawsuits which put districts to the expense of seeking to satisfy a standard which this bill does not precisely define.

Great care—and therefore much greater specificity—should be taken in conferring such power.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2272**

Governor’s Office, Sacramento  
September 13, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2272 without my signature.

This bill would require the Southern California Association of Governments (SCAG), in consultation with the San Bernardino Association of Governments (SANBAG), to review existing studies and make recommendations in a report to the Legislature on the feasibility of developing a distribution center in the Inland Empire in order to supplement existing distribution centers operating within the Alameda Corridor Project.

This bill is virtually identical to ACR 85 (Resolution Chapter 60, Statutes of 1996). The review and recommendations requested by that measure were completed by Caltrans and delivered to the Legislature earlier this year.

This bill would mandate the same review and recommendations from SCAG. However, another regional agency, the SANBAG, has already contracted with a private consultant to do a much more comprehensive study of intermodal goods movement by rail and road through the Inland Empire region.

I recognize the fact that this bill now suggests additional study of infrastructure and access improvements to the Interstate 10 corridor between Interstate 15 and 215. Those improvements are indeed necessary, and many are already programmed in the State Transportation Improvement Program to be completed in the next five years.

Further, the decision as to the feasibility or need of a private distribution center is a question better left to the private entities who would be investing the capital to construct an Inland Empire distribution center.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2425**

Governor's Office, Sacramento  
September 13, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2425 without my signature.

This bill would require that one of the members of the Board of Governors (BOG) of the California Community Colleges be a classified employee who would be appointed by the Governor from a list of at least three persons furnished by the exclusive representatives of the classified employees of the community colleges.

This bill is nearly identical to AB 1753, which I vetoed in 1993. As I noted then, the Community College Reform Act of 1988 created the existing composition of the Board of Governors after extensive deliberations involving all participants in the community college community. I continue to see no reason to change the appointment structure.

Cordially,

PETE WILSON

**RECEIPT**

I acknowledge receipt this 14th day of September 1998, at 3:06 p.m., of Assembly Bills Nos. 88, 2156, 2163, 2199, 2295, 2365, 2603, 2768, 697, 1941, 2272, and 2425, 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. 1551**

Governor's Office, Sacramento  
September 17, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1551 without my signature.

This bill would provide that an employee is eligible for unemployment insurance (UI) benefits if he or she is unable to work as a result of a federally declared disaster. The bill would also provide that an employee is eligible for UI benefits if he or she quits employment because of frequent or repeated requests to work more than eight hours per day, the inability to obtain child care, or to protect themselves or their children from domestic violence.

This bill is unnecessary. Existing regulations already provide that employees are eligible for UI benefits in these circumstances. In addition, I have just signed SB 165 (Solis), Chapter 411 statutes of 1998, which provides that employees who quit employment to protect themselves or their children from domestic violence are eligible for UI benefits.

Cordially,

PETE WILSON

## RECEIPT

I acknowledge receipt this 17th day of September 1998, at 4:23 p.m., of Assembly Bill No. 1551, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 93**

Governor's Office, Sacramento

September 17, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 93 without my signature.

This bill would prohibit agencies from taking any action that would eliminate public access to the coast except to ensure public safety or to protect wildlife and habitat. This bill would also increase the annual cap on state reimbursements for attorney fees to public and private property owners who successfully defend lawsuits to prevent public access on their property, and would shift the costs of Attorney General representation of the State Coastal Conservancy from special funds to the General Fund.

Preserving coastal access is a laudable goal, and existing law contains a number of provisions that ensure the greatest overall access to California's coast is achieved without disregarding other uses that may be of greater public benefit. However, the inflexibility inherent in this bill would limit opportunities for the State to trade property to meet any number of needs, including expanded access.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 509**

Governor's Office, Sacramento

September 17, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 509 without my signature.

This bill would require the Department of Health Services to conduct a study, and report to the Legislature, on the steps necessary to implement an electronic benefits transfer (EBT) system for the California Special Supplemental Food Program for Women, Infants, and Children (WIC). In addition, the Department would be authorized to design an EBT system, but would not be authorized to implement it until funding is provided by the annual Budget Act.

This bill is unnecessary. The 1998–99 Budget Act already includes funding and the Department is conducting the study required in this bill.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2421**

Governor's Office, Sacramento  
September 17, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2421 without my signature.

This bill would expand the definition of nonprofit organization to include general or limited partnerships, thus exempting these entities from the federal requirement to determine an applicant's citizenship or immigration status when determining eligibility for housing assistance.

This bill would circumvent the intent of federal law, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, that taxpayer funded housing benefit legal residents.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2620**

Governor's Office, Sacramento  
September 17, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2620 without my signature.

This bill would require the State Department of Education (SDE) to conduct a survey of state preschool and child care programs in California that serve limited-English speaking and non-English speaking children to determine the methods that best prepare pupils to master English as rapidly as possible in elementary school.

Small children typically learn the language they hear spoken. Children whose primary language is not English will most rapidly and easily learn English by programs consciously seeking to give them maximum exposure to English. This bill requires a survey rather than a program, but impliedly endorses an approach that will continue dependency on a child's primary language. This hardly seems the best preparation for the instruction beginning in kindergarten which is mandated by Proposition 227.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2733**

Governor's Office, Sacramento  
September 17, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2733 without my signature.

This bill would regulate bail fugitive recovery persons.

This bill is premature. Federal legislation is pending which would supersede the provisions of this bill.

Even without federal preemption, it is questionable whether a few isolated though sensational instances of abuse by fugitive hunters warrant either a new regulatory apparatus (which was sought by the bill as introduced), or even a new enforcement priority for overburdened prosecutors. Abuse rising to a misdemeanor level of gravity will in most instances be chargeable as a violation of existing law.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 497**

Governor's Office, Sacramento  
September 18, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 497 without my signature.

This bill would require every health care service plan to establish and maintain a documented system for ensuring that the plan and its contracting providers provide timely access for enrollees to a plan representative by telephone, and to urgent, nonurgent, and referral appointments.

This bill is unnecessary. Existing law already requires plans to make all services readily available and accessible at reasonable times. In addition, existing regulations already require plans to have a documented system for monitoring and evaluating accessibility of care, including a system that addresses waiting time and appointment problems.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1992**

Governor's Office, Sacramento  
September 18, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1992 without my signature.

This bill would require any school district applying for state building funds to include specifications for a hard-wired or wireless connection to a public switched network in new classrooms or portable classrooms.

This bill is very similar to AB 2371, which I vetoed in 1996, and AB 676 which I vetoed in 1997. While this bill addresses concerns noted in both veto messages, I still believe that the decision to provide a phone in each classroom is one that belongs at the local level. I recently signed SB 50 which affords districts broad discretion over the expenditure of school building funds. Under SB 50, districts would be specifically authorized, but not required, to use funds to provide a phone in every classroom.

In addition, this bill would apply to building projects approved for the State School Building Lease Purchase Program. However, under the provisions of SB 50, school building projects would no longer be approved pursuant to that program. Therefore, if the November school bond passes, this bill would be virtually obsolete before it would become operative.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2224**

Governor's Office, Sacramento  
September 18, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2224 without my signature.

This bill would allow small school districts to be eligible for class size reduction (CSR) funding if the average class size is no more than 20 for

all participating classes in the district. This bill further states that the number of pupils in any class included in the average may not exceed 22.

I recognize that districts do not have control over their enrollment and that this unpredictability may be compounded in small districts. However, by allowing class sizes to be averaged over the district, this bill would erode the integrity of the goal of class sizes of no more than 20 pupils. Class size reduction funding should be limited to those who actually achieve smaller class sizes. The CSR program already provides flexibility for classes to compensate for changing enrollment during the school year. The requirement for 20 pupils per class is based on the average size for each class over the entire school year. I believe that the current law provides sufficient flexibility, even to small districts, to accommodate variable enrollment and ensure the goal of the program is met.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2233**

Governor's Office, Sacramento  
September 18, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2233 without my signature.

This bill would establish complex guidelines to progressively restrict issuance of teacher credential waivers over a five-year period. It does allow, however, waivers if the Commission on Teacher Credentialing verifies that school districts have attempted to hire credentialed teachers but were unable to do so.

While the goal of ensuring that California teachers are qualified has merit, the bill is overly prescriptive and would establish confusing criteria for issuance of credential waivers. This could lead to inconsistent administration of waivers in California's 8,000 public schools, and some schools may delay filling teaching positions if they believe they can no longer obtain waivers.

In addition, the need for the bill is unclear, since schools do not appear to be overusing waivers. The Commission on Teacher Credentialing reports that only 1.5 percent of the total number of teachers are serving under waivers.

Finally, the Commission on Teacher Credentialing already reviews waiver applications to ensure that schools have attempted to recruit credentialed teachers and that the schools have selected the most qualified persons available.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2690**

Governor's Office, Sacramento  
September 18, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2690 without my signature.

This bill would require Medi-Cal managed care plans to disenroll persons eligible for the Genetically Handicapped Persons Program (GHPP) and refer them to the GHPP, if requested by the enrollee.

This bill is unnecessary. This year I signed AB 1181 (Escutia), Chapter 31, Statutes of 1998, which requires Medi-Cal managed care plans to refer enrollees with specialized medical conditions, including GHPP eligible patients, to a specialist or specialty care center for the purpose of having the specialist coordinate the enrollee's health care. In addition, procedures exist for referring an enrollee to the GHPP if the Medi-Cal managed care plan does not contract with an appropriate specialist.

Cordially,

PETE WILSON

#### RECEIPT

I acknowledge receipt this 18th day of September 1998, at 4:43 p.m., of Assembly Bills Nos. 93, 509, 2421, 2620, 2733, 497, 1992, 2224, 2233, and 2690, 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. 1024**

Governor's Office, Sacramento  
September 18, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1024 without my signature.

This bill would require the Commission on Teacher Credentialing to adopt regulations establishing new standards for theater and dance teachers within existing single subject teaching credentials.

Appreciation of the arts is an important part of every child's education, and should be encouraged. But this bill imposes a needless and unrealistic burden upon the holders of most single subject credentials that is wholly unrelated to their chosen discipline. A far more relevant and appropriate approach to achieving the same result was that taken by Senate Concurrent Resolution 31 of 1994.

Cordially,

PETE WILSON

#### **Veto Message—Assembly Bill No. 1121**

Governor's Office, Sacramento  
September 18, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1121 without my signature.

This bill would allow Regional Occupational Centers/Programs (ROC/Ps) located in the Counties of San Diego, Orange, and Fresno to use up to five percent of their block entitlement for alternative systems for funding and delivering ROC/P instruction.

This bill does not specify a methodology to ensure that the proposed alternative instructional delivery attendance accounting method equates to average daily attendance and may result in a fiscal incentive for districts to serve a lower number of students.

Further, the bill may result in a diversion of existing ROC/P resources to serve adults, when existing law requires that priority in providing services be given to youth between the ages of 16 and 18 years. Finally,

although the bill requires the establishment of accountability measures, the bill does not require these measures be implemented and it is silent regarding the entity responsible for the development and implementation of such measures.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2557**

Governor's Office, Sacramento  
September 18, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2557 without my signature.

This bill would provide that unaccredited law schools may comply with current requirements for libraries by providing reasonable access to specified types of law books and treatises and provides that the law schools may comply with this requirement via access to electronic means, such as providing access to personal computer for on-line, Internet and CD-ROM research services.

California Rule of Court 957 establishes minimal requirements for law schools not accredited by the California Committee of Bar Examiners. This rule was promulgated by the Supreme Court. The establishment of standards for unaccredited law schools is currently a power of the Supreme Court. It is not appropriate for the Legislature to attempt to second guess the Supreme Court on what are and are not appropriate standards for unaccredited law schools. The Supreme Court has the authority to amend Rule of Court 957 and can consider whether the changes proposed in this bill are appropriate.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2565**

Governor's Office, Sacramento  
September 18, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2565 without my signature.

This bill would authorize the Department of Personnel Administration (DPA), when determining compensation for communications operators in the California Highway Patrol, to consider the total compensation for communications operators in comparable positions in specified cities and counties.

This bill is unnecessary. The Ralph C. Dills Act requires that changes in compensation for salaries and benefits for represented state civil service employees be collectively bargained between representatives of the state and the union. This bill would circumvent that process by dictating a statutory formula.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2643**

Governor's Office, Sacramento  
September 18, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2643 without my signature.

This bill would allow the State Allocation Board to use lease revenues from relocatable classrooms for deferred maintenance. Additionally, it creates a new set aside within the deferred maintenance program to assist districts that have a disproportionate number of facilities over thirty years or for districts who will use the funds to increase the health and safety on school campuses.

The redirection of lease revenues is not necessary given the recent augmentation to the deferred maintenance fund of over \$100 million contained in the 1998 budget. These funds are better spent to purchase more relocatable classrooms.

At a time when we are trying to simplify the existing State School Building Lease Purchase Program, I also am concerned with the establishment of a new "set aside" for districts with a large number of older facilities. The state program already contains provisions for districts in critical hardship situations. The existing State School Building Lease Purchase Program provides modernization funding for facilities over thirty years and if the electorate passes the Public Education Facilities Bond Act of 1998, that program would extend to school facilities over 25 years old.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2651**

Governor's Office, Sacramento  
September 18, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2651 without my signature.

This bill would, among other provisions, require the Department of Industrial Relations (DIR), to implement a system that provides for the electronic filing of a material data safety sheet (MSDS).

Current law (Labor Code Section 6394), requires manufacturers of specified hazardous substances to provide a MSDS to DIR. Existing law (Labor Code Section 6390), also requires these manufacturers to provide the MSDS directly to the purchaser of the hazardous substance.

I am not convinced that requiring manufacturers to send a MSDS to DIR continues to be necessary. In 1996, I issued Executive Order W-131-96, which required all state agencies to review mandates and regulations in an effort to streamline state government and to assure that all laws and regulations are necessary and effective. To that end, DIR determined that requiring manufacturers of specific hazardous substances to provide a MSDS to DIR served no purpose in furthering occupational safety and health protections, yet cost manufacturers and the state significant moneys to submit, handle and store these documents. Accordingly, DIR sponsored legislation to eliminate this requirement in 1995 and 1997.

Since the law already requires a manufacturer to send a MSDS directly to an employer/purchaser of the hazardous substance, and

considering that this data is easily accessible over the Internet, the expansion envisioned by this bill is unnecessary.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 236**

Governor's Office, Sacramento  
September 19, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 236 without my signature.

This bill would provide that an employee that does not proficiently speak or understand the English language shall be entitled to the services of a qualified interpreter during the course of medical treatment for worker's compensation.

Section 4600 of the Labor Code provides that an injured worker that does not proficiently speak or understand the English language shall be entitled to the services of a qualified interpreter when physicians are performing medical-legal evaluations to determine eligibility for worker's compensation benefits.

This measure will extend interpreter services during the course of medical treatment. Although the bill addresses what may be a real issue in some cases, it does so in a manner that may recreate problems seen in the past with excessive, inappropriate billings from medical clinics which used their own employees for this purpose. It would be more appropriate to permit payment of an outside interpreter where necessary, so that the entity requesting the service does not profit from providing it.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 810**

Governor's Office, Sacramento  
September 19, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 810 without my signature.

This bill would require the Employment Development Department to convene a 10 member task force of equal representatives of small businesses and organized labor to make recommendations to simplify the law regarding the status of workers as employees or independent contractors.

This bill is unnecessary. The Department has already established the Small Business Employer Advisory Committee to make recommendations to simplify how worker status is determined.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1169**

Governor's Office, Sacramento  
September 19, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1169 without my signature.

This bill would require the Resources Agency and member agencies within it, to post on their Internet websites, any documents "disseminate[d] to the public" or "available in print to the public," and to maintain on that website meeting agenda and summary reports of meetings for one year.

Ambiguously drafted, this bill would appear to result in an obligation to place on the Internet virtually any document accessible to the public under the Public Records Act. Thus, any constituent correspondence sent to a member of the public and any internal memorandum, including inter-office memos, not exempt from disclosure under the Public Records Act would appear to have to be posted on the Internet. Each time a document is created, legal staff would have to spend time determining whether the document is subject to disclosure under the Public Records Act and other staff would have to post it on the Internet. Most of these documents would be of very little interest or value to the general public.

There is no justification for the human or computer resources that would be necessary to implement this bill. Each of the specific documents identified in this bill are readily available to the public. Those items not already available on the Agency's website can be obtained within ten days upon request under the Public Records Act, with the strong exception of Agency and departmental bill analyses submitted to the Governor. Under current law, those documents are exempt from disclosure under the Public Records Act and specifying such documents in the bill without amending the Public Records Act would unfairly mislead the public into assuming those documents are also accessible. In sum, this bill would consume considerable taxpayer funds to post on the Internet, vast numbers of documents of little interest to the public and already available under the Public Records Act.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1832**

Governor's Office, Sacramento  
September 19, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1832 without my signature.

This bill would require the Managed Risk Medical Insurance Board to establish a Healthy Families Program local education agency (LEA) billing program.

This bill would not result in additional children receiving health insurance. LEAs already provide children with health services. This bill would only provide the LEA with an additional revenue source for these services.

This bill is also inconsistent with the Healthy Families Program goal of providing children coordinated full service care from a managed health care plan. An LEA billing option is also unlikely to receive federal approval because of duplicate payments to the Healthy Families

Program and the LEA. The bill may also result in increased General Fund costs because of duplicate payments to the Healthy Families Program and the LEA.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1882**

Governor's Office, Sacramento  
September 19, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1882 without my signature.

This bill would require the California Highway Patrol to study the safety record of motor carriers operating at the Ports of Long Beach and Los Angeles.

While truck safety in and around California's ports is important, this bill inappropriately mandates a state report based on informal, unconfirmed reports of safety violations. The ports of Long Beach and Los Angeles are better positioned to work in conjunction with state and local law enforcement and safety experts to determine the necessary steps to be taken to increase the safety of all motor carriers operating in and around their boundaries.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1925**

Governor's Office, Sacramento  
September 19, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1925 without my signature.

This bill would require the State Department of Education (SDE) to establish two pilot projects for the purpose of developing alternative attendance accounting methods for Adult Education and Regional Occupational Centers and Programs (ROC/P).

There is no clear evidence that attendance accounting for Adult Education and ROC/P is overly burdensome. The nature of these programs is significantly different from regular K-12 education programs because pupil participation does not occur in full-day increments. Therefore, the more precise attendance accounting methods required by existing law are appropriate for these programs.

I also believe that this bill is unnecessary. Providers may already establish parallel attendance accounting methods as long as they continue to meet the existing legal requirements. If providers can document a more effective way to accurately account for pupil attendance, revisions to the current law could be considered at that time.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2053**

Governor's Office, Sacramento  
September 19, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2053 without my signature.

This bill would declare that the Department of Parks and Recreation should fund half of the costs of a project to replace the safety railing at Blufftop Park, a state-owned, locally operated park unit in Huntington Beach, when developing a spending program for deferred park maintenance at state parks.

In 1987, the City of Huntington Beach entered into a contract with the Department of Parks and Recreation to operate a portion of the Bolsa Chica State Beach. In exchange for receiving all revenue from the property, the City expressly agreed to take responsibility for all costs associated with developing, maintaining, and operating the property until the year 2006. In fact, the State has entered into such agreements with 25 other communities.

The existing operating agreement allows the City of Huntington Beach to apply to the State for facility improvements. Should the City choose to submit such a grant request, the Department would review and evaluate it against all other competing programs in terms of statewide significance and funding availability. Circumvention of this process is simply not warranted, and would be unfair to the other cities with whom the State has contracted.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2564**

Governor's Office, Sacramento  
September 19, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2564 without my signature.

This bill would limit the price that a government agency may charge to a school district for property that will be used for outdoor recreational purposes to attempt equity with laws governing the sale of school district property to another governmental entity. Under current law, schools are required to offer to sell surplus property to another public agency at a deep discount, usually resulting in a sales price of roughly 25 percent of market value.

This bill is very similar to SB 1689, which I vetoed in 1996. The concerns noted at that time are still valid. While the bill may result in a more equitable treatment between public entities in the sale and purchase of surplus land, the whole approach is in the wrong direction. We should be enacting laws that encourage public agencies, including school districts, to get rid of surplus property at a fair market value, rather than acquiring property from each other at fire sale prices.

Cordially,

PETE WILSON

## RECEIPT

I acknowledge receipt this 21st day of September 1998, at 1:35 p.m., of Assembly Bills Nos. 1024, 1121, 2557, 2565, 2643, 2651, 236, 810, 1169, 1832, 1882, 1925, 2053, and 2564, 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. 1345**

Governor's Office, Sacramento  
September 23, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1345 without my signature.

This bill would require the Department of Information Technology (DOIT) to compile a list of contractors who fail to respond to state agency requests for Year 2000 Problem compliance information on a monthly basis until April 1, 2000, and periodically thereafter at DOIT's discretion. The bill would require the Department of General Services (DGS) to determine the eligibility of any contractor on the list maintained by DOIT for purposes of determining whether they meet the requirements of a responsible bidder under the State Contract Act.

This bill is unnecessary. Pursuant to Executive Order W-163-97, state departments and agencies require standardized Year 2000 Problem compliance provisions in all applicable contracts with state contractors. The bill would add cumbersome administrative procedures that would not provide meaningful Year 2000 Problem compliance.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2116**

Governor's Office, Sacramento  
September 23, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2116 without my signature.

This bill would add two new selection criteria to the existing School Violence Reduction program: 1) the demonstrated need for a program due to increased or high incidents of school crime reported through the California Safe Schools Assessment (CSSA); and 2) a high percentage of pupils in the school or school district who qualify for free or reduced price meals or whose families receive aid pursuant to the Cal Works program.

In 1996, I signed AB 3492 (Chapter 200, Statutes 1996), establishing the current School Violence Reduction Grant Program and ten criteria selecting schools and school districts to receive grant funds. These ten selection criteria, in general, require applicants to demonstrate a need for the program and a capacity to administer an effective one.

The first of the two proposed criteria duplicates the existing requirement that an applicant demonstrate that conflict or violence is a substantial and continuing problem for pupils and staff. The other proposed criterion is that the applicant has a high percentage of pupils who qualify for free and reduced price meals or whose families receive aid through the CalWORKS program. While school violence is

disproportionately prevalent in schools with high poverty, this is not always the case. Drugs and violence invade too many schools in too many communities. Middle class neighborhoods are not immune nor are less affluent areas inevitably condemned to high crime. The addition of this criterion would create a significant potential for an inequitable selection process.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2157**

Governor's Office, Sacramento  
September 23, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2157 without my signature.

This bill would provide that, where a successive or concurrent insurer, as defined, settles with its insured as a partial settlement of the claims made against the insured in a pollution claim, as defined, the insurer or its insured may apply for a court order determining that the partial settlement is a good faith and reasonable approximation of the insurer's liability, as specified.

This bill was intended to promote the quick and fair resolution of environmental claims with multiple insurers. Unfortunately, it ignores the fundamental problem that exists in all multiparty environmental litigation disputes: fair allocation of costs for clean-up of toxic sites. Under the scheme in AB 2157, an insured would suffer even more delays in resolving environmental claims because of the extra layer of litigation that is generated by this bill.

AB 2157 contemplates a procedure where a settling insurer will notify all other involved insurers and attempt to prove before the court why its settlement was in 'good faith' and should extinguish all its liability on the claim to both the insured and the other insurers. Non-settling insurers could challenge the settlement as to its fairness. However, rather than providing a simplified or expedited method to resolve these issues, the bill would simply move the coverage litigation from its separate forum to this hearing. AB 2157's procedures would create a series of lengthy and complex mini-trials within a main trial each time an insurer seeks to settle. These mini-trials would have at issue, and at risk, the same issues in a separate coverage case, and would often involve extensive discovery and motion practice, often involving millions of dollars, and take years to resolve.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2636**

Governor's Office, Sacramento  
September 23, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2636 without my signature.

This bill would require the State Allocation Board to establish pilot projects to demonstrate new approaches to cost containment for the construction and modernization of school facilities.

I just signed SB 50, which includes a \$9.2 billion school bond for the November ballot and creates a new program for state assistance for

school facilities. The new program significantly streamlines the state school building process and introduces significant cost saving incentives for local school building projects. Under the new facilities program, districts would have greater control and discretion over the use of state assistance for facilities and would benefit from any savings generated by facilities projects.

I continue to support greater flexibility and responsibility at the local level for school construction projects and cost containment. This bill would introduce further complexities into the state school building program at a time when we are seeking to simplify the process. Because SB 50 will encourage cost savings for all school building projects, the concept of a state operated pilot for this purpose is both unnecessary and obsolete.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2712**

Governor's Office, Sacramento  
September 23, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2712 without my signature.

This bill would require the State Department of Education to collect information from all school districts regarding the amount and types of first aid books, first aid kits, and search and rescue kits currently available in all public schools.

There is no statewide benefit to tallying the number of first aid kits in the public schools. Certainly there are none that justify burdening schools with a new reporting requirement. This bill would involve the State in a matter that can and should be addressed at the local level.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 24th day of September 1998, at 3:42 p.m., of Assembly Bills Nos. 1345, 2116, 2157, 2636, and 2712, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

RALPH ROMO

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1686**

Governor's Office, Sacramento  
September 21, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1686 without my signature.

This bill would require funding and completion of remaining retrofit soundwalls from the 1989 Retrofit Soundwall Priority List.

This bill would impose on the state costs to construct retrofit soundwalls that should be borne by local and regional entities. In signing SB 45 by Senator Kopp (I-San Francisco) last year, I intended that construction of retrofit soundwalls be a regional decision and not a mandate upon state transportation resources. As well intentioned as

AB 1686 may be, the bill benefits primarily one county, Los Angeles County, at the expense of transportation funding for other urban counties in Southern and Northern California.

Further, this bill was amended late in the legislative process to require that the state funding would count towards the 60-40 North/South funding formula, rather than being taken "off the top." This late amendment unfairly results in a financial benefit to northern California at the expense of southern California.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2280**

Governor's Office, Sacramento  
September 21, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2280 without my signature.

This bill would require property owners who enter into construction contracts for more than \$1 million to provide the general contractor financial security for the project. The security must be in the form of a surety bond equal to 50 percent of the contract, a letter of credit for 15 percent of the contract or a cash deposit of 3 months worth of payments under the contract. The bill would also require property owners to provide the general contractor with a copy of the construction mortgage or deed of trust certified by the county recorder.

Contract matters such as payment terms and the use of security instruments are best left to the contracting parties. General contractors are free to negotiate terms that are similar to the provisions of this bill. Similarly, property owners should be able to negotiate these issues without legislative interference.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2383**

Governor's Office, Sacramento  
September 21, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2383 without my signature.

This bill would appropriate funds to reimburse interest overpayments to the General Fund by certain borrowers under the 1976 Safe Drinking Water Program.

Funds to reimburse those borrowers were included in the 1998–99 Budget for the Department of Water Resources. Payments will be made pursuant to stipulated judgments in two lawsuits that were filed by the named borrowers. Enactment of this bill would provide duplicate sources of payment for the same obligations.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2521**

Governor's Office, Sacramento  
September 21, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2521 without my signature.

This bill would permit local enforcement agencies (LEAs) to recover costs for defending themselves against frivolous appeals of denials of a solid waste facility permit; would eliminate the prohibition against members of an independent hearing panel from serving more than two consecutive two-year terms; would require an LEA to issue written notice of a proposed denial of a facility permit; and would provide that a cease and desist order issued by an LEA against a solid waste facility operator would remain in force and effect until overturned by a hearing panel or court of law.

Existing law (Public Resources Code, section 45017) currently authorizes a cease and desist order to take effect immediately, regardless of appeal, in instances that pose an imminent and substantial threat to the public health and safety or to the environment, or more specifically, if the public health and safety and environment can only be protected by the operator's immediate compliance. This bill would extend that provision to include virtually any activity for which the LEA is authorized to issue an order, including not only an activity that actually results in some hazard or pollution, but any activity for which a hazard or pollution is reasonably foreseeable, regardless of whether or not an actual threat is imminent.

While I support the bill's protections against frivolous administrative appeals, I am concerned that this legislation unnecessarily infringes on the due process rights of those subject to an enforcement proceeding by an LEA. Current law already provides to LEAs the immediate enforcement tools where there is a need to quickly protect public health and safety or the environment. The tools for the enforcement of the types of scenarios envisioned by this legislation are already in place. Accordingly, this bill is unnecessary.

Cordially,

PETE WILSON

**RECEIPT**

I acknowledge receipt this 22nd day of September 1998, at 4:20 p.m., of Assembly Bills Nos. 1686, 2280, 2383, and 2521, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

RALPH ROMO

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 930**

Governor's Office, Sacramento  
September 22, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 930 without my signature.

This bill would require bicycles to have two-colored rear reflectors and allow bicycle riders to wear reflective footwear or ankle bands. This bill would also require local agencies, to the extent feasible, to utilize

new traffic loop detectors designed for bicycles, and to implement new traffic lights designed for bicycle riders.

While I recognize the need for improved transportation safety for bicycles, I believe that this bill would impose indeterminate costs on the state. Although this bill indicates that bicycle loop detectors must be installed only to the extent that such bicycle detectors are feasible, it imposes a reimbursable mandated cost on local agencies. It is inappropriate to impose these unknown costs on the state general fund, when they are clearly a local responsibility.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1161**

Governor's Office, Sacramento  
September 22, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1161 without my signature.

This bill would require telephone corporations to annually notify new and existing residential telephone customers of the availability of caller identification services, or caller ID.

Current law already provides for the notification of caller ID services. California's telephone companies not only comply with this law, but also provide additional notification to their customers as a matter of good business practice. While this bill is apparently intended to provide increased consumer protection, it will do little to that end.

Further, the Public Utilities Commission is mandated to promulgate policies and regulations related to telephone utilities and caller ID services. Given the complexities of the industry and its technology and continual changes in consumer interest, modifications to the caller ID notification policies are better established under the flexibility of the PUC's regulatory function.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1685**

Governor's Office, Sacramento  
September 22, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1685 without my signature.

This bill would require that county boards of supervisors and city councils, when establishing boundaries of specified districts, conform to the boundaries of existing cities and communities of interest. This bill would also require that at least one public hearing be held on any proposal to adjust the boundaries of a city council or charter city district prior to a vote on that proposal.

The intent of the bill is to reduce community fragmentation and observe community of interest in the course of local redistricting. However, this bill is flawed. It would authorize counties to conduct public hearings prior to revising the boundaries of supervisorial districts, but require city councils to conduct these same public hearings. I understand that this disparity was unintentional. Nevertheless, the requirement for public hearing is arguably even more important in the redistricting of counties and should be imposed.

Further, language should be added indicating that such hearings—as a necessary incident of the redistricting inherent in self-government—is not a reimbursable mandate.

As written, the bill does not require conduct of a hearing by counties and does subject the state to a local claim for reimbursement.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2238**

Governor's Office, Sacramento  
September 22, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2238 without my signature.

This bill would provide fiscal relief to Marin County by excusing that County from correcting erroneous allocations of fines, forfeitures and penalty revenues for fiscal years 1991–92 through 1995–96.

Last year I vetoed SB 348 (Thompson), that would have forgiven four counties for errors similar to those in this bill. In that veto message, I stated that forgiving counties for errors in allocating fines, forfeitures and penalty revenues sets a bad precedent and encourages fiscal irresponsibility. That message still applies.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2437**

Governor's Office, Sacramento  
September 22, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2437 without my signature.

This bill would establish a new level of benefits for state and school employee participants in the “1959 Survivor Benefit” program until January 1, 2009.

The Public Employees' Retirement System (PERS) prescribes a pre-retirement death benefit for the survivors of members who are not subject to social security. This benefit, commonly referred to as the “1959 Survivor Benefit,” is paid as a monthly allowance to an eligible survivor.

Under current law, state and local agencies may elect to provide a pre-retirement death benefit enhancement through the collective bargaining process. This measure eliminates that discretion by requiring state and local governments to provide this benefit. The issue here is not whether the enhancement is warranted. It is the impropriety of circumventing the collective bargaining process.

Despite the present existence of an accumulated surplus of employee assets, retirement benefits are more appropriately increased only by negotiation required by the collective bargaining process.

As long as state law requires that state and local governments engage in collective bargaining as public employers, it is improper to circumvent the required negotiation by legislation.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2447**

Governor's Office, Sacramento  
September 22, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2447 without my signature.

This bill would exempt specified school employees from submitting to fingerprinting and background checks. Specifically, the bill would exempt applicants whom school districts determine necessary due to emergency or exceptional situations if delay in hiring could endanger student health or safety; employees not located at schoolsites who would not have contact with students; and students who work temporarily or part-time in the district that they attend.

This well intentioned bill would create exceptions to the otherwise absolute requirement that no person be employed by a primary school or school district before submitting fingerprints and completing a background check.

The vesting of discretion to exempt applicants from background checks in a thousand school districts is ill advised. The concerns which give rise to this bill are better addressed by completing the process of bringing the CAL ID.2 fingerprint system online. Funding for that program has been authorized.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2554**

Governor's Office, Sacramento  
September 22, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2554 without my signature.

This bill would provide highest priority for placement in the University of California (UC) or the California State University (CSU) system to every community college student who attains an associate degree and meets transfer course and grade point average requirements.

This bill is unnecessary because UC and CSU already offer a space to all community college students who meet transfer course requirements. To statutorily give preference to any class of transfer students is unfair to other eligible students with whom they are in competition.

Cordially,

PETE WILSON

**RECEIPT**

I acknowledge receipt this 23rd day of September 1998, at 3:45 p.m., of Assembly Bills Nos. 930, 1161, 1685, 2238, 2437, 2447, and 2554, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

RALPH ROMO  
Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 860**

Governor's Office, Sacramento  
September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 860 without my signature.

This bill would establish the Comprehensive Teacher Preparation and Education Program and, in doing so, would codify and change the governance of existing efforts of providing teacher training through partnerships between higher education institutions and school districts.

This bill is unnecessary. This program already exists and receives funding through the K–12 categorical mega-item and is overseen by the Intersegmental Coordinating Council. Establishing detailed program guidelines in statute would make it difficult for local programs to respond to unique local conditions or to modify programs as may be necessary in the future.

Furthermore, I cannot support the governance changes to the existing program that are proposed in this bill. The Commission on Teacher Credentialing, not the Superintendent of Public Instruction, has jurisdiction over teacher preparation.

Finally, I recently signed SB 2042 which encourages postsecondary institutions to offer integrated programs that enable students to engage in professional preparation course work and intensive field experience in schools concurrent with subject matter course work and preparation. The provisions of SB 2042 more effectively address the need identified in this bill.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2004**

Governor's Office, Sacramento  
September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2004 without my signature.

This bill would expand the notice and due process requirements for student loan debtors by modifying the procedures related to the referral of delinquent student loans by the Student Aid Commission to the Franchise Tax Board.

This bill would provide student loan debtors that were referred to the Franchise Tax Board with greater appeal rights than other debtors. I do not believe that the rights of severely delinquent loan debtors should be expanded beyond the rights of those who attempt to repay their debt. In addition, the excessive administrative process required by this bill would diminish the state's ability to collect on delinquent student loan accounts, thereby reducing the level of actual debt collected.

Current law provides for the referral of a student loan to the Franchise Tax Board only after other attempts to collect the debt have failed, and allows for the return of a referral back to the Student Aid Commission from the Franchise Tax Board if the amount of the repayment is disputed. I believe that current law provides a reasonable balance

between the due process rights of students and the right of the state to collect repayment of delinquent loans.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2282**

Governor's Office, Sacramento  
September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2282 without my signature.

This bill would provide that counties may use the automated vital statistics system (AVSS) to transmit infant mortality data to the Department of Health Services. The Department would be required to start processing this data within six months after the death of a child. When the data collected demonstrates the need to improve the quality of obstetrical care at a hospital, the hospital shall establish a plan of action to address the identified problem.

This bill is a hollow solution to a serious problem. Counties provide the Department with infant mortality data in varying time frames and formats. Thus, the ability of the Department to develop timely quality of care information is inextricably linked to the counties, transmission of this data. This bill ignores this important fact and permits, rather than mandates, the counties to provide infant mortality data to the Department using the AVSS. The bill then requires the Department to start determining quality of obstetrical care trends within six months after the death of a child. However, since county participation in the AVSS is voluntary and not subject to the six month requirement, the Department's efforts are based on incomplete county data, rendering the results meaningless.

The counties and the Department are working on a more constructive program. The counties have begun development of an electronic death registration system (EDRS) at the local level to reduce the time in which all death data are transmitted to the Department. The Department has provided local assistance funds for a pilot project of the EDRS.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2551**

Governor's Office, Sacramento  
September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2551 without my signature.

This bill would, among other provisions, raise juror compensation by \$5 per day after the first day.

There is no compelling evidence to suggest that a \$5 per day increase in juror compensation will make a difference in the number of persons willing to serve on a jury.

I have signed instead, Senate Bill No. 1947 (Lockyer), that will require the Judicial Council to change California's jury system to allow jurors to complete their duty within one day, unless they are immediately seated on a jury. Under this measure, jurors will have also fulfilled their jury duty service if they are challenged during the voir dire process and then dismissed, or if they were not selected during voir dire

questioning but dismissed at the end of the day. These reforms will diversify and increase representation of jury pools by allowing more people to participate in the process.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2751**

Governor's Office, Sacramento  
September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2751 without my signature.

This bill would mandate an increase in the required number of public hearings held by the county committee on school district reorganization when it receives a petition to reorganize and create a new school district with attendance in excess of 15,000 pupils.

While public input in decision making is essential, current law already authorizes the county committee to hold as many hearings as it deems necessary to ensure adequate public input. This bill does not appear to solve any known problem with the current local process that could not be solved at the local level. In addition, this bill could create problems at the local level because it would increase the number of required hearings without adjusting current time requirements for holding those hearings.

Moreover, the state could be required to pay for these added hearings through the mandate claims process. I believe that school district reorganization is primarily a local issue, unique to each district and county. The strict state-prescribed requirements contained in this bill unnecessarily infringe upon the local authority over this matter.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 25th day of September 1998, at 1:55 p.m., of Assembly Bills Nos. 860, 2004, 2282, 2551, and 2751, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

PAMELLA J. CAVILEER  
Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 368**

Governor's Office, Sacramento  
September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 368 without my signature.

This bill would add a provision to the Labor Code that authorizes a pregnant firefighter and her physician to determine when she should cease active firefighting.

While the intent of this bill—to protect pregnant employees from forced leaves of absence—is commendable, such protections already

exist under current law in the Fair Employment and Housing Act (FEHA) found in the Government Code.

The FEHA provides job protections to pregnant employees. Under this Act, while forcible transfers and leaves of absence are prohibited, employers are required to transfer a pregnant employee to a less hazardous or strenuous position at her request. Moreover, under FEHA, the pregnant employee is entitled to four months of pregnancy disability leave with a guarantee of reinstatement to the same position at the expiration of the leave or transfer.

This bill would diminish the protections currently available to pregnant firefighters. For example, a pregnant firefighter would be required to obtain a physician's opinion as to her need for a transfer or leave of absence. The FEHA requires an employer to accept a certification of disability from the employee's "health care provider," that includes a broader field of professionals than physicians. Additionally, this bill could be interpreted by employers as requiring a pregnant firefighter to obtain permission from her physician in order to continue working, a practice that is prohibited under the FEHA. Moreover, because this bill would add a provision to the Labor Code, it is unclear how it would interact with the provisions of the FEHA in the Government Code.

This measure would add confusion to the already complex leave provisions under the FEHA and its implementing regulations by creating a subgroup of pregnant firefighters within the protected class of pregnant employees. The FEHA provides the same protections to pregnant firefighters as it provides to all pregnant employees. There is no reason to create special protections for a subgroup of employees.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1827**

Governor's Office, Sacramento

September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1827 without my signature.

This bill would require a school district to give a district employee the opportunity to present information that is relevant to an incident which may be the basis of suspension or expulsion and require an employee to reveal such information upon request by a school principal.

The bill formalizes the attendance and agenda of meetings which take place prior to a school administrator recommending action on a suspension or expulsion, and, in doing so, the bill curtails school administrators' ability to engage in informal meetings with pupils and their parents. The approach taken in this bill is inconsistent with the respective role of teachers and administrators generally in such matters and state discipline laws specifically. Current law provides ample opportunity for school employees to share relevant information without creating an additional mandate as this bill does.

Further, requiring a school employee to share information in the presence of a pupil and the pupil's parent when that information is not a matter of public record could place that employee in danger of retaliation. That threat would have a chilling effect on the willingness of

school staff to participate in such proceedings and, as a result, produce a consequence that is completely counter to what is intended by the bill.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1877**

Governor's Office, Sacramento  
September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1877 without my signature.

This bill would establish an Inspector General in the Department of Veterans Affairs. The bill would also require veteran home administrators to consult with the Inspector General before adopting admission rules and regulations. This bill would add the State Treasurer and the Director of Finance to the California Veterans Board as ex officio members.

There is no need to establish an inspector general within the Department of Veterans Affairs. The Secretary of Veterans Affairs has already appointed an internal auditor within the department who conducts inquiries into matters contained in this bill. Members of the veterans homes, as well as veterans in the community at large, have unfettered access to the internal auditor and to the newly-established department ombudsman.

The State Treasurer and Director of Finance should not be added to the California Veterans Board as ex officio members. The Treasurer and Director of Finance are members of the Veterans Finance Committee of 1943, which approves all bond sale recommendations and interest rate determinations by the department and Board. This provision would have diminished the effectiveness of the checks and balances between the Board and Veterans Finance Committee of 1943. In addition, Board members should be veterans and the Treasurer and Director of Finance may not always be veterans.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2339**

Governor's Office, Sacramento  
September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2339 without my signature.

This bill would extend monitoring and surveillance activities for the State Water Resources Control Boards (SWRCB) Bay Protection and Toxic Cleanup Program (BPTCP) and would require the SWRCB and coastal Regional Water Quality Control Boards (RWCQB) to implement a consolidated, statewide cleanup plan to remediate identified toxic hot spots. The bill would also exempt dischargers from the requirements of the BPTCP cleanup plan if they are remediating or contributing to the cost of remediating these sites under other specified federal or state regulatory programs.

AB 2239 represents a step backwards in the BPTCP. Dischargers would be excused from being required to meet adopted water control standards if they participate or contribute in any way in another specified remediation plan. Those provisions are extremely broad, and

could be used to let the biggest polluters off the hook for making only the slightest contribution to the cleanup effort. Requiring those dischargers to accept additional cleanup responsibilities would require the approval of the Site Designation Committee, a body created to settle issues of jurisdiction, not compliance.

Finally, the provision of this bill that calls for implementation of the final plan "with all deliberate speed" could be interpreted to force immediate implementation. The existing process requires the plan to include findings and recommendations for the establishment of a toxic hot spot program (Water Code section 13394(i)). The purpose of this provision is to allow all affected stakeholders, including the public, the opportunity to review and evaluate every aspect of the completed plan, including scope, feasibility, and cost (including potential for recovery of costs). To call for the implementation of a plan that has not been completed and for which a funding plan has not been identified would not only be premature, it would be irresponsible.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2454**

Governor's Office, Sacramento  
September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2454 without my signature.

This bill would appropriate \$10,000,000 in federal Temporary Assistance for Needy Families (TANF) funds for transportation services for CalWORKs recipients.

Concerns have been raised by both rural and urban counties as to the adequacy of transportation services. County boards of supervisors, however, may allocate CalWORKs funds from within the county block grant should they wish to provide additional transportation services.

Additionally, the use of the federal TANF block grant for CalWORKs-eligible recipients would cause their five year federal TANF eligibility to be used even if the transit services were the only benefits provided.

Cordially,

PETE WILSON

**RECEIPT**

I acknowledge receipt this 25th day of September 1998, at 2:41 p.m., of Assembly Bills Nos. 368, 1827, 1877, 2339, and 2454, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

HUGH R. SLAYDEN  
Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 34**

Governor's Office, Sacramento  
September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 34 without my signature.

This bill would require health care service plans and disability insurers to provide coverage for screening, diagnosis and treatment for breast cancer, including reconstructive surgery. It would also prohibit plans and insurers from denying coverage on the basis of genetic characteristics. Finally, the bill would eliminate utilization review.

This bill is unnecessary. Existing law, Health and Safety Code Section 1345(b) already requires plans to provide diagnostic laboratory and diagnostic and therapeutic radiologic services. Plans are also required to provide coverage for preventive health services. More specifically, Health and Safety Code Section 1367.65 and Insurance Code Section 10123.81 require coverage for mammography. Health and Safety Code Section 1367.6 and Insurance Code Section 10123.8 also require coverage for a mastectomy, including coverage for prosthetic devices or reconstructive surgery to restore and achieve symmetry. I have also just signed AB 7 (Brown) and AB 1621 (Figueroa), which enhances the coverage for women receiving treatment for breast cancer and reconstructive surgery.

In addition, existing law, Health and Safety Code Section 1374.7 and Insurance Code Section 10140, already prohibits discrimination in health insurance coverage on the basis of genetic characteristics. Finally, it would be inappropriate to eliminate utilization review. The proper use of utilization review ensures that the patient receives the proper care in a coordinated manner.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 341**

Governor's Office, Sacramento  
September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 341 without my signature.

This bill would require health care service plans and disability insurers to provide a second medical opinion if requested by an enrollee or an insured when medically necessary or appropriate or if any one of five conditions occurs.

Consumers should have access to medically necessary second medical opinions. However, this bill is flawed in one respect. Enrollees and insureds would be able to obtain a second medical opinion from a physician not associated with his or her medical group even though a qualified physician is available. There is no evidence that qualified physicians within the same medical group do not provide professional and unbiased second medical opinions. To the contrary, there is every indication that physicians who are colleagues continue to apply the highest professional standards when providing second medical opinions. Providing duplicative fee-for-service payments to a

non-contracting physician will only increase the cost of health care without improving the quality of care.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 992**

Governor's Office, Sacramento  
September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 992 without my signature.

This bill would require the Department of Corporations to determine the number of health care service plans that provide chiropractic care, acupuncture, massage therapy, midwife birth services and nutrition therapy. The Department would be required to report this data to the Legislature.

The stated purpose of this bill is to assist consumers in determining the types of nontraditional health care covered by health plans. However, it is unclear how a report to the Legislature on the number of plans that provide this type of coverage will help consumers make informed choices. Consumers may obtain this information directly from the health plan.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1931**

Governor's Office, Sacramento  
September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1931 without my signature.

This bill would require the Department of Social Services to create a new certification program for agencies that refer clients to a residential care facility for the elderly (RCFE).

There are provisions in this bill that warrant support. Agencies should be prohibited from offering monetary incentives in exchange for client referrals and receiving any gratuity from a facility beyond the amount specified in the contractual agreement.

This bill, however, would impose different regulatory processes and dual fees on many referral agencies. The Department of Health Services (DHS) already licenses those agencies that make referrals to a skilled nursing home or intermediate care facility. Under this bill these same facilities who also refer to a residential care facility for the elderly would now be subject to regulation by the Department of Social Services.

Before proceeding down the path of duality of regulation, there should be exploration of allowing DHS, which already exercises such responsibility, to be the single agency certifying and policing referral agencies for both kinds of referral.

Finally, the bill sets an arbitrary fee at \$750 to administer the program. This fee is insufficient to support the regulatory program

envisioned in this bill. The funding level and appropriate fee should be established as part of the budget process.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2025**

Governor's Office, Sacramento  
September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2025 without my signature.

This bill would create a major new state program to provide direct state stipends to child care workers and enhanced reimbursement rates and funding to child care programs to raise staff compensation levels in the child care field.

While recognizing the important role child care providers play in caring for our children, I do not believe it is appropriate for the State of California to provide wage subsidies or otherwise interfere in the private child care market. This bill would introduce state regulation of wages into a field that is currently controlled by the market and allow direct wage supplements to private sector employees. This may constitute a gift of public funds.

Additionally, a statewide program of this nature would require significant expenditures, diverting critical resources from providing subsidized child care to low-income families to nonsubsidized private providers. I believe that this is inappropriate at a time when demand for child care for low-income families is increasing significantly as they enter the work force in our improving economy and transition from welfare to work under California's new CalWORKs program. Further, I already deleted a provision in the 1998 Budget Act that would set aside \$5 million of any federal fund child care increases to be used for this purpose noting at that time that decisions on the use of future funds should be made during deliberations on future budgets.

Finally, the Department of Education is already addressing this issue through less obtrusive methods through its approved Child Care Quality Plan required by the Federal government for receipt of Federal assistance. Also, the Student Aid Commission offers programs that forgive student loans for certain child care staff development costs.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2237**

Governor's Office, Sacramento  
September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2237 without my signature.

This bill would require the California Environmental Protection Agency, the Resources Agency, and the Department of Health Services to incorporate so-called "environmental racism" or "environmental justice" issues in their selection criteria for environmental loans and

grants. The bill would also require those agencies to place information on environmental loans and grants on the Internet in a form more easily understandable to prospective applicants.

While the goal of making better information more easily available is laudable, the bill is an ill-advised attempt to shift the primary focus of a simple grant or loan program aimed at improving the environment from an evaluation based on objective physical standards to one based upon a subjective assessment of socio-economic impact of pollution.

The evidence indicates that communities with the highest exposure to environmental risks are receiving State loans and grants. The State environmental laws do not provide separate, less stringent requirements, or lower standards in low-income communities.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1264**

Governor's Office, Sacramento

September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1264 without my signature.

This bill would require California law enforcement officers to collect information, including race or ethnicity and approximate age and gender, about all motorists subject to traffic stops during a three year reporting period. In addition, the Department of Justice would be required to collect and report statistical reports in its annual crime statistics report.

AB 1264 is the product of a number of reports, both anecdotal and statistical, which provide evidence that African American and Hispanic citizens are subject to a disproportionate number of traffic stops.

Observers differ regarding whether these reports reflect the propensity of officers to make legally justifiable stops on a selective basis or whether some officers make stops without justification.

As our enforcement agencies become more ethnically diverse, California's peace officers have internal, as well as public, pressure to conduct their duties in a fair, nondiscriminatory manner. Most comply out of fundamental decency, others because of training or the scrutiny of their peers. Law enforcement must strive to be racially blind. It must be demanded, beginning at the academy level.

Nonetheless, some officers, like members of every profession, may fail to fulfill their duties and indulge in biases. This bill would seek to record such incidents over a period of three years at a cost of tens of millions of dollars. The bill, however, ensures that neither officers or motorists would be identified by name, only in the aggregate. Accordingly, it would be impossible to take meaningful corrective action.

This bill offers no certain or useful conclusion, assuredly nothing that would justify the major commitment of time, money, and manpower that this bill requires. The investment contemplated by AB 1264 could be more immediately and productively employed by enhancing officer training, encouraging dialogue between enforcement agencies and

racially diverse community groups, and taking forceful action against those officers who abuse the privilege of serving all of California's citizens.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 285**

Governor's Office, Sacramento

September 24, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 285 without my signature.

This bill would require: 1) the School/Law Enforcement Partnership to provide specified information about domestic violence and sexual assault to school districts and county offices of education, 2) the Commission on Teacher Credentialing (CTC) to develop and implement standards for prospective teachers so that they can recognize, and appropriately respond to, victimized children, and 3) the Superintendent of Public Instruction (SPI) to develop teacher training requirements on domestic violence recognition and prevention.

While I agree with the author that domestic violence continues to be a widespread problem that seriously impacts children, I have concerns with the approach taken in this bill for addressing the problem. This bill proposes a domestic violence program within the existing School/Law Enforcement Partnership, which was originally established to control violence on schoolgrounds. While this partnership already provides assistance to school districts regarding child abuse reporting requirements, this bill would create a new role for the partnership that would divert attention and necessary resources away from its primary mission to curb on-campus violence to focus on broader domestic violence issues that may or may not directly effect a pupil or the school environment.

Further, current law already gives teachers and administrators wide latitude to make determinations of abuse, which they are required to report to the proper authorities. In fact, Education Code Section 44691 already requires the Department of Education to develop staff development seminars and instruction for school personnel in the detection of child abuse and neglect and the proper action to take in cases of suspected abuse and neglect. In addition, the Office of Child Abuse Prevention is charged with disseminating information to all school districts regarding the detection of child abuse.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 25th day of September 1998, at 4:40 p.m., of Assembly Bills Nos. 34, 341, 992, 1931, 2025, 2237, 1264, and 285, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

RALPH ROMO

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 118**

Governor's Office, Sacramento  
September 26, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 118 without my signature.

This bill would require the Department of Health Services to complete a Treatment Authorization Request (TAR) determination for all terminally ill Medi-Cal recipients within three working days of submission. The bill would also require the department to notify the provider of services who submitted the TAR, by facsimile, or telephone within one working day, if the TAR is denied or deferred for further information.

While there are services needed by individuals with terminal illness that must be received without delay, Medi-Cal already has procedures that address those circumstances. The current process allows for a medical service provider to provide services to a recipient needing urgent services without delay and then submit a TAR to secure retroactive approval of payment for the services provided. If the service is provided in an emergency room, a claim can be submitted without prior approval.

In less urgent situations where the provider recognizes a need for timely delivery of services, the provider may submit a TAR and speak with a Medi-Cal medical consultant about an accelerated review. Providers may also access the toll free telephone number 12 hours a day, seven days a week to determine the status of a TAR.

The Medi-Cal program makes determinations on over 2 million TARs each year in an average of 3.8 days. This bill is unnecessary.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2040**

Governor's Office, Sacramento  
September 26, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2040 without my signature.

This bill would require the Department of Health Services to establish a 10-year repayment period for Medi-Cal overpayments owed by an acute care hospital with a psychiatric unit in Kern County and for a Kern County District Hospital that provided provides skilled nursing services. The bill specifies that the interest on the unpaid balance will accrue at a rate equal to the rate earned by the Pooled Money Investment Account.

This bill circumvents existing federal and state law governing reimbursements of hospitals. The bill threatens the fiscal integrity of the Medi-Cal program by creating the precedent for resolving the financial difficulties of hospitals by seeking similar legislation, a solution that I cannot support.

The hospitals do not dispute the amount owed, had not exercised their right to appeal nor fully exhausted their administrative remedies with the Department of Health Services. The Department of Health Services is authorized under current statutory authority to negotiate with any hospital that has taken advantage of the statutory appeal process. Additionally, this unusually long period for repayment results in the lost

interest born entirely by the General Fund because the federal government obtains immediate repayment from the State.

This bill sets a bad precedent, increases the potential for default and threatens the fiscal integrity of the state reimbursement process.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2079**

Governor's Office, Sacramento  
September 26, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2079 without my signature.

This bill would prohibit the total annual co-payment charged to enrollees in the Healthy Families program for health care from exceeding \$200 per family, dental care from exceeding \$25 per family and vision care from exceeding \$25 per family.

The bill significantly changes the Healthy Families Program before it is fully implemented. It is premature to change the fundamental structure of the program before the existing program can be evaluated.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 431**

Governor's Office, Sacramento  
September 26, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 431 without my signature.

This bill would change the state's "zero tolerance" expulsion policy for pupils in grades K-6. Specifically, the bill would require that a governing board expel an elementary school pupil who has committed a "zero tolerance" offense only upon finding that the pupil knew of the wrongfulness of the act at the time it was committed.

This bill would shift the responsibility for pupil behavior from the pupil to the school district to prove intent before a pupil could be expelled for a serious offense. For the zero-tolerance policy to have the maximum effect, it needs to be enforced without ambiguity so that the message is heard by all pupils. This bill would convey that zero-tolerance for serious offenses is no longer the policy of the state.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1605**

Governor's Office, Sacramento  
September 26, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill 1605 without my signature.

This bill would delete obsolete provisions of the Public Utilities Code by eliminating reports that were required on a one-time basis and other sections of code that have been preempted by federal law or are no

longer necessary because of regulatory changes mandated by state and federal laws.

This bill unfortunately conflicts with a bill I signed earlier this year, AB 1051, which allows hearing impaired individuals with greater access to important hearing devices as part of the Public Utilities Commission's (PUC) telephone assistance program. Signing AB 1605 would mean that the provisions of AB 1051 would no longer be in place.

AB 1605 is a technical bill of importance to the Public Utilities Commission. I call on the Legislature to re-introduce this bill in its December session as an urgency bill and pass it to the next Governor for signature as soon as possible.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1791**

Governor's Office, Sacramento

September 26, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1791 without my signature.

This bill would require the Department of Alcohol and Drug Abuse to convene a task force to study the proliferation, over concentration, and business practices of narcotic treatment programs. The bill would also modify existing laws governing the licensing of narcotic treatment programs and revise the rate setting methodology for narcotic treatment doses and ingredient costs.

The goals of this legislation are commendable and shared by the Administration. But the bill is not only unnecessary duplication of efforts presently underway, its specificity would in fact conflict with and impede these efforts.

This bill is duplicative of department program procedures and regulations. The department implemented a uniform reimbursement process for ingredient costs and monthly dosing rates in the 1998–99 fiscal year. The Department is also currently in process with its advisory work group assessing the siting, availability and accessibility of programs. Additionally, existing state regulations require similar requirements for a strong rehabilitative component and control of contagious diseases.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2016**

Governor's Office, Sacramento

September 26, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2016 without my signature.

This bill would prevent a mobilehome park owner from charging mobilehome residents more than the actual cost of liquid propane butane. The bill would allow a separate monthly charge for costs related to the operation of the distribution system.

This bill will have the unintended consequence of increasing costs for mobilehome park residents. Price controls that eliminate any reasonable profit will cause park operators to increase rents and other types of charges, further distorting the housing market. In addition to eliminating

any reasonable profit, the bill does not allow the park owner to recover the capital invested in building the distribution system. This may cause park owners to stop providing distribution services, thus forcing park residents to rely on more expensive alternatives.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2375**

Governor's Office, Sacramento  
September 26, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2375 without my signature.

This bill would exempt a schoolbus driver from the flashing red signal lights and stop signal arm requirements when loading and unloading pupils at specified locations.

Last year, I signed Assembly Bill 1297, the Thomas Edward Lanni Schoolbus Safety Act of 1997, which requires that all schoolbus drivers activate their bus's flashing red lights when stopped for the purpose of loading or unloading students. I signed last year's bill to ensure that California's school children are protected when traveling to and from school on a school bus. This law is comparable to laws in 49 other states.

AB 2375 seeks to repeal provisions of last year's bill by putting in statute exemptions to the mandatory flashing red light requirement. The law has been in place for less than one year, which is hardly enough time to determine if exemptions are needed. If evaluations show that exemptions are necessary, I call on children safety groups across California to work with state and local law enforcement, as well as parents and teachers, to enact Legislation that improves safety for school children and motorists, rather than making changes that lessen the burden on bus drivers and school districts to comply with the law.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2461**

Governor's Office, Sacramento  
September 26, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2461 without my signature.

This bill would create eight advisory bodies of the California Public Utilities Commission and create within the State Treasury the eight funds collected pursuant to functions carried out by those advisory boards.

This bill will transfer the duties and responsibilities for collecting various surcharges and fees from the respective utility companies of each program to the State. During this Administration, I have sought to reduce the size of government by encouraging state departments to privatize their functions. This bill is a movement in the opposite direction, by taking functions currently performed by private utilities and requiring that they be performed by state employees.

Cordially,

PETE WILSON

## RECEIPT

I acknowledge receipt this 28th day of September 1998, at 1:10 p.m., of Assembly Bills Nos. 118, 2040, 2079, 431, 1605, 1791, 2016, 2375, and 2461, 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. 399**

Governor's Office, Sacramento  
September 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 399 without my signature.

This bill would include self-employed individuals in the health insurance regulatory framework for small employer groups. The bill would also provide for state implementation of the Health Insurance Portability and Accountability Act of 1997 (HIPAA).

The federal government is presently enforcing the portability provisions of HIPAA because the Legislature last year refused to move the Administration's proposal to have the state do so. As a result, California is one of only three states with federal rather than state enforcement. The provisions of this bill, which are those of the Administration bill (AB 830, Brewer), now propose state implementation, and are good for California. California, not the federal government, will do a better job of enforcing the portability provisions of HIPAA.

However, the provisions of this bill including self employed individuals in the regulatory framework for small employer groups will upset the stability recently achieved in this once volatile market. The bill would distort this market by shifting higher risk individuals from the individual health insurance market to the small employer group market, thus increasing costs for all small employers.

Provisions in the bill to prevent this cost shift are inadequate. Instead of increasing access to health insurance coverage, this bill would actually cause some small employers to drop coverage for their employees.

Those who are serious about providing maximum access to health coverage must remember who pays for it. Improving the affordability of insurance is the key to providing more working Californians with quality health insurance coverage. The author would have achieved that goal and a signature had he simply presented the Administration's affordable proposal.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1368**

Governor's Office, Sacramento  
September 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1368 without my signature.

This bill would create the Carl Moyer Air Quality Standards Attainment Program to provide grants to individuals, businesses, and/or

public agencies for the purchase of new, low-emission technology for heavy duty engines, the development of low-emission technologies, and the installation of infrastructure at sites designated to dispense vehicle fuel that reduce oxides of nitrogen (NO<sub>x</sub>). The purpose of this program is to reduce NO<sub>x</sub> emissions from heavy-duty diesel engines, which are a significant source of pollution.

Earlier this year, I submitted a \$50 million May Revision proposal to provide economic incentives for the purchase of low-emission technology for diesel engines as a cost-effective means of reducing NO<sub>x</sub> emissions. The Air Resources Board advises me that the most cost-effective means available to reduce pollution from large diesel engines is to replace those engines with lower-polluting alternatives. The Legislature ultimately decided to fund only \$25 million of that proposal. This bill would further dilute the amount of money available for this purpose by diverting funds to research and infrastructure projects. Furthermore, it would create a number of separate accounts and rigidly control funding for project types by percentage allocation.

As this bill is inconsistent with the program put forward by this Administration, I am directing the Air Resources Board, under its general statutory authority and in a manner consistent with the Clean Air Plan, to provide grants for the replacement of heavy-duty diesel engines using funds allocated in the 1998 Budget Act for that purpose.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1889**

Governor's Office, Sacramento  
September 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1889 without my signature.

This bill would require the State Board of Pharmacy to conduct a study of medication error rates and negative drug interactions and would appropriate \$300,000 from the Board's Contingent Fund for that purpose.

Concerns have been raised about the integrity, validity, adequacy of funding and confidentiality of the proposed study. The bill's reference to "placebo" prescriptions is inappropriate, a study of errors in the filling of prescriptions or the failure of pharmacists to take into account potentially harmful drug interactions should be accomplished by studying fictitious, rather than "placebo," prescriptions. In addition, no matter what transgressions might be discovered while conducting the contemplated study, no disciplinary or corrective action could be taken.

The information which would be provided by this study could also be provided by various national organizations which are currently collecting data on drug prescription error rates, employing definitions different than those proposed by AB 1889. This bill is at best premature and, if adequate data is compiled by the pending studies, potentially unnecessary. In the interim, the Board has, consistent with the recommendation of the National Association of Boards of Pharmacy, encouraged pharmacies to develop in-house quality assessment procedures.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2300**

Governor's Office, Sacramento  
September 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2300 without my signature.

This bill would authorize county boards of supervisors to impose a \$2 surcharge on superior court civil filings to establish children's waiting rooms in courthouses.

Last year I signed Assembly Bill 233 which established statewide trial court funding. Accordingly, the courts may establish children's waiting rooms within existing resources.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2403**

Governor's Office, Sacramento  
September 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2403 without my signature.

This bill would require the Department of Corporations to follow specified procedures when assisting consumers who have complaints about their health care service plan. The bill would also require the Department to contract with third-party organizations to provide advocacy on behalf of consumers.

This bill is unnecessary. The 1997–98 budget bill increased annual assessments on health plans by \$6.2 million to allow the Department of Corporations to assist more consumers with complaints about their health plans and to commence enforcement actions. In addition, there are numerous existing third-party organizations that advocate on behalf of consumers. For example, the Center for Health Care Rights is operating the Pilot Health Care Consumers' Information and Assistance Program in the Sacramento area. I have signed legislation, SB 1191 (Chapter No. 47, Statutes of 1998) which provides confidentiality and nondiscrimination protections to the program.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2501**

Governor's Office, Sacramento  
September 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2501 without my signature.

This bill would require school principals to obtain oral permission from a parent or guardian before making an elementary school pupil available to a peace officer for interrogation. In cases involving secondary school students, the principal would be required to inform the pupil of the right to have a parent, guardian, or school staff member present during the interrogation.

This bill is based upon anecdotal reports of excesses engaged in by overzealous peace officers who conducted intrusive interrogations of pupils on school sites. There is no evidence that these alleged abuses are widespread or systematic. In fact, there is ample reason to believe that

fewer abuses occur in California than elsewhere. California has banned corporal punishment and strip searches of juveniles, practices which have led to complaints in other states.

Peace officers often have reason to come onto school sites. Hundreds of schools have peace officers regularly stationed on campus. Many more have peace officers who regularly come onto the campus in conjunction with educational and crime prevention programs, such as the D.A.R.E. program. Despite this significant presence of peace officers on campus only a few, isolated allegations of abuse have been identified. As a result of the high police presence on campuses, many school sites are safer than the neighborhoods in which the student live.

Peace officers are not on campus just to investigate criminal behavior. Increasingly they serve as mentors, counselors, and instructors. When cast in such roles should an officer's question constitute interrogation?

This bill assumes that an adversarial relationship should exist whenever officers question students. By advising students, particularly those in middle and senior high schools, that they do not have to talk to an officer, there is an inference that the officer is an adversary who cannot be trusted. Furthermore, this bill would place school officials in the awkward and inappropriate role of criminal defense counsel for the interrogated student. The terms of the bill are sufficiently confusing so that the nature of the interrogation and the roles of the parties are generally unclear but clearly conflicted.

There are a number of current constitutional and statutory protections that shield juveniles from excessive and unreasonable interrogations. In light of these protections, the lack of evidence of widespread abuse, and the potential chilling effect on the officer-student dialogue, the dangers posed by this bill outweigh its benefits.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2560**

Governor's Office, Sacramento

September 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2560 without my signature.

California has since 1989 prohibited possession or sale of "assault weapons," specifically identifying 58 firearm models by brand (Penal Code 12275 et seq.).

This bill would define as "assault weapons," a class of semi-automatic firearms possessing certain physical features. In addition, the bill would prohibit the manufacture and sale of "large capacity" ammunition magazines and increase penalties for use of "high capacity firearms."

The way to prevent tragedies of the kind in which a deranged gunman has massacred numerous victims in just minutes or seconds, by delivering semi-automatic fire upon a group, is to put beyond the gunman's reach the capacity to wreak such carnage. That requires limiting magazine capacity, and hoping that illegal magazines of a greater, prohibited capacity are not available to a deranged person on the black market.

More than a year after its introduction, this bill still imposed no limitation on the purchase or sale of high capacity magazines.

In its final form, after insistence by this office, it does. But regrettably, AB 2560 mixes together issues of capacity and cosmetics with too little attention given to capacity and too much to cosmetics. If this bill's focus were high speed sports cars, it would first declare them "chariots of death" and then criminalize possession of Ramblers equipped with racing stripes and wire wheels.

Perversely, AB 2560 would purport to authorize manufacture of magazines larger than permitted under preemptive federal law, while defining assault weapons in terms of features which have little to do with the capacity or lethality of the weapons in question. As a result, after fifteen amendments, AB 2560 may be more susceptible to constitutional attack than the law it seeks to replace. By design or happenstance, it is a maze which would entrap the unwary, generate endless litigation, and provide the author manifold opportunities for corrective legislation. California deserves better.

In fact, the author's refusal to accept requested changes that would have earned a signature—coupled with his recent inflammatory charge that a veto of his plainly flawed bill will make me responsible for a legacy of murder victims—have virtually invited a veto, suggesting he would rather have an issue than a solution and a signature.

And the charge itself is not only self-serving and outrageous, but a cynical effort to con the public about what kind of legislation actually will protect—and has protected—them against gun violence. It is not the author's version of gun control.

Under the best of circumstances, AB 2560 would not provide one percent of the crime reducing impact of "10-20-Life." In 1994, I signed bills authorizing "Three Strikes," "One Strike Rape," and eighty-five percent mandatory time for violent felons. The following year, I signed laws imposing the death penalty for offenders who murder during a carjacking or driveby-shooting. Last year, I signed "10-20-Life" imposing tough penalties on offenders who commit felonies using firearms. Violent crime has decreased steadily since 1993. In 1993, there were 4,095 homicides in California. In 1997, there were 2,579.

This reduction of over 1,500 annual homicides was accompanied by a remarkable reduction in the number of handgun sales during the same period (434,000 in 1993, 204,000 in 1997). Neither reduction is attributable to confusing gun control laws. The correlation is direct and obvious; the imposition of penalties which resulted in a reduction in crime gave confidence to a fearful public and resulted in a decline in guns purchased for self-protection.

The reduction in crime is not over. California's murder and violent crime rate was lower in 1997 than at any time in more than thirty years; murder and other violent crime rates continue to plummet. In Fresno, where local television stations warn prospective offenders of the length of sentences imposed under "10-20-Life," murder and armed robbery have dropped an extraordinary fifty percent in the first half of 1998. During the same period, the statewide murder rate has decreased more than twenty two percent, the largest drop in history and part of an unprecedented five year decrease of over fifty percent. Again, these

most recent decreases follow a 1997 experience reflecting the lowest violent crime rates in over thirty years.

That's how to deal with gun violence.

Cordially,

PETE WILSON

#### RECEIPT

I acknowledge receipt this 28th day of September 1998, at 3:30 p.m., of Assembly Bills Nos. 399, 1368, 1889, 2300, 2403, 2501, and 2560, 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. 278**

Governor's Office, Sacramento

September 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 278 without my signature.

This bill would add the phrase "infants and children" to current law directing state agencies to set health-protective air quality standards; require an air monitoring pilot program at three locations around the state near a day care center or school and an evaluation of the air quality monitoring system in the aftermath of the pilot project; require adoption of control measures for toxic air contaminants by January 1, 2004; and require businesses located within 1,000 feet of a school or day care center to be inspected at least once a year, if that facility has more than one regulatory violation in five years' time.

Proponents argue that new scientific studies suggest that our standards must be re-evaluated, and that current practice depends on the use of safety factors (or uncertainty factors) that were developed as a technique by risk assessors more than 30 years ago. However, those same supporters fail to offer a single piece of evidence, scientific or otherwise, which suggests that California's standards are not protecting the health of all Californians, including infants and children. The studies referenced merely point out that children, like all Californians, are exposed to air pollution and that such exposure has health implications. In the absence of specific evidence that our standards are inadequate, supporters of this legislation have suggested that additional safety factors should be applied to our current standards to make sure infants and children are protected. In doing so, they advocate the very approach they criticize as anachronistic.

California has the most stringent air quality standards in the world. And State scientists are continually reviewing new scientific evidence to ensure that no emerging science calls into question the validity of those health-protective standards. The most recent, comprehensive review of air quality standards—perhaps the most comprehensive review ever of all available science—was completed by U.S. EPA when it reviewed its ozone and particulate matter standards last year. The new standards were based solely on health data, without consideration for economic or technical considerations. Yet California's air quality standards are still more stringent than those proposed federal standards

for smog and PM 10. This is further confirmation of California's conservative approach to health protective standards.

California laws, regulations and administrative practices appropriately focus on sensitive populations. Despite the rhetoric surrounding this bill, rarely do children and infants fit that definition. In fact, for five of the six federal ambient air pollutants, children are not the most sensitive population. This point was most succinctly stated by one of the bill's sponsors—the Natural Resources Defenses Council—when it correctly observed in its “Children At Risk” report issued less than a year ago that the elderly are at greatest risk from air pollution (page 33).

Certainly we do not know everything about the health effects of air pollution; some data gaps do exist. That's why during the first years of my administration, the Air Resources Board initiated a 10-year study of the chronic health effects of air pollution on children. This \$11.5 million study, conducted under the auspices of the USC School of Medicine, is tracking 5,000 children in a dozen Southern California communities and measuring the impacts of ambient air pollution on their health and development. The study is currently in its sixth year.

In addition, the Office of Environmental Health Hazard Assessment has nearly concluded a multi-year effort to develop guidelines for exposure assessment and stochastic analysis. These guidelines incorporate original research conducted under the auspices of the Air Resources Board and others, including water consumption rates, food consumption rates, breathing rates and soil ingestion rates—those physiological differences that AB 278's sponsors correctly point out make children unique when compared to adults. These guidelines will be completed and peer-reviewed by the State's Scientific Review Panel this fall.

These efforts will continue to inform the standard-setting process, and fulfill our commitment to improving the scientific underpinnings of our public health protection efforts.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 434**

Governor's Office, Sacramento

September 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 434 without my signature.

This bill would specify procedures for economic or capacity profiling and prohibits health care service plans and contracting providers from discriminating against individual providers that have a substantial number of patients with serious medical conditions. The bill would also require plans and provider groups to make available to any providers with whom it contracts the criteria used to credential individual providers, terminate contracts, or fail to renew contracts.

Health plans and medical groups should not discriminate against providers simply because they care for seriously ill patients. However, this bill includes unrelated provisions interfering with the contractual relationship between health plans, medical groups and contracting

providers. The parties may determine for themselves the criteria upon which a contract will terminate or not be renewed.

I have instead signed Senate Bill 984 which requires health plans to provide the public and the Department of Corporations with information about how economic profiling is used and how the health plan ensures that medical decisions are rendered by qualified medical providers, unhindered by fiscal and administrative management considerations.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1630**

Governor's Office, Sacramento  
September 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1630 without my signature.

This bill would require state agencies that make loans and grants to report recipient information to the New Employee Registry (NER). In addition, state agencies would be required to report information regarding state contractors to the NER. State contractors who hire independent contractors would also be required to report information regarding the independent contractor to the NER.

I signed legislation in 1992 to create the NER to assist state and local agencies in locating parents who are delinquent in their child support obligations and to enforce collection of amounts due. Last year I signed AB 67 (Escutia), Chapter 606, Statutes of 1997, which expanded the NER by requiring all California employers to report new hires to the NER, effective July 1, 1998. In addition to this recent expansion of the NER, I also signed AB 573 (Kuehl), Chapter 599, Statutes of 1997, which required a study of expanding the NER further to include independent contractors.

The AB 573 study has just been released. It concluded that because the NER is so new there is insufficient data to determine whether further expansions of the NER would be cost effective in increasing child support, and that further study is required. In fact, it is unclear that the significant costs in collecting and reporting data regarding those who are independent contractors of state contractors and those who receive state loans and grants will result in increased child support collection. Also, much of the data required by this bill is already reported to state and local enforcement agencies from other sources.

An approach which offers greater expectation of results is AB 1396 (Alquist), which I have signed. It requires state contractors to comply with state and federal child and family support obligations.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1642**

Governor's Office, Sacramento  
September 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1642 without my signature.

This bill would suspend certain clean air specifications for all gasoline produced in California and provide a special exemption for blends of gasoline containing 10 percent ethanol, unless the Air

Resources Board (ARB) makes certain findings before March 31, 1999. The bill would further require that the Environmental Policy Council, comprised of the six boards and departments under the auspices of the California Environmental Protection Agency, to evaluate the environmental implications of all existing and future gasoline regulations.

Eliminating the limitation on oxygen content in gasoline will result in more smog-forming emissions from the more than 20 million cars and trucks in California. Similarly, the special consideration given to 10 percent ethanol blends will result in significant new emissions from vehicles using such fuel. In order to protect the public health benefits of the Cleaner Burning Gasoline, which is removing more than 1 billion pounds of pollution a year from our air, the ARB would be forced to spend millions of dollars to demonstrate, once again, the validity of its technically and scientifically supported fuel regulations in a time frame that is unachievable and by testing methods that are prohibitively expensive.

Furthermore, the provisions of the bill relating to the Environmental Policy Council's review of proposed and established fuel regulations create the possibility that all existing fuel regulations will be re-written. Those regulations were developed over many years, and resulted in a multi-billion dollar investment by the refining industry to produce the world's cleanest gasoline. An evaluation of the multi-media environmental consequences of regulations should be considered—and they are being considered by the California Environmental Protection Agency. But the prospect of reinventing these regulations, which have proven to be successful in reducing public exposure to toxic emissions from gasoline by 30–40 percent, and eliminating the smog from the equivalent of 3.5 million vehicles on our highways, is not warranted.

The answer to California's oxygenate issues is enactment of HR 630 (Bilbray) and S 1576 (Feinstein), which will allow California to proceed with its own oxygenate-free regulations, unfettered by federal interference. California's gasoline regulations allow for the clean air benefits of our reformulated fuel to be realized without the use of any oxygenate at all. However, the federal Clean Air Act amendments of 1990 explicitly mandate the use of oxygenate in gasoline. My administration has supported for several years the enactment of an amendment, first introduced by Representative Bilbray, to provide an exemption for California from this unnecessary federal mandate.

Ultimately, AB 1642 is unnecessary. Its expensive test procedures will confirm the need for the regulatory specifications already in place. For those who support the bill on the basis that California regulations have prohibited the use of ethanol as an oxygenate, I would only point to the use of ethanol by one of California's largest refiners, while still meeting California's gasoline regulations. This legislation, while purporting to provide access to the market, seeks to enhance the advantage of this product. There are no regulatory barriers to its use, and State law should not be used as a means to achieve market advantage, especially when the consequences will foul our air.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1682**

Governor's Office, Sacramento  
September 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1682 without my signature.

This bill would require local government entities that make loans and grants to report recipient information to the New Employee Registry (NER). Local government contractors who hire independent contractors would also be required to report information regarding the independent contractor to the NER.

I signed legislation in 1992 to create the NER to assist state and local agencies in locating parents who are delinquent in their child support obligations and to enforce collection of amounts due. Last year I signed AB 67 (Escutia), Chapter 606, Statutes of 1997, which expanded the NER by requiring all California employers to report new hires to the NER, effective July 1, 1998. In addition to this recent expansion of the NER, I also signed AB 573 (Kuehl), Chapter 599, Statutes of 1997, which required a study of expanding the NER further to include independent contractors.

The AB 573 study has just been released. It concluded that because the NER is so new there is insufficient data to determine whether further expansions of the NER would be cost effective in increasing child support, and that further study is required. In fact, it is unclear that the significant costs in collecting and reporting data regarding those who are independent contractors of state contractors and those who receive state loans and grants will result in increased child support collection. Also, much of the data required by this bill is already reported to state and local enforcement agencies from other sources.

An approach which offers greater expectation of results is AB 1396 (Alquist), which I have signed. It requires state contractors to comply with state and federal child and family support obligations.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2048**

Governor's Office, Sacramento  
September 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2048 without my signature.

This bill would require health care service plans to disclose to the public the criteria used to authorize or deny health care services for the specific procedures or conditions requested.

The stated purpose of this bill is to provide the public, media and consumer organizations with a comparison tool to review health plans. This bill, however, would not accomplish this purpose. Clinical guidelines are not standardized procedures applicable to all patients in the same way. They instead require the physician to take the patient's individual circumstances into account and to exercise sound medical judgment. This inherent flexibility renders side by side comparisons meaningless and may actually mislead patients into expecting inappropriate treatment.

The bill is also unnecessary. Existing law already requires the health plan to disclose its clinical guidelines if used as a basis to deny services

to a specified patient. In addition, I have signed AB 607 (Scott, Chapter No. 23, Statutes 1998), which allows consumers to use a standardized benefits matrix to compare health plans.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2192**

Governor's Office, Sacramento  
September 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2192 without my signature.

This bill would require various agencies to adopt regulations, provide training and develop emergency response plans specific to the transportation of high-level radioactive waste and spent nuclear fuel. This bill would impose a fee on shippers to pay for these activities.

This bill is unnecessary, would blur lines of authority, and would increase costs to California businesses and the General Fund. It seeks to establish a regulatory system that unnecessarily overlaps and duplicates existing requirements. Current state and federal law already provide safeguards to ensure that high-level radioactive waste and spent nuclear fuels are transported safely. The duplication created by this bill could lead to uncertainty as to responsibility on the part of local response agencies and state regulatory agencies, especially the Office of Emergency Services, State Fire Marshal and California Highway Patrol. This bill would have the unintended consequence of negatively impacting their ability to properly coordinate emergency planning and preparedness.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2639**

Governor's Office, Sacramento  
September 27, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2639 without my signature.

This bill would establish standards for health plans using utilization review. It would also require health plans to provide coverage for cancer screening tests.

This bill would provide much needed improvements to the current managed health care utilization review process. Unfortunately, the author chose to condition enactment of this bill upon the enactment of an unrelated measure, Assembly Bill 2048, which has been vetoed.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1100**

Governor's Office, Sacramento  
September 28, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1100 without my signature.

This bill would require health care service plans and disability insurers to provide coverage for biologically based severe mental illness under the same terms and conditions as applied to other medical conditions.

This bill is one of numerous health insurance mandates passed by the Legislature in recent years. While such mandates may be desirable when reviewed individually, their collective costs are substantial and contribute to the rising costs of health insurance coverage. These increasing costs are directly linked to the ever higher number of uninsured workers. Just last week the Census Bureau reported that the number of Americans without health insurance rose sharply last year to 43.4 million and the proportion of Americans lacking coverage reached the highest level in a decade, 16.1%.

According to the UCLA Center for Health Policy Research (UCLA), 8 out of 10 uninsured Californians are in working families. 59% of these uninsured California employees cite the high cost of health insurance as a very important reason they lack coverage. The cheapest product an employer can offer its workers is a health maintenance organization (HMO). The average employee share of the premium for family coverage in an HMO is \$142 per month. For a full-time, minimum wage worker, this represents 16% of their gross annual income. Thus, it is not surprising that many working families choose to remain uninsured even though they receive coverage through their employer. Californians for Affordable Health Reform state that for every one percent increase in insurance premium costs, up to 40,000 Californians will lose health care coverage.

The authors' letter states that this bill's mandate will not increase premiums, and cite the California Public Employees Retirement System (PERS) as estimating a "possible fiscal impact of '\$0'." The authors misrepresent the PERS fiscal analysis. PERS estimates premium increases of .003% to as much as 3.4%. This translates into annual program costs ranging from \$0 at the low end to \$56 million at the high end. More importantly, the PERS estimate is lower than what is expected for other health care purchasers because PERS already voluntarily provides relatively generous mental health benefits.

The authors have also stated that mental health parity will only cost \$1 per person per year. However, the authors again misrepresent the facts. A RAND study published in *The Journal of the American Medical Association* found that "removing the typical average annual limit of \$25,000 would increase mental health care costs by about \$1 per enrollee per year under managed care." *JAMA*, November 12, 1997, Vol. 278, No. 18, page 1536. This bill would mandate coverage far beyond simply eliminating an annual cap and would as a consequence result in increased premium costs.

Several California health plans estimate the increased premium costs of AB 1100 to be in the range of 1–5%. Applying the rule of thumb supplied by Californians for Affordable Health Reform, that means that from 40,000 to 200,000 employees now covered will be priced out of

the market by this premium increase. The estimates vary depending on the health plan and the particular market in which they offer coverage. Premium increases will also be disproportionately higher for individuals and small employers. One California insurer estimates that this group will experience premium increases of three to four times more than larger employers as a result of this bill. The high cost of mandates like this bill is the reason why many small employers do not provide health insurance coverage for their employees. UCLA states that 95% of employers in California are small firms (3 to 50 employees) and 34% of all employees in California work in small firms. Only 49% of employees in small firms get coverage through their own employer, compared to 70% of employees in large firms (500 or more employees).

**The authors' letter attaches great significance to the fact that "mental illness insurance parity laws are in place in nineteen other states." The authors' implication that this bill is similar to the laws enacted in these states is false. Information provided by the National Association for the Mentally Ill indicates that most of these states do not require the level of coverage mandated by this bill. In fact, some of these states do not mandate coverage at all, but simply require that insurers offer the coverage to those who wish to purchase it. Many of them only require parity if the employer chooses to cover the benefit, and others only require that parity apply to lifetime and annual caps. In addition, several states exempt small employers and allow employers to opt out if premiums increase.**

The authors' have specifically pointed to the experience of New Hampshire and Texas as evidence that this bill will not increase health insurance premiums. New Hampshire has had legislation similar to this bill in place since 1995 with minimal increases in premiums reported. However, New Hampshire has had a mental health mandate in place since 1975. The 1995 legislation only imposed an incremental increase in required benefits, resulting in a commensurate increase in premiums. It is disingenuous for the authors to compare the comprehensive mandate in AB 1100 to the incremental change enacted in New Hampshire. Texas also enacted legislation similar to this bill in 1997. However, unlike this bill, Texas exempted small employers with 50 or less employees. Even so, several Texas health plans are already projecting premium increases of 4-8% as a result of the mandate.

**California working families should have access to affordable mental health insurance coverage. Accordingly, the authors have been presented by this office with several options that would have provided considerably expanded mental health coverage. However, the authors have instead engaged in a shortsighted "all or nothing" strategy that would impose on California employers coverage beyond what other states require and, in the case of many small employers, unaffordable cost increases. The unintended net effect could well be a loss of access to any coverage.** Most states that have passed mental health legislation have only done so in the last two years. Change of this magnitude should be made incrementally as we learn more about the impact of this type of legislation on the number of uninsured.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1715**

Governor's Office, Sacramento  
September 28, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1715 without my signature.

This bill would require the Insurance Commissioner to establish an insurance policy registry for policies covering persons in Europe between 1920 and 1945. Any insurer or related company doing business in California would be required to provide specified information to the Commissioner within 180 days. The insurer would also be required to provide a comparison of the names of holders and beneficiaries of the policies and the names of the victims of the Holocaust. The names of victims of the Holocaust would be provided by the Department of Insurance and may be obtained from the Yad Vashem repository in Israel. Insurers would be required to certify the disposition of the policy proceeds. The Commissioner would be required to suspend the ability of an insurer to do business in this state if it fails to comply with all of the requirements of this bill within 210 days. Finally, the bill states legislative findings that the international Jewish community is in active negotiations with responsible insurance companies toward agreements to create an international commission to resolve outstanding insurance claims, and that the bill is necessary because these negotiations are unresolved.

In addition to this bill, I have before me Senate Bill 1530 (Hayden), which would establish a comprehensive program to resolve the insurance claims of Holocaust victims, survivors and their heirs. I have signed SB 1530 because it is the better solution to bring prompt payment to those who have been denied justice for far too long. However, this bill, AB 1715, is inconsistent with SB 1530.

This bill would require insurers to collect information unrelated to resolving the claims of Holocaust victims, survivors and heirs. Insurers would be required to provide data on all insurance policies sold in Europe from 1920–1945, not just those sold to Holocaust victims. This information must be matched with lists of the names of victims of the Holocaust. However, only partial lists exist.

The procedure established in SB 1530 is far superior. In addition to maintaining a registry with policy information related to the Holocaust, the Department of Insurance would be required to use onsite teams to search the archives of insurers and conduct investigations into unpaid claims related to the Holocaust. Whereas AB 1715 requires reliance upon whatever records remain in the hands of the insurers, SB 1530 creates an on-site team of investigators to examine not only the insurers' records but any other evidence that Holocaust victims were issued policies that remain unpaid. These investigators will be, in effect, "insurance archeologists." By contrast, the comparison of lists envisioned in AB 1715 would seem intended to set up a class action that may be fraught with problems. It might well prove a more uncertain and more time-consuming process than the more labor-intensive on-site investigation proposed by SB 1530. The Department would also be required to cooperate with other states and the international commission on Holocaust claims. In addition, the Department would be required to suspend the ability of an insurer to do business in California if it failed

to pay any valid claim to Holocaust survivors, victims or heirs.

Importantly, SB 1530 appropriates \$4 million to the Department to conduct its investigation, while this bill remains unfunded. Thus, the Department is actually able to devote time and resources to resolving claims rather than merely collecting data.

Also, the stated justification for this bill is that negotiations to establish an international commission to resolve claims has not been completed. This is no longer accurate. A Memorandum of Understanding was entered into on August 25, 1998 between five major European insurance companies, the National Association of Insurance Commissioners, the Government of Israel, the World Jewish Restitution Organization and the Conference of World Jewish Claims Against Germany to establish an international commission to resolve insurance claims of Holocaust victims, survivors and heirs.

Finally, I would prefer to see the time and resources of the insurers spent in payment of valid claims by Holocaust victim policy holders, survivors, or heirs, than expended in compiling a massive database that seems likely to produce far less relevant and useful information than the more painstaking approach of SB 1530. The two bills conflict in approach. SB 1530 holds greater promise of timely justice for Holocaust victims.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2231**

Governor's Office, Sacramento  
September 28, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2231 without my signature.

This bill would require that a final fish consumption advisory issued by the Office of Environmental Health Hazard Assessment (OEHHA) regarding fish and shellfish contamination identify the contamination hazard, and be posted at public fishing locations in languages used by people that frequent those locations. The bill would also require the Department of Health Services (DHS) to make health advisory pamphlets available to state and local agencies.

This bill is ambiguous and unnecessary. OEHHA is currently authorized to produce fish advisories (Fish and Game Code §7715). It is unclear what purpose would be served by restating that authority in the Health and Safety Code. It is also unclear whether this bill would require DHS to assume responsibility for posting these advisories, or if that responsibility would remain the responsibility of the local health departments. This lack of clarity could lead to confusion among affected agencies which could result in advisories not getting posted. Failure to post, as specified in the bill, could create an unintended liability for each of the jurisdictions.

Existing law ensures that public health is protected. The state should continue to issue its advisories in a clear, consistent manner, using its existing statutory authority, and local jurisdictions should retain the flexibility to determine the best method for warning fishermen of the dangers of eating contaminated fish.

Cordially,

PETE WILSON

## RECEIPT

I acknowledge receipt this 28th day of September 1998, at 5:01 p.m., of Assembly Bills Nos. 278, 434, 1630, 1642, 1682, 2048, 2192, 2639, 1100, 1715, and 2231, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

RALPH ROMO

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1617**

Governor's Office, Sacramento

September 28, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1617 without my signature.

This bill enacts the "Religious Freedom Protection Act," which would prohibit any state or local government from enacting or applying a facially neutral law, ordinance, or regulation which substantially burdens a person's exercise of religion unless the government can demonstrate that the law, ordinance, or regulation (1) furthers a compelling governmental interest and (2) uses the least restrictive means of furthering that compelling governmental interest. This test would apply to all state or local laws, "whether adopted before or after the effective date of this chapter," and could be asserted as a claim or defense in any judicial proceeding. It bears emphasis that the bill's focus is on laws that regulate conduct claimed to be motivated by religious beliefs, not religious beliefs—which are fully protected by the First Amendment.

This country has been a beacon for religious freedom. Many of the earliest settlers came to America to escape religious persecution. Few principles epitomize America's unique national character as does the First Amendment's right to freedom of religion. But this bill goes beyond the guarantees under the First Amendment or the California Constitution. Poorly drafted, it sets standards for assessing the validity of laws which would have untold consequences not contemplated by its supporters: It would engender litigation by prisoners and criminal defendants alike, who claim that the laws which protect and preserve order burden their religious beliefs. It would open up the prospect of invalidating laws ranging from the payment of taxes to compulsory vaccination laws, to drug laws, to land use laws, to laws against racial discrimination. Indeed, so broad is this bill that the federal version of this Act—before the U.S. Supreme Court struck it down as unconstitutional—was used in the Proposition 187 litigation to argue that Proposition 187 was invalid because it burdened religious tenets.

Ironically, this law is not only unnecessary in light of the existing California constitutional guarantee of the free exercise of religion (Cal. Const., Art. I, §4), but more importantly, it threatens law enforcement, is unworkable, and is of doubtful constitutionality.

1. Background

The bill is largely a response to two U.S. Supreme Court decisions. In 1990, in *Employment Division v. Smith*, 494 U.S. 872 (1990), the U.S. Supreme Court, in a decision delivered by Justice Scalia, upheld an Oregon criminal law which prohibited the possession of controlled substances, including peyote, against a challenge under the Free

Exercise Clause of the First Amendment, and therefore ruled that Oregon could deny unemployment benefits to persons dismissed from their jobs because of their religiously inspired use of an illegal drug, peyote. The Court declined to require that a facially neutral criminal law that burdened a religious practice—ingesting peyote for sacramental purposes—had to be justified by a compelling governmental interest. Instead, it ruled that “[t]o make an individual’s obligation to obey such a law contingent upon the law’s coincidence with his religious beliefs, except where the State’s interest is ‘compelling’ . . . contradicts both constitutional tradition and common sense.” 494 U.S. at 885.

The Court observed that “[a]ny society adopting such a system would be courting anarchy, but that danger increases in direct proportion to the society’s diversity of religious beliefs.” It concluded that “we cannot afford the luxury of deeming presumptively invalid, as applied to the religious objector, any regulation of conduct that does not protect an interest of the highest order.” 494 U.S. at 888.

The Congress enacted the Religious Freedom Restoration Act of 1993 in response to the Supreme Court’s decision in *Employment Division v. Smith*. That Act—like the bill here—seeks to prohibit government from substantially burdening a person’s exercise of religion unless the application of the burden furthers a compelling governmental interest by the least restrictive means.

In June, 1997, the U.S. Supreme Court struck down the Religious Freedom Restoration Act in *City of Boerne v. Flores* on the grounds that Congress did not have authority under Section 5 of the Fourteenth Amendment to enact such a law. The California Legislature has now passed this bill to enact the federal Religious Freedom Restoration Act at the state level and to establish the compelling interest test rejected in *Employment Division v. Smith*.

## II. The Act is Unnecessary

This bill, to the extent it seeks to restore the compelling interest test rejected in *Employment Division v. Smith*, is unnecessary.

The protections guaranteed under the California Constitution’s free exercise clause in Article I, section 4 are independent of those safeguarded under the First Amendment. *See* Cal. Const., Article I, section 24.

And the California Supreme Court confirmed two years ago that the California courts have construed the California Constitution’s free exercise clause “to afford the same protection for religious exercise as the Federal Constitution before *Employment Division v. Smith*, *supra*, 494 U.S. 872.” [Emphasis added.] (*See Smith v. Fair Employment and Housing Commission*, 12 Cal. 4th 1143, 1177 (1996).) Accordingly, the primary concern of proponents of this bill—the abandonment of a compelling interest test—is unwarranted.

Unfortunately, this bill would go further than the compelling interest test utilized by the courts before *Employment Division v. Smith* and would create a means to challenge facially neutral laws by prisoners, criminal defendants, and others.

## III. The Bill Creates An Unworkable Standard That Would Engender Litigation by Prisoners, Criminal Defendants and Others

Under the bill, any facially neutral law, regulation, ordinance, or other governmental action could not be applied to substantially burden

a person's exercise of religion unless the government demonstrates that the burden (1) furthers a compelling governmental interest and (2) is the least restrictive means of furthering that interest. However, the test is uncertain and will result in the invalidation of laws preserving public safety and welfare:

- First, judicial decisions do not offer a generally applicable definition of "substantial burden," *See, e.g., Smith v. Fair Employment and Housing Commission* 12 Cal. 4th 1150, 1169 (1996). Application of this test will be uncertain.
- Second, the U.S. Supreme Court has warned that the bill's requirement that laws be the "least restrictive means" of furthering a compelling interest adds "a requirement that was not used in the pre-*[Employment Division v.] Smith* jurisprudence" that this bill purports to codify. *See City of Boerne v. Flores*, 117 S.Ct. 2157, 138 L.Ed.2d 624, 648 (1997). Thus, this bill goes beyond the constitutional protections for religion that its supporters believed they are restoring.

Unfortunately, the "least restrictive means" requirement would open the door for constitutional challenges by prisoners to laws and regulations, which challenges are currently denied under the Supreme Court's decision in *Turner v. Safley*, 482 U.S. 78, 90 (1987). That decision specifically ruled that a prison regulation that impinges on inmates' constitutional rights "is valid if it is reasonably related to legitimate penological interests." *Id.* at 89. The Court emphasized that this is "not a 'least restrictive alternative' test: prison officials do not have to set up and then shoot down every conceivable alternative method of accommodating the claimant's constitutional complaint." *Id.* at 90-91.

By invalidating any facially neutral law or regulation which substantially burdens a person's exercise of religion unless the government demonstrates that the law or regulation is the least restrictive means of furthering a compelling governmental interest, correction officials can and will be sued over a variety of facially neutral laws and regulations by prisoners who claim that alcohol, a specific diet, sacred knives, conjugal visits, and satanic bibles are all part of their free exercise of religion.

Likewise, under the bill, criminal defendants could raise religious objections to drug laws, seek to justify domestic violence based on a purported religious belief that wives should be submissive to their husbands, and could seek to resurrect the diminished capacity defense for defendants who are under the influence of drugs when they commit crimes. In each case, the State would have to show that these criminal laws are the "least restrictive means" of furthering its compelling interests in these laws. While no one can predict the outcome of these challenges, we can predict that law enforcement will be thwarted, delayed, and consumed in litigation.

For these reasons, the bill has been strongly opposed by sheriffs, police chiefs, peace officers, corrections officials, and prosecutors.

#### IV. The Bill Transfers Legislative Responsibilities to the Judiciary And Is Constitutionally Suspect

Although it is not a constitutional amendment, this bill would establish a statutory test of invalidity, which the courts could use to restrict or invalidate laws enacted by the Legislature, “whether adopted before or after the effective date of this chapter.” In essence, instead of each Legislature addressing the issue of religious accommodation on a bill-by-bill basis, the bill would transfer from the Legislature to the judiciary the determination of whether a law—which meets the test for protecting religious freedom under the U.S. and California Constitutions—should be restricted further, or invalidated, because it fails to meet the “compelling interest/least restrictive means” test established by this proposed statute.

In short, one statute will restrict, depending upon the judgment of a court—the scope of a subsequent statute passed by a majority of the people’s representatives and signed by the Governor. This places in the court the power to amend statutes, and therefore raises serious separation of powers concerns under Article III, section 3 of the California Constitution since the judiciary may not amend statutes.

#### V. Conclusion

Few rights are as important in America, or epitomize America’s values, as the right to freedom of religion. Both the U.S. and California Constitutions guarantee that right. But this bill, as it is drafted, goes beyond those guarantees and sets a test many laws would fail, engendering litigation by prisoners and criminal defendants who would claim that the laws which protect us and preserve order burden their religious beliefs. It would weaken prison regulations and law enforcement with costly lawsuits seeking to subordinate our criminal laws to criminal defendants’ supposed religious beliefs. Those literally doing the Lord’s work through prison ministries have urged that I sign the bill and seek subsequent enactment of a state analogue to the federal Prison Litigation Reform Act. They have generously offered to help move such a bill through the Legislature. I value their offer of assistance (and totally agree with the need for prison litigation reform), just as I value and endorse the work prison ministries do in our prisons where it is so critically needed. Prison officials should be strongly encouraged to welcome their efforts. But the concerns occasioned by AB 1617 argue that the restraints of such a prisoner litigation reform act should first be in place to protect against the abuses by California’s activist prisoner rights bar that this bill might otherwise invite.

And prisoner litigation reform, were it in place, does not address the problem of criminal defendants not yet in prison who assert a religious basis for criminal conduct as a defense in order to stay out.

Moreover, the bill raises a serious constitutional objection that it invites the Legislature to violate the Separation of Powers Doctrine by abandoning its responsibility to consider accommodations for religious freedom on a bill-by-bill basis. Instead, through this bill, the Legislature would put in the hands of private litigants and the courts the decision whether to restrict or invalidate perfectly valid laws—laws which comply with the constitutional right to freedom of religion—on the grounds that they nonetheless impinge on conduct which is claimed to be substantially motivated by religious beliefs. Rather than establishing a test which risks the unintended and wholesale invalidation of perfectly

valid laws that protect our safety and welfare, the Legislature should decide on a bill-by-bill basis whether and how to accommodate conduct motivated by religious concerns. As much as I treasure the religious freedom that is our nation's heritage, I cannot in good conscience sign this bill.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 28th day of September 1998, at 5:57 p.m., of Assembly Bill No. 1617, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 96**

Governor's Office, Sacramento

September 28, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 96 without my signature.

This bill would make the North Coast Railroad Authority (NCRA) eligible for various transportation funds, including the State Transportation Improvement Program (STIP) fund, and make the NCRA eligible for funding from both interregional and regional funds. The NCRA would also be eligible for Public Transportation Account funding for planning purposes.

California's State Highway Account, derived from state gasoline taxes, is appropriately reserved for street and highway funding, as well as passenger rail service. This bill inappropriately provides the NCRA, a freight rail line, access to funding from the State Highway Account.

The NCRA must have stronger financial support for capital improvements and maintenance from local government and the business community to be sustained as a viable operation. I recognize that the railroad plays an important role in the economy of the northwest region, but this endeavor should not be the sole responsibility, or even the central responsibility, of state government.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1136**

Governor's Office, Sacramento

September 28, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1136 without my signature.

This bill would require state and local public entities that have been granted authority to utilize design-build for public works projects to report to the Legislature before December 31, 2001 specific information on each public works project procured through the design-build process.

Over the past few years, I have signed eight separate bills that have allowed, on a limited basis, the design-build process for the construction of specified state office buildings, local government projects, and transportation projects. The design-build process has proven to be a cost

effective, efficient tool widely used by the private sector, and California universities, as well as several State departments. Rather than burdening local public entities with mandated reporting requirements, the author should focus on expanding to all state and local projects this important contracting tool.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2215**

Governor's Office, Sacramento  
September 28, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2215 without my signature.

This bill would make various programmatic and policy changes as well as technical nonsubstantive changes to the Education Code.

This bill was intended to be the Department of Education's annual technical clean-up measure which is intended for the sole purpose of clarifying and correcting references in the Education Code. However, I cannot sign this bill because it goes beyond the intent of technical clean up and makes several substantive policy changes that were not agreed to by my Administration and were not openly discussed in any policy arena. In fact, requests to remove the non-technical sections were ignored. This lack of responsiveness represents a breach of a long-standing tradition that the annual clean-up bill contain only noncontroversial changes to the Education Code.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2429**

Governor's Office, Sacramento  
September 28, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2429 without my signature.

This bill would require the Chancellor's Office of the California Community Colleges to award grants to community college districts to develop curriculum and pilot programs that provide training in multimedia, biotechnology, high-technology and specified nursing specialties.

This bill duplicates the efforts of the existing Economic Development Program within the community colleges. That program was designed to provide flexibility to accommodate training needs as determined by the Chancellor's Office and local districts. While I recognize that the fields identified in this bill are important, I cannot support earmarking funds for specific fields because it overrides the existing process that is better able to respond to shifting demands for industry-related training. Further, existing law is flexible enough to meet the goals of this legislation and, in fact, includes biotechnology and competitive technology in the list of priority areas for the existing economic development program.

Cordially,

PETE WILSON

## RECEIPT

I acknowledge receipt this 29th day of September 1998, at 3:19 p.m., of Assembly Bills Nos. 96, 1136, 2215, and 2429, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

RALPH ROMO

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 15**

Governor's Office, Sacramento

September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 15 without my signature.

This bill would require employers who provide sick leave benefits to their employees to permit those employees to use up to fifty percent of their sick leave to care of their ill child. This bill would also prohibit and penalize employers from taking discriminatory action against employees using sick leave for that purpose.

This bill substantially limits an employer's right to design benefit programs that meet both the needs of the employees, as well as the economic requirements of the business. Since neither state nor federal law requires employers to provide sick leave benefits to their employees, this bill would discourage employers, not currently offering sick leave benefits, from doing so in the future. Moreover, this measure may act as a disincentive for those employers who currently provide sick leave benefits, to continue them in the future.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 146**

Governor's Office, Sacramento

September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 146 without my signature.

This bill would provide uncodified legislative intent language that the members of the Downey City Council may attend any open or closed meeting of the Downey community Hospital Foundation. This bill would provide that the attendance of less than a quorum of the Downey City Council members at such a meeting shall not be a standing committee of the city council as defined by the Brown Act.

This bill represents an unnecessary intrusion by the Legislature into a contract dispute between the Downey Community Hospital and the City of Downey. The issue of whether the existing contract allows ex officio members to participate in closed meetings is a dispute more appropriately resolved by affected parties, or if no such resolution is possible, the courts.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 332**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 332 without my signature.

This bill would provide that any decision or recommendation regarding the necessity or appropriateness of treatment constitutes the practice of a healing arts profession and limits the applicability of the Medical Insurance Reform Act (MICRA). The bill would also require the clinical guidelines used by health care service plans be available to the public upon request. Finally, the bill would require health plans to physically examine certain patients before concluding that a requested treatment was not medically necessary or appropriate.

This bill is a transparent effort to eliminate the appropriate use of utilization review and a bald attempt to increase the number of lawsuits in the health care system. The cumulative impact of these various provisions will only increase health care costs while doing little to improve the quality of health care. We should focus our efforts on reforming the managed health care system instead of dismantling it and placing health insurance coverage beyond the means of working class families.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 423**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 423 without my signature.

This bill would require the Department of Alcohol and Drug Programs to create a pilot project in Los Angeles, Sacramento, and Yolo counties to address the needs of women incarcerated in county jails with a history of substance abuse or illegal drug activity. The bill would appropriate \$105,000 for this purpose.

The Department of Alcohol and Drug Programs has already funded and evaluated several pilot projects which provided such services. These projects identified treatment models that can be used in any county interested in the development of similar projects. Similar studies are not necessary. Numerous federal funds are available for counties for various substance abuse prevention programs.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 462**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 462 without my signature:

This bill would, among other provisions, remove the Uninsured Employers' Fund (UEF) exemption from liability for the payment of

penalties and interest charges due to late payment of workers' compensation claims.

Under current law, the UEF is administered by the Director of Industrial Relations (DIR) and provides workers' compensation benefits to workers of uninsured employers who do not have the resources to pay the benefits. The DIR attempts to recover the costs of the benefits from those uninsured employers. However, the benefits paid from the UEF primarily come from the state General Fund.

While I am supportive of efforts to improve the timely payment of workers' compensation benefits to injured employees, this bill would unfairly subject the UEF to penalties and interest charges. As the remedy of last resort, the UEF handles the most troublesome workers' compensation cases, which makes it difficult for the UEF to pay claims within the same time frames allowed other parties. This bill would penalize the UEF and increase the costs to the state General Fund for the failure of employers to properly maintain workers' compensation liability insurance. That is inappropriate.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 468**

Governor's Office, Sacramento

September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 468 without my signature.

This bill would make numerous changes to the current California Beverage Container and Litter Reduction Act. The bill would increase fees paid by consumers, decrease fees paid by manufacturers, and increase appropriations to the Department of Conservation for payments to participants for handling fees, curbside programs, and conservation corps grants. In addition, this bill would provide funds for a curbside recycling pilot program in the City of San Diego.

The signature message of SB 1178 three years ago requested the State Legislature to enact significant and substantive market-based reforms to the Beverage Container Recycling Program when it next considered changes to that program. This bill not only lacks such reforms, it actually increases many of the most egregious subsidies and inequities of the current program.

Instead, the Legislature sent me AB 468, which raises the costs on consumers by at least \$12.5 million annually by imposing a new five cent deposit on 20 oz. containers. The increased costs and existing surpluses are then used to increase subsidies to various participants in the program. That means a six pack of soda will now cost 15 cents more, and the program will be no better. It is difficult to understand why the Legislature increased subsidies for a program that is already operating with a significant surplus, only to distribute the new subsidies and the surplus in a similar manner designed to bankrupt the program within three to four years—and for a program that recovers only 22% of all the glass and plastic that is recycled in California. Scrap dealers—who recover 66% and receive no subsidy—rightly complain that the law unfairly discriminates in favor of their competitors.

This Administration has consistently sought reform to this program in four major areas: reducing inequitable subsidies and fees; increasing

consumer convenience and enabling the consumer to drive recycling rates higher, removing the impetus to significantly alter the program on a triennial basis; and eliminating the burgeoning Beverage Container Recycling and Litter Reduction Fund surpluses permanently. This bill would accomplish none of these important goals. To the contrary, it continues and increases inequitable subsidies without even requiring additional actions to justify them.

The bill also sets a terrible precedent of pork-barreling the fees to be paid for curbside recycling. The author has allocated 60% of all such funding for the entire state to activities within his district.

This veto should come as no surprise to anyone. While I deeply regret the financial discomfort this action may place upon certain California manufacturers, implementation of this bill would cost consumers an additional \$12 million annually. The Legislature should act quickly to approve legislation which actually removes inequitable subsidies, eases the onerous processing fees paid by manufacturers, and enacts significant market-based reforms to encourage higher recycling rates.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 750**

Governor's Office, Sacramento

September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 750 without my signature.

This bill would permit a public agency to enter into a competitively bid public works contract when a bid protest is made, pending the final decision on the protest. The bill would also provide that, if the contract is later determined to be invalid due to a defect or defects in the competitive bidding process, the contractor can be paid reasonable costs, as specified, for services performed if four conditions are met:

- The contractor proceeded with construction, alteration or repair based upon a good faith belief that the contract was valid;
- The public entity has determined that the work was performed satisfactorily;
- Contractor fraud did not occur in obtaining the contract or in the performance of the contractor;  
and
- The contract does not otherwise violate statutory or constitutional limitations.

While I am supportive of providing fair payment to contractors who proceed in good faith to work on a contract, the remedy offered by AB 750 may be worse than the affliction it seeks to address. The sponsors of this measure have cited only two court decisions in the last 60 years, which left open the question of how or if contractors would be compensated when their contracts were voided. Yet there are many cases where the court has vacated contracts, and within the decision allow for reasonable compensation. Further, in the two cases where the right to compensation was undermined, the public agencies acted equitably and declined to file suit to recover monies that were previously paid to contractors. Under the provisions of this bill, those

same agencies would be required to seek disgorgement of any profit the contractor received even if construction were completed.

Accordingly, the bill would appear to respond to a problem that has not yet materialized while ensuring that informal remedies which have worked in the past are replaced by a rigid and arguably unconstitutional statutory standard. AB 750 is, at best, premature.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 818**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 818 without my signature.

This bill would require health plans to ensure that enrollees that are infected with HIV are afforded care consistent with current federal guidelines relating to the treatment of HIV. This bill also requires health plans to inform enrollees as to what steps, if any, the plan has taken to provide referral to physician practices that have substantial experience in the treatment of HIV. The bill would require the Department of Health Services to establish risk-adjusted capitated rates for managed care plans based on HIV-related treatment costs.

This bill is unnecessary. Existing law already requires that health plans provide health care services consistent with good professional practice standards. Additionally, the Department often does risk-adjusted rates taking into account many factors including age, sex, high cost of AIDS drug and treatment costs. Establishment of an illness-based rate is contrary to the principles of managed care and could result in violation of federal law related to rate setting methodology.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1052**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1052 without my signature.

This bill would require that drugs approved by the federal Food and Drug Administration for the treatment of acquired immune deficiency syndrome (AIDS) or human immunodeficiency virus (HIV) be added to the drug formularies of Medi-Cal managed care plans.

The Department of Health Services already makes available through either Medi-Cal managed care plans or the Medi-Cal fee-for-service program all drugs approved by the federal Food and Drug Administration for the treatment of persons infected with AIDS or HIV. This practice allows the department to respond immediately to the release of any new drugs approved for this disease. Although the intent of this bill was to codify existing practice, this bill creates new processes

and policies not now employed by the Department. These processes could delay access to new approved drugs.

This bill, while well intended, would have the opposite effect of its intended goal.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1059**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1059 without my signature.

This bill would require health care service plans and disability insurers that provide health insurance benefits to employers to offer coverage for domestic partners of employees.

Domestic partner health benefit coverage is an issue that is more appropriately left to negotiations between employers and employees. This coverage is available for both large and small employers who wish to provide the benefit, as evidenced by the many employers who choose to do so.

This bill would also increase the cost of health insurance. No definition for "domestic partner" is provided. Accordingly, almost any person living with a covered employee would be eligible for benefits. Coverage would not only be extended to the relationships contemplated by the author, but also to roommates and heterosexual couples who live together but do not marry. This will increase the cost of insurance because premium rates for dependent coverage are based on stable family relationships. The lack of a definition for "domestic partner" lends itself to instability, fraud and adverse selection.

Most importantly, this bill is clearly only the beginning of the domestic partnership debate. Enactment of this bill would likely result in more extravagant domestic partner legislation that uses these insurance coverage provisions as a precedent for "domestic partner" rights which are currently allowed for only traditional family members.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1070**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1070 without my signature.

AB 1070 would prohibit a public agency from requiring contractual indemnity provisions in a public works contract which requires design professionals, including engineers and architects, to defend, indemnify, or hold harmless the public agency from any liability, damages, and litigation costs, including attorney's fees, except for damages and liabilities caused by the negligence, recklessness, or willful misconduct of the design professional.

Current law, Civil Code section 2782, does not permit public agencies to require contractors or design professionals to indemnify the public agency in a construction contract against liability for damages arising from the sole negligence or willful misconduct attributable to the

public entity. This bill would further limit public agencies by prohibiting the public agency from requiring design professionals in a construction contract to agree to indemnify the public agency against liability for the design professional's own errors and omissions which do not rise to the level of negligence, recklessness, or willful misconduct.

No design is likely to be perfect. The law acknowledges that some errors or omissions will occur in the work of even the most competent professional. Such imperfection does not necessarily constitute negligence, but sometimes results in additional public costs. When addressing liability for what may be described as innocent mistakes, it does not appear to be an affront to common decency for the parties to contractually agree to shift the burden of responsibility for correcting these errors to the design professional who created them. At the very least, the State should exercise caution before declaring that such agreements are contrary to public policy in all circumstances. Design professionals and public agencies should have the contractual flexibility to negotiate agreements allocating risk between themselves without undue statutory impediments.

Indeed, last year, in response to concerns that design professionals did not have ample opportunity to consider the terms of public works indemnification agreements, I signed AB 994 (Sweeney, ch. 722, 1997), which provides that in contracts for architectural design services over \$10,000, any indemnification clause must be disclosed in the request for bids and set forth in bold type. This bill, addressing the same concern, was introduced before AB 994 became operative, on July 1 of this year and is, at best, premature.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1712**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1712 without my signature.

This bill would validate the property tax allocation to the Educational Revenue Augmentation Fund (ERAF) from four fire districts in Santa Clara County in fiscal years 1993–94 through 1996–97, inclusive, and the misallocation from one library district in San Joaquin County in 1992–93.

The allocation errors in Santa Clara County were discovered by an internal audit and have been corrected prospectively. Without legislative relief, the affected fire districts must repay the ERAF approximately \$11 million. While I am not unsympathetic to the impact this miscalculation will have on the affected fire districts, I am generally opposed to the forgiveness of audit exceptions in property tax allocation audits. However, I have directed the Department of Finance to negotiate a repayment schedule that will not impair the ability of the affected fire districts to continue to deliver their vital public safety services without undue hardship.

I am less sympathetic to the provision affecting San Joaquin County. It is my understanding that the misallocation of property taxes from this library district was fixed in 1993–94 on a prospective basis. However,

the county chose not to correct the 1992–93 amount of \$291,000. Forgiveness is not a proper response for intentional wrongdoing.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1748**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1748 without my signature.

This bill would establish the California Osteoporosis Prevention and Treatment Education Program within the Department of Health Services for purposes of informing and educating the public about osteoporosis. The bill would appropriate \$250,000 for the Program.

Osteoporosis is a serious, under-recognized public health problem. Only 23 percent of those afflicted are aware of their condition. However, the \$250,000 appropriation is clearly inadequate for the comprehensive nature of this Program. In addition, the Department already has the authority to establish an osteoporosis prevention and treatment education program. Accordingly, I am directing the department to explore developing an osteoporosis treatment and education program. Adequate funding should be obtained through the annual budget process.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1870**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1870 without my signature.

This bill would require employers to allow employees to use up to two weeks of Family Rights Act leave to care for a child who is unable to attend school or day care for health reasons.

The California Family Rights Act (CFRA), legislation that I signed into law, provides qualifying employees with up to 12 weeks of leave per year for their own "serious health condition," to care for a parent, spouse or child who has a "serious health condition," or to give birth to or bond with a newborn or adopted child.

This bill would amend the CFRA to allow qualifying employees to use two of the 12 weeks to stay home with a child who suffers from a routine childhood illness.

While I support family values and empathize with the challenges faced by working parents, this bill would expand the CFRA well beyond its original scope. CFRA was intended to provide job protections to parents of **seriously or terminally ill** children to alleviate the burden of having to choose between salvaging their job and caring for a child under horrific circumstances. This bill would place an onerous burden on business by requiring qualifying employers, in essence, to provide an alternate form of day care when an employee's child does not meet the school's health standards for attendance. While I encourage employers to voluntarily provide time off to parents whose children catch routine

colds and flus, it would be unfair to impose such a requirement on businesses that face their own set of challenges.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1873**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1873 without my signature.

This bill would require the Department of Health Services to establish a Type 1 Diabetes working group charged with developing an integrated treatment program for children with diabetes.

Given the work already underway in the Department, and the current authority vested in the Director to undertake appropriate actions related to diabetes management, this bill is unnecessary.

The Department of Health Services currently administers a Diabetes Control Program which provides diabetes surveillance, education and explores appropriate avenues for improving diabetes statewide. This program also has the ability to bring in experts as necessary to obtain expertise in diabetes diagnosis, treatment or education. The Department of Health Services is also conducting a project to demonstrate the effectiveness of intensive case management of the Medi-Cal population. Initial findings indicate high success with the proper management of patients with diabetes.

Over 15,000 children in California are diagnosed with Type I diabetes. The average lifetime cost for a child diagnosed at age three is \$600,000. The cost to their quality of life, however, cannot be measured. Therefore, I am directing the department to convene appropriate experts to explore public and private strategies that can be implemented to reduce the burden of diabetes in California.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1911**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1911 without my signature.

This bill would provide that emergency services and care are deemed medically necessary and covered under the Medi-Cal program without prior authorization.

The Medi-Cal program already covers emergency services without prior authorization if the provider later establishes the emergency services are medically necessary. This bill would prevent the Medi-Cal Program from ensuring that only medically necessary emergency services are provided and will result in substantial General Fund cost increases. In 1997, more than \$41 million in medically unnecessary services were identified. An appeal process is currently available to ensure that providers are properly reimbursed.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2105**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2105 without my signature.

This bill would establish a Department of Water Resources Emergency Subaccount in the Disaster Response-Emergency Operations Account (DREOA), and would transfer \$5 million from the Reserve for Economic Uncertainties (General Fund) to the Subaccount. This bill would extend the DREOA sunset date from July 1, 2000 to July 1, 2010, and would authorize the Department of Water Resources (DWR) to encourage, review and use flood-fighting plans developed by local agencies.

Under the Natural Disaster Assistance Act (Government Code 8645 et seq.), the Director of Finance is authorized to allocate funds from the DREOA to state agencies for disaster operation costs incurred as a result of a Gubernatorial declaration of emergency. Those funds are available to fund activities related to any natural disaster. The creation of a separate fund specifically for flood control related activities is unnecessary, and would not result in faster deployment of State resources to aid local agencies.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2183**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2183 without my signature.

This bill would expand the definition of an intermediate care facility/developmentally disabled-nursing (ICF/DD-N) to include facilities that provide nursing supervision and treatment for persons with developmental disabilities requiring continuous care. It also would require the Department of Health Services to develop Medi-Cal ICF/DD-N rates for this new level of service.

This bill is premature. The 1998 budget contains provisions for conducting research to create a new regulatory framework and rate structure that will assure delivery of necessary levels of nursing and habilitative services in these types of facilities. Until this research is completed, it is difficult to judge whether an ICF/DD-N will provide the level of monitoring or direct care necessary to best serve the needs of individuals who require continuous care.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2404**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2404 without my signature.

This bill would Enact the Sea Life Conservation Act, which would require the Department of Fish and Game (Department) to prepare, or contract for the preparation of a study that identifies necessary modifications to existing marine managed areas (MMAs) and sea life reserves. The bill would require the Fish and Game Commission (Commission), on or before January 1, 2002, to adopt a plan to redesign and manage California's MMA's, following submission of the plan to the Joint Committee on Fisheries and Aquaculture for their review and comment. Once the plan is adopted, the Commission would be vested with the authority to regulate the taking of fish for any purpose, including commercial fishing, within an MMA.

This bill is unnecessary. The Resources Agency is the lead agency for the Marine Managed Areas Project Interagency Workgroup, whose goal is to make recommendations for changes in the existing sea life reserve system. This intergovernmental/academic approach was recommended in California's Ocean Resources: an Agenda for the Future, the Administration's strategy for the protection and management of California's ocean ecosystem, released in March of 1997. This interdisciplinary group is in the process of completing a report containing recommendations to improve the existing system of MMAs to develop a more effective and efficient consolidated system. Duplicating existing activities should be avoided rather than required where they will serve no useful purpose.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2522**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2522 without my signature.

This bill would subject the state to specific provisions of the Labor Code governing the payment of overtime wages. This bill would also authorize the Department of Industrial Relations, Division of Labor Standards Enforcement to investigate violations of those provisions.

Current law exempts the state from the application of specified provisions of the Labor Code regarding the payment of overtime wages. Overtime pay is required, however, by the Fair Labor Standards Act (FLSA). Overtime pay provisions are also contained in collective bargaining agreements. The appropriate agency for the enforcement of overtime pay requirements under the FLSA is the United States Department of Labor, Wage and Hour Division, not the state Labor Commissioner's Office.

This bill unnecessarily creates conflicting authorities and duplicates existing remedies for the enforcement of overtime pay. In the event of overtime wage disputes, state employees may take advantage of remedies already available under the FLSA or through the grievance

procedures provided in their collective bargaining agreements. The legislative creation of multiple overlapping enforcement options is not the answer.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2592**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2592 without my signature.

This bill would establish the Breast Cancer Treatment Program within the Department of Health Services to provide breast cancer treatment services to uninsured and underinsured women with incomes at or below 200 percent of the federal poverty level. The bill would also allow Program funds to be used to subsidize premiums for participants in the Major Risk Medical Insurance Program (MRMIP) in lieu of treatment provided by the Program.

Funding for this program was deleted from the 1998–99 Budget Act because it represented the first use of General Fund monies to provide breast cancer treatment services to women above entitlement-income thresholds for Medi-Cal. The augmentation would have been insufficient to address the anticipated program costs or to keep pace with treatment demands if the programs were so expanded. Similarly, this bill would expand these services above entitlement-income thresholds for Medi-Cal and would create General Fund pressure to keep pace with expanding treatment demands.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2598**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2598 without my signature.

This bill would establish the Foster Children's Health Care Services Act to provide a comprehensive foster care Medi-Cal benefit package and make various changes to Medi-Cal eligibility for foster children. The bill would also require the Health and Welfare Agency to coordinate services for foster children including creating an Interagency Coordination Council for Foster Care.

Medical care is currently available to all foster care children through a county eligibility process that is required by federal law to be completed within 45 days. The need for urgent medical attention is also available immediately with an "immediate need" Medi-Cal card.

I appreciate the need for special attention to the health care needs of this group of vulnerable children, but I do not believe that this bill will significantly improve existing procedures. The Departments of Social Services, Health Services and Mental Health should continue to work together to ensure the county welfare departments, foster care parents and caregivers are provided all the necessary information to take

advantage of the existing benefits available to foster children to ensure they receive medical care in a timely manner.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2739**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2739 without my signature.

This bill would authorize a public entity to require each prospective bidder for a public works contract to complete both a standardized questionnaire and financial statement and would define the term "responsible bidder" for public works contract purposes.

While I agree that the provisions in this bill might eliminate some ambiguity in existing public works contracting law as it relates to responsible bidders, this bill has the possibility of limiting the number of otherwise qualified contractors bidding on public works contracts, potentially disadvantaging many small businesses and their employees. Since there has been no demonstrated problem with the current public works contracting process, the changes required by this bill appear unwarranted.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 30th day of September 1998, at 12:10 p.m., of Assembly Bills Nos. 15, 146, 332, 423, 462, 468, 750, 818, 1052, 1059, 1070, 1712, 1748, 1870, 1873, 1911, 2105, 2183, 2404, 2522, 2592, 2598, and 2739 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 20**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 20 without my signature.

This bill would implement a federal optional Medicaid benefit, increasing the Medi-Cal income threshold to 250 percent of the federal poverty level for working disabled persons who must meet the federal definition of disabled and are otherwise Medi-Cal eligible.

Last year I vetoed a similar bill (AB 1099, Migden) because the expansion was not authorized by federal Medicaid law and thus would have created a state-only program. Since then, Congress passed the Balanced Budget Act of 1997 granting states the option of providing Medicaid to disabled working individuals who would not qualify otherwise.

While this bill would not expand a state-only program and the intent is consistent with my principles and policy of encouraging individuals to move from public assistance to work, the General Fund costs of this

program could be as high as \$27 million. This estimate does not include the approximately 450,000 disabled individuals who are not currently connected to any federal or state health plan that could be eligible for this program. While it is unlikely that all those individuals would be eligible or interested in the program, the potential price tag of the program is staggering.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 424**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 424 without my signature.

This bill would create a scholarship program administered by the California Student Aid Commission for foster youth to attend a higher education institution.

Under current law, the California Student Aid Commission, California State University, and California Community Colleges provide college and financial aid outreach to emancipated foster youth in order to encourage and assist them in attending a higher education institution. Furthermore, there are substantial state and federal financial aid programs available to all financially needy students.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 209**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 209 without my signature.

This bill would appropriate \$40,000 to establish a Drug Court Treatment Program pilot project in the cities of Ontario and Rancho Cucamonga in San Bernardino County.

Earlier this day, I signed SB 1587 (Alpert), the Drug Court Partnership Act, which appropriates \$4 million for grants to counties that develop and implement drug court programs. These grants are awarded on a competitive basis. San Bernardino County is encouraged to apply.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 805**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 805 without my signature.

This bill would appropriate \$2,500,000 to the Department of Forestry and Fire Protection (CDF), to reestablish a minimum security conservation camp at Green Valley in Sacramento County.

While supportive of the conservation camp program, the need to reestablish this camp has not been demonstrated. Moreover, estimates

from both CDF and the Department of Corrections indicate that the reestablishment of this camp would cost between \$3.9 and \$4.5 million, with \$1 million annual operating costs. Considering CDC's current need for maximum security prison beds, this measure is not necessary.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1110**

Governor's Office, Sacramento

September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1110 without my signature

This bill would prohibit the Commission on Judicial Performance from investigating or imposing discipline on a judge "solely on the basis of a judicial decision or an administrative act found to be incorrect legally" or on the basis of "[a] dissenting opinion in an appellate case which does not adhere to precedent set by a higher court . . . ." Notwithstanding the foregoing, the bill also provides that it should not be "construed to affect the application of any of the Canons of the California Code of Judicial Ethics," suggesting that the contradictory purpose of this bill is either to do nothing or to prohibit discipline of certain judicial actions which violate the Canons of the Code of Judicial Ethics

The bill is unconstitutional, largely unnecessary, overly broad, and an inappropriate effort to interfere with a single proceeding concerning a particular judge.

First and foremost, the bill is unconstitutional. Under the California Constitution, the Legislature is not authorized to restrict (or expand) the types of judicial conduct which constitute a basis for discipline. Proposition 190 was approved by the voters in 1994 and provided as part of Article VI, section 18 of the California Constitution that the "Supreme Court shall make rules for the conduct of judges, both on and off the bench," and that the Commission on Judicial Performance may discipline a judge for willful misconduct, persistent failure or inability to perform the judge's duties, habitual intemperance in the use of intoxicants or drugs, conduct prejudicial to the administration of justice that brings the judicial office into disrepute, or improper action or dereliction of duty. *See* Cal. Const. Art. VI, sec. 18(m), (d). The Legislature has no authority to restrict the *constitutional* scope of misconduct under Article VI, section 18, or to restrict the Commission's power to discipline under that same article.

Under the Constitution, it is the Supreme Court that is to make rules for the conduct of judges, and it is the Commission that may discipline a judge for misconduct, which determination may be reviewed by the California Supreme Court. Where the judicial branch is to share power with the Legislature in promulgating rules, the Constitution has so stated, as in the case of the Judicial Council's right to adopt rules for court administration, practice and procedure. In that case, the Constitution provides that these rules shall "not be inconsistent with statute." *See* Cal. Const. Art. VI, section 6. The Constitution does not provide a similar sharing of power here.

To those judges who support this bill because it reduces the scope of judicial acts subject to discipline, keep in mind that if the Legislature

has the authority to make such rules, it can just as easily make rules that expand the types of judicial acts subject to discipline, which can raise serious separation of powers issues.

Second, the bill is largely unnecessary. It would bar the Commission on Judicial Performance from imposing discipline “on the basis of a judicial decision or an administrative act found to be incorrect legally” or a dissenting opinion which does not adhere to the precedent set by a higher court. Canon I of the California Code of Judicial Ethics already provides that “[a] judicial decision or administrative act later determined to be incorrect legally is not itself a violation of this Code.”

However, whereas the Code of Judicial Ethics provides that a judicial decision or administrative act later determined to be incorrect legally does not alone constitute a violation, this bill would appear to bar discipline for even those decisions or acts that are intentionally or knowingly incorrect. Thus, the bill is overbroad. For instance, the bill would appear to excuse a judge who acts well beyond his or her authority, such as directing a jury to return a guilty verdict in a criminal action, on the grounds that the judge cannot be disciplined for a legally incorrect decision—although the California Supreme Court has previously concluded that this constitutes willful misconduct. See *McCullough v. Commission on Judicial Performance*, 49 Cal.3d 186, 192 (1989).

Finally, this bill is an inappropriate effort to interfere with a single proceeding against a particular judge. This bill was a direct response to the institution of formal proceedings by the Commission on Judicial Performance concerning Justice J. Anthony Kline’s conscious refusal in the case of *Morrow v. Hood Communications, Inc.*, 59 Cal. App. 4th 924, 927 (1997), to adhere to a precedent established by the California Supreme Court. In his dissenting opinion in *Morrow*, Justice Kline stated that he could not “as a matter of conscience apply the rule announced [by the California Supreme Court] in *Neary [v. Regents of the University of California]*, 3 Cal. 4th 273 (1992),” which permitted parties to stipulate to a reversal of a trial court judgment. A spirited debate, particularly in the legal and judicial community, has followed the institution of formal proceedings by the Commission. However, it should be clear that the issue which has given rise to this bill is not a simple error in legal analysis, but a willful decision by a lower court judge to refuse to comply with the law established by a higher court. The sponsors of this bill apparently believe that the proposed legislation will protect Justice Kline because Justice Kline has publicly argued that his willful refusal to comply with the law constitutes at most an error of law over whether the law permits a willful refusal to follow the law under the circumstances here. Whether this refusal rises to the level of misconduct or warrants any form of discipline must be left to the Commission’s proceedings, and possibly the California Supreme Court, but this issue—which goes to the heart of the role of an inferior court judge in our judiciary—should not be shortcut by an unconstitutional enactment.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1469**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1469 without my signature.

This bill would enact the Taxpayer Bill of Rights which conforms to a number of provisions of recently enacted federal legislation.

While I am supportive of most of the provisions of this bill, I cannot support at this time one section which will alter the water's edge determination for multinational corporations. This provision was added to the bill late in the legislative session, with little or no policy debate. It could have a negative affect on the California business community, and has the potential to result in a tax increase.

I call on the Legislature to move swiftly next year to enact the Taxpayer Bill of Rights, and to fully evaluate and debate the water's edge provision.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1596**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1596 without my signature.

This bill would include specified classifications, including criminalists and latent print analysts at the Department of Justice, in the state safety retirement membership category.

Current law requires a determination that the duties of a classification meet the requisite criteria for safety retirement and that this enhanced benefit be agreed to in collective bargaining. Neither condition has occurred.

Although the state and the employee organization have been engaged in collective bargaining for over three years, this issue has never been proposed. Moreover, neither the employee organization nor the Department of Justice has asked the state to study these classifications for inclusion in safety retirement.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1663**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1663 without my signature.

This bill would enact a statewide public health reporting system for Human Immunodeficiency Virus (HIV) using a unique identifier method that does not report the name or any other identifying information about the person infected. This bill would also increase

civil penalties for violating existing confidentiality laws related to Acquired Immunodeficiency Syndrome (AIDS) and HIV public records.

California is one of only nine states that does not track HIV infection. California law, however, does require that persons with AIDS, and approximately 80 other diseases, be reported by name to the Local Health Officer.

Tracking the HIV/AIDS epidemic using only AIDS case data tells us where the epidemic was ten years ago, but not what is currently happening or where the epidemic is headed. The new AIDS drugs are delaying the onset of AIDS and thus delaying AIDS case-based epidemiological information. In contrast, HIV infection reporting would provide far more timely information about where and how new infections are occurring so that education and prevention efforts can be effectively targeted at high-risk populations and communities. Furthermore, HIV reporting would give a much better estimate of the population in need of care and treatment services, especially for those who have yet to develop AIDS.

Public health officials and physicians are divided on the best way to report HIV infection. The author and supporters of this measure argue that reporting HIV test results by name will deter individuals from seeking testing or medical care. However, The National Centers for Disease Control (CDC) found that HIV name based reporting systems resulted in less than a 2 percent decline in the number of those seeking HIV testing.

Concerns over confidentiality and discrimination should not be used to justify an inadequate reporting system. Existing law ensures confidentiality and protects those with HIV or AIDS from discrimination. Health and Safety Code Section 120980 provides that the result of an HIV test may not be disclosed to any third party absent written authorization. The California Fair Employment and Housing Act and regulations prohibit discrimination in employment or housing. The Unruh Civil Rights Act prohibits discrimination by business establishments and discrimination in the use of public accommodations. Most importantly, Health and Safety Code Section 120980 prohibits using the results of an HIV test for determining an individual's eligibility for employment. Thus, any further concerns over privacy and discrimination do not warrant designing a reporting system that does not adequately provide for partner notification. Irrational concerns over privacy should not interfere with what must be our highest priority, interrupting the chain of HIV transmission.

Thirty states are successfully using a name based HIV reporting system while only two states, Maryland and Texas, use a unique identifier based system similar to this bill. The CDC found that the Maryland and Texas systems had so many inaccurate and incomplete reports that it was difficult to obtain useful data and to trace and notify partners of possible HIV infection. As a result of these significant defects, Texas is abandoning its unique identifier based system in favor of a name based HIV reporting system.

California is now experiencing a dramatic increase in HIV infections among lower-income and minority women. These are preventable infections resulting from partner contact and intravenous drug use. We know, from our experience with the 80 other reportable, communicable diseases, that we can minimize the exposure and deaths resulting from

this terrifying disease. We must not ignore the experience of 30 other states and implement an inadequate HIV reporting system that, in the end, will result in tragic consequences.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1687**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1687 without my signature.

This bill would require any school district that applies for funding under the Leroy F. Greene Act of 1998 for the construction or modernization of a school building to include an automatic fire detection and alarm system.

All school sites are currently required to have fire alarm systems. To ensure that funding is available for both the construction of new schools, and modernization of older schools, I recently signed Senate Bill 50, a comprehensive school facilities bond and building program reform measure. For new schools, school districts will be able to choose from all available technology, the best fire detection and alarm systems. For older schools, districts will have to ensure the existing detection systems are properly updated or replaced. And the new school building program provided by SB 50 will provide districts with greater local decision making and control over the design and construction of school building projects. Districts now will receive a block grant for school construction, which will allow districts to use school building funds for fire safety improvements, which could include the fire safety systems proposed in this bill.

While I encourage all districts to install the most effective fire detection systems as part of new school construction and modernization, I believe that the state role is to provide districts with financial assistance so that they can use funds to best meet priorities as determined locally.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1724**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1724 without my signature.

This bill would require the Department of Social Services to establish a three-year pilot project to test the efficiency and cost effectiveness of an alternative group home program structure for up to 600 children in need of specialized services.

Consistent with my concerns about the foster care program, the Health and Welfare Agency, in cooperation with the Department of Social Services and other various stakeholders, are in the process of re-examining the role of group care in order to develop requirements that will ensure children are placed in permanent and stable environments while meeting their special needs. This process will also result in assessing the rate structure for the group homes. The results of

this re-examination is expected to be released by April, 1999 with the goal that the proposal can be implemented in the budget. The Department of Social Services is also implementing the Child Welfare Demonstration Project recently approved by the federal Department of Health and Human Services for innovative services for children that will include group homes.

This bill addresses goals similar to the activities already underway but also creates a potential General Fund liability by allowing a county to implement a project without cost controls with the state responsible for over expenditures.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1738**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1738 without my signature.

This bill would require the Director of the Office of Emergency Services to administer a competitive contracting process for selection of an entity to serve as the state's Disaster Mitigation Center for a three-year period. This bill appropriates \$1 million from the General Fund for funding the bill in 1998–99, contingent upon the receipt of \$1.5 million in federal matching funds.

Notwithstanding the merits of this bill, it is more critical that the State have a two percent reserve.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1864**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1864 without my signature.

This bill would, among other provisions, increase various Political Reform Act monetary threshold limits and codify the current law on "aiding and abetting" liability.

There is no question that the adjustments this bill would make to the limits and threshold amounts in the Political Reform Act—which have generally remained unchanged since 1974—are long overdue. Indeed, I would have signed a separate bill containing only these adjustments. Raising the threshold limits to a realistic level is a worthwhile goal that the Legislature should, in its next session, pursue.

However, this bill would also codify a flawed provision setting the contours of liability for those who "aid and abet" others to violate the Political Reform Act. As currently drafted, the bill arguably would immunize from criminal prosecution the very class of aiders and abettors most culpable of criminal conduct: those who purposefully cause others to violate the Political Reform Act. Moreover, the bill would arguably codify a wholesale exemption from criminal prosecution for those with filing obligations under the Act, preventing

the criminal prosecution of even those filers who have acted with criminal intent—or, in some cases, gross negligence.

It is incumbent on the Legislature to augment the current law on aiding and abetting by enabling the vigorous enforcement of California's Political Reform Act against intentional violators, irrespective of whether they have filing obligations. At the same time, the Legislature ought to craft the same common sense exemption—as exists in the current law and is carried in the present bill—from criminal liability for those who provide advice that is innocent but incorrect.

Rather than sign this bill and begin a piecemeal process of fixing aiding and abetting liability under the Political Reform Act, the Legislature should define such liability by spelling out with sufficient clarity: who is covered; for what type of conduct; and what civil and/or criminal penalties apply.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1945**

Governor's Office, Sacramento

September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1945 without my signature.

This bill would validate the property tax allocation to the Educational Revenue Augmentation Fund (ERAF) for the Santa Clara County Central Fire District in fiscal years 1993–94 through 1996–97, inclusive.

The allocation errors in Santa Clara County were discovered by an internal audit and have been corrected prospectively. Without legislative relief, the affected fire districts must repay the ERAF approximately \$2.7 million. While I am not unsympathetic to the impact this miscalculation will have on the fire district, I am generally opposed to the forgiveness of audit exceptions in property tax allocation audits. However, I have directed the Department of Finance to negotiate a repayment schedule that will not impair the ability of the district to continue to deliver its vital public safety services without undue hardship.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1961**

Governor's Office, Sacramento

September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1961 without my signature.

AB 1961 would create a state hearing process in which custodial and non-custodial parents are permitted to air complaints relating to the accounting, distribution, and arrearage calculations for child support collections by county district attorneys. County district attorneys are required to collect child support payments on behalf of children who are receiving public assistance and every other child for whom those services are requested.

District attorneys are subject to federal and state program compliance audits. Their funding is dependent upon compliance with federal and

state regulations. A state hearing process for child support collections would create a heavy additional burden on the State and counties, diverting child support enforcement resources to activities to support the hearing process.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1988**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1988 without my signature.

This bill would require that a foster parent be given written notice of, and be entitled to attend, all juvenile court dependency proceedings involving a foster child in the foster parent's care, unless the child or the child's attorney objects. The bill would require that a social worker or other duly appointed person include information obtained from the foster parent in the report to the court and that the foster parent receive a summary of recommendations for disposition submitted to the court.

I am supportive of the policy contained in this measure. Notwithstanding the merits of this bill, it is more critical that the State have a two percent reserve. I hope that a future Legislature and Governor will reconsider this bill in the future depending on available resources.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2491**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2491 without my signature.

This bill would require the Attorney General to prepare a report that documents any complaints of formal charges of redlining and examines the impact of a standardized credit scoring system used by financial institutions.

This bill is unnecessary. Existing law, the "Holden Act," prohibits discrimination in housing lending. The Secretary of Business, Transportation and Housing enforces the Holden Act and has issued regulations which provide for the monitoring of lending patterns. The regulations also provide a procedure for applicants, who believe they have been discriminated against, to file a complaint.

In addition, the federal Department of Justice and the Department of Housing and Urban Development examine lending and financial information reported pursuant to the Home Mortgage Disclosure Act to determine if a pattern of lending is in fact redlining.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2534**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2534 without my signature.

This bill would constrain general contractors to withhold only that percentage, or less, in retention proceeds from a subcontractor that is being withheld by the principal, whether public or private; and would apply these provisions to all contracts for the construction of any work of improvement entered into on or after January 1, 1999. These provisions would not apply to subcontractors who do not provide payment or performance bonds, and would not apply to retention withheld by lenders per construction loan agreements.

Earlier this year I signed AB 2084 which will effectively authorize a standard for public works projects equivalent to the universal standard proposed by this bill.

Public agencies and public utilities are held to levels of practice which are often stricter and less flexible than those which apply to the private sector. This is sometimes necessary to ensure that the public trust and public dollars are protected. Mandatory notice, competitive bid and low bid requirements fit the public but not private model. The public must strive to treat each citizen in an antiseptically equal manner—all like situated taxpayers and ratepayers must pay the same rate, all eligible contractors must be given an opportunity to submit the lowest bid.

In the private sector preferred or long term customers often receive lower prices. Those with the best credit pay less interest. Contracts can be awarded to the highest bidder or without any bid process at all. While government should often seek to imitate the private sector, the private sector should rarely seek to imitate government. More often than not when government intrudes into the private sector it imposes mandates which burden and impede the flexibility and profitability of private business.

Occasionally, it is appropriate for the state to intervene. In this instance, however, the size of retentions can be freely negotiated. In those cases where the new state standard can be equitably applied to private contracts it should be mirrored not mandated.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2725**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2725 without my signature.

This bill would establish a Governor's Commission on a Central California Veterans Home consisting of 12 appointed and ex officio members to advise the Governor and the Legislature, as specified, on the establishment of one or more veterans homes in central California. The bill would repeal these provisions as of January 1, 2000.

I support the establishment of veterans facilities when need can be demonstrated. The second of four authorized Southern California Veteran Homes is currently under construction. Current law require that

demand be demonstrated for a third and fourth facility in Southern California before those projects, or any additional projects, may proceed. Further, since veterans from all geographic locations across the state can reside in any of the state's homes, statewide capacity would have to be challenged before additional construction would appear prudent. AB 2725 is premature.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2744**

Governor's Office, Sacramento  
September 29, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2744 without my signature.

This bill would require the Department of Social Services to initiate a three-year pilot project aimed at implementing and testing a reimbursement rate methodology for group homes that specialize in providing substance abuse treatment through a therapeutic community model. The bill would require project participants to include group homes licensed by the department and certified by the Department of Alcohol and Drug Abuse as providers of residential drug and alcohol services.

Consistent with my concerns about the foster care program, the Health and Welfare Agency, in cooperation with the Department of Social Services and other various stakeholders, is conducting a comprehensive re-examination of group care for foster children in the out-of-home placement program. Included in this review is an assessment of design, rates and ratesetting. The results of this re-examination is expected to be released by April, 1999 with the goal that the proposal can be implemented in the budget.

This bill addresses goals similar to the activities underway which should be completed before making narrow rate classification changes such as those proposed in this bill.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2791**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2791 without my signature.

This bill, an urgency measure, would implement the county fiscal relief associated with county maintenance of effort (MOE) payments for trial courts in 1998–99, rather than 1999–00, and appropriate \$113.7 million to the Trial Court Trust Fund to backfill the loss of revenue in 1998–99 resulting from this fiscal relief and advancing agreed to MOE adjustments to fiscal year 1998–99 rather than fiscal year 1999–00. This bill would also amend the date on which counties

are required to remit the fourth quarter MOE payments to the Trial Court Trust Fund.

Notwithstanding the merits of this bill, it is more critical that the State have a two percent reserve.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 30th day of September 1998, at 4:20 p.m., of Assembly Bills Nos. 20, 424, 209, 805, 1110, 1469, 1596, 1663, 1687, 1724, 1738, 1864, 1945, 1961, 1988, 2491, 2534, 2725, 2744, and 2791, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 964**

Governor's Office, Sacramento

September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 964 without my signature.

This bill would require the Integrated Waste Management Board (IWMB) to submit a report to the appropriate fiscal and policy committees in the Legislature describing its expenditures for grants, loans and contracts under the tire recycling program. The bill would also allow the IWMB or its contractor access to sites where tires are being stockpiled illegally, after the IWMB has issued a civil liability order and made a finding that the site represents a significant threat to public health or the environment.

This bill is unnecessary. The information describing expenditures under the tire recycling program is public information that is already provided through the budget process. If members of the Legislature are interested in more detail about such expenditures, all they need to do is ask.

Similarly, authority to restrict activities on, and gain access to, property representing an imminent threat to the public health or environment already exists. The Department of Justice routinely files, and obtains such orders on behalf of government agencies when an imminent threat to public health can be established. Those orders can be obtained in a matter of days. The process outlined in this bill, which requires the IWMB to issue an administrative civil liability order before gaining access to the property, will take at least five months, or as long as 19 months. This bill does nothing to provide additional tools to the IWMB to address imminent threats to the public health or environment, but it does expand the administrative authority of the IWMB and erode the Constitutional rights of property owners.

It might be appropriate for the IWMB to possess additional authority to remediate environmental threats through the use of inspection warrants. This is the existing mechanism available to other environmental agencies such as the Department of Toxic Substances

Control and the State Water Resources Control Board. Such a mechanism would provide for Constitutional considerations, but essentially accomplish what the author seeks under this bill.

Public awareness of stockpiled tires, and the environmental threats posed by such sites, is heightened because of the recent Royster tire pile fire in Tracy. It is worth noting that the Royster tire pile was in existence for more than a decade, ample time under even the lengthiest legal process to obtain site access to use state resources to stabilize and remediate this tire pile. Unfortunately, the State was engaged in a protracted legal battle with the owner of the site over the fundamental question of his need for a permit. However, existing statute provides the independent IWMB the authority to take appropriate remedial action, and, in fact, legal proceedings to gain access to the property were instituted just prior to the accidental fire that occurred in Royster.

Today I have signed Assembly Bill No. 117, which will provide for an extension of the 25-cent tire fee consumers pay when they purchase new tires. The revenue generated from this fee is intended to address the environmental consequences of tires being generated every year in California and so-called legacy, or stockpiled, tires. I have directed the IWMB to focus its attention on remediation of stockpiled tires. Assembly Bill No. 117 also calls for a study, which, in part, will address the strategies necessary to eliminate stockpiles of tires. The authors of that report must look critically at the question of site access to remediate stockpiled tires, but those who research this question must also consider existing authorities because those authorities are adequate to the task of protecting public health and the environment from imminent threats, if they are appropriately pursued. The use of inspection warrant, is the most expeditious remedy to seek additional assurances that site access can be obtained for the purposes of cleaning up other sites.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 422**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 422 without my signature.

This bill would, among other provisions, exempt quarter horse associations from paying to the state the eight percent license fee imposed for wagering on interstate simulcasting, allowing instead that amount to be distributed to the official registering agency for quarter horse racing.

I have consistently supported efforts to provide substantial tax relief to this industry to ensure its continued competitiveness. Recently, I signed Senate Bill 27 (Maddy), that will provide approximately \$40 million annually in tax relief to the horse racing industry. Therefore, additional tax relief at this time is unwarranted.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 542**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 542 without my signature.

This bill would require Caltrans to consult with intercity bus companies on feeder bus service provided for intercity rail passengers under California's intercity rail program. Additionally, the bill prohibits the department, after January 1, 2003, from funding bus service parallel to state-funded rail routes and from providing bus service to intercity bus passengers.

While this bill seeks to restrict subsidized competition and save tax dollars, I am concerned that it will severely limit the intercity rail program. Bus feeder routes are awarded to the lowest bidder, which enhances competition between private sector providers. Intercity rail serves a specialized market that is significantly different from intercity bus services. The success of this program relies on the dedicated feeder system. If these services decline, ridership will decrease, requiring additional state subsidies to make up the losses.

Although I agree that the rail program should be competitive on a long-term basis with other modes of transportation, I am concerned that this bill would prematurely end the State's effort to build intercity passenger rail as a capacity addition to California's highways. The recently enacted budget includes funds for expanded service along existing rail lines to increase ridership on the Capitol Corridor (rail service to increase from four to six trains daily) and the San Joaquin Corridor (rail extension to Sacramento from Stockton). Ridership on these routes has increased 36 percent over the last five years, a trend I expect to continue.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 952**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 952 without my signature.

This bill would, among other provisions, eliminate the sunset that allows a portion of the amount payable on each dollar wagered on quarter horse racing to remain at five cents.

Current law (Business and Professions Code Section 19405) defines "breakage" as the odd cents by which the amount payable on each dollar wagered exceeds a multiple of ten cents. For quarter horse racing until January 1, 1999, "breakage" is defined as the odd cents by which the amount payable on each dollar wagered exceeds a multiple of five

cents. Under existing law (Business and Professions Code Section 19606.1) “breakage” is distributed as additional license fees, commissions, purses and the like.

This bill would remove the sunset to allow the “breakage” for quarter horse racing to remain at five cents. As such, less money would be distributed to the general fund and the two-tiered level of breakage that currently exists would remain.

I have consistently supported efforts to provide substantial tax relief to this industry to ensure its continued competitiveness. Recently, I signed Senate Bill 27 (Maddy), that will provide approximately \$40 million annually in tax relief to the horse racing industry. Therefore, additional tax relief at this time is unwarranted.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 954**

Governor’s Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 954 without my signature.

This bill would grant specified temporary employees a preferred right to reappointment by requiring notification by March 15 regarding the employment status in the next school year and by providing an appeal process to challenge a district’s intent not to rehire.

This bill limits the flexibility of local community college governing boards to employ temporary employees by requiring districts to make offers of reemployment driven by arbitrary statutory deadlines rather than student needs. This bill also imposes a new reimbursable state mandate on districts by requiring new employment monitoring and appeal processes.

This bill will hamper the ability of a community college district to respond to the educational needs of the communities they serve. Changing demand for occupational training requires that the colleges be able to expand or reduce faculty specialization rapidly. Community colleges need to preserve their ability to ensure the teaching faculty, they need to accommodate the changing educational needs of the persons who come to their institutions for instruction.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1205**

Governor’s Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1205 without my signature.

This bill would revise the definition of private postsecondary educational institutions and make technical and clarifying amendments to the Private Postsecondary and Vocational Education Reform Act.

AB 1205 would expand the Private Postsecondary and Vocational Education Reform Act to apply to institutions that operate administrative offices in California but do not solicit or enroll California residents in their programs. This provision elicits questions on how out of state institutions located in California are to be regulated and how

California institutions should be regulated if they have offices located in another state. There is no question that an institution located in California and offering educational services to California residents is subject to regulation by the Bureau of Private Postsecondary and Vocational Education (Bureau). However, if that institution only operates an administrative office in California and does not offer any educational services to California residents, it is appropriate that regulation be provided by the state where the institution is located.

It is my understanding that the Attorney General's office is currently working with other states on the appropriate regulatory relationship between California and states, especially given that technology has allowed these schools to offer distance learning through computers and other electronic means. Signature on this bill would therefore be premature.

I would note, however, that the Bureau has a duty to take action against any school with an administrative office in California that is misrepresenting itself to potential students as an approved California educational institution.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1381**

Governor's Office, Sacramento

September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1381 without my signature.

This bill would expand the number of child care agencies that would be eligible to lease state-owned portable classrooms purchased with state general obligation bond funding to include agencies that contract with school districts for the provision of extended day care services to school-aged children.

Last year, I supported the establishment of a child care facilities revolving loan program. The program was established with \$25 million and augmented with an additional \$13.3 million this year. This fund will be replenished through annual lease payments from providers who lease-purchase the portables overtime. Although the Department of Education has yet to allocate any funding under this program, I believe that when it is finally operable, this program will provide an ongoing funding source for child care facilities, thus eliminating the need for state school bonds for this purpose. Therefore, this legislation appears unnecessary.

I further note that this bill would create additional workload at the Office of Public School Construction at a time when we are attempting to streamline the state school facilities program.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1962**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1962 without my signature.

This bill would allow the California Coastal Commission to require a project applicant to hire a scientist or technical expert that is mutually agreeable to both the applicant and the Commission to provide expert testimony on project applications pending before the Commission. The bill directs the Commission to adopt guidelines relating to this process and to approve the guidelines via the Administrative Procedures Act.

This bill fails to identify standards or threshold requirements that the Commission would be required to consider prior to making a determination that independent review is necessary. This decision will be totally subjective on the part of the Commission. The bill requires the Commission to adopt guidelines addressing how the Commission will frame questions to the experts; how information must be communicated to the Commission, and what type of expert is required for particular projects. However, there is nothing requiring those guidelines to define the types of projects that will be subject to independent review, how the term "conflicting scientific information" will be defined, or to require the Commission to accept the information provided by an independent reviewer.

The process proposed by this bill would provide a hardship for most applicants by assuring increased costs—without guaranteeing better projects will result.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1967**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1967 without my signature.

This bill would eliminate the July 1, 1999 sunset date and amend the formula used to equalize home-to-school transportation funding. In addition, this bill would require the Office of the Legislative Analyst to study the issue of special education transportation services funding.

Home-to-school transportation funding has already been equalized. I see no reason to extend this formula. These provisions were intended to be temporary, and therefore, should be allowed to sunset. It should be noted that districts have received an abundance of support for this program. For example, districts and county superintendents of schools have been provided hundreds of millions of dollars in supplemental grant funding and general purpose revenue limit funding that could be directed to home-to-school transportation needs based on local priorities.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2398**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2398 without my signature.

This bill would augment the 1998 Budget Act by appropriating \$46 million to the California Community Colleges. Of these funds, \$11 million would be provided for a rate increase for non-credit courses on the basis of an equal amount per full-time equivalent student and \$35 million would be provided to equalize community college apportionments.

Whatever the merits of this bill, it is more critical that the State have a two percent reserve.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 822**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 822 without my signature.

This bill would appropriate \$300,000 from the General Fund to establish the Family Maintenance Health Care Pilot Project in Los Angeles County. The pilot project would address health concerns with regard to abused and neglected children who remain at home while participating in the Family Maintenance Program. It would identify these children and establish physician and staff education programs, case management, and a data tracking system.

I deleted an item from the Budget which would have required \$350,000 of federal Child Abuse Prevention and Treatment Act (CAPTA) funds to be dedicated to the same project AB 822 proposes. At that time, I stated that the pilot project appeared to be meritorious; however all of the federal CAPTA funds available for 1998–99 had been committed to other continuing child abuse prevention projects. I recommended then, and continue to recommend that Los Angeles County apply for funding in the next grant cycle.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1183**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1183 without my signature.

This bill would prohibit an employer from delaying the payment of workers' compensation benefits for a work-related injury or illness in anticipation of the recovery of amounts from a third-party for the same injury or illness.

Current law provides penalties for the late payment of workers' compensation benefits and, if any portion of a benefit payment is "unreasonably delayed," the entire benefit amount is subject to a ten percent penalty. This measure modifies only that aspect of the

penalty law allowing carriers to recover penalties in subrogation claims and does not address any of the other problems associated with the workers' compensation penalty process. While I support a review of the penalties associated with the payment of workers' compensation benefits, I cannot support it being done on a piecemeal basis.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1654**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1654 without my signature.

This bill would revise the Adoption Assistance Program's (AAP) statutory guidelines by eliminating the requirement that statewide median income data be used as a guideline by adoption caseworkers when determining AAP payments for adopting families. The bill changes the process for renewal of the AAP payments to a reassessment of the child's needs every two years. The bill also clarifies that the county of residence of the relinquishing parent is responsible for making AAP payments in cases where the child has been voluntarily relinquished.

It has been, and continues to be, the policy of this State to encourage adoptions. The Adoption Initiative-Adoption Advisory Council is currently considering recommendations from work groups on post-adoption services. The Council and its work groups are composed of representatives from the Administration, the Legislature, local government, and child advocacy groups. The issues considered by the Council and those raised by this bill are complex. Changes in family income are taken into account when awarding or modifying child support orders in family law cases. No child support award is permanent and all are subject to review upon a change in circumstances until the child attains his or her majority. The fact that a foster family has adopted a child does not mean that the family should be awarded an annuity by the State whose payments will continue unchanged, regardless of the family's financial circumstances and regardless of the needs of the child. The Advisory Council is more likely to take all perspectives into account in their recommendations; statutory changes should await the Council's recommendations.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1697**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1697 without my signature.

This bill would transfer \$1 million appropriated in the Budget Act for the Department of Housing and Community Development's Self-Help Program from the Self-Help Housing Fund to the California Housing Trust Fund. Additionally, this bill would mandate the Legislative Analyst to prepare a report, for submission to the Legislature on or before March 1, 1999, on potential permanent, stable revenue sources for annual appropriation to the California Housing Trust Fund.

The Legislative Analyst's Office can prepare reports without the need for a statutory mandate. This bill would do nothing more than shuffle funding around for the Self-Help Housing Program. It is unnecessary.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1716**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1716 without my signature.

This bill would require an attorney to provide a detailed disclosure statement before the attorney would be able to sell long-term care insurance, life insurance, or annuities to any client who is an elder or dependent adult with whom the attorney has or has had an attorney-client relationship within the past three years.

I would sign this bill to provide elder protection were it not for the requirement that the attorney advise his client as to how to spend down his assets in order to qualify for Medi-Cal.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2432**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2432 without my signature.

AB 2432 would require all new State public building for which design and construction begins after January 1, 2000, except publicly-funded schools, colleges, and universities, to exceed the minimum building energy-efficiency standards mandated by the California Building Code. This bill would require all State office buildings for which construction begins after June 30, 2000, that are used in whole or in part as State offices, to follow "green" building standards and would require the California Integrated Waste Management Board to create regulations for these buildings by January 1, 2000. This bill would also require that all current State buildings, except for public school, college, and university buildings, when renovated or remodeled to be retrofitted with all energy-efficiency measures, materials, and devices that are feasible and cost effective.

In 1994, I issued Executive Order W-83-94, which addressed energy-efficiency issues. I directed State agencies to incorporate practices and technologies in public construction and building retrofitting in order to reduce the long-term energy costs of public works projects. In accordance with this executive order, State agencies now incorporate energy-efficient technologies along with environmentally-friendly practices in construction and renovation when it is feasible, cost effective, and consistent with good design. Enactment of these standards has already led to substantial energy saving, benefiting both the taxpayer and the environment.

This Administration offered to assist the author in creating a bill that would augment the current Administration practice of designing and building State offices that are models of energy efficiency. Unfortunately, the proposed amendments were rejected by the author. This bill is overly prescriptive and attempts to have the State drive an emerging market. Governments have failed, on many occasions, to identify and incorporate, much less prescribe, the correct state-of-the-art technologies. If energy-efficient technology and know-how warrants more attention, market forces in the private sector are more likely to successfully identify and develop them; government fiats are unlikely to do so.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2570**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2570 without my signature.

This bill would require general acute care hospitals that request program flexibility to post such requests in plain view of the public prior to approval by the Department of Health Services. The bill would also require that the program flexibility request include a statement informing the employees of the facility that they may submit comments to the Department regarding the request.

This bill is not necessary. The Department conducts a thorough investigation of the need for program flexibility. This investigation often includes consultation from health professional organizations as well as hospital personnel. Additionally, most requests for program flexibility relate to changes to the physical plant, administrative issues or techniques to address outdated regulatory areas. Moreover, the posting of the request and comments by employees results in additional costs without any likelihood of improving quality of care.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1737**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1737 without my signature.

This bill would establish the California Housing Preservation Program to make low cost, long term loans for multifamily housing projects in order to maintain the affordability of units that will otherwise terminate their federal low-income housing contracts and raise rents to the market rate.

Funding for this program was deleted in the 1998 Budget Act because state government should not be expected to replace federal housing subsidies in California which may be in jeopardy due to federal budget policy.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1966**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1966 without my signature.

This bill would create a minimum funding guarantee for the University of California (UC) and the California State University (CSU) by requiring the state to provide funding increases to UC and CSU based on the rate of growth of the State General Fund.

I yield to no one in my appreciation of UC and CSU and of their importance to California. However, I believe that the best way to provide appropriate financial support and predictable level of funding to UC and CSU is through a carefully negotiated compact between our state and the two systems of higher education. This type of compact properly balances funding assurances for the systems; and taxpayer assurances of higher performance and productivity; and increased student assurances that they will have access to the classes permitting their graduation in four years. This bill falls short of all of these objectives.

Last year I vetoed AB 1415, a measure virtually identical to this bill. I continue to believe that there is a better way to honor our obligation to provide resources necessary to assure the success of UC and CSU than by the rigidity of the statutorily mandated auto-pilot spending of this bill.

Negotiations with the systems are nearly complete. I plan to unveil, this Fall, a new compact that maintains California's commitment to excellence for the University of California and the California State University systems.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2031**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2031 without my signature.

This bill would require that any person who would have been eligible for services under specified mental health, developmental disabilities and health services programs, as of July 16, 1996, shall continue to be eligible for these services regardless of immigration status, as long as the person meets all other eligibility requirements.

The Federal Personal Responsibility and Work Opportunity Act of 1996 requires California, if it chooses to provide benefits to unqualified aliens after August 22, 1996, to enact laws to restore benefits at state-only cost.

It has not been my goal to remove benefits whose termination would not act as a disincentive for illegal immigration and must be maintained for compassionate reasons. As such, I proposed, over a year ago, to continue serving all residents, regardless of immigration status, in the following programs: Victims Witness Assistance Program Center, Rape Crisis Center, Child Protective Services, the Child Health and Disability Prevention Program and those under civil commitment by the courts in state developmental centers. These programs are critical to public safety and public health.

In addition, I proposed to "grandfather" individuals currently enrolled in the In-Home Supportive Service Program, the California Children's Services program, the Genetically Handicapped Persons Program, the Long-Term Care Program and certain clients in state developmental centers. These programs are critical for compassionate reasons.

It is unfortunate, however, that the Legislature chose to ignore my request to provide these services and instead send a bill that clearly violates the intent of the federal policy that wisely sought to discourage illegal immigration by removing incentives for it.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2407**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2407 without my signature.

This bill would authorize the Emergency Medical Services Authority (EMSA) to take a licensing action against emergency service personnel for unprofessional conduct, as defined. The bill would also authorize EMSA to obtain federal background checks as part of the licensure procedure.

This bill would improve EMSA's ability to protect the public from emergency service personnel with a criminal background or who have engaged in unprofessional conduct. However, the definition of "excessive force" conflicts with existing standards applicable to law enforcement personnel when a peace officer must first deal in a law enforcement mode, for example, with a suspect, and then provide the

suspect with emergency medical attention. This may subject law enforcement officers who are also licensed by EMSA to conflicting standards. EMSA should resolve this technical issue and promptly reintroduce the bill.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2527**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2527 without my signature.

This bill would establish procedures for the sale, transfer of control, or disposal of assets from a nonprofit healthcare provider to another nonprofit organization.

This bill would unnecessarily regulate affiliations and asset transfers between charitable hospitals. It is appropriate to regulate the sale of a nonprofit hospital to a for profit hospital because the use of the hospital is converted from a nonprofit public use to a private, for profit use. However, those same considerations do not apply when the hospital remains a not for profit entity. Existing law is sufficient to protect the public interest because nonprofit to nonprofit transfers result in hospitals that continue to be owned by nonprofit public benefit corporations which are subject to review by the Attorney General.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 2630**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 2630 without my signature.

This bill would require that the names, addresses, and phone numbers of Individual Care Providers be subject to disclosure under the Public Records Act. Existing law does not allow phone numbers to be released. The bill would also require release of information to the public of only those providers in counties who are not represented by an exclusive bargaining agent.

This bill conflicts with state labor relations law by eliminating a Public Authority's discretion, as an employer under current law, to release names, addresses and phone numbers about employees where the collective bargaining agreement is silent on the issue. Thus, the bill creates an unfair distinction between the release of names, addresses, and phone numbers of unionized and non-unionized care providers.

In addition, the release of phone numbers in addition to names and addresses under current law is an unwarranted invasion of privacy. Existing law which provides access to the names and addresses of care providers is sufficient for organizing and information sharing purposes.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1820**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1820 without my signature.

This bill would allow five counties to establish a pilot program to offer payments for licensed child care services for foster children, under the age of 6, as an inducement to increase the number of families willing to provide foster care. The pilot program would be contingent upon federal financial participation.

I am supportive of the policy contained in this measure, though not supportive of removing parental choice as to the kind of child care. However, the State must have a two percent reserve. I hope that a future Legislature and Governor will reconsider this policy if resources permit them to do so.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1155**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1155 without my signature.

AB 1155 would direct the Department of General Services to accept a deed on behalf of the Controller's Office in lieu of foreclosure for 160 acres of land located in the Santa Monica Mountains in Los Angeles County. This land is the security for a note which was assigned to the Controller's Office by the Mountains Recreation and Conservation Authority. The note was due, in the amount of \$1.2 million, on March 26, 1996. It has not been paid. The 160 acres of land has a current appraised value of \$480,000.

The 160 acres are located in a wilderness area. State acquisition of this land will permit completion of the Backbone Trail of the Santa Monica Mountains. The federal government has expressed interest in acquiring this land for purposes of extending the Trail and is willing to grant federal park lands to the State Department of Parks and Recreation in exchange.

A little history is necessary in order to properly understand this bill. The 160 acres which are the subject of this bill were part of the estate of a prominent Southern Californian, who died in 1991. The estate owed approximately \$607,000 to the State in estate taxes. On January 6, 1993, the estate sold the 160 acres to the Mountains Recreation and Conservation Authority. The estate received a \$10,000 down payment and a note for \$950,000 (plus interest) which was set to mature on March 26, 1996 with a balloon payment of \$1.2 million. The note was secured by a deed to the 160 acres. In 1994, the State Controller agreed to accept an assignment of the note from the estate in lieu of the estate taxes, interest, and penalties, which were projected to reach \$900,000 upon the note's maturity. As part of this agreement, the Controller agreed to refund \$150,000 to the estate when payment was received. Unfortunately, payment was never received; the Mountain Recreation and Conservation Authority defaulted on the note when it matured on March 26, 1996. The State has not yet received any of the taxes, interest,

and penalties which are owed to it by the estate, which have now risen to over \$1.05 million.

This bill is sponsored by the State Controller. It would direct the Department of General Services to accept the deed for the 160 acres in lieu of foreclosure and in full satisfaction of all taxes and interest owed to the State. Under the best of circumstances, this process would result in lost revenue of over \$500,000. The State may, under current law, foreclose and proceed against the estate for any deficiency.

Acceptance of a promissory note secured by property with an apparent value of one-third to one-half of the value of the note has foreseeable consequences. The absence of any periodic payments and the willingness of the estate to pay \$1,200,000 (less a \$150,000 refund) to settle its indebtedness, which was on the due date \$900,000, should have provided ample warning that the public interest required a more plausible repayment plan. Acceptance, now, of the 160 acres in lieu of tax payment is appropriate only if the Controller's Office would accept from any similarly-situated estate \$500,000 in land as a bartered exchange in satisfaction of a \$1 million tax liability. Because this type of deal-making would be inconsistent with fundamental notions of fair dealing and equal treatment by government, so too is the well-intentioned proposal incorporated in the provisions of this bill.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1664**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1664 without my signature.

This bill would, among other provisions, establish participation goals of 30 percent for small business and 3 percent for disabled veteran business enterprises for the majority of state contracts and would require state departments to establish rules for the implementation of their participation goals.

Under current law, the State's Office of Small and Minority Business (OSMB) within the Department of General Services provides information services and assistance to small businesses to encourage their participation in state contracting. Also, under current law, small businesses certified by the OSMB can qualify for a 5 percent bid preference in evaluations of state solicitations.

While I am in favor of encouraging small business participation in state and local contracts, this bill is not an efficient or reasoned means to accomplish that and runs counter to the State's efforts to streamline the procurement process. First, the bill would add another mandatory participation goal program to the state contracting process. In the past, mandatory participation goals have added two to eight weeks to the public notice period for bid solicitations, increasing state costs by millions of dollars annually and delaying procurement. Second, the bill would burden state agencies with additional paperwork and process requirements. Third, the bill would create confusion, as it would add a second definition of "small business" in connection with state

contracting. Finally, there is no reasoned basis for an across-the-board 30 percent participation goal, unrelated to the agency or the industry involved in the procurement. It is entirely arbitrary.

The OSMB is currently in the process of expanding, via the regulatory process, the threshold levels for small business certification. As a result of increasing these thresholds, the OSMB believes that small businesses will qualify for and obtain state contract work.

Much effort has been put forth this year to secure legislation that would assist small businesses in state contracting. Among other things, this Administration has sought to require prompter payment by state government to small business (which depends on a reliable and constant cash flow), better information over bid opportunities, and incentives for subcontracting with small businesses. However, establishing yet another mandatory goal program is not only counterproductive but a flawed substitute for real reform.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 574**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly*

I am returning Assembly Bill No. 574 without my signature.

This bill would make it an unlawful employment practice for an employer to request any employee or prospective employee to agree to arbitrate any claims prior to the existence of an actual dispute. Additionally, under the bill, any such arbitration agreement would not be enforced, despite long-standing federal and state policy that written arbitration agreements are to be enforced.

This bill is a bad precedent, bad law, and bad policy. First, it sets a bad precedent. By making an employer's request to an employee to agree to arbitration an "unlawful employment practice" under the California Fair Employment and Housing Act, it denigrates this State's protections against discrimination by equating the innocence of an employer's request for an arbitration agreement with the malevolence of discrimination based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, and sex, any of which constitutes an unlawful employment practice.

An employer's request for an arbitration clause in an employment agreement—in conformity with long-standing federal policy in favor of arbitration—should not subject the employer to an unlawful employment practice charge and the financial penalties associated with it.

Secondly, the bill is bad law because it is largely preempted by the Federal Arbitration Act. The Federal Arbitration Act requires the enforcement of any written arbitration agreement in any contract "evidencing a transaction involving commerce" "save upon such grounds as exist at law or in equity for the revocation of any contract." 9 U.S.C. §2. The U.S. Supreme Court has ruled that the Federal Arbitration Act "is a congressional declaration of a liberal federal policy favoring arbitration agreements, notwithstanding any state substantive or procedural policies to the contrary." *Moses H. Cone*

*Memorial Hospital v. Mercury Construction Corp.* 460 U.S. 1, 24 (1983). The court has accordingly invalidated state statutes that bar litigants from using arbitration to resolve disputes. *See, e.g., Perry v. Thomas* 482 U.S. 483 (1987) (holding that Labor Code §229 is preempted by the Federal Arbitration Act). Hence, this bill's prohibition of, and refusal to enforce, arbitration agreements between an employer and employee are preempted, except for those arbitration agreements which do not fall within the reach of the Federal Arbitration Act (*i.e.*, those agreements not within the reach of the Commerce Clause or contracts of employment of seamen, railroad employees, or other classes of workers engaged in foreign or interstate commerce, which are exempt under 9 U.S.C. §1). Since the U.S. Supreme Court has thus far interpreted broadly the scope of the Federal Arbitration Act, this bill would be largely preempted by the Federal Act. Employers would face the uncertainty of deciding whether a request for an arbitration agreement was an unfair employment practice or an action favored, and enforced, under federal law.

Arguments by the bill's supporters that this bill is not preempted because it does not affect the enforcement of arbitration agreements, but merely penalizes the creation of such agreements are absurd and belied by the bill's provisions that expressly address enforcement of arbitration agreements between employers and employees. Moreover, penalizing employers who request arbitration agreements subject to the Federal Arbitration Act is clearly inconsistent with the Federal Act's enforcement of arbitration agreements. The doctrine of federal preemption is sufficiently broad to make a state statute void to the extent it stands as an obstacle to the accomplishment of the full purposes and objectives of Congress, *Maryland v. Louisiana* 451 U.S. 725 (1981), and thus, penalizing an employer for seeking to make an arbitration agreement that is favored and enforced under federal law is preempted.

Third, this bill is bad policy. It would prohibit any agreements to arbitrate as part of any employment contract, whether that agreement is with an executive officer or personnel in the company's mail room—regardless of the benefits of arbitration to that individual in terms of cost and efficiency. Arbitration can help both employers and employees keep their litigation expenses down and speed resolution of disputes, to their and society's benefit, promoting a favorable jobs climate in this State and preserving personal finances. For instance, arbitration allows an employee to resolve disputes that he or she could not afford to litigate in court, or where the amount in controversy makes it uneconomical to proceed with litigation. It is no answer to say that this bill permits an employer and employee to agree to arbitration after a dispute arises. After a dispute has arisen, one party or the other often sees an advantage to litigating; thus, the best way to realize the benefits of arbitration is to agree to it in advance.

Finally, this bill is not necessary to protect employees. The underlying argument in favor of this bill is not that arbitration is bad, but that some employees may be coerced into signing an unfair or unconscionable arbitration agreement. However, concerns over unconscionable or adhesion contracts can be addressed in the code provisions addressing those subjects. After all, the Federal Arbitration Act provides that arbitration agreements need not be enforced on any ground that exists at law or in equity for the revocation of any contract, such as unconscionability. Nor is this bill necessary to allow litigation in

court of civil rights claims: The Ninth Circuit has recently ruled that employers cannot require employees to arbitrate discrimination claims under Title VII of the Civil Rights Act. *See Duffield v. Robertson Stephens & Co.*, 144 F.3d 1182 (9th Cir. 1998).

In short, far from there being any need for this bill, there is a compelling need to veto it.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 188**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 188 without my signature.

This bill would, among other provisions, prohibit funds which are raised to support or oppose a ballot measure from being transferred to another ballot measure.

This bill is unnecessary. Existing law allows donors to place "non-transfer" conditions on their contributions if they so choose. Moreover, this bill would inhibit those in the private sector from involvement in ballot measure elections by restricting their ability to raise funds for several ballot measures at the same time based on common goals, subject matter or supporters. It is inappropriate to limit that participation.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 378**

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 378 without my signature.

This bill would require the Controller to refund, on or before April 1, 1999, any amounts lost by cities for possessory interest taxation during the 1997–98 fiscal year due to the collection of in lieu fees from racing associations.

Existing law authorizes horse racing associations, either through on-site or satellite wagering, to pay one-third of 1% of their pari-mutuel wagers to local governments in lieu of paying locally imposed license, business or excise fees and taxes. Essentially, local governments voluntarily accept racing association revenues in lieu of receiving local taxes from the racing associations. This law is intended to ensure that all local taxes are waived when a city or county accepts a percentage of the racing wagers.

The City of Del Mar agreed to accept horse racing wagers in lieu of taxing the racing association. Subsequently, the County of San Diego levied a possessory interest tax upon the association. Then, in 1995, AB 304 (Tucker, Ch. 959) was enacted to clarify that when a possessory interest tax is levied upon a private horse racing association for use of a publicly owned fairground, the possessory interest taxes shall be deducted from the percentage of wagers allocated to local governments. While that measure results in a significant loss of revenues for the City of Del Mar, it maintains the original intent of the law that local

governments accept horse racing dollars in exchange for not levying taxes.

This bill would totally undercut the agreement embodied in the law.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 310**

Governor's Office, Sacramento

September 30, 1998

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 310 without my signature.

Under existing law, an employee of an independent contractor is protected against harassment by a customer of the independent contractor, or any of the customer's employees, if the employee of the independent contractor is in fact under the control of the customer. The customer in this case would be considered a joint employer. That is as it should be.

But this bill would, among other provisions, seek to extend liability so as to hold employers liable for the harassment of independent contractors.

California's discrimination laws are predicated on the traditional employer and employee relationship, which under both the Labor and Government Codes require certain duties and responsibilities. This bill would give protection against discrimination to non-employees who are independent contractors engaged in independently established businesses with, among other things, the right to control how and when their work is performed.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 30th day of September 1998, at 11:50 p.m., of Assembly Bills Nos. 964, 422, 542, 952, 954, 1205, 1381, 1962, 1967, 2398, 822, 1183, 1654, 1697, 1716, 2432, 2570, 1737, 1966, 2031, 2407, 2527, 2630, 1820, 1155, 1664, 574, 188, 378, and 310, 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

The following item veto messages from the Governor were received and ordered printed in the Journal and the bills ordered to the unfinished business file:

**Item Veto—Assembly Bill No. 1986**

Governor's Office, Sacramento  
September 19, 1998

*To the Members of the California Assembly:*

On this date I have signed Assembly Bill No. 1986 with a reduction.

This bill would appropriate \$245.5 million General Fund for the acquisition of the Headwaters Forest Preserve and related properties. This bill also specifies the conditions under which the funds could be encumbered, including specific requirements for the related Habitat Conservation Plan and implementation of a federal watershed study

I am signing AB 1986, however, I am reducing the appropriation by a total of three million dollars (\$3,000,000) from Section (b), which allocates fifteen million dollars (\$15,000,000) to Humboldt County for economic assistance.

The remaining twelve million dollars (\$12,000,000) included in the bill plus the five million (\$5,000,000) allocated by federal government for economic development should provide adequate assistance to Humboldt County for this purpose.

Cordially,

PETE WILSON

**RECEIPT**

I acknowledge receipt this 21st day of September 1998, at 1:30 p.m., of the Governor's statement of the items of appropriation reduced or eliminated from Assembly Bill No. 1986 delivered to me personally by Karen Morgan.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

**Item Veto—Assembly Bill No. 1292**

Governor's Office, Sacramento  
September 23, 1998

*To the Members of the California Assembly:*

On this date I have signed Assembly Bill No. 1292.

This bill would enact the Academic Improvement and Achievement Act to provide grants to school districts working in partnership with colleges, businesses, and community organizations to improve student performance and increase college participation.

I am reducing the \$20 million local assistance appropriation because substantial partnership start-up activities required for program eligibility will limit the number of partnerships qualifying for funding during 1998–99. Additionally, the appropriation for the State Department of Education to administer this program and the college preparation programs enacted by AB 2216, AB 2363 and SB 1697 would exceed the department's administrative costs.

Therefore, I am reducing the appropriation in paragraph (a) of Section 2 from \$20,000,000 to \$5,000,000, and I am reducing the appropriation in paragraph (b) of Section 2 from \$300,000 to \$160,000.

SEC. 2(a) The sum of ~~twenty~~ *five* million dollars ~~(\$20,000,000)~~ *(\$5,000,000)* is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation to local education agencies for the purposes of, and

in accordance with, Chapter 12 (commencing with Section 1020) of Part 7 of the Education Code.

(b) The sum of ~~three~~ *one* hundred *sixty* thousand dollars (~~\$300,000~~) (*\$160,000*) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to administer the grants under Chapter 12 (commencing with Section 11020) of Part 7 of the Education Code, under SB 1697 of the 1997–1998 Regular Session if that bill is enacted and takes effect on or before January 1, 1999, under AB 2216 of the 1997–98 Regular Session if that bill is enacted and takes effect on or before January 1, 1999, and under AB 2363 of the 1997–98 Regular Session if that bill is enacted and takes effect on or before January 1, 1999.

(c) For the purposes of making computations required by Section 8 of Article XVI of the California Constitution, the appropriation made in subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, and shall be deemed included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the year in which the funds are appropriated.

Cordially,

PETE WILSON

**Item Veto—Assembly Bill No. 2216**

Governor’s Office, Sacramento  
September 23, 1998

*To the Members of the California Assembly:*

On this date I have signed Assembly Bill No. 2216.

This bill would provide grants to school districts for fee assistance to economically disadvantaged students taking advanced placement examinations. However, I am reducing the appropriation from \$2.5 million to \$1.5 million to better reflect the expected demand for assistance. This level of funding will provide state subsidies for 37,500 economically disadvantaged students. Although enrollment of economically disadvantaged students in advanced placement courses will continue to grow over time, \$1.5 million will fully fund this program for 1998–99.

SEC. 5. (a) The sum of ~~two~~ *one* million five hundred thousand dollars (~~\$2,500,000~~) (*\$1,500,000*) is hereby appropriated from the General Fund to the State Department of Education for purposes of Section 52244 of the Education Code.

(b) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 1998–99 fiscal year, and included

within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 1998–99 fiscal year.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 24th day of September 1998, at 3:42 p.m., of the Governor’s statement of the items of appropriation reduced or eliminated from Assembly Bills Nos. 1292 and 2226 delivered to me personally by Karen Morgan.

RALPH ROMO

Acting Chief Clerk of the Assembly

**Item Veto—Assembly Bill No. 48**

Governor’s Office, Sacramento

September 27, 1998

*To the Members of the California Assembly:*

On this date I have signed Assembly Bill No. 48 with a deletion.

This bill would grant immunity from criminal prosecution to anyone who is subject to prosecution under the state’s assault weapons law for conduct related to an SKS rifle, as defined, committed during a specified period in which there were conflicting administrative designations of that weapon. This bill would make the immunity provisions fully retroactive to anyone who is subject to prosecution or prosecuted and convicted of violating the assault weapons law.

I have deleted the \$1.3 million appropriation. The expenditure of these funds appears premature in light of the pending review of the entire assault weapons law now before the California Supreme Court.

Cordially,

PETE WILSON

RECEIPT

I acknowledge receipt this 28th day of September 1998, at 5:01 p.m., of the Governor’s statement of the items of appropriation reduced or eliminated from Assembly Bills No. 48 delivered to me personally by Karen Morgan.

RALPH ROMO

Acting Chief Clerk of the Assembly

**Item Veto—Assembly Bill No. 2274**

Governor’s Office, Sacramento

September 30, 1998

*To the Members of the California Assembly:*

I am signing Assembly Bill No. 2274 with a deletion.

This bill would require the State Department of Education to collect and summarize data on pupil achievement, outcomes, and characteristics for all alternative education programs in addition to data

on their funding from various sources, and appropriate \$100,000 to the Department of Education for this purpose.

It is my understanding that this bill is in response to my veto of AB 792 (Havice), a 1997 bill that would have established a method to equalize continuation school funding. In my veto message for AB 729, I stated that we needed information on what impact, if any, the different rates of continuation school funding are producing in student outcomes and achievement. The data collection described in this bill would address many of the concerns raised in my veto of AB 729 and could provide the basis for a meaningful evaluation of continuation school funding and effectiveness.

Although I am signing AB 2274, I am deleting Section 2 in its entirety, which includes the \$100,000 General Fund appropriation. The Department of Education should already be collecting the sort of information described in this bill as part of ongoing program evaluation and administration. But since they have failed to collect the most basic information on these programs, I will support this measure. However, I cannot support providing additional funding for the Department of Education to perform an activity that is already within their existing scope of responsibility.

Cordially,

PETE WILSON

**Item Veto—Assembly Bill No. 2794**

Governor's Office, Sacramento

September 30, 1998

*To the Members of the California Assembly:*

On this date I am signing Assembly Bill No. 2794 with a reduction.

This bill would appropriate \$18,913,000 General Fund and special funds for various programs as a supplement to the Budget Act of 1998 (Ch. #324, 1998) and reappropriate \$240,000 from the Proposition 98 Reversion Account.

I am sustaining \$70,000 Section 4 (cx) for the La Mesa Community Center. I am reducing Section 28, (q) by \$20,000 leaving \$70,000 for support of the Pasadena Youth Center. I am deleting Section 2, Section 3, Section 4, Section 5, Section 6, Section 7, Section 8, Section 8.5, Section 9, Section 10, Section 11, Section 12, Section 13, Section 14, Section 15, Section 16, Section 17, Section 18, Section 19, Section 20, Section 21, Section 22, Section 23, Section 24, Section 25, Section 26, Section 27, Section 28 (a), (b), (c), (e), (g), (j), (k), (m), (n), (r) and Section 29.

Notwithstanding the merits of the augmentations, it is more critical that the State have a two percent reserve.

Cordially,

PETE WILSON

**Item Veto—Assembly Bill No. 1812**

Governor's Office, Sacramento

September 30, 1998

*To the Members of the California Assembly:*

I am signing Assembly Bill No. 1812 with a reduction.

This bill would appropriate monies from the General Fund to the San Joaquin Area Flood Control Agency for the Stockton Metropolitan Area

Flood Control Project, and to San Luis Obispo County for house laterals and infrastructure improvements.

The appropriation for the San Joaquin Area Flood Control Agency exceeds the normal and customary State share of nonfederal costs. Therefore, I am reducing the appropriation contained in Section 1 by \$2,427,000 to reflect the proper amount. The revised appropriation shall be \$12,625,000. The \$12,000,000 provides 70 percent of the projected nonfederal share of \$17,000,000 for the flood control project, and the \$625,000 provides 50% percent of the projected non share of \$1,250,000 for environmental enhancements.

I am deleting section 2 of this bill. This section would have used public monies to fund improvements on private property (i.e house laterals for connection to a sewer system). While numerous sewer collection system projects have been funded by the State Water Resources Control Board (SWRCB) assistance programs, the costs of installation of the house laterals have always been paid for by the property owners. There is some question as to whether this appropriation is legal, or whether it would constitute a gift of public funds.

Cordially,

PETE WILSON

#### RECEIPT

I acknowledge receipt this 30th day of September 1998, at 11:57 p.m., of the Governor's statement of the items of appropriation reduced or eliminated from Assembly Bills Nos. 2274, 2794, and 1812 delivered to me personally by Karen Morgan.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

The following messages from the Governor were received and ordered printed in the Journal:

Governor's Office, Sacramento  
September 17, 1998

*To the Members of the California Assembly:*

On this date I have signed Assembly Bill No. 496.

This bill would enact the California Mathematics Initiative for Teaching, to be administered by the Commission on Teacher Credentialing, and appropriate \$1.5 million for college-level mathematics coursework for teachers.

This bill requires the Commission on Teacher (CTC) to administer a loan assumption program. The CTC, however, has no experience in administering such a loan program. The author has committed to me to run clean-up legislation next year to require the Student Aid Commission to administer this loan program rather than the CTC.

Cordially,

PETE WILSON

Governor's Office, Sacramento  
September 17, 1998

*To the Members of the California Assembly:*

On this date I have signed Assembly Bill No. 2730.

This bill would require the Commission on Teacher Credentialing to conduct a three-year pilot project of nontraditional teacher preparation programs and report its findings to the Legislature by August 15, 2002.

I am directing the Commission to issue an interim report no later than January 1, 2001 so that legislative changes necessary to implement their recommendations could be addressed by the Legislature sooner than August 15, 2002. Delaying standards for nontraditional programs could exacerbate California's shortage of qualified teachers. Colleges and universities need to develop innovative methods of delivering teacher training, while maintaining the high standards necessary to ensure the success of California's students.

Cordially,

PETE WILSON

Governor's Office, Sacramento  
September 22, 1998

*To the Members of the California Assembly:*

On this date I have signed Assembly Bill No. 2597.

This bill would establish a 17-member California Drug-Free Commercial Truck and Bus Driver Task Force which would develop recommendations to improve the State's alcohol and drug policy for commercial truck and bus drivers.

The State's zero tolerance policy for drug and alcohol use by commercial drivers is in place and is being enforced. Rather than establishing a task force to study the issue, the Legislature should have passed legislation to strengthen our zero tolerance policy, and close any loopholes that exist in current law.

In signing this bill, it is my expectation that this task force will act quickly to recommend, and the Legislature will without further delay enact a minimum mandatory drug testing and increased penalties. The safety of truck drivers and the general motoring public is too important to be put at continued grave risk by 10,000 drivers under the influence of intoxicating drugs, and those who would protect them—but not the public.

Cordially,

PETE WILSON

Governor's Office, Sacramento  
September 27, 1998

*To the Members of the California Assembly:*

On this date I have signed Assembly Bill No. 1525.

This bill would amend the California Marketing Act of 1937 to authorize a California milk marketing order to offer coupons which may be redeemed for private brand name butter or cheese in its promotion efforts under specified circumstances, but only if such offering is incidental to the generic promotion of California milk products and

participation is made available on a nondiscriminatory basis to all retailers and producers of California milk products.

California marketing orders and commissions have played a key role in ensuring the success of agriculture in this state. However, marketing order programs have traditionally been limited to the generic promotion of specific products. They are paid by industry assessment, with the intended purpose of promoting the product, not the brand. A number of producers have expressed concern that expanding this promotion to include private brand or trade name coupons will negatively impact free competition, making it increasingly difficult for small independent brands to compete in the marketplace.

The commendable intent of the sponsors is to update the Act to enable California's milk producers to remain competitive with those from other states. However, the concerns expressed by opponents merit serious and careful attention. This bill contains a two-year sunset, during which the Department of Food and Agriculture must closely monitor and scrutinize the impacts of this provision on the cheese and butter markets. The responsibility is not theirs alone. Industry representatives must cooperate in making information available that will allow a full and complete analysis of all impacts prior to any discussion of reauthorization in the future.

As such, this program should be viewed solely as a pilot. The test will be not only whether it enhances markets for California milk products but does so on the non-discriminatory basis expressly required by the terms of the bill.

Cordially,

PETE WILSON

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly:*

I am signing AB 1241 with the following understanding:

This bill provides authority to the Department of Fish and Game and to the Fish and Game Commission that is essential for sound management of marine living resources and sets a new course for fisheries management in California. However, any fair reading of the bill reveals that, due to its ambitious goals as an "organic act" for executive branch regulation, this herculean legislative effort contains some serious flaws that must be addressed in implementation and legislative clean up. As with any effort of this magnitude, a cautious interpretation will be the key to its success.

The current regulatory regime has been relied upon by commercial fishery participants as an orderly and well understood framework for carrying out their livelihoods as commercial enterprises for many years. Any new system must recognize and respect the importance of that order to existing fisheries, and this bill must be implemented in a way that does not undermine that system and create uncertainty and confusion that could destroy the confidence and lawful manner in which most commercial fishing businesses conduct themselves. For that reason, it is imperative that the new policies, fishery management plans, and procedures contained in this bill apply only to the fisheries named in the bill. Those fisheries are the nearshore finfish fishery, the white seabass fishery, emerging fisheries and, to the extent practicable,

fisheries for which the Commission or Department had regulatory authority prior to January 1, 1999. Practicability, in this context, shall be based on the resources available to the Department for scientific research, analysis, scientific review and public participation to meet the standards set in the bill

The procedural requirements of the bill will undoubtedly invite potentially costly processes, that will severely encumber the already limited resources that the Department and Commission have available for acquiring the scientific information for the fishery management plans. This bill, with a narrow exception, creates new duties but no commensurate funding. The small permit fee for nearshore commercial fishing boats will not cover the costs of the fishery management plan for that fishery complex. Corollary legislation that I signed this year authorizes \$2.2 million upon appropriation annually from the Marine Life and Marine Reserve Management Account, beginning in FY 1999–2000, for marine fisheries management. However, the source of funds is uncertain, and may merely represent a redirection of funds within the Department, to the detriment of other legislated mandates. Although the bill states that its provisions apply to the extent that funding is available, expectations may well exceed available resources. There is no question that implementation of the specified fishery management plans and the preparation of the numerous reports are activities which are unfunded in the bill. I am therefore directing the Department to implement the provisions of this bill in proportion to the funds available.

Finally, it must be acknowledged that, even with the scope of the bill's applicability limited to the above named fisheries, this is an ambitious new scientific and regulatory endeavor for the Department and the Commission. The policies in this bill will be thoroughly assessed in the management of these three fisheries and hopefully provide a model for managing additional California fisheries. Because the bill's provisions are untested, time and evaluation are clearly needed to allow every constituency, including the Department and Commission, to ascertain the efficacy of this model before applying it to the entire ocean ecosystem. Therefore, I am also directing the Department to report to the Governor and Legislature by July 1, 1999 and by July 1, 2000 on their evaluation of this new management model, along with recommended legislative changes needed to clarify the terms of this bill and to streamline the administrative procedures it lays out. To assist in the completion of this task, I am directing the Department to establish an advisory committee, comprised of individuals from different parts of the state, representing commercial fishing, recreational fishing, seafood marketing, and academic interests.

On balance, this bill represents an opportunity to create a comprehensive, scientifically grounded, and consistent approach to management of marine fisheries off California's coast. There is sufficient reason to believe that with cautious implementation, the regulatory regime will in fact increase the resource and its harvestability, and thus merits my approval.

Cordially,

PETE WILSON

Governor's Office, Sacramento  
September 30, 1998

*To the Members of the California Assembly.*

On this date I have signed Assembly Bill No. AB 117.

This bill would extend for 18 months the 25-cent-per-tire fee paid by consumers for deposit into the California Tire Recycling Fund (Fund). The revenues generated by this fee are used to promote and develop alternatives to the landfill disposal of whole waste tires, protect the public health and safety and the environment. This bill would require the Integrated Waste Management Board (IWMB) to report on the status of waste tire and programs needed to provide sustainable end uses. It also states that the IWMB should emphasize permitting, enforcement, and cleanup of waste tires when administering the Fund.

To date, the IWMB appears to have done a relatively good job at diverting tires from landfills. However, there remains approximately 15 million tires stockpiled around the state. In the past decade, the most significant reduction in those stockpiled tires has resulted from accidental fires. The most recent fire occurred at the so-called Royster tire pile near Tracy. Collectively, the estimated 9–10 million tires consumed by fire in the recent past, which burn uncontrolled when they catch fire, represent the most egregious threat to the environment. The thick, black smoke degrades air quality with toxic plumes, and the residue poses a potential threat to water as contaminated ash blankets surface water located in the area, and poses the threat of leaching into the soil and finding its way to the groundwater table.

The goal of any environmental regulatory structure is to contain the damage to the environment and then move as quickly as possible to eliminate the threat to public health and safety. Accordingly, as a companion to this bill, I am issuing an Executive Order directing the IWMB and the Department of Finance to consult and coordinate to maximize available reserves in the waste tire account toward cleanup and abatement of stockpiled tires. I am further directing the Waste Board to assess its budgeting priorities and direct the revenue garnered from this fee extension to those purposes that the Legislature has directed it to emphasize.

In this way, further impetus is given to the effect of this bipartisan legislation, and keeps faith with our commitment to environmental stewardship.

Cordially,

PETE WILSON

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 27

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**FINAL RECESS**

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Assembly Chamber, Sacramento  
November 9, 1998

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1997-98 Regular Session was printed while the Assembly was in Final Recess:

**COMMUNICATIONS**

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

November 6, 1998

*Mr. E. Dotson Wilson, Chief Clerk  
California State Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: This letter is to officially inform you that as of November 5, 1998, I was elected as the new Assembly Republican Floor Leader, by the Assembly Republican Caucus. If you have any question regarding this letter, please call Kara Watson at 319-2064.

Very truly yours,

ROD PACHECO, Assembly Member  
Sixty-fourth District

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ANTONIO R. VILLARAIGOSA, Speaker

LAWRENCE A. MURMAN, Acting Minute Clerk

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 28

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**FINAL RECESS**

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Assembly Chamber, Sacramento  
November 30, 1998

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1997-98 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:

November 17, 1998

*Mr. E. Dotson Wilson  
California State Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: Please be advised pursuant to Public Utilities Code, §335 (amended by: Ch. 854 of 1996, AB 1890-Brulte), I have named Assembly Member Roderick Wright to the Electric Industry Restructuring Oversight Board, the effective appointment date is November 17, 1998.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

November 20, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Wally Knox to the Rules Committee in place of Assemblymember Deborah Ortiz for the hearing on November 24, 1998 only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

November 23, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Martin Gallegos to the Rules Committee in place of Assemblymember Joe Baca for the hearing on November 24, 1998 only

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

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The following communication was presented by the Chief Clerk from:

Connie Lemus, 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:

**Single Tax. Initiative Constitutional Amendment.**  
**(SA 1998 RF 0019)**

Referred by the Speaker to the Committee on Revenue and Taxation.

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The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

September 25, 1998

*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 Committee on Rules in connection with the September 15, 1998 Anti-Defamation League's A WORLD OF DIFFERENCE Institute diversity training:

Source:	Anti-Defamation League
Amount:	\$1700
Purpose:	Diversity Training
Person/Class for	
Whom Payment Used:	Assembly Staff

Please ensure this information is printed in the Assembly Journal in accordance with HR 37.

Sincerely,

JON WALDIE  
 Chief Administrative Officer  
 California State Assembly

November 2, 1998

*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 Committee on Rules:

Source:	Southern California Edison
Amount:	\$400
Purpose:	Assessment for use as a legislative pool vehicle

Person/Class for

Whom Payment Used: Assembly Member Cardenas and Staff

Please ensure this information is printed in the Assembly Journal in accordance with HR 37.

Sincerely,

JON WALDIE  
Chief Administrative Officer  
California State Assembly

The following qualified initiative was received by the Chief Clerk from:

Bill Jones, Secretary of State, dated November 16, 1998, entitled:

**Definition of Marriage.**

Referred pursuant to Elections Code, Section 9034, to the Committees on Judiciary and Elections, Reapportionment and Constitutional Amendments.

**REPORTS**

The following reports were presented by the Chief Clerk:

**Judicial Council Annual Report, Volume III, 1998  
Year in Review  
(Pursuant to the provisions of  
Article VI, Section 6 of the California Constitution)**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, San Francisco, dated October 9, 1998, referred by the Speaker to the Committee on Judiciary.

**1998-99 First Quarter Status Update on  
the Security Modifications at Napa State Hospital  
(Pursuant to Chapter 324, Budget Act of 1998,  
Item 44440-011-0001)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, California Department of Mental Health, Sacramento, dated October 13, 1998, referred by the Speaker to the Committee on Budget.

**1998 OAL Determination No. 24  
(Board of Prison Terms) Docket No. 91-029**

**1998 OAL Determination No. 25  
(Board of Corrections) Docket No. 91-030**

**1998 OAL Determination No. 26  
(Department of Corporations) Docket No. 92-001**

**(Pursuant to Government Code Section 11340.5(c);  
Title 1, California Code of Regulations, Section 127)**

Above transmitted report, together with letter of transmittal from Edward G. Heidig, Director, Office of Administrative Law, Sacramento, dated October 7, 1998, referred by the Speaker to the Committee on Judiciary.

**Annual Report to the Legislature Concerning the Job Classifications of  
Employees Paid Workers' Compensation Benefits from  
the Uninsured Employers Fund  
(Pursuant to Labor Code 3716.5)**

Above transmitted report, together with letter of transmittal from John C. Duncan, Director, Department of Industrial Relations, San Francisco, dated October 8, 1998, referred by the Speaker to the Committee on Insurance.

**California Trade and Commerce Agency's  
Local Agency Military Base Recovery Act (LAMBRA)  
Legislative report**

Above transmitted report, together with letter of transmittal from Dr. Pamela Dana, Assistant Secretary, California Trade and Commerce Agency, Sacramento, dated October 6, 1998, referred by the Speaker to the Committee on Governmental Organization.

**1998 Annual Report on the Workers' Compensation  
Alternative Dispute Resolution System for Construction Industries,  
Commonly Known as the Construction Carve-Out Program  
(Pursuant to Labor Code 3201.5(i))**

Above transmitted report, together with letter of transmittal from John C. Duncan, Director, Department of Industrial Relations, San Francisco, dated October 5, 1998, referred by the Speaker to the Committee on Insurance.

**1998 OAL Determination No. 20  
(Department of Fish and Game) Docket No. 91-020**

**1998 OAL Determination No. 21  
(Department of Corrections) Docket No. 91-021**

**1998 OAL Determination No. 22  
(Department of Health Services) Docket No. 91-024**

**1998 OAL Determination No. 23  
(Department of Corrections) Docket No. 91-028**

**(Pursuant to Government Code Section 11340.5(c);  
Title 1, California Code of Regulations, section 127)**

Above transmitted report, together with letter of transmittal from Edward G. Heidig, Director, Office of Administrative Law, Sacramento, dated September 29, 1998, referred by the Speaker to the Committee on Judiciary.

**The Commissions on Health and Safety and Workers' Compensation  
Submits Their 1997-98 Annual Report on  
the State of the Workers' Compensation System.  
(Pursuant to Labor Code section 77 (a))**

Above transmitted report, together with letter of transmittal from Christine Baker, Executive Officer, Department of Industrial Relations, Commission on Health and Safety and Workers' Compensation, San Francisco, dated September 21, 1998, referred by the Speaker to the Committee on Insurance.

**Taxpayers' Bill of Rights Annual Report to the Legislature  
(Pursuant to Sections 21006 and 21009(a)  
of the Revenue and Taxation Code)**

Above transmitted report, together with letter of transmittal from Gerald H. Goldberg, Executive Officer, Franchise Tax Board, Sacramento, dated October 1, 1998, referred by the Speaker to the Committee on Revenue and Taxation.

**California Training Benefits and Training Extension Claims,  
Annual Program Report, State Fiscal Year 1996-1997.  
(Pursuant to Section 15079 (a) of  
the California Unemployment Insurance Code)**

Above transmitted report, together with letter of transmittal from Ray Remy, Director, Employment Development Department, Health and Welfare Agency, Sacramento, dated October 19, 1998, referred by the Speaker to the Committee on Labor and Employment.

**Department of Conservation's Report on Recycling Activity to  
the Governor and the Legislature  
for the First Half of Calendar Year 1998.  
(Pursuant to Public Resources Code Section 14551)**

Above transmitted report, together with letter of transmittal from Lawrence J. Goldzband, Director, Department of Conservation, Sacramento, dated October 9, 1998, referred by the Speaker to the Committee on Natural Resources.

**1997 Annual Census of State Employees and Affirmative Action Report  
(Pursuant to Government Code Sections 19237, 19405, 19705,  
19792.5(b) and 19793)**

Above transmitted report, together with letter of transmittal from Walter Vaughn, Executive Officer, California State Personnel Board, Sacramento, dated October 13, 1998, referred by the Speaker to the Committee on Labor and Employment.

**State Personnel Board's Demonstration Project Entitled  
Managerial Selection and Classification Consolidation and Broadbanding.  
(Pursuant to Sections 19600 et seq. of the Government Code)**

Above transmitted report, together with letter of transmittal from Walter Vaughn, Executive Officer, State Personnel Board, Sacramento, dated October 28, 1998, referred by the Speaker to the Committee on Public Employment, Retirement and Social Security.

**Department of Corrections Status Report Entitled  
"Parole Staffing Study".  
(Pursuant to Department of Corrections Budget Act, Provision 14, and  
the Supplemental Report of the 1996 Budget Act.)**

Above transmitted report, together with letter of transmittal from C.A. Terhune, Director, Department of Corrections, Sacramento, dated October 14, 1998, referred by the Speaker to the Committee on Budget.

**Department of Consumer Affairs' (DCA)  
Report to the Legislature Regarding  
Board Licensing Examination Validation and Occupational Analysis;  
Citation and Fine Programs; and Cost Recovery Programs.  
(Pursuant to Senate Bill 827)**

Above transmitted report, together with letter of transmittal from Ron Joseph, Acting Director, California Department of Consumer Affairs, Sacramento, dated October 16, 1998, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**Department of Health Services Report Entitled  
Consulting Services Contract Report  
(Pursuant to Section 10359 of the Public Contract Code)**

Above transmitted report, together with letter of transmittal from S. Kimberly Belshé, Director, Department of Health Services, Sacramento, dated October 16, 1998, referred by the Speaker to the Committee on Health.

**State Teachers' Retirement System  
Quarterly Report of the System's Assets  
(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 27, 1998, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**1998-99 First Quarter Status Update on  
the Use of Medications and Restraint and Seclusion at  
the Youth Program at Metropolitan State Hospital  
(Pursuant to Section 5586 of the Welfare and Institutions Code)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, California Department of Mental Health, Sacramento, dated October 29, 1998, referred by the Speaker to the Committee on Health.

**Quarterly Report on  
the Voluntary Accelerated Vehicle Retirement Program  
(Pursuant with Item 111-001-0582 of the 1998 Budget Act)**

Above transmitted report, together with letter of transmittal from K. Martin Keller, Chief, Bureau of Automotive Repair, Sacramento, dated November 2, 1998, referred by the Speaker to the Committee on Budget.

**Annual Report to the Legislature Concerning the  
School Employees Fund, Fiscal Year Ending June 30, 1998.  
(Pursuant to Section 832 of the California Unemployment Insurance Code)**

Above transmitted report, together with letter of transmittal from Ray Remy, Director, Employment Development Department, Sacramento, dated November 2, 1998, referred by the Speaker to the Committee on Insurance.

**Report to the Legislature Entitled Regional Clearinghouse  
(Pursuant to Budget Item 4260-101-001, Paragraph No. 19 of  
the Budget Act of 1997)**

Above transmitted report, together with letter of transmittal from S. Kimberly Belshé, Director, Department of Health Services, Sacramento, dated October 30, 1998, referred by the Speaker to the Committee on Budget.

**Sampling for Pesticide Residues in California Well Water:  
1997 Update to the Well Inventory Database.  
(Pursuant to Section 13152(e) of  
the Pesticide Contamination Prevention Act)**

Above transmitted report, together with letter of transmittal from Peter M. Rooney, Secretary for Environmental Protection, California Environmental Protection Agency, Sacramento, dated October 30, 1998, referred by the Speaker to the Committee on Agriculture.

**Bureau of Medi-Cal Fraud Quarterly Report**

Above transmitted report, together with letter of transmittal from Thomas A. Temmerman, Director, Bureau of Medi-Cal Fraud, Sacramento, dated November 2, 1998, referred by the Speaker to the Committee on Health.

**Report on Concessions for the Department of Parks and Recreation  
(Pursuant to the Supplemental Report of the 1998 Budget Act,  
Item 3790-001-0001)**

Above transmitted report, together with letter of transmittal from Patricia J. Megason, Director, Department of Parks and Recreation, Sacramento, dated October 30, 1998, referred by the Speaker to the Committee on Budget.

**Report to the Governor and Legislature from  
the Interagency Task Force on  
Improving Security at State Agency Public Offices.  
(Pursuant to Section 11015.5 of the Government Code)**

Above transmitted report, together with letter of transmittal from D. O. Helmick, Commissioner, Department of California Highway Patrol, Sacramento, dated September 22, 1998, referred by the Speaker to the Committee on Labor and Employment.

**Quarterly Status Report of Major Capital Outlay Projects**

Above transmitted report, together with letter of transmittal from Peter G. Stamison, Director, Department of General Services, Sacramento, dated November 9, 1998, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**California State Lottery Financial Statements  
for the Year Ended June 30, 1998, with Auditors' Report  
(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 30, 1998, referred by the Speaker to the Committee on Governmental Organization.

**Report Detailing the Progress to Date on  
the Department of Mental Health's  
Proposed Sexually Violent Predator (SVP) Facility.  
(Pursuant to the provisions of the Supplemental Report  
of the 1998 Budget Act,  
Chapter 324, Item 4440-301-0001)**

Above transmitted report, together with letter of transmittal from Peter G. Stamison, Director, Department of General Services, Sacramento, dated October 16, 1998, referred by the Speaker to the Committee on Budget.

**October 1998 Unemployment Insurance (UI) Fund Forecast  
(Pursuant to Section 995 of the California Unemployment Insurance Code)**

Above transmitted report, together with letter of transmittal from Ray Remy, Director, Employment Development Department, Sacramento, dated November 18, 1998, referred by the Speaker to the Committee on Insurance.

**California's Job Agent Program  
(Pursuant to Section 9614(a)(2) of the California  
Unemployment Insurance Code)**

Above transmitted report, together with letter of transmittal from Ray Remy, Director, Employment Development Department, Sacramento, dated November 18, 1998, referred by the Speaker to the Committee on Labor and Employment.

**Quarterly Report on the Status of the Progress of  
Making the New California Environmental Protection Agency Headquarters  
a "Green Building" for the Period of July 1998 through September 1998  
(Pursuant to the 1998 Budget Act)**

Above transmitted report, together with letter of transmittal from Peter M. Rooney, Secretary for Environmental Protection, California Environmental Protection Agency, Sacramento, dated November 18, 1998, referred by the Speaker to the Committee on Budget.

**Quarterly Report on the Status of  
Agencywide Scientific Peer Reviews for  
the Period July 1998 through September 1998.  
(Pursuant to the 1998 Budget Act)**

Above transmitted report, together with letter of transmittal from Peter M. Rooney, Secretary for Environmental Protection, California Environmental Protection Agency, Sacramento, dated November 18, 1998, referred by the Speaker to the Committee on Budget.

**Accounts Receivable Management Act,  
Report for the State Fiscal Year 1997-98  
(Pursuant to Section 16582 of the California Government Code)**

Above transmitted report, together with letter of transmittal from Ray Remy, Director, Employment Development Department, Sacramento, dated November 20, 1998, referred by the Speaker to the Committee on Labor and Employment.

**Lease-Purchase Program Costs Avoided Per Pupil  
by Use of Year-Round Education  
(Pursuant to Education Code Section 42263(d)(3))**

Above transmitted report, together with letter of transmittal from Ted W. Dutton, Executive Officer, Office of Public School Construction, State Allocation Board, Sacramento, dated November 20, 1998, referred by the Speaker to the Committee on Education.

**The California State Teachers' Retirement System Cash Balance Plan**

Above transmitted report, together with letter of transmittal from Sharon A. Bronzwaer, Consulting Actuary, and W. Michael Carter, Consulting Actuary, Watson Wyatt Worldwide, Sherman Oaks, dated October 23, 1998, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Integrated Waste Management Board's Report on  
State Agency Buy Recycled Activities  
(Pursuant to Senate Bill No. 1066)**

Above transmitted report, together with letter of transmittal from Peter M. Rooney, Secretary for Environmental Protection, California Environmental Protection Agency, Sacramento, dated November 20, 1998, referred by the Speaker to the Committee on Natural Resources.

**The California Lottery's Purchase of Goods and Services  
through the Department of General Services  
(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 November 12, 1998, referred by the Speaker to the Committee on Governmental Organization.

**1998 OAL Determination No. 27  
(Department of Corrections, California State Prison at Folsom)  
Docket No. 92-002**

**1998 OAL Determination No. 28  
(Department of Corrections, California Institution for Women)  
Docket No. 93-001**

**1998 OAL Determination No. 29  
(State Personnel Board) Docket No. 93-002**

**1998 OAL Determination No. 30  
(Department of Parks and Recreation) Docket No. 93-005**

**1998 OAL Determination No. 31  
(Department of Corrections) Docket No. 93-006  
(Pursuant to Government Code Section 11340.5; Title 1)**

Above transmitted report, together with letter of transmittal from Edward G. Heidig, Director, Office of Administrative Law, Sacramento, dated November 4, 1998, referred by the Speaker to the Committee on Judiciary.

**The Quarterly Report on Loaned Employees and Employees  
Working for Agency's Interdepartmental Initiatives for the  
California Environmental Protection Agency  
(Pursuant to the Supplemental Report of the  
1998 Budget Act provisions 3985-001-0001.3 and .4)**

Above transmitted report, together with letter of transmittal from Peter M. Rooney, Secretary for Environmental Protection, California Environmental Protection Agency, Sacramento, dated November 30, 1998, referred by the Speaker to the Committee on Budget.

**DESEGREGATION PROGRAM FUNDS REPORTS**

Reports to the Legislature relative to the use of desegregation program funds (submitted pursuant to Item 6110-230-0001, Budget Act of 1998) have been received from the following California school districts:

La Habra City School District;  
Mountain View-Los Altos Union High School District.

Above reports referred to the Committee on Budget.

The following letters of transmittal were presented by the Speaker, and ordered printed in the Journal:

California State Auditor

97015

October 15, 1998

*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 Chapter 1044, Statutes of 1990, as amended, the Bureau of State Audits presents its audit report concerning the State's use of various procurement methods to acquire goods or services and the administration and oversight of these methods by the Department of General Services (DGS). This report concludes that departments paid higher than necessary costs when they purchased goods through the California Multiple Award Schedules (CMAS) program because they did not always compare value among vendors or negotiate price reductions. Our report also states that departments incurred unnecessary administrative costs by using fiscal agents to obtain services from vendors. Further, we point out that weak DGS oversight of the CMAS program led to reduced assurance that vendors adequately complied with program requirements and that departments paid fair and reasonable prices for goods and services. Similarly, weak oversight of master service agreements contributed to the inappropriate use of this procurement method. Finally, departments may experience confusion and lost staff time when guidance from different DGS divisions is inconsistent.

Respectfully submitted,

KURT R. SJOBERG  
State Auditor

Above report referred to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

## California State Auditor

97108

October 14, 1998

*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 Cal-Mortgage Loan Insurance Program (Cal-Mortgage), a division of the Office of Statewide Health Planning and Development (OSHDP), that guarantees loans for health facility construction. This report concludes that although many of Cal-Mortgage's clients are high-risk borrowers, it has not used all available information to assess an applicant's financial viability, nor has it established its maximum level of acceptable risk when insuring a borrower. Further, Cal-Mortgage does not effectively monitor its borrowers. Weaknesses in its monitoring include inconsistent methods to oversee borrowers, a lack of formal procedures for this oversight, and insufficient supervision. Finally, because Cal-Mortgage does not have criteria for identifying problem borrowers that require executive management intervention, the director of OSHDP may not be fully aware of the risk present in Cal-Mortgage's portfolio.

Respectfully submitted,

KURT R. SJOBERG  
State Auditor

Above report referred to the Committee on Insurance.

California State Auditor

98119

October 20, 1998

*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 Los Angeles County Metropolitan Transportation Authority's (MTA) current and future fiscal outlook, given its debt structure. This report concludes that the MTA has taken a number of steps to ensure that its existing and proposed long-term debt structure is conducive to its overall financial viability and solvency. For example, it has prepared a seven-year restructuring plan for addressing future anticipated deficits that, if carefully monitored, should help in balancing the MTA's future years' budgets. Furthermore, our analysis indicates that the MTA is continuing to ensure that its long-term debt structure falls within prescribed limits for ongoing solvency. The MTA is also projecting local sales tax receipts, a primary source of debt repayment, using more conservative assumptions than in past years.

We found that as of June 30, 1998, the MTA had approximately \$3.2 billion in outstanding long-term debt with aggregate future interest payments totaling \$2.8 billion, and that approximately 24 percent of its fiscal year 1997-98 operating expenditures will go toward servicing its debt. However, the MTA does not prepare analyses justifying the type and composition of its new debt and has yet to issue a formal policy that encompasses its goals and strategies regarding long-term debt. We believe taking these actions would further strengthen the MTA's overall financial viability.

Respectfully submitted,

KURT R. SJOBERG  
State Auditor

Above report referred to the Committee on Transportation.

California State Auditor

97123

November 12, 1998

*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 effectiveness of the Lahontan Regional Water Quality Control Board in performing its regulatory and enforcement responsibilities. This report concludes that Lahontan is not fulfilling all of its regulatory responsibilities, and uses flawed work plans to manage its workload. In addition, Lahontan has not consistently ensured prompt resolution to water quality violations. Specifically, it did not always follow up on permit violations, take enforcement actions promptly, and escalate enforcement action when dischargers failed to comply with initial actions. Further, this report concludes that the state board needs to more closely and effectively monitor regional boards and could do more to ensure that regional boards consistently address violations of water quality.

Respectfully submitted,

MARIANNE P. EVASHENK  
for  
KURT R. SJOBERG  
State Auditor

Above report referred to the Committee on Water, Parks and Wildlife.

California State Auditor

98008

November 17, 1998

*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 Government Code, Section 13299.1, the Bureau of State Audits presents its audit report concerning the State Treasurer's Office statement of securities accountability as of June 30, 1998. This report concludes that the statement presents fairly the securities accountability of the State Treasurer's Office as of June 30, 1998.

Respectfully submitted,

MARIANNE P. EVASHENK  
for  
KURT R. SJOBERG  
State Auditor

Above report referred to the Committee on Governmental Organization.

**ASSEMBLY COMMITTEE INTERIM HEARINGS—FINAL RECESS****Wednesday, October 14, 1998**

Assembly Select Committee on the Middle Class at 9:30 a.m. to 12 noon—James West Alumni Center, University of California at Los Angeles, Los Angeles

Subject: Loss of Daily Overtime Pay: Impact on Working Families

**Wednesday, October 21, 1998**

Joint Hearing: Assembly Public Safety Committee and Senate Public Safety Committee, Senate Select Committee on Prison Management, and Joint Legislative Committee on Prison Construction and Operations at 10 a.m.—Room 4203

Subject: California State Prison, Corcoran: Department of Corrections and the California Attorney General's Efforts to Investigate Incidents of Staff Brutality towards Inmates

**Tuesday, November 17, 1998**

Joint Hearing: Assembly and Senate Education Committees at 10 a.m.—Room 4202

Subject: Implementation of Proposition 227, English Language in Public Schools Initiative

Information Technology: at 10 a.m. to 1 p.m.—University of California, Los Angeles, 305 Westwood Plaza, Kerckoff Hall, State Room, Los Angeles. Informational Hearing

Subject: County, Cities, Schools and Special Districts Preparedness for the Year 2000

**Wednesday, November 18, 1998**

Human Services: at 1 p.m. to 5 p.m.—Room 4202

Subject: Needs of Emancipating Foster Youth

Joint Committee on the Arts at 2 p.m.—U.S. Court of Appeals for the 9th Circuit, 125 S. Grand Avenue, Pasadena

Subject: 'The Future of the Past: Historic Preservation in the Next Century'

**Thursday, November 19, 1998**

Joint Hearing: Assembly Information Technology and Senate Select Committee on Economic Development at 9 a.m. to 12 noon—Room 437

Subject: Department of Information Technology's quarterly report and Presentations of Year 2000 progress from the University of California, California Public Employees' Retirement System and California State Teachers' Retirement System

**Monday, November 23, 1998**

Select Committee on Welfare Reform Implementation at 1:30 p.m. to 4:30 p.m.—Room 437

Subject: Informational Hearing on CALWORKS and Community Colleges: What Role are Community Colleges Playing in the Welfare-to-Work Process?

**Tuesday, November 24, 1998**

Rules at 10 a.m. to 12 noon—Ronald Reagan State Building, Department of Insurance Hearing Room, 300 South Spring Street, Los Angeles.

**Monday, November 30, 1998**

Human Services at 1:30 p.m. to 4:30 p.m.—Elihu M. Harris State Bldg., Auditorium, 1515 Clay Street, Oakland

Subject: Reducing the Barriers to Employment for Disabled Californians

Banking and Finance at 10:30 a.m. to 3 p.m.—War Memorial Building, Room 410, 401 Van Ness Street, San Francisco

Subject: Foreign (other state) banks with Presence in California: Duties to the State

Water, Parks and Wildlife at 1 p.m. to 3 p.m.—University of California, Cooperative Extension Office, 1432 Abbott Street, Salinas

Subject: Impact of Coyotes on Livestock and Deer Populations

**REPORTS OF STANDING COMMITTEES****Committee on Health**

September 2, 1998

Mr. Speaker: Your Committee on Health reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2106

GALLEGOS, Chairman

Above bill ordered filed with the Chief Clerk.

**Committee on Human Services**

September 15, 1998

Mr. Speaker: Your Committee on Human Services reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2100

ARONER, Chairwoman

Above bill ordered filed with the Chief Clerk.

**Committee on Revenue and Taxation**

September 15, 1998

Mr. Speaker: Your Committee on Revenue and Taxation reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2335

Assembly Bill No. 2441

KNOX, Chairman

Above bills ordered filed with the Chief Clerk.

**Committee on Water, Parks and Wildlife**

September 17, 1998

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 1641

Assembly Bill No. 2299

Assembly Bill No. 2340

Assembly Bill No. 2514

Assembly Bill No. 2544

MACHADO, Chairman

Above bills ordered filed with the Chief Clerk.

**Committee on Higher Education**

September 15, 1998

Mr. Speaker: Your Committee on Higher Education reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2213

Assembly Bill No. 2529

LEMPERT, Chairman

Above bills ordered filed with the Chief Clerk.

**Committee on Appropriations**

September 16, 1998

Mr. Speaker: Your Committee on Appropriations reports the following resolution pursuant to the provisions of Joint Rule 62(a):

Assembly Constitutional Amendment No. 34

MIGDEN, Chairwoman

Above resolution ordered filed with the Chief Clerk.

**Committee on Health**

September 2, 1998

Mr. Speaker: Your Committee on Health reports the following resolution pursuant to the provisions of Joint Rule 62(a):

Assembly Constitutional Amendment No. 38

GALLEGOS, Chairman

Above resolution ordered filed with the Chief Clerk.

**Committee on Appropriations**

Date of Hearing: November 30, 1998

Mr. Speaker: Your Committee on Appropriations reports the following bill: Died in Committee—Concurrence Pending.

Assembly Bill No. 1026

MIGDEN, Chairwoman

Above bill ordered filed with the Chief Clerk.

**Committee on Water, Parks and Wildlife**

November 30, 1998

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports the following bill: Died in Committee; Concurrence Pending.

Assembly Bill No. 514

MACHADO, Chairman

Above bill ordered filed with the Chief Clerk.

**Committee on Transportation**

Date of Hearing: November 30, 1998

Mr. Speaker: Your Committee on Transportation reports the following bill: Died in Committee—Concurrence Pending.

Assembly Bill No. 2795

MURRAY, Chairman

Above bill ordered filed with the Chief Clerk.

**Committee on Health**

November 30, 1998

Mr. Speaker: Your Committee on Health reports the following bill: Died in Committee; Concurrence Pending.

Assembly Bill No. 1333

GALLEGOS, Chairman

Above bill ordered filed with the Chief Clerk.

**Committee on Consumer Protection, Governmental Efficiency and Economic Development**

November 30, 1998

Mr. Speaker: Your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports the following bill: Died in Committee; Concurrence Pending.

Assembly Bill No. 955

DAVIS, Chairwoman

Above bill ordered filed with the Chief Clerk.

**Committee on Utilities and Commerce**

Date of Hearing: November 30, 1998

Mr. Speaker: Your Committee on Utilities and Commerce reports the following bill: Died in Committee—Concurrence Pending.

Assembly Bill No. 360

MARTINEZ, Chairwoman

Above bill ordered filed with the Chief Clerk.

**Committee on Agriculture**

November 30, 1998

Mr. Speaker: The Committee on Agriculture reports:

Assembly Bill No. 2033  
Assembly Bill No. 2057  
Assembly Bill No. 2308  
Assembly Bill No. 2336

Assembly Bill No. 2385  
Assembly Bill No. 2502  
Assembly Bill No. 2757

Without action.

CARDOZA, Chairman

November 30, 1998

Mr. Speaker: The Committee on Agriculture reports:

Senate Bill No. 1831

Without action.

CARDOZA, Chairman

Above bill returned to the Senate.

**Committee on Appropriations**

November 30, 1998

Mr. Speaker: The Committee on Appropriations reports:

Assembly Bill No. 1623  
Assembly Bill No. 1631  
Assembly Bill No. 1633  
Assembly Bill No. 1637  
Assembly Bill No. 1672  
Assembly Bill No. 1684  
Assembly Bill No. 1696  
Assembly Bill No. 1698

Assembly Bill No. 1702  
Assembly Bill No. 1708  
Assembly Bill No. 1713  
Assembly Bill No. 1728  
Assembly Bill No. 1744  
Assembly Bill No. 1747  
Assembly Bill No. 1765  
Assembly Bill No. 1779

Without action.

MIGDEN, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Appropriations reports:

Assembly Bill No. 1800	Assembly Bill No. 1854
Assembly Bill No. 1802	Assembly Bill No. 1863
Assembly Bill No. 1809	Assembly Bill No. 1895
Assembly Bill No. 1814	Assembly Bill No. 1913
Assembly Bill No. 1831	Assembly Bill No. 1917
Assembly Bill No. 1834	Assembly Bill No. 1936
Assembly Bill No. 1841	Assembly Bill No. 1937
Assembly Bill No. 1846	Assembly Bill No. 1939

Without action.

MIGDEN, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Appropriations reports:

Assembly Bill No. 1949	Assembly Bill No. 2085
Assembly Bill No. 1960	Assembly Bill No. 2107
Assembly Bill No. 1971	Assembly Bill No. 2109
Assembly Bill No. 1976	Assembly Bill No. 2127
Assembly Bill No. 1991	Assembly Bill No. 2130
Assembly Bill No. 2007	Assembly Bill No. 2133
Assembly Bill No. 2059	Assembly Bill No. 2137
Assembly Bill No. 2081	Assembly Bill No. 2162

Without action.

MIGDEN, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Appropriations reports:

Assembly Bill No. 2165	Assembly Bill No. 2249
Assembly Bill No. 2175	Assembly Bill No. 2250
Assembly Bill No. 2189	Assembly Bill No. 2253
Assembly Bill No. 2190	Assembly Bill No. 2258
Assembly Bill No. 2205	Assembly Bill No. 2260
Assembly Bill No. 2208	Assembly Bill No. 2279
Assembly Bill No. 2219	Assembly Bill No. 2289
Assembly Bill No. 2221	Assembly Bill No. 2309

Without action.

MIGDEN, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Appropriations reports:

Assembly Bill No. 2311	Assembly Bill No. 2364
Assembly Bill No. 2312	Assembly Bill No. 2376
Assembly Bill No. 2323	Assembly Bill No. 2427
Assembly Bill No. 2327	Assembly Bill No. 2434
Assembly Bill No. 2330	Assembly Bill No. 2451
Assembly Bill No. 2331	Assembly Bill No. 2458
Assembly Bill No. 2348	Assembly Bill No. 2471
Assembly Bill No. 2358	Assembly Bill No. 2489

Without action.

MIGDEN, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Appropriations reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2520 | Assembly Bill No. 2616 |
| Assembly Bill No. 2525 | Assembly Bill No. 2619 |
| Assembly Bill No. 2540 | Assembly Bill No. 2623 |
| Assembly Bill No. 2545 | Assembly Bill No. 2634 |
| Assembly Bill No. 2563 | Assembly Bill No. 2654 |
| Assembly Bill No. 2585 | Assembly Bill No. 2657 |
| Assembly Bill No. 2589 | Assembly Bill No. 2664 |
| Assembly Bill No. 2613 | Assembly Bill No. 2670 |

Without action.

MIGDEN, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Appropriations reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2672 | Assembly Bill No. 2736 |
| Assembly Bill No. 2685 | Assembly Bill No. 2738 |
| Assembly Bill No. 2692 | Assembly Bill No. 2817 |

Without action.

MIGDEN, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Appropriations reports:

- Assembly Constitutional Amendment No. 9
- Assembly Constitutional Amendment No. 39

Without action.

MIGDEN, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Appropriations reports:

- Assembly Concurrent Resolution No. 69

Without action.

MIGDEN, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Appropriations reports:

- |                     |                     |
|---------------------|---------------------|
| Senate Bill No. 17  | Senate Bill No. 251 |
| Senate Bill No. 24  | Senate Bill No. 280 |
| Senate Bill No. 79  | Senate Bill No. 304 |
| Senate Bill No. 180 | Senate Bill No. 369 |
| Senate Bill No. 224 | Senate Bill No. 474 |
| Senate Bill No. 241 | Senate Bill No. 522 |
| Senate Bill No. 248 | Senate Bill No. 534 |
| Senate Bill No. 249 | Senate Bill No. 586 |

Without action.

MIGDEN, Chairwoman

Above bills returned to the Senate.

November 30, 1998

Mr. Speaker: The Committee on Appropriations reports:

Senate Bill No. 642	Senate Bill No. 904
Senate Bill No. 664	Senate Bill No. 923
Senate Bill No. 676	Senate Bill No. 937
Senate Bill No. 836	Senate Bill No. 974
Senate Bill No. 854	Senate Bill No. 978
Senate Bill No. 862	Senate Bill No. 1036
Senate Bill No. 877	Senate Bill No. 1042
Senate Bill No. 885	Senate Bill No. 1054

Without action.

MIGDEN, Chairman

Above bills returned to the Senate.

November 30, 1998

Mr. Speaker: The Committee on Appropriations reports:

Senate Bill No. 1060	Senate Bill No. 1398
Senate Bill No. 1090	Senate Bill No. 1401
Senate Bill No. 1116	Senate Bill No. 1408
Senate Bill No. 1147	Senate Bill No. 1433
Senate Bill No. 1222	Senate Bill No. 1434
Senate Bill No. 1226	Senate Bill No. 1446
Senate Bill No. 1338	Senate Bill No. 1449
Senate Bill No. 1358	Senate Bill No. 1451

Without action.

MIGDEN, Chairwoman

Above bills returned to the Senate.

November 30, 1998

Mr. Speaker: The Committee on Appropriations reports:

Senate Bill No. 1461	Senate Bill No. 1704
Senate Bill No. 1497	Senate Bill No. 1731
Senate Bill No. 1525	Senate Bill No. 1736
Senate Bill No. 1629	Senate Bill No. 1762
Senate Bill No. 1635	Senate Bill No. 1774
Senate Bill No. 1638	Senate Bill No. 1787
Senate Bill No. 1668	Senate Bill No. 1799
Senate Bill No. 1694	Senate Bill No. 1809

Without action.

MIGDEN, Chairwoman

Above bills returned to the Senate.

November 30, 1998

Mr. Speaker: The Committee on Appropriations reports:

Senate Bill No. 1818	Senate Bill No. 2115
Senate Bill No. 1839	Senate Bill No. 2120
Senate Bill No. 1902	Senate Bill No. 2155
Senate Bill No. 1912	Senate Bill No. 2188
Senate Bill No. 1946	Senate Bill No. 2190
Senate Bill No. 2022	Senate Bill No. 2200
Senate Bill No. 2026	Senate Bill No. 2242
Senate Bill No. 2080	

Without action.

MIGDEN, Chairwoman

Above bills returned to the Senate.

**Committee on Banking and Finance**

November 30, 1998

Mr. Speaker: The Committee on Banking and Finance reports:

- Assembly Bill No. 1818
- Assembly Bill No. 1947
- Assembly Bill No. 2129
- Assembly Bill No. 2265

- Assembly Bill No. 2590
- Assembly Bill No. 2591
- Assembly Bill No. 2642
- Assembly Bill No. 2807

Without action.

PAPAN, Chairman

November 30, 1998

Mr. Speaker: The Committee on Banking and Finance reports:

- Assembly Constitutional Amendment No. 12

Without action.

PAPAN, Chairman

**Committee on Budget**

November 30, 1998

Mr. Speaker: The Committee on Budget reports:

- Assembly Bill No. 2641

Without action.

DUCHENY, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Budget reports:

- Assembly Constitutional Amendment No. 1
- Assembly Constitutional Amendment No. 25
- Assembly Constitutional Amendment No. 29

Without action.

DUCHENY, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Budget reports:

- Assembly Concurrent Resolution No. 73
- Assembly Concurrent Resolution No. 75

Without action.

DUCHENY, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Budget reports:

- Senate Bill No. 130
- Senate Bill No. 740
- Senate Bill No. 755
- Senate Bill No. 756
- Senate Bill No. 759
- Senate Bill No. 760
- Senate Bill No. 764
- Senate Bill No. 766
- Senate Bill No. 938

- Senate Bill No. 1304
- Senate Bill No. 1567
- Senate Bill No. 1568
- Senate Bill No. 1569
- Senate Bill No. 1579
- Senate Bill No. 1586
- Senate Bill No. 1595
- Senate Bill No. 1601
- Senate Bill No. 1837

Without action.

DUCHENY, Chairwoman

Above bills returned to the Senate.

**Committee on Consumer Protection, Governmental Efficiency and  
Economic Development**

November 30, 1998

Mr. Speaker: The Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Bill No. 1638	Assembly Bill No. 2349
Assembly Bill No. 1678	Assembly Bill No. 2480
Assembly Bill No. 1823	Assembly Bill No. 2503
Assembly Bill No. 1836	Assembly Bill No. 2535
Assembly Bill No. 2064	Assembly Bill No. 2549
Assembly Bill No. 2098	Assembly Bill No. 2618
Assembly Bill No. 2200	Assembly Bill No. 2805
Assembly Bill No. 2228	

Without action.

DAVIS, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Constitutional Amendment No. 27  
Assembly Constitutional Amendment No. 35

Without action.

DAVIS, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Senate Bill No. 1169

Without action.

DAVIS, Chairwoman

Above bills returned to the Senate.

**Committee on Education**

November 30, 1998

Mr. Speaker: The Committee on Education reports:

Assembly Bill No. 1648	Assembly Bill No. 2226
Assembly Bill No. 1673	Assembly Bill No. 2262
Assembly Bill No. 1727	Assembly Bill No. 2338
Assembly Bill No. 1805	Assembly Bill No. 2380
Assembly Bill No. 1878	Assembly Bill No. 2382
Assembly Bill No. 2115	Assembly Bill No. 2413
Assembly Bill No. 2138	Assembly Bill No. 2513
Assembly Bill No. 2185	Assembly Bill No. 2526

Without action.

MAZZONI, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Education reports:

Assembly Bill No. 2537	Assembly Bill No. 2706
Assembly Bill No. 2602	Assembly Bill No. 2743
Assembly Bill No. 2668	Assembly Bill No. 2752

Without action.

MAZZONI, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Education reports:

Assembly Constitutional Amendment No. 7  
Assembly Constitutional Amendment No. 47

Without action.

MAZZONI, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Education reports:

Senate Bill No. 395

Senate Bill No. 1972

Senate Bill No. 843

Senate Bill No. 1975

Without action.

MAZZONI, Chairwoman

Above bills returned to the Senate.

**Committee on Elections, Reapportionment and Constitutional Amendments**

November 30, 1998

Mr. Speaker: The Committee on Elections, Reapportionment and Constitutional Amendments reports:

Assembly Bill No. 1787

Assembly Bill No. 2276

Assembly Bill No. 1808

Assembly Bill No. 2281

Assembly Bill No. 1923

Assembly Bill No. 2435

Assembly Bill No. 2174

Assembly Bill No. 2814

Assembly Bill No. 2232

Without action.

VINCENT, Chairman

November 30, 1998

Mr. Speaker: The Committee on Elections, Reapportionment and Constitutional Amendments reports:

Assembly Constitutional Amendment No. 8

Assembly Constitutional Amendment No. 28

Assembly Constitutional Amendment No. 32

Assembly Constitutional Amendment No. 36

Assembly Constitutional Amendment No. 41

Assembly Constitutional Amendment No. 46

Assembly Constitutional Amendment No. 48

Without action.

VINCENT, Chairman

November 30, 1998

Mr. Speaker: The Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 2090

Without action.

VINCENT, Chairman

Above bill returned to the Senate.

November 30, 1998

Mr. Speaker: The Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Constitutional Amendment No. 35

Without action.

VINCENT, Chairman

Above resolution returned to the Senate.

**Committee on Environmental Safety and Toxic Materials**

November 30, 1998

Mr. Speaker: The Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 2306

Assembly Bill No. 2424

Assembly Bill No. 2614

Without action.

WAYNE, Chairman

November 30, 1998

Mr. Speaker: The Committee on Environmental Safety and Toxic Materials reports:

Senate Bill No. 360

Senate Bill No. 869

Senate Bill No. 442

Senate Bill No. 1012

Without action.

WAYNE, Chairman

Above bills returned to the Senate.

**Committee on Governmental Organization**

November 30, 1998

Mr. Speaker: The Committee on Governmental Organization reports:

Assembly Bill No. 1764

Assembly Bill No. 2296

Assembly Bill No. 1938

Assembly Bill No. 2362

Assembly Bill No. 1974

Assembly Bill No. 2396

Assembly Bill No. 1989

Assembly Bill No. 2408

Assembly Bill No. 2012

Assembly Bill No. 2533

Assembly Bill No. 2029

Assembly Bill No. 2601

Assembly Bill No. 2202

Assembly Bill No. 2607

Assembly Bill No. 2242

Without action.

BROWN, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Governmental Organization reports:

Assembly Constitutional Amendment No. 23

Assembly Constitutional Amendment No. 40

Without action.

BROWN, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Governmental Organization reports:

House Resolution No. 9

Without action.

BROWN, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Governmental Organization reports:

Senate Bill No. 957

Senate Bill No. 1502

Senate Bill No. 1152

Senate Bill No. 2036

Without action.

BROWN, Chairwoman

Above bills returned to the Senate.

**Committee on Health**

November 30, 1998

Mr. Speaker: The Committee on Health reports:

Assembly Bill No. 1627

Assembly Bill No. 1908

Assembly Bill No. 1628

Assembly Bill No. 1943

Assembly Bill No. 1661

Assembly Bill No. 2037

Assembly Bill No. 1711

Assembly Bill No. 2121

Assembly Bill No. 1717

Assembly Bill No. 2122

Assembly Bill No. 1718

Assembly Bill No. 2235

Assembly Bill No. 1849

Assembly Bill No. 2243

Assembly Bill No. 1896

Assembly Bill No. 2246

Without action.

GALLEGOS, Chairman

November 30, 1998

Mr. Speaker: The Committee on Health reports:

Assembly Bill No. 2256  
Assembly Bill No. 2264  
Assembly Bill No. 2333  
Assembly Bill No. 2367  
Assembly Bill No. 2496  
Assembly Bill No. 2508

Assembly Bill No. 2512  
Assembly Bill No. 2542  
Assembly Bill No. 2582  
Assembly Bill No. 2604  
Assembly Bill No. 2681  
Assembly Bill No. 2688

Without action.

GALLEGOS, Chairman

November 30, 1998

Mr. Speaker: The Committee on Health reports:

Assembly Constitutional Amendment No. 44

Without action.

GALLEGOS, Chairman

November 30, 1998

Mr. Speaker: The Committee on Health reports:

Senate Bill No. 385  
Senate Bill No. 848  
Senate Bill No. 1256  
Senate Bill No. 1281  
Senate Bill No. 1504

Senate Bill No. 1541  
Senate Bill No. 1607  
Senate Bill No. 1653  
Senate Bill No. 1887

Without action.

GALLEGOS, Chairman

Above bills returned to the Senate.

**Committee on Higher Education**

November 30, 1998

Mr. Speaker: The Committee on Higher Education reports:

Assembly Bill No. 1662  
Assembly Bill No. 2005  
Assembly Bill No. 2210  
Assembly Bill No. 2291

Assembly Bill No. 2298  
Assembly Bill No. 2669  
Assembly Bill No. 2811  
Assembly Bill No. 2813

Without action.

LEMPERT, Chairman

November 30, 1998

Mr. Speaker: The Committee on Higher Education reports:

Senate Bill No. 101  
Senate Bill No. 1472

Without action.

LEMPERT, Chairman

Above bills returned to the Senate.

**Committee on Housing and Community Development**

November 30, 1998

Mr. Speaker: The Committee on Housing and Community Development reports:

Assembly Bill No. 1760  
Assembly Bill No. 2220

Without action.

TORLAKSON, Chairman

November 30, 1998

Mr. Speaker: The Committee on Housing and Community Development reports:

Senate Bill No. 254

Senate Bill No. 801

Without action.

TORLAKSON, Chairman

Above bills returned to the Senate.

**Committee on Human Services**

November 30, 1998

Mr. Speaker: The Committee on Human Services reports:

Assembly Bill No. 1749

Assembly Bill No. 2168

Assembly Bill No. 1769

Assembly Bill No. 2186

Assembly Bill No. 1883

Assembly Bill No. 2412

Assembly Bill No. 2117

Assembly Bill No. 2469

Without action.

ARONER, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Human Services reports:

Assembly Joint Resolution No. 2

Without action.

ARONER, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Human Services reports:

Senate Bill No. 361

Without action.

ARONER, Chairwoman

Above bill returned to the Senate.

**Committee on Insurance**

November 30, 1998

Mr. Speaker: The Committee on Insurance reports:

Assembly Bill No. 1660

Assembly Bill No. 2123

Assembly Bill No. 1729

Assembly Bill No. 2152

Assembly Bill No. 1821

Assembly Bill No. 2184

Assembly Bill No. 1876

Assembly Bill No. 2211

Assembly Bill No. 1887

Assembly Bill No. 2322

Assembly Bill No. 1965

Assembly Bill No. 2470

Assembly Bill No. 1970

Assembly Bill No. 2497

Assembly Bill No. 1985

Without action.

FIGUEROA, Chairwoman

**Committee on International Trade and Development**

November 30, 1998

Mr. Speaker: The Committee on International Trade and Development reports:

Assembly Concurrent Resolution No. 19

Without action.

NAPOLITANO, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on International Trade and Development reports:

Assembly Joint Resolution No. 68

Without action.

NAPOLITANO, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on International Trade and Development reports:

House Resolution No. 21

House Resolution No. 34

Without action.

NAPOLITANO, Chairwoman

**Committee on Insurance**

November 30, 1998

Mr. Speaker: The Committee on Insurance reports:

Senate Bill No. 570

Senate Bill No. 1545

Senate Bill No. 622

Senate Bill No. 1551

Senate Bill No. 859

Without action.

FIGUEROA, Chairwoman

Above bills returned to the Senate.

**Committee on Judiciary**

November 30, 1998

Mr. Speaker: The Committee on Judiciary reports:

Assembly Bill No. 1666

Assembly Bill No. 2068

Assembly Bill No. 1794

Assembly Bill No. 2095

Assembly Bill No. 1798

Assembly Bill No. 2148

Assembly Bill No. 1813

Assembly Bill No. 2209

Assembly Bill No. 1890

Assembly Bill No. 2239

Assembly Bill No. 1934

Assembly Bill No. 2245

Assembly Bill No. 1982

Assembly Bill No. 2248

Assembly Bill No. 2014

Assembly Bill No. 2304

Without action.

ESCUTIA, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Judiciary reports:

Assembly Bill No. 2371

Assembly Bill No. 2640

Assembly Bill No. 2445

Assembly Bill No. 2691

Assembly Bill No. 2499

Assembly Bill No. 2709

Assembly Bill No. 2511

Assembly Bill No. 2714

Assembly Bill No. 2553

Assembly Bill No. 2750

Assembly Bill No. 2596

Assembly Bill No. 2753

Assembly Bill No. 2631

Without action.

ESCUTIA, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Judiciary reports:

Assembly Constitutional Amendment No. 3

Assembly Constitutional Amendment No. 24

Without action.

ESCUTIA, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Judiciary reports:

Assembly Joint Resolution No. 26

Without action.

ESCUTIA, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Judiciary reports:

Senate Bill No. 1342  
Senate Bill No. 1459  
Senate Bill No. 1508  
Senate Bill No. 1529

Senate Bill No. 1536  
Senate Bill No. 1730  
Senate Bill No. 1917

Without action.

ESCUTIA, Chairwoman

Above bills returned to the Senate.

**Committee on Labor and Employment**

November 30, 1998

Mr. Speaker: The Committee on Labor and Employment reports:

Assembly Bill No. 1979  
Assembly Bill No. 2139  
Assembly Bill No. 2191  
Assembly Bill No. 2317

Assembly Bill No. 2548  
Assembly Bill No. 2568  
Assembly Bill No. 2701

Without action.

FLOYD, Chairman

November 30, 1998

Mr. Speaker: The Committee on Labor and Employment reports:

Assembly Joint Resolution No. 64

Without action.

FLOYD, Chairman

November 30, 1998

Mr. Speaker: The Committee on Labor and Employment reports:

Senate Bill No. 655  
Senate Bill No. 1043  
Senate Bill No. 2173

Without action.

FLOYD, Chairman

Above bills returned to the Senate.

**Committee on Local Government**

November 30, 1998

Mr. Speaker: The Committee on Local Government reports:

Assembly Bill No. 1839  
Assembly Bill No. 1918  
Assembly Bill No. 1968  
Assembly Bill No. 2032  
Assembly Bill No. 2158  
Assembly Bill No. 2337  
Assembly Bill No. 2354

Assembly Bill No. 2457  
Assembly Bill No. 2488  
Assembly Bill No. 2626  
Assembly Bill No. 2656  
Assembly Bill No. 2679  
Assembly Bill No. 2708  
Assembly Bill No. 2749

Without action.

SWEENEY, Chairman

November 30, 1998

Mr. Speaker: The Committee on Local Government reports:

Assembly Constitutional Amendment No. 13  
Assembly Constitutional Amendment No. 37

Without action.

SWEENEY, Chairman

November 30, 1998

Mr. Speaker: The Committee on Local Government reports:

House Resolution No. 52

Without action.

SWEENEY, Chairman

November 30, 1998

Mr. Speaker: The Committee on Local Government reports:

- Senate Bill No. 677
- Senate Bill No. 1272

Without action.

SWEENEY, Chairman

Above bills returned to the Senate.

**Committee on Natural Resources**

November 30, 1998

Mr. Speaker: The Committee on Natural Resources reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1740 | Assembly Bill No. 2555 |
| Assembly Bill No. 1929 | Assembly Bill No. 2584 |
| Assembly Bill No. 2018 | Assembly Bill No. 2593 |
| Assembly Bill No. 2024 | Assembly Bill No. 2610 |
| Assembly Bill No. 2119 | Assembly Bill No. 2632 |
| Assembly Bill No. 2160 | Assembly Bill No. 2644 |
| Assembly Bill No. 2420 | Assembly Bill No. 2652 |
| Assembly Bill No. 2531 | Assembly Bill No. 2667 |

Without action.

BOWEN, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Natural Resources reports:

- Assembly Bill No. 2673
- Assembly Bill No. 2677
- Assembly Bill No. 2713

Without action.

BOWEN, Chairwoman

November 30, 1998

Mr. Speaker: The Committee on Natural Resources reports:

- |                     |                      |
|---------------------|----------------------|
| Senate Bill No. 533 | Senate Bill No. 1059 |
| Senate Bill No. 581 | Senate Bill No. 1376 |
| Senate Bill No. 681 | Senate Bill No. 2010 |

Without action.

BOWEN, Chairwoman

Above bills returned to the Senate.

**Committee on Public Employees, Retirement and Social Security**

November 30, 1998

Mr. Speaker: The Committee on Public Employees, Retirement and Social Security reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1679 | Assembly Bill No. 2524 |
| Assembly Bill No. 1861 | Assembly Bill No. 2720 |

Without action.

HONDA, Chairman

November 30, 1998

Mr. Speaker: The Committee on Public Employees, Retirement and Social Security reports:

- |                     |                      |
|---------------------|----------------------|
| Senate Bill No. 577 | Senate Bill No. 967  |
| Senate Bill No. 672 | Senate Bill No. 1022 |
| Senate Bill No. 870 |                      |

Without action.

HONDA, Chairman

Above bills returned to the Senate.

**Committee on Public Safety**

November 30, 1998

Mr. Speaker: The Committee on Public Safety reports:

Assembly Bill No. 1723	Assembly Bill No. 2091
Assembly Bill No. 1735	Assembly Bill No. 2104
Assembly Bill No. 1783	Assembly Bill No. 2143
Assembly Bill No. 1806	Assembly Bill No. 2146
Assembly Bill No. 1847	Assembly Bill No. 2151
Assembly Bill No. 1868	Assembly Bill No. 2166
Assembly Bill No. 1969	Assembly Bill No. 2170
Assembly Bill No. 2076	Assembly Bill No. 2178

Without action.

PERATA, Chairman

November 30, 1998

Mr. Speaker: The Committee on Public Safety reports:

Assembly Bill No. 2187	Assembly Bill No. 2448
Assembly Bill No. 2204	Assembly Bill No. 2449
Assembly Bill No. 2212	Assembly Bill No. 2467
Assembly Bill No. 2287	Assembly Bill No. 2476
Assembly Bill No. 2356	Assembly Bill No. 2490
Assembly Bill No. 2391	Assembly Bill No. 2504
Assembly Bill No. 2419	Assembly Bill No. 2546
Assembly Bill No. 2443	Assembly Bill No. 2575

Without action.

PERATA, Chairman

November 30, 1998

Mr. Speaker: The Committee on Public Safety reports:

Assembly Bill No. 2577  
 Assembly Bill No. 2606  
 Assembly Bill No. 2770

Without action.

PERATA, Chairman

November 30, 1998

Mr. Speaker: The Committee on Public Safety reports:

Senate Bill No. 121	Senate Bill No. 1612
Senate Bill No. 1115	Senate Bill No. 2016
Senate Bill No. 1298	

Without action.

PERATA, Chairman

Above bills returned to the Senate.

**Committee on Revenue and Taxation**

November 30, 1998

Mr. Speaker: The Committee on Revenue and Taxation reports:

Assembly Bill No. 1668	Assembly Bill No. 2144
Assembly Bill No. 1776	Assembly Bill No. 2247
Assembly Bill No. 1894	Assembly Bill No. 2267
Assembly Bill No. 2026	Assembly Bill No. 2370
Assembly Bill No. 2051	Assembly Bill No. 2450
Assembly Bill No. 2060	Assembly Bill No. 2550
Assembly Bill No. 2092	Assembly Bill No. 2635
Assembly Bill No. 2131	Assembly Bill No. 2678

Without action.

KNOX, Chairman

November 30, 1998

Mr. Speaker: The Committee on Revenue and Taxation reports:

- Assembly Bill No. 2717
- Assembly Bill No. 2735
- Assembly Bill No. 2808

Without action.

KNOX, Chairman

November 30, 1998

Mr. Speaker: The Committee on Revenue and Taxation reports:

- Assembly Constitutional Amendment No. 42
- Assembly Constitutional Amendment No. 43
- Assembly Constitutional Amendment No. 45

Without action.

KNOX, Chairman

November 30, 1998

Mr. Speaker: The Committee on Revenue and Taxation reports:

- Assembly Concurrent Resolution No. 71

Without action.

KNOX, Chairman

November 30, 1998

Mr. Speaker: The Committee on Revenue and Taxation reports:

- |                                  |                                  |
|----------------------------------|----------------------------------|
| Assembly Joint Resolution No. 9  | Assembly Joint Resolution No. 20 |
| Assembly Joint Resolution No. 10 | Assembly Joint Resolution No. 74 |

Without action.

KNOX, Chairman

November 30, 1998

Mr. Speaker: The Committee on Revenue and Taxation reports:

- Senate Bill No. 1425
- Senate Bill No. 2236

Without action.

KNOX, Chairman

Above bills returned to the Senate:

**Committee on Rules**

November 30, 1998

Mr. Speaker: Your Committee on Rules reports:

- Assembly Bill No. 2000
- Assembly Bill No. 2617

Without action.

HERTZBERG, Chairman

November 30, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 35  
 Assembly Concurrent Resolution No. 40  
 Assembly Concurrent Resolution No. 45  
 Assembly Concurrent Resolution No. 46  
 Assembly Concurrent Resolution No. 47  
 Assembly Concurrent Resolution No. 48  
 Assembly Concurrent Resolution No. 61  
 Assembly Concurrent Resolution No. 67  
 Assembly Concurrent Resolution No. 96  
 Assembly Concurrent Resolution No. 102  
 Assembly Concurrent Resolution No. 123  
 Assembly Concurrent Resolution No. 134  
 Assembly Concurrent Resolution No. 141  
 Assembly Concurrent Resolution No. 173  
 Assembly Concurrent Resolution No. 193

Without action.

HERTZBERG, Chairman

November 30, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Joint Resolution No. 6  
 Assembly Joint Resolution No. 15  
 Assembly Joint Resolution No. 23  
 Assembly Joint Resolution No. 31  
 Assembly Joint Resolution No. 33  
 Assembly Joint Resolution No. 35  
 Assembly Joint Resolution No. 45  
 Assembly Joint Resolution No. 50  
 Assembly Joint Resolution No. 53  
 Assembly Joint Resolution No. 55  
 Assembly Joint Resolution No. 57  
 Assembly Joint Resolution No. 69  
 Assembly Joint Resolution No. 75  
 Assembly Joint Resolution No. 78

Without action.

HERTZBERG, Chairman

November 30, 1998

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 24  
 House Resolution No. 35  
 House Resolution No. 38  
 House Resolution No. 40  
 House Resolution No. 41  
 House Resolution No. 56  
 House Resolution No. 62  
 House Resolution No. 90

Without action.

HERTZBERG, Chairman

November 30, 1998

Mr. Speaker: Your Committee on Rules reports:

Senate Bill No. 1083

Without action.

HERTZBERG, Chairman

Above bill returned to the Senate.

November 30, 1998

Mr. Speaker: Your Committee on Rules reports:

- Senate Concurrent Resolution No. 15
- Senate Concurrent Resolution No. 47
- Senate Concurrent Resolution No. 57
- Senate Concurrent Resolution No. 58
- Senate Concurrent Resolution No. 84

Without action.

HERTZBERG, Chairman

Above resolutions returned to the Senate.

**Committee on Televising the Assembly and Information Technology**

November 30, 1998

Mr. Speaker: The Committee on Televising the Assembly and Information Technology reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1793 | Assembly Bill No. 2350 |
| Assembly Bill No. 1932 | Assembly Bill No. 2431 |
| Assembly Bill No. 2058 | Assembly Bill No. 2517 |
| Assembly Bill No. 2161 |                        |

Without action.

ALQUIST, Chairwoman

**Committee on Transportation**

November 30, 1998

Mr. Speaker: The Committee on Transportation reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1690 | Assembly Bill No. 2393 |
| Assembly Bill No. 1811 | Assembly Bill No. 2395 |
| Assembly Bill No. 1824 | Assembly Bill No. 2411 |
| Assembly Bill No. 1850 | Assembly Bill No. 2629 |
| Assembly Bill No. 1996 | Assembly Bill No. 2663 |
| Assembly Bill No. 2047 | Assembly Bill No. 2727 |
| Assembly Bill No. 2072 | Assembly Bill No. 2731 |
| Assembly Bill No. 2223 | Assembly Bill No. 2815 |
| Assembly Bill No. 2225 |                        |

Without action.

MURRAY, Chairman

November 30, 1998

Mr. Speaker: The Committee on Transportation reports:

- Assembly Joint Resolution No. 1

Without action.

MURRAY, Chairman

**Committee on Utilities and Commerce**

November 30, 1998

Mr. Speaker: Your Committee on Utilities and Commerce reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1822 | Assembly Bill No. 1984 |
| Assembly Bill No. 1893 | Assembly Bill No. 2740 |

Without action.

MARTINEZ, Chairwoman

November 30, 1998

Mr. Speaker: Your Committee on Utilities and Commerce reports:

- Assembly Constitutional Amendment No. 15

Without action.

MARTINEZ, Chairwoman

November 30, 1998

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 216

Senate Bill No. 1714

Without action.

MARTINEZ, Chairwoman

Above bills returned to the Senate.

**Committee on Water, Parks and Wildlife**

November 30, 1998

Mr. Speaker: The Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 1902

Assembly Bill No. 2444

Assembly Bill No. 2111

Assembly Bill No. 2486

Assembly Bill No. 2182

Assembly Bill No. 2624

Assembly Bill No. 2227

Assembly Bill No. 2628

Assembly Bill No. 2302

Assembly Bill No. 2726

Assembly Bill No. 2430

Without action.

MACHADO, Chairman

November 30, 1998

Mr. Speaker: The Committee on Water, Parks and Wildlife reports:

Assembly Constitutional Amendment No. 33

Without action.

MACHADO, Chairman

November 30, 1998

Mr. Speaker: The Committee on Water, Parks and Wildlife reports:

Assembly Concurrent Resolution No. 108

Without action.

MACHADO, Chairman

November 30, 1998

Mr. Speaker: The Committee on Water, Parks and Wildlife reports:

Senate Bill No. 312

Senate Bill No. 1202

Senate Bill No. 598

Senate Bill No. 1316

Senate Bill No. 1011

Senate Bill No. 1833

Without action.

MACHADO, Chairman

Above bills returned to the Senate.

**MESSAGES FROM THE SENATE**

Senate Chamber, November 30, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 8

Assembly Bill No. 277

Assembly Bill No. 27

Assembly Bill No. 305

Assembly Bill No. 40

Assembly Bill No. 363

Assembly Bill No. 70

Assembly Bill No. 371

Assembly Bill No. 72

Assembly Bill No. 384

Assembly Bill No. 83

Assembly Bill No. 391

Assembly Bill No. 87

Assembly Bill No. 410

Assembly Bill No. 94

Assembly Bill No. 455

Assembly Bill No. 95

Assembly Bill No. 484

Assembly Bill No. 119

Assembly Bill No. 486

Assembly Bill No. 187

Assembly Bill No. 490

Assembly Bill No. 189

Assembly Bill No. 511

Assembly Bill No. 192

Assembly Bill No. 548

Assembly Bill No. 196

Assembly Bill No. 644

Assembly Bill No. 201

Assembly Bill No. 651

Assembly Bill No. 222

Assembly Bill No. 656

Assembly Bill No. 659  
Assembly Bill No. 663  
Assembly Bill No. 664  
Assembly Bill No. 695  
Assembly Bill No. 696  
Assembly Bill No. 718  
Assembly Bill No. 741  
Assembly Bill No. 785  
Assembly Bill No. 803  
Assembly Bill No. 812  
Assembly Bill No. 842  
Assembly Bill No. 863  
Assembly Bill No. 864  
Assembly Bill No. 884  
Assembly Bill No. 895  
Assembly Bill No. 899  
Assembly Bill No. 926  
Assembly Bill No. 933  
Assembly Bill No. 981  
Assembly Bill No. 1019  
Assembly Bill No. 1087  
Assembly Bill No. 1135  
Assembly Bill No. 1162  
Assembly Bill No. 1197  
Assembly Bill No. 1218  
Assembly Bill No. 1228  
Assembly Bill No. 1229  
Assembly Bill No. 1251  
Assembly Bill No. 1265  
Assembly Bill No. 1271  
Assembly Bill No. 1276  
Assembly Bill No. 1322  
Assembly Bill No. 1356  
Assembly Bill No. 1387  
Assembly Bill No. 1413  
Assembly Bill No. 1416  
Assembly Bill No. 1420  
Assembly Bill No. 1430  
Assembly Bill No. 1435  
Assembly Bill No. 1440  
Assembly Bill No. 1457  
Assembly Bill No. 1494  
Assembly Bill No. 1496  
Assembly Bill No. 1513  
Assembly Bill No. 1528  
Assembly Bill No. 1532  
Assembly Bill No. 1557  
Assembly Bill No. 1608  
Assembly Bill No. 1619  
Assembly Bill No. 1632  
Assembly Bill No. 1653  
Assembly Bill No. 1659  
Assembly Bill No. 1667  
Assembly Bill No. 1670  
Assembly Bill No. 1706  
Assembly Bill No. 1714  
Assembly Bill No. 1722  
Assembly Bill No. 1732  
Assembly Bill No. 1742  
Assembly Bill No. 1762  
Assembly Bill No. 1772  
Assembly Bill No. 1773  
Assembly Bill No. 1790  
Assembly Bill No. 1804  
Assembly Bill No. 1816  
Assembly Bill No. 1829  
Assembly Bill No. 1853

Assembly Bill No. 1924  
Assembly Bill No. 1948  
Assembly Bill No. 1997  
Assembly Bill No. 2009  
Assembly Bill No. 2015  
Assembly Bill No. 2043  
Assembly Bill No. 2044  
Assembly Bill No. 2050  
Assembly Bill No. 2070  
Assembly Bill No. 2078  
Assembly Bill No. 2114  
Assembly Bill No. 2125  
Assembly Bill No. 2254  
Assembly Bill No. 2271  
Assembly Bill No. 2288  
Assembly Bill No. 2324  
Assembly Bill No. 2346  
Assembly Bill No. 2373  
Assembly Bill No. 2381  
Assembly Bill No. 2414  
Assembly Bill No. 2436  
Assembly Bill No. 2475  
Assembly Bill No. 2477  
Assembly Bill No. 2481  
Assembly Bill No. 2482  
Assembly Bill No. 2483  
Assembly Bill No. 2484  
Assembly Bill No. 2515  
Assembly Bill No. 2518  
Assembly Bill No. 2566  
Assembly Bill No. 2567  
Assembly Bill No. 2579  
Assembly Bill No. 2599  
Assembly Bill No. 2608  
Assembly Bill No. 2658  
Assembly Bill No. 2660  
Assembly Bill No. 2661  
Assembly Bill No. 2665  
Assembly Bill No. 2666  
Assembly Bill No. 2715  
Assembly Bill No. 2762  
Assembly Bill No. 2766  
Assembly Bill No. 2767  
Assembly Bill No. 26  
Assembly Bill No. 32  
Assembly Bill No. 50  
Assembly Bill No. 65  
Assembly Bill No. 68  
Assembly Bill No. 82  
Assembly Bill No. 128  
Assembly Bill No. 172  
Assembly Bill No. 199  
Assembly Bill No. 220  
Assembly Bill No. 225  
Assembly Bill No. 229  
Assembly Bill No. 261  
Assembly Bill No. 264  
Assembly Bill No. 266  
Assembly Bill No. 269  
Assembly Bill No. 291  
Assembly Bill No. 294  
Assembly Bill No. 297  
Assembly Bill No. 312  
Assembly Bill No. 316  
Assembly Bill No. 319  
Assembly Bill No. 342  
Assembly Bill No. 376

Assembly Bill No. 385  
Assembly Bill No. 386  
Assembly Bill No. 392  
Assembly Bill No. 409  
Assembly Bill No. 439  
Assembly Bill No. 457  
Assembly Bill No. 481  
Assembly Bill No. 493  
Assembly Bill No. 506  
Assembly Bill No. 522  
Assembly Bill No. 529  
Assembly Bill No. 554  
Assembly Bill No. 565  
Assembly Bill No. 569  
Assembly Bill No. 589  
Assembly Bill No. 599  
Assembly Bill No. 601  
Assembly Bill No. 614  
Assembly Bill No. 630  
Assembly Bill No. 646  
Assembly Bill No. 667  
Assembly Bill No. 717  
Assembly Bill No. 722  
Assembly Bill No. 780  
Assembly Bill No. 831  
Assembly Bill No. 832  
Assembly Bill No. 840  
Assembly Bill No. 857  
Assembly Bill No. 889  
Assembly Bill No. 909  
Assembly Bill No. 929  
Assembly Bill No. 932  
Assembly Bill No. 941  
Assembly Bill No. 944  
Assembly Bill No. 953  
Assembly Bill No. 956  
Assembly Bill No. 1000  
Assembly Bill No. 1002  
Assembly Bill No. 1063  
Assembly Bill No. 1069  
Assembly Bill No. 1072  
Assembly Bill No. 1079  
Assembly Bill No. 1117  
Assembly Bill No. 1118  
Assembly Bill No. 1138  
Assembly Bill No. 1141  
Assembly Bill No. 1174  
Assembly Bill No. 1175  
Assembly Bill No. 1180  
Assembly Bill No. 1227  
Assembly Bill No. 1236  
Assembly Bill No. 1256  
Assembly Bill No. 1268  
Assembly Bill No. 1281  
Assembly Bill No. 1285  
Assembly Bill No. 1287  
Assembly Bill No. 1300  
Assembly Bill No. 1304  
Assembly Bill No. 1328  
Assembly Bill No. 1412  
Assembly Bill No. 1414  
Assembly Bill No. 1419  
Assembly Bill No. 1454  
Assembly Bill No. 1463  
Assembly Bill No. 1476  
Assembly Bill No. 1477  
Assembly Bill No. 1481

Assembly Bill No. 1482  
Assembly Bill No. 1497  
Assembly Bill No. 1538  
Assembly Bill No. 1563  
Assembly Bill No. 1573  
Assembly Bill No. 1615  
Assembly Bill No. 1622  
Assembly Bill No. 1657  
Assembly Bill No. 1675  
Assembly Bill No. 1752  
Assembly Bill No. 1753  
Assembly Bill No. 1759  
Assembly Bill No. 1768  
Assembly Bill No. 1777  
Assembly Bill No. 1786  
Assembly Bill No. 1833  
Assembly Bill No. 1840  
Assembly Bill No. 1862  
Assembly Bill No. 1867  
Assembly Bill No. 1952  
Assembly Bill No. 1958  
Assembly Bill No. 2010  
Assembly Bill No. 2013  
Assembly Bill No. 2028  
Assembly Bill No. 2030  
Assembly Bill No. 2065  
Assembly Bill No. 2073  
Assembly Bill No. 2077  
Assembly Bill No. 2080  
Assembly Bill No. 2118  
Assembly Bill No. 2136  
Assembly Bill No. 2140  
Assembly Bill No. 2147  
Assembly Bill No. 2176  
Assembly Bill No. 2203  
Assembly Bill No. 2206  
Assembly Bill No. 2234  
Assembly Bill No. 2255  
Assembly Bill No. 2257  
Assembly Bill No. 2277  
Assembly Bill No. 2314  
Assembly Bill No. 2325  
Assembly Bill No. 2345  
Assembly Bill No. 2392  
Assembly Bill No. 2402  
Assembly Bill No. 2455  
Assembly Bill No. 2479  
Assembly Bill No. 2530  
Assembly Bill No. 2552  
Assembly Bill No. 2559  
Assembly Bill No. 2561  
Assembly Bill No. 2562  
Assembly Bill No. 2587  
Assembly Bill No. 2605  
Assembly Bill No. 2653  
Assembly Bill No. 2659  
Assembly Bill No. 2662  
Assembly Bill No. 2698  
Assembly Bill No. 2710  
Assembly Bill No. 2711  
Assembly Bill No. 2723  
Assembly Bill No. 2742  
Assembly Bill No. 2754  
Assembly Bill No. 2783  
Assembly Bill No. 2786  
Assembly Bill No. 2787  
Assembly Bill No. 2792

- Assembly Bill No. 2806
- Assembly Constitutional Amendment No. 4
- Assembly Constitutional Amendment No. 6
- Assembly Concurrent Resolution No. 3
- Assembly Concurrent Resolution No. 24
- Assembly Concurrent Resolution No. 25
- Assembly Concurrent Resolution No. 27
- Assembly Concurrent Resolution No. 70
- Assembly Concurrent Resolution No. 79
- Assembly Concurrent Resolution No. 94
- Assembly Concurrent Resolution No. 101
- Assembly Concurrent Resolution No. 116
- Assembly Concurrent Resolution No. 129
- Assembly Concurrent Resolution No. 143
- Assembly Concurrent Resolution No. 170
- Assembly Concurrent Resolution No. 182
- Assembly Joint Resolution No. 3
- Assembly Joint Resolution No. 14
- Assembly Joint Resolution No. 54
- Assembly Joint Resolution No. 62

GREG P. SCHMIDT, Secretary of the Senate  
 By John W. Rovane, Assistant Secretary

Senate Chamber, November 30, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

- |                                  |                        |
|----------------------------------|------------------------|
| Assembly Bill No. 16             | Assembly Bill No. 1636 |
| Assembly Bill No. 243            | Assembly Bill No. 1725 |
| Assembly Bill No. 244            | Assembly Bill No. 1920 |
| Assembly Bill No. 404            | Assembly Bill No. 2082 |
| Assembly Bill No. 533            | Assembly Bill No. 2278 |
| Assembly Bill No. 894            | Assembly Bill No. 2313 |
| Assembly Bill No. 1147           | Assembly Bill No. 2315 |
| Assembly Bill No. 1252           | Assembly Bill No. 2359 |
| Assembly Bill No. 1336           | Assembly Bill No. 2463 |
| Assembly Bill No. 1444           |                        |
| Assembly Joint Resolution No. 46 |                        |

GREG P. SCHMIDT, Secretary of the Senate  
 By John W. Rovane, Assistant Secretary

Senate Chamber, November 30, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

- |  |                        |
|--|------------------------|
| Assembly Bill No. 556                    | Assembly Bill No. 2368 |
| Assembly Bill No. 1467                   | Assembly Bill No. 2541 |
| Assembly Bill No. 1835                   |                        |
| Assembly Constitutional Amendment No. 14 |                        |

GREG P. SCHMIDT, Secretary of the Senate  
 By John W. Rovane, Assistant Secretary

Senate Chamber, November 30, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

- |                                  |                        |
|----------------------------------|------------------------|
| Assembly Bill No. 254            | Assembly Bill No. 1084 |
| Assembly Bill No. 270            | Assembly Bill No. 1156 |
| Assembly Bill No. 436            | Assembly Bill No. 1158 |
| Assembly Bill No. 480            | Assembly Bill No. 1771 |
| Assembly Bill No. 851            | Assembly Bill No. 1774 |
| Assembly Bill No. 935            | Assembly Bill No. 2728 |
| Assembly Joint Resolution No. 34 |                        |

GREG P. SCHMIDT, Secretary of the Senate  
 By John W. Rovane, Assistant Secretary

Senate Chamber, November 30, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 892  
 Assembly Bill No. 1212  
 Assembly Bill No. 1400

Assembly Bill No. 1580  
 Assembly Bill No. 1955

GREG P. SCHMIDT, Secretary of the Senate  
 By John W. Rovane, Assistant Secretary

Senate Chamber, November 30, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 30  
 Assembly Bill No. 478  
 Assembly Bill No. 1669

Assembly Bill No. 2027  
 Assembly Bill No. 2112  
 Assembly Bill No. 2462

GREG P. SCHMIDT, Secretary of the Senate  
 By John W. Rovane, Assistant Secretary

**MEASURES WHICH DIED ON UNFINISHED BUSINESS FILE—  
 CONCURRENCE PENDING**

Assembly Bills Nos. 562, 1184, and 2777.

**MEASURES WHICH DIED IN CONFERENCE**

Assembly Bills Nos. 224, 234, 252, 534, 581, 755, 826, 855, 949, 1006, 1044, 1056, 1344, 1511, 1515, 1521, 1644, 1919, and 2648.

**MEASURES WHICH DIED ON THIRD READING FILE**

Assembly Bill No. 1866; Senate Bills Nos. 818, 918, 1492, 1656, 1733, 2018, and 2083.

**MEASURES WHICH DIED ON INACTIVE FILE**

Assembly Bills Nos. 2718, 2638, 1699, and 2439; Assembly Constitutional Amendment No. 11; Assembly Concurrent Resolutions Nos. 62 and 125; House Resolutions Nos. 16 and 37.

Senate Bills Nos. 659, 601, 596, 1175, 1351, 880, 1037, 1334, 1507, 539, 1456, 274, 1944, 493, 2161, 2011, 1099, 2181, 1802, 233, 1675, 915, 555, 487, 2119, 1069, 1968, 1647, 507, 930, 2204, 1196, 157, 737, 2168, and 2143; and Senate Constitutional Amendment No. 12.

**MEASURES WHICH DIED ON INACTIVE FILE—  
 CONCURRENCE PENDING**

Assembly Bills Nos. 1585, 374, 1577, 1442, 828, 23, and 1194.

**MEASURES WHICH DIED AT ASSEMBLY DESK**

Assembly Bills Nos. 1720, 1781, 1904, 1930, 2034, 2036, 2054, 2074, 2113, 2124, 2126, 2149, 2167, 2180, 2195, 2263, 2266, 2294, 2332, 2379, 2423, 2464, 2474, 2532, 2538, 2539, 2547, 2576, 2600, 2646, 2655, 2676, and 2695; Assembly Constitutional Amendments Nos. 17, 18, 19, and 20; Assembly Concurrent Resolutions Nos. 53, 54, 132, 149, 164, and 181; Assembly Joint Resolutions Nos. 27, 40, 41, and 42; House Resolutions Nos. 28, 48, 53, 61; and 91, Senate Bills Nos. 91, 379, 480, 616, 646, 872, 898, 905, 954, 960, 973, 1148, 1185, 1188, 1391, 1432, 1563, 1566, 1570, 1571, 1572, 1576, 1578, 1583, 1585, 1588, 1590, 1591, 1592, 1593, 1594, 1596, 1597, 1598, 1599, 1604, 2121, and 2192; Senate Concurrent Resolution No. 107.

**STATEMENT OF ASSEMBLY EXPENDITURES PRINTED IN JOURNAL**

The following Statement of Assembly Expenditures was ordered printed in the Journal:

*Honorable Antonio Villaraigosa*

*Speaker of the Assembly*

*State Capitol, Sacramento, California*

Dear Mr. Speaker: 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, 1997. 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 1997–November 1998 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, 1997 and November 30, 1998.

Sincerely,

ROBERT M. HERTZBERG

Chairman of the Assembly Committee on Rules

TABLE I  
CALIFORNIA STATE ASSEMBLY  
SUMMARY OF EXPENDITURES  
12/1/96-11/30/97

	Member Expenditures	Committee Expenditures	Leadership Expenditures	Support Services Expenditures	General Overhead Expenditures	TOTAL EXPENDITURES
Staff Salary .....	\$13,970,843.21	\$10,974,231.07	\$4,246,532.98	\$12,590,438.52	\$3,048,213.27	\$44,830,259.05
Employee Benefits .....	—	—	—	—	12,789,117.73	12,789,117.73
Travel & Per Diem (In-State) .....	340,662.56	—	—	—	—	340,662.56
Travel & Per Diem (Out-of-State) .....	53,456.37	—	—	—	—	53,456.37
Staff Travel .....	244,328.65	34,361.67	33,063.68	52,322.27	—	364,076.27
Car Lease .....	295,402.61	—	—	—	—	295,402.61
Car Maintenance .....	86,208.09	—	—	—	—	86,208.09
Gas & Oil .....	138,264.99	—	—	—	—	138,264.99
Car Rental—Staff & Member .....	16,407.41	4,228.54	1,168.78	83,130.88	—	104,935.61
Building, Rent, Maint., & Util. ....	1,968,521.03	—	—	—	186,312.76	2,154,833.79
Office Alterations .....	—	64,878.11	60,279.49	238,157.83	591,525.87	591,525.87
Telephone .....	913,907.86	—	—	—	71,191.62	1,348,414.91
Telegraph .....	—	—	—	—	—	—
Postage .....	393,409.47	6,935.92	1,314.67	71,159.09	—	472,819.15
Communications .....	1,360,052.12	—	—	—	—	1,360,052.12
Furniture & Equipment .....	108,376.09	—	—	858,652.82	2,769,421.47	3,736,450.38
Office Supplies .....	263,800.91	32,302.61	20,401.53	139,194.05	234,792.70	690,491.80
Subscriptions, Publ., & Codes .....	149,566.06	25,523.03	15,490.47	51,171.43	86,825.45	328,576.44
Meeting Expenses .....	—	—	—	—	620.20	620.20
Meeting Expenses (Meals) .....	—	—	—	—	45,092.79	45,092.79
Freight, Moving, & Delivery .....	45,556.86	812.65	404.28	18,732.68	101,051.14	166,557.61
Miscellaneous Services .....	286,554.74	93,870.26	105,326.95	1,028,208.54	936,499.41	2,450,459.90
Study Contracts .....	—	—	—	—	46,710.00	46,710.00
TOTALS, OPERATING FUND .....	\$20,635,319.03	\$11,237,143.86	\$4,483,982.83	\$15,131,168.11	\$20,907,374.41	\$72,394,988.24
Member Per Diem (General Fund) .....	1,893,565.00	—	—	—	—	1,893,565.00
TOTALS, ALL FUNDS .....	\$22,528,884.03	\$11,237,143.86	\$4,483,982.83	\$15,131,168.11	\$20,907,374.41	\$74,288,553.24

TABLE II A  
Member Expenditures  
12/1/96-11/30/97

Member	Staff Salary	Travel & Per Diem (In-State)*	Travel & Per Diem (Out-of-State)*	Staff Travel	Car Lease	Car Maintenance	Gas & Oil
Ackerman .....	\$174,569.62	\$4,504.02	—	\$1,692.48	\$4,800.00	\$701.63	\$1,550.45
Aguiar .....	158,048.19	5,137.00	\$505.40	6,520.12	1,489.19	1,134.45	1,239.42
Alby .....	201,268.74	951.90	218.00	1,313.60	4,800.00	4,742.17	1,759.48
Alquist .....	171,777.58	845.98	2,204.28	3,616.76	4,800.00	267.94	1,462.65
Aroner .....	183,670.69	1,303.00	—	420.11	4,800.00	617.74	1,672.43
Ashburn .....	175,187.44	9,828.50	—	1,539.07	4,800.00	345.02	1,536.63
Baca .....	191,959.23	4,768.00	764.00	2,077.40	4,800.00	232.35	1,806.67
Baldwin .....	172,465.88	3,707.50	505.40	1,452.76	4,800.00	606.29	2,180.93
Battin .....	154,114.52	5,483.00	—	5,128.82	4,110.48	1,547.34	2,265.62
Baugh .....	182,757.60	5,602.00	505.40	3,484.50	4,800.00	1,038.12	1,449.80
Bordonaro .....	209,451.08	191.00	529.06	4,469.16	3,186.90	3,046.06	3,828.39
Bowen .....	200,452.87	10,935.45	2,445.57	3,481.19	4,486.08	1,478.62	814.22
Bowler .....	196,876.00	—	—	1,441.76	4,686.56	381.25	1,552.63
Brewer .....	81,395.57	6,388.00	985.82	4,998.49	2,708.46	859.78	945.71
Brown .....	186,538.57	713.18	507.00	2,711.48	3,801.36	849.66	1,674.65
Bustamante .....	172,612.04	27,824.32	2,711.85	4,522.99	4,800.00	1,099.70	1,099.70
Caldera (Resigned 9/2/97) .....	207,905.99	2,697.00	215.00	1,093.00	4,800.00	960.62	1,099.70
Campbell .....	142,658.68	7,339.50	537.82	2,197.26	3,513.16	290.32	663.61
Cardenas .....	202,447.91	4,629.00	1,634.65	2,261.00	4,000.00	209.74	770.96
Cardoza .....	139,527.54	1,145.86	—	5,710.80	3,600.00	1,250.58	1,722.96
Cumteen .....	185,923.89	—	—	883.39	2,000.00	282.22	2,263.88
Davis .....	102,983.85	3,683.00	360.00	4,605.08	—	—	39.36
Ducheny .....	178,205.28	4,797.78	2,217.19	4,891.74	4,619.16	835.13	816.59
Escutia .....	203,138.89	5,455.84	131.23	2,648.99	2,626.82	1,163.45	1,589.80
Figueroa .....	178,154.79	919.76	3,577.14	1,486.29	4,501.45	1,522.31	2,160.90
Firestone .....	193,077.96	8,554.30	—	2,720.47	—	1.99	386.53
Floyd .....	198,056.53	5,579.00	—	2,062.57	4,000.00	371.63	2,341.71
Frusetta .....	126,634.44	—	339.50	1,274.30	4,800.00	1,461.99	2,585.65
Gallegos .....	180,304.69	4,261.72	1,081.16	4,459.05	4,179.60	3,786.90	1,916.22
Goldsmith .....	164,831.45	9,914.30	—	1,498.24	4,424.52	562.06	1,481.83
Granlund .....	140,842.31	5,342.00	124.50	4,199.24	3,991.94	2,256.19	5,186.64
Havice .....	193,334.18	4,784.00	—	5,317.26	—	44.36	982.25
Hertzberg .....	177,913.11	1,633.50	1,077.62	2,680.81	3,624.72	1,008.22	996.25
Honda .....	197,913.11	608.58	707.00	4,199.59	2,400.00	1,36.34	1,965.00
House .....	177,434.13	—	—	6,878.87	4,544.26	399.50	2,028.90
Kaloogian .....	172,298.11	3,360.00	—	7,855.05	—	—	1,686.81
Keeley .....	203,149.47	84.00	—	7,059.91	3,507.79	499.35	1,887.00
Knox .....	208,403.35	4,273.50	—	333.20	4,800.00	262.02	8.25

Kuehl.....	159,596.91	5,317.00	—	3,310.22	—	9.55	439.03
Kuykendall.....	156,814.90	6,559.42	653.15	2,591.46	1,752.72	2,817.19	1,645.02
Leach.....	164,600.59	1,006.60	—	352.84	4,400.00	244.23	1,620.55
Leppert.....	181,958.41	362.28	—	1,571.37	4,330.81	1,677.21	1,677.21
Leonard.....	174,633.08	3,297.00	—	2,287.24	3,397.92	827.35	1,860.19
Machado.....	182,362.61	1,138.20	802.56	2,715.54	4,715.02	1,927.13	3,776.32
Margett.....	202,506.69	4,664.10	—	2,044.00	4,800.00	684.41	1,191.68
Martinez.....	130,666.56	4,308.54	1,216.00	745.48	4,472.28	628.25	1,412.21
Mazzoni.....	215,608.09	3,682.00	719.83	815.51	4,800.00	2,891.02	2,329.34
McClintock.....	209,670.86	2,890.00	—	1,381.04	—	7.25	254.29
Migden.....	189,118.23	5,423.50	(568.50)	762.41	4,800.00	1,063.53	1,978.40
Miller.....	173,454.50	5,163.00	1,095.36	4,290.38	4,211.16	2,766.10	1,975.55
Morrissey.....	172,715.00	7,341.00	—	53.90	4,738.92	1,687.03	1,060.99
Morrow.....	203,931.82	4,452.00	—	2,079.16	4,391.64	502.70	2,785.73
Murray.....	110,013.27	5,566.34	6,889.29	1,415.74	4,800.00	5,046.34	1,820.08
Napolitano.....	194,915.71	4,869.00	1,799.32	1,669.50	942.00	51.93	214.51
Olberg.....	181,760.47	5,154.00	—	2,653.08	3,200.00	1,353.59	1,252.08
Oller.....	175,269.90	—	511.40	4,457.18	4,400.00	153.37	1,604.79
Ortiz.....	183,549.63	1,709.39	153.91	1,017.60	4,400.00	416.76	686.85
Pacheco.....	141,083.10	3,935.00	—	2,196.16	3,886.19	1,340.46	1,373.55
Papan.....	204,721.72	755.00	677.75	2,438.00	4,800.00	623.80	2,236.82
Perata.....	182,597.13	1,576.00	—	488.73	4,800.00	486.63	1,739.68
Poohigian.....	163,634.73	1,168.50	—	409.44	4,800.00	1,147.22	1,967.58
Prenter.....	140,941.83	5,998.76	—	5,863.05	4,400.00	212.12	2,733.89
Pringle.....	113,311.02	8,967.00	1,888.62	12,403.26	4,800.00	286.27	1,790.94
Richter.....	214,632.39	1,396.40	612.00	1,530.45	4,800.00	1,900.32	4,510.68
Runner.....	179,784.42	4,498.00	1,913.33	3,441.60	4,800.00	306.28	1,600.91
Scott.....	128,977.92	3,363.00	—	1,725.24	4,400.00	162.31	810.25
Shelley.....	194,519.94	2,432.48	394.80	1,600.30	4,000.00	516.26	1,077.15
Strom-Martin.....	130,141.19	4,693.03	908.00	4,880.91	3,600.00	200.00	1,414.96
Sweeney.....	140,409.19	440.50	—	1,823.99	4,061.40	1,121.14	1,373.48
Takasugi.....	208,270.58	5,811.34	433.20	3,173.49	4,510.35	380.34	1,538.87
Thompson.....	161,846.31	2,990.00	511.40	3,311.92	4,800.00	1,930.46	3,609.23
Thomson.....	198,825.63	77.50	1,165.53	1,884.96	3,447.50	240.39	809.31
Torlakson.....	183,622.38	3,217.46	—	1,633.52	3,913.25	988.92	1,873.30
Villaragosa.....	155,652.68	10,087.10	1,420.00	6,305.66	4,800.00	2,947.63	1,273.66
Vincent.....	196,514.71	4,883.09	1,260.79	3,955.28	800.00	—	1,454.97
Washington.....	137,060.37	4,389.40	1,169.25	1,783.00	3,600.00	843.52	1,454.97
Wayne.....	103,674.83	4,265.92	—	2,960.70	—	—	425.51
Wildman.....	133,921.71	6,237.00	—	5,141.74	2,182.82	7.50	795.98
Woods.....	195,968.73	330.00	549.22	7,332.16	3,825.80	1,794.39	2,563.50
Wright.....	206,488.64	7,480.07	—	2,399.64	4,400.00	589.79	1,260.63
Retired.....	74,008.15	5,486.01	1,755.02	4,244.93	—	9,593.67	8,558.29
TOTALS.....	\$13,970,843.21	\$340,662.56	\$53,456.37	\$244,328.65	\$295,402.61	\$86,208.09	\$138,264.99

NOTE: Asterisk (\*) indicates that expenditure includes committee- or leadership-incurred expenses as well as Member-related expenditures.

TABLE II B  
Member Expenditures  
12/1/96-11/30/97

Member	Car Rental Staff & Member	Dist. Office Rent, Mnt., Ut.	Telephone	Telegraph	Freight	Postage	Communications
Ackerman.....	\$35.24	\$15,356.10	\$5,853.11	—	\$1,305.48	\$3,399.90	\$16,302.47
Aguiar.....	—	16,342.54	16,803.20	—	184.94	6,842.57	22,260.50
Alby.....	475.66	32,325.18	9,415.02	—	13.66	1,327.87	5,049.66
Alquist.....	160.77	28,672.16	7,904.69	—	179.36	4,498.58	26,230.99
Aroner.....	192.03	44,446.72	10,681.75	—	304.21	6,286.05	7,033.27
Ashburn.....	356.40	26,020.28	7,152.67	—	351.37	3,666.65	8,013.57
Baca.....	44.18	24,032.52	9,885.59	—	467.26	2,281.97	6,080.72
Baldwin.....	158.42	30,428.07	7,508.78	—	327.46	4,525.38	13,422.88
Battin.....	160.10	32,710.15	17,580.32	—	718.22	4,616.14	35,097.10
Baugh.....	38.25	31,351.20	10,155.87	—	508.91	2,062.09	29,150.35
Bordonaro.....	296.56	37,837.52	8,638.59	—	344.35	2,819.01	15,758.85
Bowen.....	236.76	17,874.10	10,544.20	—	268.67	2,054.03	28,637.45
Bowler.....	—	20,253.82	4,899.05	—	30.44	4,291.50	—
Brewer.....	478.09	24,978.18	5,933.73	—	164.66	4,647.73	—
Brown.....	—	16,234.05	15,416.53	—	157.01	3,277.84	—
Bustamante.....	560.85	488.70	8,099.78	—	1,820.12	3,977.19	—
Caldera (Resigned 9/2/97).....	172.70	27,633.63	9,453.90	—	546.91	1,062.93	—
Caldera.....	403.87	23,089.79	7,725.61	—	618.08	2,092.17	15,912.18
Campbell.....	190.72	18,228.45	11,413.02	—	440.71	5,415.36	97.66
Cardenas.....	—	26,872.87	15,801.77	—	540.66	22,149.84	38,228.17
Cardoza.....	—	33,453.55	6,675.28	—	184.97	8,916.67	21,602.03
Cumieen.....	64.64	23,838.96	6,804.26	—	362.28	11,781.51	62,363.91
Davis.....	—	19,013.60	11,010.46	—	529.07	2,909.47	—
Ducheny.....	796.58	35,717.57	9,173.10	—	2,026.12	4,870.94	—
Escutia.....	—	32,449.46	10,485.03	—	103.45	2,141.43	—
Figueroa.....	122.84	36,362.37	7,092.57	—	432.20	1,698.54	17,548.41
Floyd.....	76.62	25,818.27	4,896.90	—	445.63	2,708.62	—
Frusetta.....	—	17,995.67	10,268.82	—	171.44	5,517.75	86,216.07
Gallegos.....	243.18	17,858.24	14,740.39	—	3,488.51	3,188.06	5,843.10
Goldsmith.....	155.14	22,413.72	11,675.62	—	561.05	1,982.73	—
Granlund.....	83.67	29,597.52	15,269.00	—	369.96	4,221.30	16,867.94
Havice.....	—	23,089.65	11,672.42	—	643.94	21,146.75	44,539.95
Hertzberg.....	319.84	596.20	13,371.86	—	950.03	4,065.72	4,062.09
Honda.....	—	841.94	9,381.43	—	502.15	2,342.19	8,341.25
House.....	—	15,516.24	11,131.46	—	463.64	5,080.86	—
Katoogian.....	111.32	25,187.64	9,602.30	—	370.72	1,108.07	29,023.00
Keeley.....	—	18,050.24	8,153.32	—	23.64	5,093.15	171.23
Knox.....	—	26,445.80	10,810.51	—	97.10	2,031.25	4,151.93

Kuehl .....	105.93	29,129.88	10,009.27	1,428.77	3,310.20	600.82
Kuykendall .....	178.14	26,633.67	7,908.14	886.34	3,546.27	41,331.56
Leach .....	32.44	27,384.52	6,507.08	54.10	8,701.11	49,244.88
Leppert .....	83.22	28,445.01	10,968.02	496.33	6,888.59	10,937.52
Leonard .....	50.40	28,180.94	12,987.32	592.27	4,217.97	8,719.32
Leonardo .....	94.02	447.76	13,587.18	293.49	7,106.44	20,272.34
Margett .....	—	24,805.00	8,709.40	265.85	2,954.80	9,260.48
Martinez .....	89.60	29,625.46	10,114.73	564.31	2,464.68	—
Mazzoni .....	157.25	6,371.00	9,976.93	26.25	2,014.04	—
McClintock .....	31.38	21,434.60	5,999.72	203.14	3,720.30	—
Migden .....	174.62	53,742.85	17,398.58	850.14	2,613.96	3,205.51
Miller .....	83.67	26,001.21	11,856.81	325.23	5,486.08	26,524.79
Morrissey .....	—	28,105.75	6,353.37	878.13	4,812.00	41,076.53
Morrow .....	134.17	18,943.10	12,530.82	527.95	5,794.07	1,147.71
Murray .....	607.09	39,057.58	24,241.25	738.06	7,460.77	57,363.85
Napolitano .....	—	30,484.74	9,783.68	231.97	2,907.61	9,074.33
Olberg .....	51.31	21,239.09	15,549.30	663.82	2,471.51	18,644.42
Oller .....	—	28,217.25	9,348.33	38.67	5,768.91	23,153.77
Ortiz .....	—	230.89	6,052.54	8.00	4,185.85	17,513.50
Pacheco .....	35.14	22,681.78	9,367.61	248.66	3,979.98	8,058.41
Papan .....	110.42	23,637.90	7,494.44	137.00	2,162.20	2,082.21
Perata .....	44.95	30,444.98	18,210.19	398.47	8,117.56	15,316.65
Poohigian .....	—	13,740.00	11,236.63	379.51	772.28	—
Prenier .....	—	33,958.06	14,709.46	544.94	3,392.07	48,944.65
Pringle .....	48.62	36,882.35	15,366.33	1,279.32	3,847.42	12,451.32
Richter .....	2,694.44	32,487.71	15,354.14	188.03	4,705.92	—
Runner .....	—	33,170.52	12,252.44	599.93	3,569.63	20,517.83
Scott .....	83.20	32,234.80	8,988.58	1,782.60	8,909.03	58,709.30
Shelley .....	102.14	41,634.01	13,436.16	231.01	7,157.85	2,400.77
Strom-Martin .....	92.96	13,704.07	11,326.45	362.03	7,512.61	50,100.02
Sweeney .....	—	26,999.00	8,362.54	249.31	11,792.34	45,088.54
Takasugi .....	—	16,211.09	7,717.40	313.23	1,696.00	—
Thompson .....	231.25	17,353.35	12,214.78	285.67	2,938.66	—
Thomson .....	—	25,384.01	10,220.77	76.36	3,240.52	—
Torlakson .....	279.98	26,814.87	14,315.21	143.71	5,804.34	1,293.93
Villaraigosa .....	1,053.98	30,449.99	25,806.18	1,182.74	8,825.98	9,892.11
Vincent .....	187.51	12,680.25	9,139.44	257.58	3,264.33	3,420.31
Washington .....	—	41,375.71	12,786.10	147.94	2,079.04	5,887.56
Wayne .....	499.83	106.65	8,110.78	757.40	16,405.26	85,171.49
Wildman .....	291.58	40,840.42	11,736.60	1,063.78	12,359.61	45,740.66
Woods .....	360.92	24,087.00	12,061.97	78.61	1,486.95	3,622.71
Wright .....	58.99	631.38	9,113.27	1,032.65	2,620.50	—
Retired .....	2,423.83	13,108.16	41,614.03	3,725.18	244.42	70.00
TOTALS .....	\$16,407.41	\$1,968,521.03	\$913,907.86	\$45,556.86	\$393,409.47	\$1,360,052.12

TABLE II C  
Member Expenditures  
12/1/96-11/30/97

Member	Furniture & Equipment*	Office Supplies	Subscr. & Publications	Misc. Services	TOTAL	Member Per Diem (Gen. Fund)	TOTAL EXP. (ALL FUNDS)
Ackerman.....	\$1,700.97	\$1,891.08	\$1,686.99	\$1,560.70	\$2,369,910.24	\$25,295.00	\$262,205.24
Aguiar.....	2,317.08	4,286.50	1,951.63	4,153.60	249,216.33	25,295.00	274,511.33
Alby.....	384.92	1,199.20	1,179.57	1,432.32	267,856.95	-	267,856.95
Alquist.....	297.27	3,844.58	1,047.57	5,166.72	262,978.18	25,185.00	288,163.18
Aroner.....	1,940.24	2,662.73	1,849.97	2,956.06	271,732.25	25,295.00	297,027.25
Aschum.....	741.09	2,130.59	1,260.79	3,982.36	246,912.43	25,295.00	272,207.43
Baca.....	388.17	1,721.10	963.09	3,364.07	256,123.02	25,185.00	281,308.02
Baldwin.....	1,237.35	1,960.29	785.68	2,609.62	248,761.67	25,295.00	274,056.67
Battin.....	1,697.36	2,769.98	2,054.46	2,933.83	273,492.84	25,185.00	298,677.84
Baugh.....	76.31	2,124.75	1,665.21	1,977.70	278,242.66	25,705.00	303,947.66
Bordonaro.....	785.82	2,085.10	976.09	3,868.68	282,401.13	25,075.00	307,476.13
Bowen.....	1,879.73	3,449.05	3,016.92	1,527.52	280,703.83	25,295.00	305,998.83
Bowler.....	776.00	1,190.04	3,016.92	452.47	266,522.12	-	266,522.12
Brewer.....	811.53	3,876.31	1,210.79	6,614.50	153,139.51	25,295.00	178,434.51
Brown.....	1,383.15	2,534.83	1,289.74	2,898.69	239,987.74	24,635.00	264,622.74
Bustamante.....	3,917.57	5,191.93	1,145.61	3,377.18	243,110.45	25,295.00	268,405.45
Caldera (Resigned 9/2/97).....	343.16	2,407.16	1,308.74	1,219.67	260,526.88	21,225.00	281,751.88
Campbell.....	1,239.69	2,730.38	2,365.46	1,923.10	216,214.29	22,985.00	239,199.29
Cardenas.....	975.69	2,856.89	984.48	4,287.96	261,580.29	25,075.00	286,655.29
Cardoza.....	1,231.59	2,895.48	1,411.84	7,292.60	269,382.56	22,655.00	292,037.56
Cumieen.....	679.27	4,333.39	2,988.78	1,799.58	271,986.90	22,435.00	294,421.90
Davis.....	747.12	3,254.20	2,326.29	2,810.44	226,034.90	25,295.00	251,319.90
Ducheny.....	1,195.34	5,603.23	1,259.00	5,117.35	243,020.39	25,295.00	268,315.39
Escutia.....	1,267.70	4,864.69	1,596.76	2,993.43	280,061.91	25,295.00	305,356.91
Figueroa.....	287.59	1,643.32	771.93	2,914.04	260,667.30	25,075.00	285,742.30
Firestone.....	1,080.69	2,245.31	2,597.86	3,190.09	252,563.72	24,195.00	283,758.72
Floyd.....	278.83	2,761.25	1,381.72	1,381.72	252,453.96	24,195.00	276,648.96
Frusetta.....	178.34	2,028.54	1,635.22	2,182.02	273,289.75	25,295.00	298,584.75
Gallegos.....	1,738.48	4,189.72	2,677.96	4,345.82	260,064.22	25,295.00	285,359.22
Goldsmith.....	188.00	3,041.66	2,784.95	2,594.17	264,339.99	24,195.00	288,534.99
Granlund.....	150.00	3,145.62	1,389.33	1,611.12	263,209.72	25,295.00	288,504.72
Havice.....	2,332.67	4,306.70	1,460.65	7,785.98	269,506.89	25,295.00	294,801.89
Hertzberg.....	1,471.70	4,949.77	1,128.94	3,332.54	241,754.49	25,185.00	267,049.49
Honda.....	5,366.22	4,111.87	2,163.12	2,369.18	244,373.89	25,295.00	269,558.89
House.....	378.98	2,271.31	867.19	3,335.14	230,939.06	25,075.00	256,014.06
Katoogian.....	501.89	1,526.15	1,430.99	1,748.63	259,810.68	25,185.00	284,995.68
Keely.....	643.14	4,114.70	1,238.87	2,870.69	256,546.50	25,295.00	281,841.50
Knox.....	596.27	1,832.07	1,263.25	1,316.81	266,625.31	25,295.00	291,920.31

Kuehl.....	467.41	3,430.97	1,901.06	7,000.38	226,057.40	24,195.00	250,252.40
Kuykendall.....	73.00	3,313.67	2,214.44	2,809.22	261,728.31	25,295.00	287,023.31
Leach.....	85.00	1,381.03	255.85	1,053.91	266,924.73	25,295.00	292,219.73
Lempert.....	614.36	3,770.17	596.97	2,242.87	255,102.89	25,075.00	280,177.89
Leonard.....	528.54	3,032.41	5,902.93	2,237.85	252,752.71	25,295.00	278,047.71
Leonard.....	1,489.92	3,231.63	2,172.87	4,110.32	250,243.35	25,295.00	275,538.35
Machado.....	741.27	2,022.32	742.45	3,921.61	269,314.06	25,295.00	294,609.06
Margett.....	1,868.88	1,188.46	2,043.32	4,665.18	194,391.92	25,295.00	219,686.94
Martinez.....	1,513.23	1,513.19	1,453.97	1,163.67	255,035.34	24,965.00	280,000.32
McClintock.....	771.33	2,101.64	1,292.32	2,717.93	252,473.80	25,295.00	277,770.80
Migden.....	3,290.80	4,661.02	2,284.39	9,904.48	300,703.92	25,295.00	325,998.92
Miller.....	26.94	2,068.97	2,609.77	1,506.78	269,446.25	25,295.00	294,741.25
Morrissey.....	60.00	3,617.60	788.55	1,984.88	275,275.65	25,295.00	300,570.65
Morrow.....	482.06	3,243.26	783.14	1,861.64	263,590.97	25,295.00	288,885.97
Murray.....	2,695.43	3,964.13	3,584.41	7,076.71	282,640.34	25,295.00	307,935.34
Napolitano.....	1,582.78	3,664.27	1,898.61	4,376.39	268,166.35	25,295.00	293,461.35
Olberg.....	723.00	1,861.70	4,030.65	3,463.87	265,673.89	25,185.00	290,858.89
Oller.....	172.25	2,041.96	1,489.92	1,089.24	256,516.94	25,295.00	281,811.94
Ortiz.....	1,368.74	3,002.14	3,293.65	3,891.42	231,480.87	—	231,480.87
Pacheco.....	795.17	2,175.29	2,427.94	2,497.73	206,082.17	25,295.00	231,377.17
Papan.....	1,319.84	2,594.15	935.84	4,225.35	260,952.44	25,295.00	286,247.44
Perata.....	557.06	5,715.27	2,856.82	5,724.75	279,074.85	25,295.00	304,369.85
Poohigian.....	438.06	3,502.49	891.79	1,221.38	205,309.61	25,295.00	230,604.61
Prenier.....	1,946.02	2,797.15	766.85	3,809.56	271,018.41	25,295.00	296,313.41
Pringle.....	915.37	4,326.88	2,789.02	5,464.69	226,818.43	25,295.00	252,113.43
Richter.....	598.86	1,848.82	1,453.39	2,009.19	290,722.74	25,295.00	316,017.74
Runner.....	3,969.85	4,969.88	3,922.34	2,269.20	281,586.16	25,185.00	306,771.16
Scott.....	1,953.84	3,669.73	2,125.07	5,586.56	263,481.43	22,545.00	286,026.43
Shelley.....	11,104.77	5,478.24	2,557.13	5,295.62	293,948.63	25,295.00	319,243.63
Strom-Martin.....	4,972.04	4,233.26	2,588.79	3,775.56	244,505.88	25,295.00	269,800.88
Sweeney.....	403.50	4,262.24	3,387.31	4,592.73	254,367.21	24,415.00	278,782.21
Takasaki.....	878.22	1,636.19	2,863.66	2,201.70	257,635.66	24,745.00	282,380.66
Thompson.....	876.69	1,595.07	1,269.20	570.67	245,350.23	24,305.00	269,655.23
Thomson.....	1,565.00	4,964.37	1,338.09	2,775.28	256,515.22	—	256,515.22
Torlakson.....	3,034.12	3,501.95	1,899.08	3,613.13	252,949.15	23,315.00	276,264.15
Villaragosa.....	1,410.12	8,261.84	3,945.70	15,702.01	286,017.38	25,295.00	311,312.38
Vincent.....	962.22	2,371.63	1,375.09	2,514.02	243,630.94	25,075.00	268,705.94
Washington.....	3,753.85	3,087.83	1,211.20	3,753.00	224,382.74	25,295.00	249,677.74
Wayne.....	949.34	2,971.70	2,539.93	3,278.40	232,117.74	22,545.00	254,662.74
Wildman.....	1,153.42	10,745.53	2,372.09	10,485.54	285,076.98	25,295.00	310,371.98
Woods.....	306.76	1,262.84	1,095.03	837.86	257,564.45	25,290.00	282,854.45
Wright.....	1,091.27	3,263.80	2,085.44	3,735.39	246,251.46	25,295.00	271,546.46
Retired.....	3,340.84	7,422.80	566.14	6,241.01	182,402.48	—	182,402.48
TOTALS.....	\$108,376.09	\$263,800.91	\$149,566.06	\$286,554.74	\$20,635,319.03	\$1,893,565.00	\$22,528,884.03

NOTE: Asterisk (\*) indicates that expenditure includes committee- or leadership-incurred expenses as well as Member-related expenditures.



Health.....	472,838.00	631.56	176.86	83.77	6.30	2,394.64	3,774.00	2,718.05	4,600.44	487,223.62
Health—Vice-Chair.....	95,905.00	—	—	—	—	—	—	—	—	95,905.00
Higher Education.....	175,335.13	—	104.92	68.05	—	1,600.30	364.46	815.86	1,608.82	179,897.54
Higher Education—Vice-Chair.....	68,750.00	—	—	—	—	—	—	—	—	68,750.00
Housing & Community Development.....	228,357.08	583.61	—	53.52	—	2,217.68	618.51	332.28	1,494.30	233,656.98
Housing & Community Development—Vice-Chair.....	61,753.50	—	—	—	—	37.50	—	—	—	61,791.00
Human Services.....	209,684.54	2,314.34	99.25	105.66	8.00	4,530.32	(5.09)	1,022.18	2,080.63	219,839.83
Human Services—Vice-Chair.....	69,611.00	—	—	—	—	3.55	—	—	31.41	69,645.96
Information Technology.....	63,735.87	—	—	48.74	15.81	1,563.37	—	926.52	1,670.81	67,963.12
Information Technology—Vice-Chair.....	25,204.36	—	—	—	—	—	—	—	—	25,204.36
Insurance.....	309,659.37	293.99	45.27	226.39	16.07	2,138.08	384.89	626.74	2,016.62	315,407.42
Insurance—Vice-Chair.....	103,343.69	—	—	—	—	36.28	—	—	23.28	103,403.25
International Trade & Development.....	179,201.47	1,463.65	—	213.37	11.73	—	—	620.39	2,568.94	184,079.55
International Trade & Development—Vice-Chair.....	61,932.71	—	—	—	—	—	—	191.70	—	62,124.41
Judiciary.....	342,162.10	2,202.72	349.85	864.91	39.76	2,282.03	3,333.64	1,745.31	5,804.92	358,785.24
Judiciary—Vice-Chair.....	79,627.50	86.00	—	—	—	21.22	—	—	—	79,734.72
Labor & Employment.....	187,139.18	2,014.03	384.31	85.83	—	759.58	1,333.53	233.92	1,147.48	193,097.86
Labor & Employment—Vice-Chair.....	66,072.09	84.00	—	—	—	—	—	—	—	66,156.09
Local Government.....	281,320.01	67.55	—	89.98	—	2,077.80	973.07	834.82	1,934.02	287,297.25
Local Government—Vice-Chair.....	68,253.62	—	—	—	—	—	—	10.77	—	68,264.39
Natural Resources.....	231,658.18	468.64	70.44	238.91	—	1,068.01	345.39	604.53	2,480.63	236,934.73
Natural Resources—Vice-Chair.....	53,340.00	400.50	—	—	—	—	—	—	115.48	53,855.98
Public Employees, Retirement & Social Security.....	200,868.36	256.22	—	220.50	28.00	2,246.28	1,558.09	818.65	2,770.68	208,766.78
Public Employees, Retirement & Social Security—Vice-Chair.....	67,453.90	—	—	—	—	—	—	—	—	67,453.90
Public Safety.....	447,196.27	531.92	—	343.87	54.10	3,779.15	1,042.38	1,636.06	7,330.05	461,913.80
Public Safety—Vice-Chair.....	102,337.30	—	—	—	15.16	—	—	—	914.18	103,266.04
Revenue & Taxation.....	194,832.50	699.69	247.28	29.83	54.92	1,088.58	2,764.11	1,303.62	3,780.35	204,800.88
Revenue & Taxation—Vice-Chair.....	73,105.32	—	—	—	—	—	—	—	—	73,105.32
Transportation.....	302,516.55	1,494.05	410.13	393.76	16.69	3,375.74	730.20	578.48	1,148.74	310,664.34
Transportation—Vice-Chair.....	59,260.91	—	—	—	—	18.93	—	—	23.28	59,303.12
Utilities & Commerce.....	257,373.55	1,267.53	115.71	62.22	37.18	1,587.06	2,250.28	1,002.62	2,473.41	266,169.56
Utilities & Commerce—Vice-Chair.....	61,830.00	—	—	—	—	—	—	—	—	61,830.00
Water Parks & Wildlife.....	233,819.41	293.11	23.90	869.85	30.43	2,188.90	—	1,056.68	1,223.39	239,505.67
Water Parks & Wildlife—Vice-Chair.....	64,663.53	—	—	—	—	102.10	—	—	466.00	65,231.63

TABLE III—Continued  
Committee Expenditures  
12/1/96–11/30/97

<i>Special &amp; Select Committees</i>	<i>Staff Salary</i>	<i>Staff Travel</i>	<i>Car Rental</i>	<i>Postage</i>	<i>Freight</i>	<i>Telephone</i>	<i>Tele-graph</i>	<i>Subscr. &amp; Publications</i>	<i>Office Supplies</i>	<i>Misc. Services</i>	<i>TOTAL EXP.</i>
Aerospace.....	30,645.54	—	—	—	—	—	—	—	—	—	30,645.54
Agricultural Exports and International Market Development.....	15,000.00	—	—	—	—	—	—	—	—	—	15,000.00
California Horse Racing Industry.....	4,160.00	—	—	—	—	—	—	—	—	—	4,160.00
California-Mexico Affairs.....	41,250.00	147.68	—	—	—	—	—	—	—	153.37	41,397.68
California Middle Class.....	39,514.99	—	—	—	—	—	—	64.95	—	—	40,093.17
California Ports.....	57,576.74	85.00	—	—	—	—	—	—	—	—	58,022.51
California Wine.....	35,701.58	124.80	—	—	—	—	—	270.50	—	—	37,075.97
Coastal Protection.....	1,915.00	387.76	—	—	—	—	—	—	—	—	2,302.76
Corridors of Economic Significance.....	54,375.00	149.00	—	—	—	—	—	—	—	—	54,524.00
Defense Conversion.....	41,312.51	216.29	39.67	3.25	—	—	—	—	—	1,571.72	43,143.44
Development of a 10th University of California Campus.....	89,590.29	—	—	—	—	—	—	—	—	776.58	90,366.87
Education, Technology.....	45,107.74	—	—	—	—	—	—	—	—	—	45,107.74
Gun Violence.....	46,022.73	7.50	—	—	—	—	—	—	—	—	46,305.23
Joint Legislative Audit.....	161,557.11	—	—	1,013.96	132.41	8.88	—	—	—	2,498.63	165,210.99
Joint Legislative Ethics.....	30,530.45	—	—	931.46	25.50	675.87	—	—	—	602.00	32,765.28
Joint Prison Construction and Operations.....	25,000.00	—	—	—	—	—	—	—	—	—	25,000.00
Legislative Ethics.....	138,715.64	—	—	—	—	—	—	—	—	1,503.83	140,219.47
Mental Health.....	6,618.18	—	—	—	—	—	—	—	—	—	6,618.18
Rural Economic Development.....	37,614.54	742.25	—	—	—	—	—	37.91	—	300.00	38,694.70
School Safety.....	52,163.00	—	—	—	—	—	—	—	—	96.57	52,259.57
Status of African-American Males.....	—	155.00	—	—	—	—	—	—	—	301.00	456.00
Welfare Reform.....	36,385.00	—	—	—	—	—	—	—	—	—	36,385.00
Terminated Committees.....	—	—	—	1.60	—	4.04	—	—	—	109.08	114.72
TOTALS.....	\$10,974,231.07	\$34,361.67	\$4,228.54	\$6,935.92	\$812.65	\$64,878.11	\$0.00	\$25,523.03	\$32,302.61	\$93,870.26	\$11,237,143.86

\* Subcommittee of Standing Committee.

TABLE IV  
Leadership Expenditures  
12/1/96-11/30/97

Leadership	Staff Salary	Staff Travel	Car Rental	Postage	Freight	Telephone	Tele-graph	Subscr. & Publications	Office Supplies	Misc. Services	TOTAL EXP.
Speaker .....	\$887,807.33	\$31,024.24	\$1,135.38	\$931.10	\$339.00	\$42,675.59	—	\$12,432.60	\$11,966.83	\$64,126.11	\$1,052,438.18
Speaker pro. Tempore—Baca .....	30,327.27	—	—	—	—	—	—	—	326.50	(195.00)	30,458.77
Speaker pro. Tempore—Kuehl .....	258,674.45	97.00	—	—	65.28	—	—	—	399.41	—	259,236.14
Chairman, Rules Committee .....	334,127.73	—	—	—	—	53.47	—	2,991.90	1,648.29	4,729.64	343,551.03
Vice-Chair of Rules Committee .....	166,532.35	—	—	—	—	—	—	—	169.88	—	166,702.23
Member of Rules—Ackerman .....	66,000.00	—	—	—	—	—	—	—	—	—	66,000.00
Member of Rules—Aguiar .....	5,931.00	—	—	—	—	—	—	—	—	—	5,931.00
Member of Rules—Alby .....	14,950.00	—	—	—	—	12.08	—	(3.10)	46.56	46.56	15,005.54
Member of Rules—Baca .....	142,412.18	—	—	—	—	168.99	—	346.86	—	—	142,974.59
Member of Rules—Battin .....	35,052.54	—	—	—	—	—	—	—	—	—	35,052.54
Member of Rules—Brewer .....	115,607.39	—	—	—	—	—	—	—	—	—	115,607.39
Member of Rules—Davis .....	4,643.04	—	—	—	—	—	—	—	—	—	4,643.04
Member of Rules—Granlund .....	12,678.18	—	—	—	—	—	—	—	—	—	12,678.18
Member of Rules—Honda .....	89,184.54	—	—	—	—	—	—	—	—	—	89,184.54
Member of Rules—Olberg .....	111,827.30	—	—	—	—	—	—	—	—	—	111,827.30
Member of Rules—Ortiz .....	136,555.41	—	—	—	—	—	—	48.00	251.45	—	136,854.86
Member of Rules— Strom-Martin .....	63,294.82	—	—	—	—	—	—	—	—	—	63,294.82
Member of Rules—Thompson .....	142,487.00	—	—	—	—	—	—	—	96.59	—	142,583.59
Member of Rules—Washington .....	110,994.50	—	—	—	—	—	—	—	—	—	110,994.50
Democratic Floor Leader .....	671,154.98	420.44	—	357.50	—	7,136.49	—	17.97	2,586.89	31,527.42	713,201.69
Republican Floor Leader— Leonard .....	33,583.18	—	—	—	—	275.54	—	—	20.00	694.06	34,572.78
Republican Floor Leader— Pringle .....	384,049.82	168.00	—	—	—	2,353.66	—	—	875.33	3,419.66	390,866.47
Democratic Caucus Chair— Bustamante .....	23,131.91	—	—	—	—	—	—	—	—	—	23,131.91
Democratic Caucus Chair— Shelley .....	216,626.51	—	—	0.78	—	194.75	—	—	249.36	—	217,071.40
Republican Caucus Chair— Battin .....	116,666.82	—	—	—	—	—	—	—	169.22	—	116,836.04
Republican Caucus Chair— Leach .....	7,409.29	—	—	—	—	—	—	—	—	—	7,409.29
Republican Whip .....	2,556.82	—	—	—	—	—	—	—	—	—	2,556.82
Local Government Caucus .....	43,291.23	—	—	—	—	—	—	—	—	—	43,291.23
Women's Legislative Caucus .....	21,471.00	—	—	—	—	—	—	—	—	—	21,471.00
Retired .....	(2,495.61)	1,354.00	33.40	25.29	—	7,408.92	—	—	1,298.02	931.94	8,555.96
TOTALS .....	\$4,246,532.98	\$33,063.68	\$1,168.78	\$1,314.67	\$404.28	\$60,279.49	\$0.00	\$15,490.47	\$20,401.53	\$105,326.95	\$4,483,982.83

TABLE V  
Support Services Expenditures  
12/1/96-11/30/97

	Staff Salary	Staff Travel & Per Diem	Car Rental	Telephone	Tele-graph	Postage	Freight	Furniture & Equip-ment	Office Supplies	Subscr. & Publica-tions	Misc. Services	TOTAL EXP.
Rules Committee .....	\$3,518,233.74	\$20,493.11	\$17,499.71	\$63,011.41	—	\$55,296.37	\$16,758.97	\$64,892.49	\$42,492.10	\$5,632.96	\$113,131.08	\$3,917,441.94
Democratic Caucus .....	3,462,564.79	17,014.24	2,839.28	45,090.85	—	5,223.80	1,159.55	402,023.52	36,538.46	24,633.76	113,738.32	4,110,826.57
Republican Caucus .....	2,190,539.46	4,953.73	1,018.28	85,642.34	—	8,039.00	644.00	204,773.09	25,905.24	14,524.20	79,966.22	2,616,005.56
Reproduction Center .....	680,312.54	—	4,041.10	4,696.68	—	(65.31)	47.66	81,670.49	15,736.69	97.56	700,888.68	1,487,426.09
Chief Clerk .....	1,251,158.49	2,242.09	125.74	9,503.31	—	2,588.94	78.68	1,450.82	4,873.70	5,400.00	8,458.67	1,285,880.44
Sergeant-at-Arms .....	1,448,402.24	7,619.10	57,594.21	28,549.71	—	76.29	43.82	102,627.22	13,647.86	882.95	12,025.57	1,671,468.97
Fellowship Program .....	1,636.36	—	—	149.10	—	—	—	—	—	—	—	1,785.46
Computer Services .....	37,590.90	—	12.56	1,514.43	—	—	—	1,215.19	—	—	—	40,333.08
TOTALS .....	\$12,590,438.52	\$52,322.27	\$83,130.88	\$238,157.83	\$0.00	\$71,159.09	\$18,732.68	\$858,652.82	\$139,194.05	\$51,171.43	\$1,028,208.54	\$15,131,168.11

TABLE VI  
General Overhead Expenditures  
12/1/96-11/30/97

Miscellaneous Salaries .....	\$3,048,213.27
Employee Benefits .....	12,789,117.73
Building, Rent, Maintenance, & Utilities .....	186,312.76
Office Alterations .....	591,325.87
Telephone .....	71,191.62
Furniture & Equipment .....	2,769,421.47
Office Supplies .....	234,792.70
Subscriptions, Publications, & Codes .....	86,825.45
Meeting Expenses .....	620.20
Meeting Expenses (Meals) .....	45,092.79
Freight, Moving, & Delivery .....	101,051.14
Other Miscellaneous Services .....	936,499.41
Study Contracts .....	46,710.00
TOTALS .....	\$20,907,374.41

TABLE VII  
Assembly Operating Fund Transfers  
12/1/96-11/30/97

Joint Legislative Budget Committee .....	\$2,482,306.87
TOTALS .....	\$2,482,306.87

**ADJOURNMENT**

At 12 p.m., November 30, 1998, pursuant to the provisions of Article IV, Section 3(a) of the Constitution and Joint Rule 51, the Assembly adjourned *sine die* for the 1997–98 Regular Session of the Legislature.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

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**APPENDICES TO ASSEMBLY JOURNALS**  
**1997-98 REGULAR SESSION**

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# California State Assembly



Proceedings  
in  
Joint Convention

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## STATE OF THE JUDICIARY

Address by  
The Honorable Ronald M. George  
Chief Justice of California

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Assembly Chamber  
January 14, 1997

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STATE OF THE JUDICIARY ADDRESS  
TO A JOINT CONVENTION OF THE CALIFORNIA LEGISLATURE  
by  
THE HONORABLE RONALD M. GEORGE

Sacramento, California

January 14, 1997

Good afternoon. I want to begin by thanking Senate President pro Tem Bill Lockyer and Assembly Speaker Cruz Bustamante for their kind invitation to jointly address both Houses of the Legislature as you begin a new legislative session. I am very pleased and honored to see so many of my colleagues present from the Supreme Court and the Judicial Council, as well as leaders of the Bar and other special guests.

As Chief Justice of California and leader of the Judicial Branch of Government, I very much appreciate the opportunity to speak to you today about its successes, and the challenges that currently confront it. For me, preparing for this important occasion has provided a time to reflect upon the implications of the actions that we in government contemplate today and the consequences of those actions for the world we will live in tomorrow.

Dwight Eisenhower once observed that "The history of free men is never really written by chance but by choice—their choice." There are many important choices for us to make about the administration of justice in our state in order to ensure its continued independence and effectiveness.

California is known for being in the forefront of changes that cut across *all* aspects of our society. And California's court system has shared that distinction. Over the past ten years, case filings in our Superior Courts have increased by 31 percent. The mix of cases has changed, and the disparity in caseload in various counties has increased as new laws have come on the books.

While the ever increasing diversity of the population we serve represents a great strength and resource of our society, it has required courts to deal with the more than 200 languages spoken in our state—as well as the different understandings and expectations about the administration of justice that individuals bring from every corner of the globe.

The ebb and flow of economic tides have brought more and more unrepresented litigants into our courts, particularly in the family courts, which resolve critical matters such as marital dissolution, child support, and child custody. I was astonished to learn that in an average of 60% of such cases, one party does not have a lawyer, in another 30% neither side has a lawyer, and in only 10% of such cases are *both* sides represented by counsel.

Accompanying the many changes affecting our system is the heightened publicity surrounding court cases. That, in turn, has increased the public's scrutiny of the courts, often *unaccompanied* by much-needed education about the important role that an independent court system plays in our society.

The Judicial Branch has actively responded to the new challenges invoked by these and other changes in society. It has done so in the

face of a fundamental factor in the governmental landscape that has affected *every* aspect of court operations—fewer resources in the face of increased demands. Yet I believe our judicial system has still been able to be very responsive, in part due to the strong cooperation and assistance it has received from the Legislative and Executive Branches of Government.

The underlying theme that flows through all of the Judicial Branch's efforts is a simple one: To keep our courts accessible so they can continue to serve the people of California by providing a fair and objective forum for the adjudication of disputes. With your much appreciated help, our steps to meet this goal have taken numerous paths.

Last year, for example, you created twenty-one new trial court judgeships and five new appellate court judgeships. These were the first new judicial positions in almost ten years. The budget also provided funds to establish a "Three Strikes Relief Team." This designated group of retired judges has been specially trained to provide assistance to courts that have seen increasing backlogs due to the impact of three strikes legislation. Beginning this month, I will be assigning 22 relief team judges to nine courts for periods lasting from four weeks to four months.

The Judicial Council's Court Profiles Committee extensively reviews court operations statewide to assess the need for new judgeships. Last year, it identified a need for 61 positions, and we were pleased that the judgeships that were created tracked the priority set by the committee's recommendations. An acute need for additional trial court judgeships remains, and this year you will be asked to consider creating the remaining 40 of these most needed new positions.

With your help last year, the ballot information regarding appellate court positions was reformed. As promised, the Judiciary is developing methods to provide useful, easily available supplemental information to the voters.

Last year saw enactment of Assembly Member Bill Morrow's AB 195, a bill designed to expedite the record correction process in capital appeals, which are brought directly to the Supreme Court. Our court is very concerned with the problem of unrepresented defendants on death row—147 at last count—and we hope that in the coming session you will carefully consider measures coming before you that can help alleviate this problem.

The Legislature also has played a critical role in setting the stage for what has proved to be a highly effective development in court reorganization. The Trial Court Realignment and Efficiency Act of 1991, together with amendments and refinements to that Act and the Judicial Council's adoption of extensive rules, provided impetus to instituting comprehensive coordination efforts statewide. Local courts have been required to determine how best to coordinate the use of all available administrative and judicial resources across Superior and Municipal Court lines.

Some 18 counties are substantially fully coordinated. For Example, in Sacramento, Riverside, San Mateo, Marin, San Bernardino, Napa, and Solano, the Superior and Municipal Courts share court administrators and clerk's office employees. They use the cross-assignments of judicial officers from each level of trial court,

under the direction of a single presiding judge, to perform the entire range of judicial functions, as needed.

The benefits are clear. Coordination eliminates redundant case processing. It reduces costs for courts, litigants, and taxpayers alike. Coordination enables courts to best use all resources, helping them to better weather budget cuts, and affording greater flexibility. At the same time, because fashioning a coordination program is a local enterprise, the governing statewide standards and guidelines allow accommodation to local conditions.

Overseeing the coordination process is the Judicial Council, which is the constitutionally created entity charged with oversight of the Judicial Branch. It has responsibility for adopting rules and procedures for the courts. As Chief Justice of California, I chair the Council, and I am joined by 14 additional judges, four members of the State Bar, and two legislators. Last year, Senator Charles Calderon and Assembly Member Bill Morrow provided valuable insight and information as your designated members on the Council. Court administrators and others play a vital role as advisory members.

The staff arm of the Judicial Council is the Administrative Office of the Courts. It provides a wide range of support to the Judicial Council and the courts. The AOC is very ably led by its talented and dedicated director, Bill Vickrey, who along with staff from the AOC's Office of Governmental Affairs, led by our very capable Ray Lebov, are known to most of you as frequent visitors to your offices on behalf of the courts.

The Council relies on the work of several specialized advisory committees, whose members are drawn from the ranks of the Judiciary, the Bar, and the public. Over 300 volunteers devote substantial time and expertise to studying and making recommendations about diverse facets of the practices and procedures governing our judicial system.

I have had first hand exposure to the success of the coordination efforts statewide, not only from my vantage point as chair of the Council, but also due to a commitment I made soon after becoming Chief Justice. I resolved to visit the courts in every county—something, I am told, that no prior Chief Justice of our state had set out to do. There are those who have suggested that perhaps I should be committed for having made such a commitment, but by the end of 1996, I had journeyed to 20 of the 58 counties. I hope to visit the courts in the remaining 38 counties by the end of this year. It has been a truly invigorating and inspiring enterprise.

Although before becoming Chief Justice I had served 24 years as a judge at all levels, from Municipal Court on up, I embarked on this outreach effort in order to gain a more direct sense of the issues facing the courts statewide—and to share with the courts my vision for the future of our branch of government. As part of this undertaking, I also have met with legislative leadership and the Governor and others in the Executive Branch, as well as different constituencies in the Bar—prosecutors and criminal defense, plaintiffs bar and civil defense, representatives of county government, and the press. As a former president of the California Judges Association, it has also been important to me to forge a close working relationship between that important organization and the Judicial Council. My overall goal is to foster continuing, active,

informed dialogue about how we can ensure that California's judicial system will be prepared to serve our citizens into the next century.

In addition to my efforts, members of the Judicial Council will be personally visiting different court locations to learn more about court activities across the state. They will also be sending written updates on the Council's efforts to the courts in their area. We hope to enhance and encourage the free flow of information to and from the Judicial Council and all interested sources.

Those are only a few of the actions our judicial system has taken to ensure it remains responsive and capable of anticipating and meeting the challenges that face it. We have moved ahead with many other initiatives as well. The Council's operations cover subjects that range from court interpreters to cameras in the courts. Its educational arm, the Center for Judicial Education and Research, along with the Judicial Administration Institute of California, offers an ever broader list of courses on substantive and administrative skills. A statewide court community planning workshop scheduled for September will bring together—from each county—teams of judges, administrators, Bar members, and members of the public. They will learn about innovative programs and how to plan for the future of their local courts. The goal is to increase community involvement in court planning and operations.

In cooperation with the State Bar, the Council also is working to increase pro bono representation by California's attorneys. I could go on at greater length—but mercifully will not—listing the many activities of the Council, the AOC, and our local courts. Our focus is to create *statewide* standards that accommodate *local* differences. The idea is *not* to micro-manage the local courts, but to provide a framework for improvement and service to the public. With these goals in mind, I would like to turn to what lies ahead.

Harry Truman once stated: "We don't propose, like some people, to meet today's problems by saying they don't exist, and tomorrow's problems by wishing that tomorrow wouldn't come." The Judicial Branch has shown that it too is committed to dealing with the problems of today, anticipating and planning for what lies ahead, and looking forward to tomorrow—all with the understanding and assistance of our sister branches of government.

One area that clearly needs improvement is information management. The courts utilize an incompatible, insufficient mix of data processing and hand-collected information systems. Discordant and too often non-existent capabilities make it difficult to collect and manage the information that all three branches of government need in order to accurately plan for the future of the courts—or to assess the impact of changes once made.

After completing a review of automation systems used in courts across the country as well as in California, the Judicial Council's advisory committee on technology has laid out a plan to bring the courts into the 20th and 21st centuries. Local county plans have been completed during the past year. Data standards will be adopted this summer. It is essential that we seize the opportunity now to advance in this area. If we do not, our courts will be locked in a Tower of Babel, unable to effectively learn from or communicate with one another—or to provide the Legislative and Executive Branches and the public with complete and up-to-date information concerning the

operations of our courts and their caseloads.

Another critical area that needs attention is the confidence of the public in our courts. Public perceptions about the courts are colored not only by press reports on sensational cases, but also by the experiences of citizens called to jury service—the only direct contact that most citizens have with our court system. It has become increasingly clear that the call to jury service frequently is ignored and—when answered—may breed only frustration and resentment. Adverse experiences with the jury system too often can prolong the resolution of cases and lead to disrespect for all parts of our government.

The Judicial Council's Blue Ribbon Commission on Jury System Improvement identified a host of ways to enhance the experience of jurors. The report revealed that the overall yield of jurors reporting for service ranged from a low of five percent in one major metropolitan county (a figure I understand has somewhat improved more recently) to over 60 percent in some of our more rural counties. Over 1.6 million citizens report for jury service every year.

Some proposed measures will cost the state money—increasing juror compensation, paying for mileage, reimbursing parking, meal, and child and dependent care expenses. Others, such as encouraging local officials to negotiate with local transportation providers to offer free public transportation to jurors already have been tried with some success in counties as disparate as Stanislaus and San Diego. The cost is minimal to the transportation company, while the benefit to the system in good will is high.

One approach successfully used in several venues is to limit service to one day, one trial. Once a juror appears, he or she needs serve only on one case, and if not selected that day, is dismissed for the year. Another possible initiative would be to encourage public and private employers to continue to pay salaries while employees serve on juries. Some employers already do. An increasing number do not. For private employers, offering reasonable tax credits or similar inducements—acknowledging their contribution to the public benefit—may prove persuasive. We must explore and encourage implementation of these and related measures that will restore the public's willingness to participate and its confidence in our jury system. Senate Bill 14, introduced by Senator Calderon, and the governor's budget each contain a number of these proposals.

As I mentioned earlier, the underlying theme of the Judicial Branch's efforts is providing a fair and accessible system of justice. This past year saw the release of the Council's report on the implementation of recommendations to address problems involving gender bias. The Council's Special Advisory Committee on race and ethnic bias will make its report and recommendations to the Council this month.

On an ongoing basis, the Council's advisory committee on access and fairness continues to gather information and formulate appropriate responses to problems involving all forms of bias, including adequate access for the disabled.

Meaningful access also is implicated by the increase in litigants without counsel who appear each day in our courts. "Family Court 2000" is a program developed by the Judicial Council's Family and Juvenile Law Advisory Committee. It includes proposals to

simplify procedures while protecting the parties' rights, to increase access to legal services, and to encourage settlement of disputes through alternative means such as mediation, negotiation, and arbitration when possible. The committee will submit recommendations to the Council in 1997.

Already, Ventura County is experimenting with providing a user-friendly information kiosk and easy to understand forms to assist litigants in family court.

For the past three years, the Council has focused on another aspect of family law: Domestic violence. Just a few days ago, the Council held the second annual reunion of its original state conference on family violence and the courts. This conference brought together—and continues to unite—representatives from district attorneys' offices, battered women groups, probation departments, social workers, police officers, and other professionals in the field to work with courts to formulate coordinated programs to prevent family violence and to address it comprehensively when it does occur.

Similarly, Court-Appointed Special Advocate—or CASA—programs provide a model of how new approaches can reap important benefits. CASA projects provide court-appointed lay community volunteers who assist children and the courts during the long and often confusing dependency process.

The troubling problem of juvenile delinquency also is being reviewed. The Judicial Council's Family and Juvenile Law Advisory Committee is exploring access to possible alternative dispositions, and providing appropriate care, treatment, and guidance consistent with holding youngsters accountable for their behavior and protecting the public.

The actions our Judicial Branch has taken and will continue to pursue are intended to continue the tradition of a responsive, fair, and accessible system of justice for the benefit of the people of California. We are heeding Lord Macaulay's admonition: "Reform, that you may preserve."

You have heard just a few of the many initiatives that can produce major effects on the future operation of the courts. Although the Judicial Branch is focusing on several individual areas of reform, the one reform necessary for success in preserving our fundamental system of justice is ensuring a stable, adequate source of funding for the courts.

Historically, funding for California's court system developed on a piecemeal basis. Before 1988, the state funded only basic benefits for trial court judges, and a few selected programs. Starting with the Brown-Presley Trial Court Funding Act of 1988, the state committed to increased funding through block grants based upon the number of judicial positions in each county.

The Trial Court Realignment and Efficiency Act of 1991 provided increased state funding, with a goal of an increase of five percent each year to 70 percent by 1995-96. That percentage has yet to be met. Last fiscal year saw the state providing only approximately 35 percent of court funding—and this year saw the dramatic decline in the state General Fund contribution reach 65.5 percent, plummeting from \$507 million in fiscal year 1990-1991 to \$175 million today.

In 1992, the Trial Court Budget Commission, under the supervision of the Judicial Council, was established to oversee the trial court budget development process and to prepare an annual state court budget. The process has been refined, and a functional budgeting process was launched in 1994-95. Through the work of the Trial Court Budget Commission, the Council for the first time collected statewide data on costs and expenditures.

But the effective use of the Commission's work has been stymied. Over the years, the bifurcated system that divides responsibility for court funding between the state and the counties has led to more and more problems, with the courts sometimes falling between the cracks. The budget process has become a full-time burden for the courts, which must deal with two separate, uncoordinated systems with neither having clear funding responsibility. Planning—both local and statewide—of necessity is often piecemeal and tentative. There is no one mechanism to hold courts accountable for the administration of justice statewide—and no flexibility for courts to address urgent needs.

The administration of justice is perhaps the most fundamental service provided by government. I firmly believe that the quality of justice cannot and must not be allowed to vary county to county, dependent upon the ability and willingness of each county to adequately fund its courts in the face of the other growing demands upon county government.

During the last legislative session, a remarkable consensus was achieved. Together, you—the Legislature—the Governor, the counties, the courts, law enforcement, and the various segments of the Bar, hammered out an agreement not only on the concept of state funding for the trial courts, but also on a precise mechanism by which to achieve it.

AB 2553, introduced last year, would have embodied this solution. Under this proposal, the state agreed to assume full responsibility for funding the trial courts—including future growth—and capped county payments, required counties to continue funding certain functions, and provided further assistance to small counties.

Some new revenues were to be obtained through civil filing fees that were acceptable to various components of the Bar. Cities and counties agreed to split the growth in fine revenues.

In the final hours of the legislative session, however, the bill failed because of disagreement over an issue relating to meet-and-confer requirements for court employees. The Judicial Council, along with many others in the Judiciary, the counties, the Bar, and our sister branches of government, has been actively seeking to resolve this problem in a manner acceptable to all parties involved. The Judicial Council is working on a Rule of Court, which would be adopted by the Council pursuant to statutory direction in the trial court funding bill. We firmly believe this would be just as enforceable as a statutory provision and would, while protecting the fair and reasonable expectations of court employees, reasonably preserve the ability of the courts to manage their own affairs.

We should not and must not halt the momentum toward fashioning a much-needed, permanent long-term solution. We must for once and for all put an end to the yearly crisis plaguing all 3 branches of government caused by the courts having to run to you for more

money as they face the imminent closing of the courtroom doors.

A letter I received last month from the Alpine Superior Court anticipates that this month will see “A total shutdown of the courts in our county until such time as state funding becomes available. We have no money for jury trials, courts reporters, courthouse and courtroom security, [and] interpreters . . . ; shortly after the first of the year we will have no funds with which to meet payroll.”

The Judicial Council anticipates the courts in as many as 8 counties possibly closing this month and sending layoff notices to employees. Courts may close in 8 more small to medium sized counties in February. By mid-March, the situation will be critical, with the courts in another 11 counties in jeopardy, and by April the courts in 24 additional counties—or a possible total of 51 out of 58 counties—will be in a crisis situation.

Last year saw the need for enactment of a supplemental emergency appropriation for the courts—SB 99—which was used to bail out not only the courts in smaller counties but those in large counties as well, including Los Angeles. The renewed threat of closed courts must not be taken lightly. It is a real and imminent threat to the fundamental functioning of government and thus to the well-being of the public we serve. And such a hand-to-mouth existence is no way to administer justice in our great state.

Bills now pending in both houses of the Legislature, introduced by Senator Lockyer, Senator Johannessen, and Assembly Member Pringle, would revive the agreement reached last year and translate it into reality. I pledge, personally and on behalf of the Judicial Council, to continue to work unceasingly to see state funding implemented.

A justice system that must focus *not* on what is deserved and required by the people we serve, but simply on keeping its doors open day-to-day, cannot effectively perform its functions. An independent judicial system is one in which the courts are able to decide the cases that come before them, free of external influences or fear of fiscal or political retribution. An independent judicial system is the cornerstone of our democratic system of government. Insufficient, inconsistent, and uncertain funding for our courts threatens to erode that foundation.

You possess the tools to strengthen that system and to ensure the highest quality administration of justice for the people of California. We have the largest judiciary in the western world (almost 1,600 judges—almost double the size of the federal judiciary) and I believe the finest judiciary anywhere. Yet the total segment of state funds dedicated to supporting the courts this year amounts to less than 1% of the state budget. The structural reforms necessary to provide reliable state support for the courts are before you. We must not let this opportunity pass. We must not fail in our collective responsibility to ensure the stability of one of our three co-equal branches of government.

I know that together we can ensure the successful operation of our court system far into the future. On behalf of the Judicial Branch, I thank you for the many actions you have undertaken to assist our branch in fulfilling our mandate to serve the public. I appreciate the time that many of you have given me and others to discuss the concerns and aspirations of the Judicial Branch, and that you have

spent visiting your local courts and meeting with our judges. For those of you who have not yet participated in our Day on the Bench Program, I urge you to do so—it can be a real eye-opener.

I look forward to working with you in the years ahead. I know that together we can and will continue to preserve and enhance the ability of our courts to render accessible justice to all.

I am grateful for your invitation to speak to you today. I hope you will be able to join me and members of the Judicial Council, the Bar, and the AOC staff at our annual reception for the Legislative and Executive Branches which will shortly follow this event, at the basement level of the Capitol Rotunda, and offer more information about the many activities in our courts. Let me close by wishing you all a productive legislative session and a happy, healthy, and congenial new year.

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# California State Assembly



Proceedings  
in  
Joint Convention

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## **STATE OF THE JUDICIARY**

Address by

**The Honorable Ronald M. George  
Chief Justice of California**

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Assembly Chamber  
February 23, 1998

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STATE OF THE JUDICIARY ADDRESS  
TO A JOINT CONVENTION OF THE CALIFORNIA LEGISLATURE  
CHIEF JUSTICE RONALD M. GEORGE

Sacramento, California

February 23, 1998

Good afternoon. It is a great pleasure to be here today. I want to thank Senator Lockyer and Speaker Bustamante for their invitation to address you on the State of the Judiciary. I also extend congratulations to Senator Burton and Assembly Member Villaraigosa on their new leadership posts. And I want to acknowledge the presence and contributions of members of the Supreme Court, of the Judicial Council and chairs of its advisory committees, and leaders of the Bar who are with us today.

Most of all, I want to begin by expressing my great appreciation to you—the leaders and members of both Houses of the Legislature—as well as Governor Wilson, for the extraordinary contributions you made last year to the administration of justice in our state. The enactment of the Trial Court Funding Act in the final moments of last year's legislative session inaugurated a fundamental alteration in the structure of the Judicial Branch. It constitutes one of the most important reforms for the California courts this century.

Your efforts have made it possible for the Judicial Branch to look forward to the next century confident that a stable and adequate source of funding will enable us to provide fair and accessible justice for all Californians. The strong leadership of Senator Lockyer, Assembly Member Escutia, and then-Minority Leader Pringle guided this historic change. But, momentous policy changes such as these require the prolonged efforts of many. In this case, it was a team effort in which many of you played roles that were essential to attaining this important goal. On behalf of the Judicial Branch and those we serve, I congratulate you and thank you for your farsighted and public-spirited action.

When I last spoke to you just over a year ago, I was in the midst of my visits to the courts in each of the fifty-eight counties of our state. I completed my journeys last August, one year after I began them, having met with judges, court administrators, staff, members of the bar, and often local officials, in each county. I also visited the justices and staff of the six courts of appeal and the two active native american courts in our state. These unprecedented visits provided me with a unique and personal look at courts across the state, their needs, and their accomplishments.

There are two main impressions from these visits that have stayed with me and that I want to share with you. First, the history of inadequate and uncertain funding all too often has substantially hobbled the ability of courts to serve the public at the level it deserves. My visits heightened my resolve to work unceasingly to make adequate and stable state funding a reality—and now that this top priority has been achieved, to ensure that it is implemented in a way that fulfills its promise. We must work together to provide the necessary resources for California's courts to provide the finest administration of justice necessary to protect and serve the public.

Second, and perhaps more importantly, I learned from my meetings that, despite significant barriers and challenges, the creativity,

dedication, and commitment of those who serve in the Judicial Branch has been and remains our most valuable asset. It is with great pride that I assure you that these individuals, whether from tiny counties like Alpine with only one superior court judge and one municipal court judge, to enormous Los Angeles with hundreds of judicial officers, stand ready, willing, and able to make the most of the opportunities available to them in serving the public.

Judges and staff up and down the state work in conditions that demand fortitude, courage, and selflessness. In a one-judge court in San Luis Obispo, I visited a court that had been the site of an armed hostage confrontation a few years before. Since then, no funds have been available to provide an adequate security system. So, today stacks of law books placed in front of the bench serve not as a research source but as a protective barrier. Unfortunately, such measures are not unique—judges in other counties have had to resort to similar steps for protection.

Security is a significant issue up and down the state. Some courts have no metal detectors. In others, equipment is standing idle because there are no funds to operate it. In some courts, handcuffed defendants must be transported through the clerk's office or through public hallways where litigants, witnesses, jurors, and the general public await court proceedings.

In some counties, there are not enough bailiffs to protect every courtroom. This is a particular problem in family law courts, where the greatest incidence of in-court violence has occurred over the past several years. Witnesses, parties, judges, and lawyers, all have fallen victim to in-court violence. Our courts, which should be a haven for reasoned dispute resolution, too often are sites where dangerous emotions flare. The public, litigants, staff, and judges must be protected and feel secure. Our courthouses must be bastions that protect public safety in every sense, not locations where people are at physical risk of harm.

I found many courts struggling to keep their doors open for a five-day week because of the inadequacy of funds available for staffing. Hopefully, this situation will not recur now that state trial court funding has been enacted. I encountered several courts whose employees had not had cost-of-living raises for extended periods, and were attempting to cope with the extra burden created by numerous vacant positions. I saw the Chambers of a Plumas County judge that had been fashioned out of a converted mop closet. And in Huntington Park's courthouse in Los Angeles County, I found one individual, Commissioner Gilbert Lopez, whose situation in many ways symbolizes how the best of our system can rise above the worst.

On the downside, the much needed additional courtroom occupied by Commissioner Lopez had to be created from the jury assembly room, and his Chambers were fashioned from space appropriated from a public restroom. When this reconstruction was completed, no money was left to furnish either area, and this is where some of the best comes in. The Commissioner, in his home workshop and at his own expense, built the jury box, bench, and bailiff's desk for his courtroom, and the furniture for his Chambers. His can-do spirit and concrete contribution provide a tangible symbol of the willingness of judicial officers and staff

to take that extra step far beyond their job descriptions to make sure that the system can function and the public can be properly served.

As we begin implementation of trial court funding, the next major enterprise will be to provide adequate physical facilities for the courts. Court facilities—like safe schools and highways—are a vital part of California's infrastructure. The Public deserves not only to be safe, but also to see its business transacted in a setting that comports with the importance that the proceedings bear to the lives of so many individuals. The public deserves courthouses in which access to the effective, orderly administration of justice is a given, not a challenge.

AB 233, The bill creating the state funding plan, provides for a task force to survey current courthouse facilities and recommend necessary improvements and additions. I anticipate—from my personal observations—that this task force will discover that these needs are great. Basic facilities have been neglected to an extent that many courts are severely hindered in their ability to administer justice. In fact, some court facilities are in such poor shape they are in imminent danger of being flattened by the next major earthquake.

My mention, a moment ago, of the Commissioner's courtroom carved out of a jury Assembly room highlights another grave difficulty for our courts and for the public's perception of the Judicial Branch—indeed of the public's perception of government as a whole: The poor way jurors frequently are treated under our current system. The pervasive message too often is that we neither respect the contributions of jurors, nor value their time. Inadequate facilities are only one part of problem.

When I obeyed a jury summons and reported for duty in a Los Angeles County courthouse last June, I took my seat on the floor with others as we waited for the jury assembly room to open up. And I observed in my courthouse visits across the state that juror facilities frequently are too small, do not provide basic services for those waiting, and may not even be clean. There are very few individuals who would willingly spend day after day in a molded plastic seat under fluorescent lights with no place to relax, receiving scant information about what is expected of them or why they must wait. Nor do those subjected to such conditions leave with a sense of a judicial system that is attentive to the public's needs.

The Judicial Council's Commission on Jury System Improvement, with a diverse membership from the courts and the public, has provided a wide-ranging series of suggestions for improving the experience of those called for jury service and increasing the number of individuals who respond to a jury summons ready and willing to serve. The Judicial Council has adopted some of the Commission's suggestions and has sought your help in creating the statutory changes required to enable others to be implemented.

The need to increase the number of our citizens participating as jurors is clear—in one county the response rate to summons dipped as low as six percent. That situation is simply unacceptable and has disturbing ramifications for our concept of participatory democracy and may help explain some of the unexpected jury verdicts that we hear about.

A variety of measures to increase and improve the level of participation by our citizens in jury duty already are being explored. Although the telephone on-call system used by some courts, including the one to which I was summoned, is far superior to requiring the juror's

presence at the courthouse for up to two weeks at a time, it still makes it impossible for jurors and their employers to plan with certainty. The approach that I favor is called the one-day-or-one-trial system used in many courts: A juror, once summoned, appears at the courthouse. If selected for a jury, his or her service for that trial satisfies the juror's obligation for the year. If not selected for a trial that day, the juror is excused and the one-day appearance fulfills the juror's obligation for the year.

One improvement that courts cannot achieve without your assistance involves increasing juror pay from the measly statutory \$5 per day now available—a low among the states—to a more meaningful figure. Other steps urged by the Council, such as providing reimbursement for child or dependent care if necessary to enable the juror to serve, paying adequately for meals, parking, and transportation, or, as San Diego and Stanislaus counties already have done, arranging with local mass transportation providers to offer free service to and from the courthouse to anyone who displays juror identification, can have a tremendous impact by reinforcing for the public the fact that we in government consider jury service to be an important public duty.

Some years ago, jury exemptions, which then applied haphazardly to numerous classes of individuals, were wiped off the books by the Legislature. You did so recognizing that our justice system requires jury pools that are truly representative of our population.

Lack of necessary support for the fundamental jury structure in county after county has undermined that message. Many courts are taking the steps they can without statutory authority or additional resources to improve conditions.

But they can go only so far. That is where your role comes in. I am pleased that you have before you bills that would enact some of the reforms that I have just recommended. I urge you to consider providing adequate funds and authorization to ensure that our jury system becomes more representative of the people of our state, treats those who come to serve with respect, and ultimately enhances the public's confidence in our entire system of government.

For many individuals, jury service is their primary contact with government, and they base their attitude toward our entire system on their experience with that process. In short, this is not simply a court problem—it is a state government problem.

Another aspect of jury service that the Judicial Council presently is reviewing is jury instructions. Often, the instructions given to jurors by the judge at the conclusion of the trial are couched in arcane, antiquated language. Jurors must spend unnecessary time and effort determining what the instructions mean before attempting to apply them to the particular case.

I have appointed a special task force to review instructions given in both criminal and civil cases, and to translate them into clear, accurate, and easily understandable language. As legislators, each day you are confronted with the challenge of using language carefully to obtain the result you intend as you draft and amend bills. I am certain you can appreciate the difficulty and delicacy of our task and how important it is that the job be done properly.

Language is important in another way as well. More than 200 languages are spoken in our state, and over 120 require translation in our courts on any given day. Adequate court interpreter services are

fundamental to providing access to the courts and crucial to the integrity of judicial proceedings. Basic comprehension of the system that judges your fate is fundamental to our notion of justice. But in many counties, courts are stymied by the lack of available, qualified interpreters and consider this to be their number one problem.

We have request funds through a deficiency appropriation to cover the cost of growth in interpreter services this year, and have asked for further funding for next year's anticipated growth, and to permit a much deserved raise in rates that will make them more competitive with what is paid for interpreter services in the federal courts in this state. Let's make use of our increasingly multi-cultural society and attract young people into this vital profession.

Another facet of facilitating court communication, both internally and with the public, involves improving the ability of courts to utilize available technology. To plan effectively for the future of our judicial system, we need data that right now is unavailable. When you enter a local department store, they can tell you how many pairs of pants in a particular size and color are available within the store and in all stores in the chain across the United States. Commonplace inventory control and tracking easily provide the specific information retailers use to make projections and meet needs.

Walk into a courthouse and ask how many third-strike cases are pending on the criminal docket, and you most likely will be told that the information you seek is not available. Nor does cumulative data on a statewide level exist. This situation is further complicated by the incompatibility of much of the technology that is in place. In some locations, modern technology is a fact of life. In others, it is a distant dream.

The inconsistent development of data systems throughout the state frequently makes it impossible for courts to communicate within their own courthouse walls, with other courts, with the Judicial Council, with other public safety agencies, or with the public. The Judicial Branch often finds itself hampered in its planning process, and in assisting your Legislative Analyst and the Governor's Finance Department in their planning efforts, by our inability to provide you with meaningful caseload data.

Changes are underway to help cure this major barrier to effective planning and to responsive access for those we serve. A Judicial Council task force on technology is developing uniform data standards to improve our ability to collect information and to communicate among different systems. Techniques, such as document-scanning and creating records on computer discs, will facilitate case processing at every level.

We must have a plan for rational use of the available tools or we will not be able to realize their potential. Instead we will increase the risk of creating a twenty-first century, electronic version of the Tower of Babel.

When they can, courts are using technology to communicate directly with the public. State and local electronic bulletin boards allow litigants and lawyers to learn the status of a case or acquire general court data rather than requiring them to locate and interrupt a court clerk. The Judicial Council's website contains information about our statewide court system and provides instantaneous access to just-filed published California appellate court opinions.

Courts are providing interactive kiosks at which litigants and members of the public can obtain forms and information about how to

proceed in a particular legal action. In some counties, in up to sixty percent of family law cases one party lacks legal representation and in another thirty percent neither side has Counsel. The need to assist unrepresented defendants in a number of areas, including obtaining protective orders in domestic violence cases, was a theme I heard repeated by courts, local government and Bar leaders, and citizens across the state.

You have placed a great deal of trust in us by establishing a system of state funding—now I hope you will ensure that we possess the tools necessary to responsibly discharge our obligations and to provide you and the people of our state with a truly fair and accessible justice system in every venue, every day.

The judicial system is not relying on the wonders of technology alone to improve communication internally and with outside constituencies. Courts increasingly have realized that the duty to administer justice requires extending activities beyond the courtroom door.

The courts have realized the importance of ongoing dialogue with our sister branches of government and with the public. A Judicial Council task force on court-community outreach currently is exploring ways for courts to communicate more effectively with the public. It has held statewide hearings, and its recommendations and findings will provide the groundwork for an upcoming local court-community planning conference to more effectively involve the public in their courts.

I have participated in community forums in various parts of the state, including one in Orange County at the request of Assembly Member Bill Morrow and one in South Central Los Angeles at the request of Assembly Member Kevin Murray. And others from the Judicial Council are now visiting courts and communities around the state, to listen and learn.

The Judicial Branch has been a leader in studying problems arising from bias—real or perceived—in the court system, based on gender, ethnicity, race, sexual orientation, and disability—undertaking these studies at its own initiative. Not only have we had task forces studying these issues, but the Council has a permanent access and fairness advisory committee committed to learning more about these matters and providing the means to ensure that all Californians receive fair and equal access to our courts. We have focused on implementing the recommendations of our task forces so their reports do not merely gather dust on the shelf.

Courses based on findings and recommendations from the various studies are part of the developing core curriculum of the center for judicial education and research, which provides education for judges and court staff. Ensuring appropriate and effective communication with litigants, witnesses, and the public within the courts themselves is a principal aim of these efforts.

Relationships between the Judicial Branch and the Legislative and Executive Branches also have been a focus for our Branch. As one of three co-equal Branches of Government, the Judicial Branch appreciates the need to cooperate with, to inform, and to work with you in as many areas as possible.

Of course, the Judicial Branch differs in some fundamental ways from its sisters branches. The Legislative and Executive Branches are necessarily and properly political in nature, and responsiveness to the public and to political pressure are basic tenets of the role you play. The

framers of our Federal and State Constitutions provided the Judicial Branch with a very different role. The Judiciary interacts with the people's will only through the medium of the statutes and constitutional provisions that have been crafted by others, and the facts and arguments litigants bring to us in their actions.

It is only natural that each Branch of our State Government eyes the other two Branches through the lens of its own experience and obligations—and that this circumstance sometimes results in confusion or misunderstanding about particular actions or motives. Improved communications help all of us to better appreciate the different, complementary, and both independent and interdependent roles that we play in our democratic system of government.

Improved communication among our Branches in recent years has contributed to the enactment of many additional measures that are of particular importance to the Judicial Branch. Assembly Bill 195, effective in January of 1997, made substantial changes in the procedure for certification of the record in death penalty appeals. This important bill by Assembly Member Bill Morrow, is helping attack a root cause of delay in the processing of automatic appeals from death penalty judgments—the second of my priorities after trial court funding.

The Judicial Branch has been developing strategies to make the most effective use of this new provision, including a recent training program on the new requirements put on by Supreme Court staff for 150 participants. In addition, a project is now underway to ensure accurate reporting to you on the implementation of the bill by the trial courts.

Another major cause of delay in death penalty appeals remained even after enactment of AB 195, however. In the last legislative session, you and the Governor adopted a measure that will help solve a problem that has proved most intractable and troubling: Providing counsel for those under sentence of death. More than 160 individuals remain on death row without legal representation and therefore with cases that cannot be processed. The result is delay that unfairly affects the families and loved ones of victims, and defendants as well, and invariably reflects negatively on the integrity of the entire justice system.

Senate Bill 513, authored by Senator Lockyer, will make a difference. By increasing the pool of attorneys available to handle these matters and enhancing their compensation, the bill directly addresses some of the impediments to processing death penalty appeals in a timely fashion.

We have been working diligently to fully implement this legislation. Change will not occur overnight—the problem is complex and difficult—but I am confident that it will occur soon.

Another area in which you recently have been responsive is in providing the first new judgeships in almost ten years. In addition to the new judgeships created in 1996, forty new trial court positions were authorized last year but remain to be funded this year. Filling these positions is a vital step toward improving the administration of justice.

The fact that the courts have been able to stay as current as they have without much in the way of added resources during the past several years can be credited to their ability to break free of entrenched tradition and practice and adapt to current circumstances. I refer specifically to the tremendous progress that our Municipal and Superior Courts have made toward coordinating their use of all available administrative and

judicial resources under existing statutes and court rules adopted by the Judicial Council.

Many county court systems are now fully coordinated: In those courts, administrative duplication has been eliminated, procedures have been streamlined, and all judges are now available for assignment where they can be most productive and effective. In most remaining counties, major strides toward increased coordination have been made, and progress continues.

On the ballot in June is Senate Constitutional Amendment 4, now designated as Proposition 220. It will permit courts, on a county-by-county basis and upon a majority vote of the judges of each level of Trial Court, Municipal and Superior, to fully unify. Unification will dispense with all distinctions between these courts, thereby providing better service to the public and savings to taxpayers. SCA 4 is the final logical step in the move toward increased coordination that the Legislature has urged since its enactment of the Trial Court Realignment and Efficiency Act of 1991.

One critical area for the courts that you can expect to hear me discuss in the years ahead is the tension developing between private judging and the public courts. A variety of concerns have arisen as the use of private judges has expanded. Does the availability of these alternative mechanisms siphon off too much of the support needed for the maintenance of an efficient and viable public judicial system? Some fear the perception of a two-track system of justice where those who can afford it will pick the private judge of their choice and obtain a fast-track resolution of their dispute, relegating to our public courts those persons unable to afford private judges and those defendants and victims involved with criminal offenses.

There will always be a place for a variety of alternative methods of dispute resolution such as arbitration, mediation, and private judging. Nonetheless, an effective public justice system is absolutely crucial. By affording equal and fair and accessible justice to all, it knits together the diverse strands of our society. By issuing published opinions that establish precedent, it guides the actions of business entities and individuals as they go about their daily lives. It provides predictability and stability. It is part of the bedrock of our society that we must protect lest it be undermined.

We have not yet seen a thorough evaluation of the impact on the judicial system of the growing use of alternative dispute resolution methods. Tomorrow, I will announce appointment of a special task force to begin studying issues such as the difficult one of whether, how, and by whom private judging should be regulated and to report its findings and recommendations to the Judicial Council.

Private judging has had an impact on another aspect of the administration of justice—the retention of experienced judicial officers within our judicial system. In conjunction with the group studying alternative dispute resolution, I am also appointing a committee to study issues relating to how we can keep our most experienced judges from leaving the bench prematurely, to enter private judging or some other pursuit, thereby requiring us to pay not only their retirement benefits but the salary of the new judges who take their place.

I strongly believe that our court system should not serve merely as a training ground for a career in the private sector. It should maintain its

role as the place of service to which our finest legal talent aspires as the culmination of a career.

As you can see, the variety of issues that our system is addressing is enormous. Whether it is implementing trial court funding, improving the use of technology, or enhancing communication with you and with the public at large.

The duty of the Judiciary was described well by Chief Justice John Marshall of the United States Supreme Court when, in the early years of our republic, he remarked that the Supreme Court had an obligation not to “usurp power” and an equal obligation not to “shrink from its duty.” Our Branch is constantly seeking to maintain the appropriate balance—our duty is to serve the public in applying the law, and to perform the judicial function with integrity, care, and discretion. With your support, our Branch will continue its quest to meet these goals and to serve the public.

I am deeply honored to serve as the 27th Chief Justice of California. The individuals I have been fortunate to meet, both within and outside the Judicial Branch, the creativity and dedication I have encountered among judges, court staff, and lawyers, the commitment to public service and the public good that pervades our courts, all are proof of a vibrant system focused in the right direction. I know that working together, we can ensure that California’s Judiciary remains in the forefront of providing fair and accessible justice to all Californians.

Thank you again for your essential support in the time that I have served as Chief Justice. I look forward to demonstrating that the Judiciary is worthy of your trust and confidence, and to cooperating in new ways to enhance the administration of justice in our state for the benefit of the public we all serve.

I hope you will be able to join me and members of the Judicial Council and the A.O.C. staff at our annual reception for the Legislative and Executive Branches which will shortly follow this event, at the basement level of the Capitol Rotunda, and which will offer more information about the many activities in our courts. Let me close by wishing you all a productive legislative session.

RONALD M. GEORGE  
Chief Justice of California

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# California State Assembly



Appendix No. 1  
to  
Assembly Journal

Standing Rules of the Assembly,  
1997-98 Regular Session

Standing Rules of the Senate,  
1997-98 Regular Session

Temporary Joint Rules of the Senate and Assembly  
1995-96

Assembly Chamber  
January 1997

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\* SCR No. 1 (Burton), (1997–98 Regular Session) adopted by the Senate December 2, 1996, Senate Journal, p. 5; pending adoption in Assembly.

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# STANDING RULES OF THE ASSEMBLY

1997–98 Regular Session

House Resolution No. 1 (Escutia)  
(Adopted December 2, 1996, Assembly Journal, p. 53)

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**STANDING RULES OF THE ASSEMBLY**  
**1997-98 REGULAR SESSION**

**I. LEGISLATIVE ORGANIZATION**

**Assembly General Officers**

1. (a) The general officers of the Assembly are the following:

- (1) Speaker
- (2) Speaker pro Tempore
- Assistant Speaker pro Tempore
- Majority Floor Leader
- Minority Floor Leader
- (3) Chief Clerk
- Sergeant at Arms
- Chaplain

(b) Except for the officers listed in paragraph (2) of subdivision (a), each officer listed in subdivision (a) shall be elected by a majority vote of the duly elected and qualified Members.

(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 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.

**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 person who was the Speaker when the previous regular 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 may it extend beyond an adjournment.

**Amending Standing Rules**

8. No standing rule of the Assembly may 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. Twenty-seven 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
- International Trade and Development
- 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

**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 litigation, 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 that 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 thereof 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, as appropriate, 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 that 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 rule are hereby abrogated. This rule 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 rule 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 appointing authority.

(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 Joint Rules of the Senate and Assembly and 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 may 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 rule, 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. The Speaker shall determine the size, and appoint the membership and the chairperson and vice chairperson, of all standing committees and subcommittees. In appointing Members to serve on committees, the Speaker shall consider the preferences of the 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 Speaker, the chairperson, who shall be a Member selected by the Speaker, and eight other members, four to be selected by the Speaker and four, including the vice chairperson of the committee, to be selected by the Minority Leader. One alternate member of the Committee on Rules shall be selected by each party leader. Members and alternates so selected shall remain in office until their successors are selected as provided for in these rules. The Speaker or the Minority Leader may designate any member of their respective parties in lieu of or in addition to the alternate member to fill a temporary vacancy.

An alternate member may serve when a committee member of the same political party is absent. The Speaker shall preside or may designate the chairperson to preside.

No regular 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 caucus of the political party having the greatest number of Members in the Assembly, and the caucus of the political party having the second greatest number of Members, each shall meet for the purpose of selecting their officers for the next regular session. The rules and procedures of each caucus shall be determined by that caucus, but may not be inconsistent with these rules.

#### **Powers of the Committee on Rules**

14. (a) The Committee on Rules shall have the following powers:

(1) To refer each bill and house resolution to a committee, as provided by these rules.

(2) 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.

(3) 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.

(4) To adopt additional policies or requirements regarding the use of cameras and other recording equipment at committee hearings or Assembly floor sessions.

(b) 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:

(1) To contract with other agencies, public or private, as it deems necessary for the rendition and affording of those services, facilities, studies, and reports to the committee that 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 these rules 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 these rules.

(5) 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.

(6) 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.

(c) 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.

(d) The committee shall allocate sufficient moneys from the Assembly Operating Fund to support the Assembly's share of joint operations.

(e) 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. Notwithstanding the foregoing, the Speaker may appoint a temporary chief administrative officer for up to 90 days following the beginning of the session.

(f) The committee on Rules shall provide for the publication of a compilation of the photographs of accredited press representatives.

(g) 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 greatest number of Members in the Assembly and two members of the Committee on Rules from the political party having the second greatest number of Members. The two members from the political party having the second greatest 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 also shall 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 in procedures 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 shall be 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 shall be 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 identified 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 made available specifically 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 that committee, and shall be expended as provided in these rules.

**Expenditures**

18. No Member or committee may 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, officers, and employees of the Assembly that are 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, as 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 this requirement by the resolution authorizing it.

No warrant may 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 this rule.

The Committee on Rules shall adopt rules and regulations governing the awarding of any contract by an investigating committee, and 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 may not undertake any investigation that 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 each of these subcommittees may act only on the particular study or investigation assigned by the Speaker in consultation with the Committee on Rules to that subcommittee. 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 that 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 Joint Rules of the Senate and Assembly and 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, for the rendition and affording of services, facilities, studies, and reports to the committee as the committee deems necessary to 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 committee.

(3) To report its findings and recommendations to the Legislature and the people from time to 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 greatest number of Members in the Assembly and three members shall be from the political party having the second greatest number of Members. Any temporary or permanent vacancy on the committee shall be filled within 10 days by a member from the same political party. All appointments, including appointments to fill permanent or temporary vacancies, of members from the political party having the second greatest number of Members in the Assembly 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 greatest number of Members in the Assembly and one member of the committee from the political party having the second greatest 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 any case concerning an alleged violation 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 regarding 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 an alleged violation 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 the district attorney of the appropriate county. The complaint and the fact of dismissal transmitted pursuant to this paragraph are public records 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 an alleged violation 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 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, and 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 greatest number of Members in the Assembly and two members from the registered political party having the second greatest number of Members. Any vacancy on the committee does 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 permit the participation of lobbyists 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 the report shall be printed in the Journal. In no event may 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 may 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 may 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 of, 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 shall be filmed without lights.
- (3) Every effort should be made to set up filming equipment before hearings or sessions begin.
- (4) The committee chairperson or the Speaker 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 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, the Speaker shall have the right to assign the reason for his or her decision.

(3) To name any Member to perform the duties of the Speaker, except that any substitution may not extend beyond adjournment.

(4) 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.

(5) To allocate funds, staffing, and other resources for the effective operation of the Assembly.

(6) To appoint the membership of all standing and special committees, and their respective chairpersons and vice-chairpersons. The Speaker has approval power over the appointment of subcommittees of those standing and special committees.

(7) To establish a schedule of meetings of standing committees or subcommittees and to approve special meetings at a time different from the scheduled time.

(8) To have general control and direction over the Journals, papers, and bills of the Assembly.

(9) To act as Chairperson of the Committee of the Whole.

(10) To order the Lobby and Gallery cleared whenever he or she deems it necessary.

(11) To authenticate by his or her signature, when necessary or required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpoenas issued by order of the Assembly.

(b) 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.

(c) 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.

**Selection of Officers**

28. (a) The Speaker shall appoint all nonelected officers of the Assembly except the Minority Floor Leader.

(b) The Minority Floor Leader shall be selected by the caucus of the political party having the second greatest number of Members in the Assembly.

**Duties of the Speaker pro Tempore**

29. 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**

30. It shall be the duty of the Majority Floor Leader 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 that relate to the order of business, and to the promotion of harmony among the membership.

**Caucus Chairpersons**

31. The chairperson of the caucus of the political party having the greatest number of Members in the Assembly, and the chairperson of the caucus of the political party having the second greatest number of Members in the Assembly, 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 who are engaged in duties related to subdivision (a).

(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 Speaker.

(g) To perform 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; before they pass out of the possession of the Assembly, to see that each 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; the Sergeant at Arms shall receive actual expenses for himself or herself, or for an assistant, incurred in executing any process.

(b) To see that no person is admitted to the Assembly Chamber except in accordance with 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 may not charge any printing or other work to the Assembly other than as 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 to order, and shall have the responsibility for ordering, the 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 each 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 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 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 of the Senate and Assembly, 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) The word "bill," as used in these rules, 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 that does not contain the signature of its author or coauthor, the bill, 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, or 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 of the Senate and Assembly, any Member desiring to introduce a bill, constitutional amendment, or concurrent or joint resolution 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, printed, and

referred to a standing committee, and a copy thereof shall be placed upon the desk of each Member before final passage.

All bills, constitutional amendments, and concurrent or joint resolutions introduced before the standing committees of the Assembly are appointed shall be referred to committee, the references to take effect when the committees are 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 of the members, including the chairperson, of the committee. If all of 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 does 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 that upon introduction makes no substantive change in or addition to existing law, and would not otherwise affect the ongoing operations of state or 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 related to a present or former state or federal elected official or a member of his or her immediate family. 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 may 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 Speaker, unless permission for a different hearing time is granted by the Speaker. No committee or subcommittee may meet during any session of the Assembly, nor may 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 that 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 bill may be set for hearing, nor may any notice thereof be published by an Assembly committee or subcommittee, until the 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 that assures that no committee or subcommittee shall commence the hearing of any bill after the hour of 6:00 p.m. at an afternoon meeting of the committee or subcommittee, or after the hour of 11:00 p.m. at an evening meeting, except that a hearing 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 chairperson 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 a special meeting, or a meeting 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 Joint Rule 44 or the Political Reform Act of 1974 (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; 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 that explanation shall be printed in the appendix to the Journal in the appropriate place, provided that no explanation may 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 may a bill be passed out by a committee without a quorum being present.

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 that committee's assignment 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 Rule 58 has been complied with 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 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 may 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 a joint or concurrent resolution, but does include a constitutional amendment.

**Bills Requiring General Fund Appropriation**

66.6. Until the Budget Bill has been enacted, the Assembly may 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 may 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 provisions 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 enacted Budget Bill or other 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, 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 shall 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 by the Assembly, of the bill, those amendments, or any part thereof.

#### **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 any other rule, a bill to be amended pursuant to this rule may 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 to the bill. 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 effect of the amendment upon the bill can be readily understood by all of 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 a joint or concurrent resolution, but does include a constitutional amendment.

**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 or a bill that is making statutory changes to implement the Budget Bill, may 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, 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, shall 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 a joint or concurrent resolution, but does include a constitutional amendment.

(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 rule, (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 25 words from, the pending amendments, (5) amendments to the Budget Bill or 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 may 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 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 of the Senate and Assembly.

**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 (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 a copy of any such bill to him or her.

**Electronic Distribution of Bills, Conference Reports, Amendments, and Analyses**

69.5. Subject to 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 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 that has been amended and re-referred to committee is reported out by that committee, it shall be placed on the second reading file and may not be transferred therefrom to the third reading file until the following day.

**Uncontested Bills**

71. No bill may 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. A concurrent or joint resolution may be amended by a majority vote of the Members present and voting. The ayes and noes may not be called upon the adoption of concurrent resolutions, except those authorizing expenditures of money, unless regularly demanded, or required by statute or 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 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 has 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 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 of the Senate and Assembly, 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 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 rule, "bill" does not include a joint or concurrent resolution, but does include a constitutional amendment.

#### **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 is not 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 the third reading file on two successive legislative days, it shall be placed forthwith upon a special file to be known as the inactive file. A bill also may 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 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 the 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 that 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 ordered by the Speaker forthwith 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 forthwith shall 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, or to lay on the table, or a question of personal privilege. If an appeal is laid on the table, that action shall have no effect on the pending question.

An appeal cannot be debated when relating to indecorum, the transgression of rules, or the 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 the motion of any Member, explain the order of business when the motion pending before the Assembly is not debatable. That explanation may 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 the hour at which the motion was made and adjournment taken, shall be entered in the Journal. A motion to adjourn shall 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 may not occupy more than two minutes and is not debatable.

An affirmative recorded vote of a majority of the duly elected and qualified 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 is adopted by 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,

except 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 is 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 more than 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 is 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. The making of a motion to postpone indefinitely any bill, motion, or amendment opens the main question to debate. If the motion to postpone indefinitely prevails by an affirmative recorded vote of 41 or more Members, the main question may 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 that is decided in the negative is not again in order on the same day, or at the same stage of proceeding. The fact that a motion to amend by striking out certain words is decided in the negative does not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words, except that in no case may a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule and 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, is in order when the amendment relates to a different subject than, 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 may be admitted as an amendment.

No amendment is in order that changes the original number of any bill.

No Member may 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, may 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 may be debated only as to the propriety of the reference, and shall require an affirmative recorded vote of 41 or more Members.

No bill or resolution may be withdrawn from committee and placed upon the file, except upon two days' notice thereof and 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 is debatable only 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 may 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 the affirmative recorded vote sufficient to take that action originally, except that no action may 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 may 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 may not appear in any form whatsoever, except that the record of the proceedings on the motion to rescind and expunge shall appear in the Journal as and when printed.

**Reconsideration of Vote**

100. (a) A motion to reconsider a vote on the next legislative day shall 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 shall 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 forthwith shall be placed upon the unfinished business file, and no further action may be taken prior to the next legislative day. When a motion to reconsider has once been made, the motion is the property of the Assembly. When reconsideration is granted, the matter to be reconsidered shall be before the Assembly in the same status it had 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 is 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 is 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 a joint or concurrent resolution.

(2) January 31—Even-numbered Year:

No motion to reconsider the vote whereby an Assembly bill is passed to the Senate is 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 is 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 a Senate bill, a constitutional amendment, or a joint or concurrent resolution.

(3) **Easter or Summer Recess:**

No motion to reconsider the vote whereby a bill is passed is 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 is in order on the last two legislative days preceding the final recess.

A motion to reconsider the vote whereby a bill is defeated is 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, previously made by another Member, to reconsider the vote on that matter. 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 is not 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 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, whereupon no Members shall be permitted to leave the Assembly Chamber except by written permission of the Speaker, and no person may be permitted to enter except Members, Senators, or officers, or employees of the Legislature in the official performance of their duties.

Each Member who is found to be absent, and for whom no leave of absence has been granted, shall be forthwith taken into custody wherever found by the Sergeant at Arms, 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 may 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 would remain for the decision of the Assembly. This rule does not apply 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 excuses that Member by a majority vote of the Members present and voting.

No Member may 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 voting switch of the presiding Member, 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, 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 that explanation shall be printed in the Journal, provided that no explanation may 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 does 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 that explanation shall be printed in the Journal immediately following the vote, provided that no explanation may 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 that had been taken during his or her absence, so long as the outcome of the vote is not thereby changed. The Chief Clerk shall record any vote additions or vote changes in the order signed by the Members at the Clerk's desk.

#### **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 may 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 shall 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, and in the absence of any objection, may instruct the Chief Clerk to change his or her recorded vote after the vote is announced, so long as the outcome of the vote is not thereby changed. The Chief Clerk may 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 may 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 may 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 may be allowed to speak more than five minutes thereon. No Member may 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 may not speak to the merits of the motion at that time, but 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 on the motion.

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 may 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 may absent himself or herself from attendance at any session of the Assembly without leave of the Assembly. No Member may 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, thereby waives 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 30 minutes 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 vote. If a Member does not explain his or her reason for being late, any other Member may raise a point of order under this rule, whereupon the tardy Member's vote may 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 forthwith shall be recognized by the Speaker, but may not discuss a question in that explanation. Matters of personal privilege yield only to a motion to recess or adjourn.

**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. When the objection is made, the question of reading shall be determined without debate by a majority vote of the Members present and voting, upon a brief statement by the Speaker of the substance of the objection.

**Members at Chief Clerk's Desk**

113. No Member or other person may 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 immediately shall take his or her seat, until the Speaker, without debate, has determined whether the Member is in order. 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 may 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 may 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 may 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, of the Committee on Rules.

**Use of Assembly Facilities: Smoking**

117. The 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. This 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 may be admitted to the floor of the Assembly during any session of the Assembly. A guest of any Member may 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, may, under any circumstances, be admitted to the Assembly Chamber while the Assembly is in session.

Persons admitted to the Assembly Chamber, other than Members, may 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.

Guests may be seated only in the chairs in the back of the rail in the rear of the Assembly Chamber, and may not be permitted to sit at the desks of the Members. No person other than an accredited newspaper representative may 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 a Member of the Legislature, may 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, may 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 is 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 thereupon 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 thereof 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 may 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 may 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

1997–98 Regular Session

Senate Resolution No. 4 (Lewis)  
(Adopted December 2, 1996, Senate Journal, p. 5)

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**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 Chair 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 may absent himself or herself 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 the absent Senators, respectively, unless the 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 that 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 the process may be directed, shall have power to use such force as may be necessary to compel the attendance of the absent Senator, and for this purpose he or she 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 Chaplain.
  - (3) Privileges of the Floor.
  - (4) Communications and Petitions.
  - (5) Messages from the Governor.
  - (6) Messages from the Assembly.
  - (7) Reports from Committees.
  - (8) Motions, Resolutions and Notices.
  - (9) Introductions 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 that 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 that 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 Chair 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 Chair 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 the President pro Tempore. The Senator so named shall be vested, during that 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, and read all bills, amendments, and resolutions, and all papers ordered read by the Senate or the presiding officer.

The Secretary of the Senate shall superintend all printing to be done for the Senate and shall have supervision over all attachés of the Senate. He or she shall assign, reassign, or transfer all attachés to their respective duties.

The Secretary of the Senate 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.

The Secretary of the Senate 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 may not permit any of the bills, documents, records, or papers to be taken from the Desk or out of his or her 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, and shall execute the commands of the Senate from time to time, together with all process issued by authority thereof, as shall be directed to him or her 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 and for each day's custody and releasement, and the traveling expenses for himself or herself and special messengers 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 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 or her 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 chair 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 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 of the Senate.

The Committee on Rules shall appoint all other committees of the Senate unless otherwise directed by the Senate and shall designate a chair of each committee so appointed and a vice chair of each standing committee.

In making committee appointments, the Committee on Rules shall give consideration to seniority, preference, and experience. However, 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 Committee on Rules, 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 that are subject to Joint Rule 10.5 and are not referred to the Budget and Fiscal Review Committee. Bills that constitute a state-mandated local program.

(3) Budget and Fiscal Review, 13 members. The Budget Bill and bills implementing the Budget. Bills that 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 bills relating to horseracing, alcoholic beverages, oil, mining, geothermal, or forestry industries. Bills relating to health and dance studios.

(5) Constitutional Amendments, 5 members. Bills relating to constitutional amendments and constitutional amendments, when 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, and 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, workers' 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, and beverage container recycling, except bills affecting the California Integrated Waste Management Act of 1989 or 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 greatest number of members in the Senate and at least two of whom are members of the political party having the second greatest 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 may not be members of the same political party. The Chair may 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 the Senate takes action as it deems appropriate, whichever occurs 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 Title 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 or 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, or officers or 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 may 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 of the Senate, 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 as to 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, the committee 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, the committee 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, the committee 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, the committee 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 of the 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, 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 may 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 may 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 may 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 may 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 Senators, and the President pro Tempore is its chair. The committee is allocated all subjects within the scope of legislative regulation and control, but may not undertake any investigation that 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 each of the subcommittees may act only on the particular study or investigation assigned by the Committee on Rules to that subcommittee. 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 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 other agencies, public or private, for the rendition and affording of services, facilities, studies, and reports to the committee as the committee deems necessary to 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 established by 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 in writing by the Committee on Rules to do so, to meet and act outside the state to carry out its duties.

(d) To report its findings and recommendations to the Legislature and the people from time to 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 those sums that 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 subcommittee from the Senate Operating Fund those sums that 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 of 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 duties 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 those 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, assistance in connection with the duties of the committee or other legislative matters as the personnel resources 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, secretarial and stenographic help as may be reasonably necessary 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 that purpose, in addition to any other power or authority, the Committee on Rules may employ additional stenographic and secretarial assistants as may be necessary, assign and reassign the 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 employee 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 the engrossment and enrollment of bills, the 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 that position that occurs during the 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 the 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 the expenses are incurred, unless the expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

No warrant may 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 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 their employees. Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chair of every investigating committee.

**Alteration, Repair, Improvement to Senate**

13.2. The Committee on Rules is authorized and directed to incur and pay 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 insufficient money is available in any appropriation to pay all claims pursuant to allocations charged against it, the committee shall designate another appropriation from which the 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 maintain the Senate Chamber and all the committee rooms and other rooms used by the Senators and officers of the Senate in a condition that they will be available for the use of the Senate at any time. It is further directed that no persons other than the Members, officers, and attachés of the Senate may occupy or use the offices, committee rooms, and other rooms now occupied by the Senate without permission as hereinafter provided, that the desks, furniture, and other equipment of the Senate shall be at the disposal of the Committee on Rules, and that no person except Members of the Senate may 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 property in the possession or control of any Senate committee. The Committee on Rules shall have custody and control of all property of the Senate and shall adopt 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 Regular Session**

13.5. The adoption of the Standing Rules for any special session are not to 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 identified 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 sums that are made available specifically 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. That review shall be completed not later than the 120th calendar day of the regular session in which the 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 for purposes of that consultation.

**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 all members of each committee to attend without a 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. Those schedules may provide a special schedule of committee meetings upon certain days of the week or to meet any special condition that 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 an

investigation and study concerning any proposed law or bill as the 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 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, to 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.

Each of the members of the standing committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4 (commencing with Section 9400) of Part 1 of Division 2 of Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to the 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 head of each department, agency, and subdivision thereof, all employees of the departments, agencies, and subdivisions of the state, 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 that purpose, except that no committee may incur any indebtedness unless money shall have been first made available therefor.

#### **Funerals**

17.5. The Chair or Vice Chair 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 may receive expenses as provided in Joint Rule 35.

The Chair or Vice Chair of the Committee on Rules, or any Member of the Senate designated by either of these officers, may incur such expense as may be necessary for the purchase on behalf of the Senate of suitable floral pieces for the 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

Chair or Vice Chair of the committee or by the committee's disbursing officer appointed and designated therefor by the committee, upon warrants drawn by the Controller upon the Treasury.

#### **Expenditures**

18. No member of any committee may 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 which are not otherwise authorized by law, these rules, or the Joint Rules of the Senate and Assembly, and for the payment of the 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, 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 or she 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 other 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 only 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, the Joint Rules of Senate and Assembly, or statute, the authority shall be Mason's Manual (1979 edition).

#### **Repeal, Amendment, or Suspension 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, except that any rule not requiring more than a majority vote may be temporarily suspended without that notice 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, except that a rule requiring a two-thirds vote may be temporarily suspended without that notice 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 that 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 that justify the suspension.

**Rules Governing Standing Committees**

21.5. Except as otherwise provided in these rules, standing committees of the Senate shall be governed as follows:

(a) The officers of each Senate committee shall be a chair, vice chair, and secretary.

(b) The chair shall preside at meetings when present except when the committee is considering a bill of which he or she is the sole author or the lead author. Whenever the chair is not presiding, the vice chair shall assume the duties of the chair. In the absence of both, a member designated by the chair shall preside.

(c) The secretary shall keep a complete record of the meetings and actions taken by the committee. Bills favorable 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, for a special meeting, on the call of the chair.

(e) A special meeting may be called by the chair, 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 the meeting. Notice of hearing of bills as required by subdivision (a) of Joint Rule 62 may also be given in the Daily File. No matter may be considered at the special meeting unless specified in the notice.

A special meeting shall be scheduled so as to permit all members of the committee to attend 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, or reconsider a vote on a bill.

(g) No action may be taken on any measure outside of a duly constituted committee meeting.

(h) The chair shall set the hearings of bills and arrange the calendar for committee hearings. Notice of hearing of any bill shall be given to the author and other persons requiring notice. A bill may

not be considered in the absence of the author without his or her consent, except that a bill may be presented by the author's representative who is authorized in writing.

(i) A committee or a subcommittee thereof, by a majority vote of the committee, may meet in executive session for any purpose authorized by Section 9029 of the Government Code. Otherwise, all meetings shall be open and public.

(j) The chair 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 members of the committee in an orderly fashion and in keeping with proper decorum.

(k) Further consideration of a bill that 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 the 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 that has been defeated shall conform to the requirements of subdivision (a) of Joint Rule 62. Any bill as to which reconsideration has been granted pursuant to this paragraph may not be heard again until a subsequent meeting of the committee, after being calendared in the Daily File.

(l) Any bill that has been laid on the table and is removed from the table at a later meeting may 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 chair for approval before being reported to the Desk. Amendments submitted by the author which, in the opinion of the committee chair, 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 may be set for hearing, nor may 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 chair may appoint, from the members of the committee, subcommittees of one or more members to consider and recommend to the full committee action on matters as may be assigned to the subcommittee for consideration from time to time by the chair. The chair 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, the Joint Rules of the Senate and Assembly, or statute, the authority shall be Mason's Manual (1979 edition).

**Additional Rules**

21.6. Committees may adopt additional rules that are not in conflict with Rule 21.5 or other rules.

**Reporting Bills Out of Committee**

21.7. The vote of not less than 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 of, 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 may be used only when cameras are filming and, when possible, proceedings in hearing rooms and the chamber shall be filmed without lights.
- (3) Every effort should be made to set up filming equipment before hearings or sessions begin.
- (4) The committee chair or the 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 chair 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 a manner so 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 a request of the chair to relocate, remove, or discontinue the use of the 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, the bill shall, under the proper order of business, be numbered, read the first time, referred by the Committee on Rules to a standing committee, and 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 rereferred 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 bill 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 and shall read the name of the committee to which the bill has been assigned by the Committee on Rules. 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 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 1997–98 Regular Session.

**Introduction of Bills by a Committee**

23. Any committee may introduce a bill germane to any subject within the proper consideration of the 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 the bill can properly be considered at the session. If, in the judgment of the Committee on Rules, the bill can be considered, the committee shall report the bill back and designate the committee to which it shall be assigned. Thereafter the bill shall be assigned a number by the Secretary, read the 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 his or her immediate family. 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 may 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. A Senate resolution shall be printed, and indexed in the History and Journal.

**Bills Authored by a Former Member**

26. Whenever the author of a bill in the Senate is no longer a Member of the Legislature, upon a request of a committee or current Member of the house in which the bill was introduced, the Senate Committee on Rules may authorize that committee or Member to be the author of that bill. Absent that authorization, no action may be taken by a committee or the Senate with respect to a bill authored by a former Member.

**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 the 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 chair 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 Senate with the recommendation that amendments submitted by the author be adopted and the bill be reprinted as amended and rereferred to the committee.

**Withdrawing a Bill From Committee**

28. No bill or resolution may 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 may not place the bill on its consent calendar, and may 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.

**Referral of Bills**

28.4. (a) If a Senate bill or Assembly bill is amended in the Committee on Appropriations to create a new bill or to rewrite the bill and the chair of the committee determines pursuant to Senate Rule 28.8 that (1) any additional state costs are not significant and do not and will not require the appropriation of additional state funds, and (2) the bill will cause no significant reduction in revenues, the

bill shall be reported to the Senate with the recommendation that it be placed on second reading, except that the bill first shall be referred to the Committee on Rules. Upon receipt of the bill, the Committee on Rules shall either refer the bill to an appropriate policy committee or order that the bill be placed on second reading.

(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 1997–98 Regular Session.

**Vote in Committee**

28.7. Voting on the disposition of bill by committees shall be by rollcall vote only. A rollcall vote shall be taken on a motion to amend only if requested by any member of the committee or the author of the measure. All rollcall votes taken in committees shall be promptly transmitted by their respective chairs to the Secretary of the Senate, who shall cause a record of the 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 other than resolutions relating to voting procedures on the floor or in committee, ratifying proposed amendments to the United States Constitution, or calling for constitutional conventions.

This rule shall not apply to:

(a) Procedural motions that 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) A committee’s return of a bill to the Senate, if the bill has 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 that was 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 thereby changed. This provision does not apply to any rollcall after 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 Committee on Appropriations 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 chair 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 that, 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. The bill shall not be rereferred to the Committee on Revenue and Taxation.

(b) Any bill rereferred to the Committee on Appropriations pursuant to this rule which does not appropriate money and 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 any way, along with any nonsubstantive amendments, be reported to the Senate with the recommendation that it be placed on second reading if the chair 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 that 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 the amendments, upon the request of any Senator the bill shall be rereferred to the Committee on Appropriations if, based upon the Legislative Counsel’s digest of the Assembly amendments, the 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 the Assembly amendments.

(d) Any bill referred to the Committee on Appropriations solely pursuant to this rule, and which otherwise would not be rereferred to the committee pursuant to Joint Rule 10.5, shall not be subject to the provisions of subparagraph (a) (1), (a) (6), (b) (3), or (b) (8) of Joint Rule 61.

**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, 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, 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.

A Senate Bill returned from the Assembly for concurrence in Assembly amendments may not be considered until it appears 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. Bills 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, the bills shall 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 the 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. That bill, resolution, or other question may 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 may 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, may approve any substantial policy change in any bill if that substantial policy change has been defeated in a policy committee of the Senate during 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 sessions, 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 chair 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 chair answers this question in the negative, the conference report shall be returned to the committee on conference and may not be further considered by the Senate until the committee, has met at a public meeting attended by at least two of the Assembly Members and two of the Senate Members of the committee, 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.

**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 Chair or Vice Chair 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 February 1 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 February 1 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 1997-98 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 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 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 or she shall rise in his or her place, address the President, and, when recognized, proceed to speak through the public address system.

(b) No Senator may speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; Senators who have once spoken are not again 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 may be interrupted when speaking, and no question may be asked of him or her 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 or she shall sit down until the President shall have determined whether he or she is in order or not. 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, may address the Senate while it is in session, except that the Senate may resolve itself into a Committee of the Whole and, while sitting as a Committee of the Whole, 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, the 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 the 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 Chair 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 Chair 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 Committee on Rules for determination. The Committee on Rules shall make its determination by the following legislative day. If the point of order is raised 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 may 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 the 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 or her absence, of the Vice Chair 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 Chair 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, that 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 may be taken during a call of the Senate. During any call, the 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 those 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 may 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 the 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 may 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 that was 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 thereby changed. This provision does not apply to any rollcall after 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 or her name, he or she may, after completion of the rollcall and before the announcement of the vote, be required to assign his or her reasons therefor and, the Senator having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him or her, be excused from voting?" which question shall be decided without debate. Unless the Senator is excused from voting he or she 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 or she shall vote on rollcall the same as though he or she were not presiding.

**Vote Required**

47. Unless otherwise required by the Constitution, the Joint Rules of the Senate and Assembly, or these rules, any action that 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 the constitutional provision requiring a 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 the constitutional provision requiring the reading of 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 an amendment to or revision of the Constitution (Constitution, Art. XVIII, Secs. 1, 2).

(8) To amend or withdraw a proposed legislative constitutional amendment or revision (Constitution, Art. XVIII, Sec. 1).

(9) To classify or exempt personal property for property taxation purpose (Constitution, Art. XIII, Sec. 2).

(10) To permit an 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 that require 27 votes for passage.

(16) To concur in any Assembly amendments to, or any conference report affecting, any Senate bill that 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 other rules a greater vote is required (Constitution, Art. IV, Sec. 8(b)).

(19) To adopt joint or concurrent resolutions.

(20) To reconsider bills, or joint or concurrent resolutions.

(21) To confirm appointments by the Governor, unless a greater 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, joint or concurrent resolutions or bills that require 21 votes for passage.

(24) To change a 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 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 the Journal 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 or she 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 of the Senate shall order from the State Printer the 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 of the Senate to order bills and other legislative publications for which there is a demand, to be printed before the supply of same shall become exhausted.

**Printing Only on Written Orders; Rush Orders**

53. The State Printer may 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 beginning the printing or other work. All printing orders by the Secretary of the Senate shall be delivered as directed by him or her. The Secretary of the Senate may, when necessity requires it, order from the State Printer the printing that he or she deems necessary to be printed in advance of the regular order of business, under a specially prepared written order to be known as a "Rush Order."

**THE SENATE CHAMBER**

**Admission to the Senate Chamber**

55. (a) Persons who are not Members, officers, or employees 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 or her representatives.
3. The accredited press, radio, and television representatives.
4. Former State Senators and Assembly Members.

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 meeting the definition of a lobbyist in Section 82039 of the Government Code may 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 or her 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 may be permitted on the Floor of the Senate while it is in session unless the person is wearing appropriate attire. Appropriate attire includes coats and ties for men. Accredited camerapersons, sound technicians, and photographers are excepted from this requirement. Floor of the Senate, for this purpose, has the same meaning set forth 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)

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**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.

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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)

(Custom and Usage)

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**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.

**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.

**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. 28—Last day for bills to be introduced.
- (2) April 25—Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house.
- (3) May 16—Last day for policy committees to hear and report to the floor nonfiscal bills introduced in their house.
- (4) May 23—Last day for policy committees to meet prior to June 9.
- (5) May 30—Last day for fiscal committees to hear and report to the floor bills introduced in their house.
- (6) May 30—Last day for fiscal committees to meet prior to June 9.
- (7) June 6—Last day for each house to pass bills introduced in that house.
- (8) June 9—Committee meetings may resume.
- (9) July 18—Last day for policy committees to meet and report bills.
- (10) Aug. 29—Last day for fiscal committees to meet and report bills.
- (11) Sept. 1 through Sept. 12—Floor session only. No committee may meet for any purpose.
- (12) Sept. 12—Last day for each house to pass bills.

## (b) Even-numbered year:

- (1) Jan. 16—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. 23—Last day for any committee to hear and report to the floor bills introduced in that house in the odd-numbered year.
- (3) Jan. 31—Last day for each house to pass bills introduced in that house in the odd-numbered year.
- (4) Feb. 20—Last day for bills to be introduced.
- (5) April 24—Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house.
- (6) May 8—Last day for policy committees to hear and report to the floor nonfiscal bills introduced in their house.
- (7) May 15—Last day for policy committees to meet prior to June 1.
- (8) May 22—Last day for fiscal committees to hear and report to the floor bills introduced in their house.
- (9) May 22—Last day for fiscal committees to meet prior to June 1.
- (10) May 29—Last day for each house to pass bills introduced in that house.
- (11) June 1—Committee meetings may resume.
- (12) July 3—Last day for policy committees to meet and report bills.
- (13) Aug. 14—Last day for fiscal committees to meet and report bills.
- (14) Aug. 17 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 1997–98 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 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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Volume 6

# Journal of the Assembly

Legislature of the State of California

1997–98 First Extraordinary Session  
January 14, 1997 to August 31, 1998



HON. ANTONIO R. VILLARAIGOSA  
Speaker

HON. SHEILA JAMES KUEHL  
Speaker pro Tempore

HON. JOE BACA  
Assistant Speaker pro Tempore

HON. KEVIN SHELLEY  
Majority Floor Leader

HON. BILL LEONARD  
Minority Floor Leader

E. DOTSON WILSON  
Chief Clerk of the Assembly

PAM CAVILEER  
Minute Clerk

# Volume 6

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CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, January 14, 1997**

**FIRST SESSION DAY**

**FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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 14, 1997

At 4:45 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 7, 1997, convening the Legislature of the State of California in extraordinary session.

In conformity with Government Code Section 9150, the following officers for the 1997-98 Regular Session were present and performing their respective duties: E. Dotson Wilson, Chief Clerk, Pam Cavileer, Minute Clerk, and Ronald E. Pane, Sergeant-at-Arms.

Hon. Cruz M. Bustamante, Speaker of the 1997-98 Regular Session, presiding.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called, and the following answered to their names—78:

Ackerman	Davis	Machado	Richter
Aguar	Ducheny	Margett	Runner
Alby	Escutia	Martinez	Scott
Alquist	Figueroa	Mazzoni	Shelley
Aroner	Firestone	McClintock	Strom-Martin
Ashburn	Frusetta	Migden	Sweeney
Baca	Gallegos	Miller	Takasugi
Baldwin	Goldsmith	Morrissey	Thompson
Battin	Granlund	Morrow	Thomson
Baugh	Havice	Murray	Torlakson
Bordonaro	Hertzberg	Napolitano	Villaragosa
Bowen	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Caldera	Knox	Papan	Woods
Campbell	Kuehl	Perata	Wright
Cardenas	Leach	Poohigian	Mr. Speaker
Cardoza	Lempert	Prenter	
Cunneen	Leonard	Pringle	

**PRAYER**

The following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*O Lord Our God, Set our hearts on fire with love for You, that in its flame we may love You with all our heart, with all our mind, with all our soul and with all our strength, and our neighbors as ourselves, so that, keeping Your commandments, we may glorify You the giver of all good gifts.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Assembly Member Kelley 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 Member Kuykendall.*

*On personal business, and waiving per diem: Assembly Member Floyd.*

(NOTE: 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 this day.)

**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 13th day of January, 1997, 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 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 7th day of January 1997.

PETE WILSON  
Governor of California

[SEAL]

ATTEST:

BILL JONES  
Secretary of State

**ELECTION OF OFFICERS AND ADOPTION OF RULES**

Speaker Bustamante was granted unanimous consent that the officers be deemed elected in the 1997-98 First Extraordinary Session as in the 1997-98 Regular Session and that the roll call vote taken in the Regular Session (December 2, 1996, Assembly Journal, pages 7 and 55) be substituted in the First Extraordinary Session; and that the adoption of Rules in the 1997-98 Regular Session be deemed adopted in the 1997-98 First Extraordinary Session and that the roll call vote taken in the Regular Session (December 2, 1996, Assembly Journal, page 53) be substituted in the First Extraordinary Session.

**ELECTION OF SPEAKER***For Assembly Member Cruz M. Bustamante*

AYES: Assembly Members Alquist, Aroner, Baca, Bowen, Brown, Bustamante, Caldera, Cardenas, Cardoza, Davis, Ducheny, Escutia, Figueroa, Gallegos, Havice, Hertzberg, Honda, Keeley, Knox, Kuehl, Lempert, Machado, Martinez, Mazzoni, Migden, Murray, Napolitano, Ortiz, Papan, Perata, Scott, Shelley, Strom-Martin, Sweeney, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wildman, and Wright—42.

*For Assembly Member Curt Pringle*

AYES: Assembly Members Ackerman, Aguiar, Alby, Ashburn, Baldwin, Battin, Baugh, Bordonaro, Bowler, Brewer, Campbell, Cunneen, Firestone, Frusetta, Goldsmith, Granlund, House, Kaloogian, Leach, Leonard, Margett, McClintock, Miller, Morrissey, Morrow, Olberg, Oller, Pacheco, Poochigian, Prenter, Pringle, Richter, Runner, Takasugi, Thompson, and Woods—36.

(NOTE: Assembly Members Floyd and Kuykendall are excused on this day.)

**ELECTION OF CHIEF CLERK AND CHIEF SERGEANT-AT-ARMS**

Chief Clerk of the Assembly E. Dotson Wilson, and Chief Sergeant-at-Arms Ronald E. Pane elected pursuant to the adoption of House Resolution No. 2 in the Regular Session (December 2, 1996, Assembly Journal, page 55):

**AYES—78**

Ackerman	Cunneen	Leonard	Pringle
Aguar	Davis	Machado	Richter
Alby	Ducheny	Margett	Runner
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Shelley
Ashburn	Firestone	McClintock	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Takasugi
Battin	Goldsmith	Morrissey	Thompson
Baugh	Granlund	Morrow	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Villaraigosa
Bowler	Honda	Olberg	Vincent
Brewer	House	Oller	Washington
Brown	Kaloogian	Ortiz	Wayne
Bustamante	Keeley	Pacheco	Wildman
Caldera	Knox	Papan	Woods
Campbell	Kuehl	Perata	Wright
Cardenas	Leach	Poochigian	
Cardoza	Lempert	Prenter	

**NOES—None**

(NOTE: Assembly Members Floyd and Kuykendall are excused on this day.)

### OATHS OF OFFICE

Without objection, the following Oaths of Office for Speaker Cruz M. Bustamante, Chief Clerk E. Dotson Wilson, and Chief Sergeant-at-Arms Ronald E. Pane, administered on December 2, 1996 (Assembly Journal, pages 7 and 56) by the Honorable Ralph Nunez, Judge of the Superior Court, County of Fresno, were deemed to have occurred in the First Extraordinary Session, and ordered printed in the Journal:

#### OATH

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

### ADOPTION OF STANDING RULES

Pursuant to unanimous consent granted earlier this day, Standing Rules of the Assembly were adopted in the 1997-98 First Extraordinary Session pursuant to the adoption of House Resolution No. 1 in the Regular Session (December 2, 1996, Assembly Journal, page 53):

### STANDING RULES OF THE ASSEMBLY

#### 1997-98 REGULAR SESSION

#### I. LEGISLATIVE ORGANIZATION

##### Assembly General Officers

1. (a) The general officers of the Assembly are the following:

- (1) Speaker
- (2) Speaker pro Tempore
- Assistant Speaker pro Tempore
- Majority Floor Leader
- Minority Floor Leader
- (3) Chief Clerk
- Sergeant at Arms
- Chaplain

(b) Except for the officers listed in paragraph (2) of subdivision (a), each officer listed in subdivision (a) shall be elected by a majority vote of the duly elected and qualified Members.

(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 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.

**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 person who was the Speaker when the previous regular 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 may it extend beyond an adjournment.

**Amending Standing Rules**

8. No standing rule of the Assembly may 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. Twenty-seven 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
- International Trade and Development
- 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

#### 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 litigation, 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 that 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 thereof 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, as appropriate, 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 that 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 rule are hereby abrogated. This rule 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 rule 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 appointing authority.

(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 Joint Rules of the Senate and Assembly and 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 may 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 rule, 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. The Speaker shall determine the size, and appoint the membership and the chairperson and vice chairperson, of all standing committees and subcommittees. In appointing Members to serve on committees, the Speaker shall consider the preferences of the 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 Speaker, the chairperson, who shall be a Member selected by the Speaker, and eight other members, four to be selected by the Speaker and four, including the vice chairperson of the committee, to be selected by the Minority Leader. One alternate member of the Committee on Rules shall be selected by each party leader. Members and alternates so selected shall remain in office until their successors are selected as provided for in these rules. The Speaker or the Minority Leader may designate any member of their respective parties in lieu of or in addition to the alternate member to fill a temporary vacancy.

An alternate member may serve when a committee member of the same political party is absent. The Speaker shall preside or may designate the chairperson to preside.

No regular 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 caucus of the political party having the greatest number of Members in the Assembly, and the caucus of the political party having the second greatest number of Members, each shall meet for the purpose of selecting their officers for the next regular session. The rules and procedures of each caucus shall be determined by that caucus, but may not be inconsistent with these rules.

#### **Powers of the Committee on Rules**

14. (a) The Committee on Rules shall have the following powers:

(1) To refer each bill and house resolution to a committee, as provided by these rules.

(2) 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.

(3) 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.

(4) To adopt additional policies or requirements regarding the use of cameras and other recording equipment at committee hearings or Assembly floor sessions.

(b) 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:

(1) To contract with other agencies, public or private, as it deems necessary for the rendition and affording of those services, facilities, studies, and reports to the committee that 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 these rules 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 these rules.

(5) 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.

(6) 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.

(c) 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.

(d) The committee shall allocate sufficient moneys from the Assembly Operating Fund to support the Assembly's share of joint operations.

(e) 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. Notwithstanding the foregoing, the Speaker may appoint a temporary chief administrative officer for up to 90 days following the beginning of the session.

(f) The committee on Rules shall provide for the publication of a compilation of the photographs of accredited press representatives.

(g) 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 greatest number of Members in the Assembly and two members of the Committee on Rules from the political party having the second greatest number of Members. The two members from the political party having the second greatest 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 also shall 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 in procedures 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 shall be 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 shall be 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 identified 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 made available specifically 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 that committee, and shall be expended as provided in these rules.

**Expenditures**

18. No Member or committee may 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, officers, and employees of the Assembly that are 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, as 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 this requirement by the resolution authorizing it.

No warrant may 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 this rule.

The Committee on Rules shall adopt rules and regulations governing the awarding of any contract by an investigating committee, and 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 may not undertake any investigation that 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 each of these subcommittees may act only on the particular study or investigation assigned by the Speaker in consultation with the Committee on Rules to that subcommittee. 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 that 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 Joint Rules of the Senate and Assembly and 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, for the rendition and affording of services, facilities, studies, and reports to the committee as the committee deems necessary to 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 committee.

(3) To report its findings and recommendations to the Legislature and the people from time to 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 greatest number of Members in the Assembly and three members shall be from the political party having the second greatest number of Members. Any temporary or permanent vacancy on the committee shall be filled within 10 days by a member from the same political party. All appointments, including appointments to fill permanent or temporary vacancies, of members from the political party having the second greatest number of Members in the Assembly 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 greatest number of Members in the Assembly and one member of the committee from the political party having the second greatest 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 any case concerning an alleged violation 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 regarding 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 an alleged violation 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 the district attorney of the appropriate county. The complaint and the fact of dismissal transmitted pursuant to this paragraph are public records 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 an alleged violation 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 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, and 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 greatest number of Members in the Assembly and two members from the registered political party having the second greatest number of Members. Any vacancy on the committee does 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 permit the participation of lobbyists 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 the report shall be printed in the Journal. In no event may 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 may 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 may 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 of, 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 shall be

filmed without lights.

(3) Every effort should be made to set up filming equipment before hearings or sessions begin.

(4) The committee chairperson or the Speaker 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 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, the Speaker shall have the right to assign the reason for his or her decision.

(3) To name any Member to perform the duties of the Speaker, except that any substitution may not extend beyond adjournment.

(4) 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.

(5) To allocate funds, staffing, and other resources for the effective operation of the Assembly.

(6) To appoint the membership of all standing and special committees, and their respective chairpersons and vice-chairpersons. The Speaker has approval power over the appointment of subcommittees of those standing and special committees.

(7) To establish a schedule of meetings of standing committees or subcommittees and to approve special meetings at a time different from the scheduled time.

(8) To have general control and direction over the Journals, papers, and bills of the Assembly.

(9) To act as Chairperson of the Committee of the Whole.

(10) To order the Lobby and Gallery cleared whenever he or she deems it necessary.

(11) To authenticate by his or her signature, when necessary or required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpoenas issued by order of the Assembly.

(b) 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.

(c) 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.

**Selection of Officers**

28. (a) The Speaker shall appoint all nonelected officers of the Assembly except the Minority Floor Leader.

(b) The Minority Floor Leader shall be selected by the caucus of the political party having the second greatest number of Members in the Assembly.

**Duties of the Speaker pro Tempore**

29. 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**

30. It shall be the duty of the Majority Floor Leader 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 that relate to the order of business, and to the promotion of harmony among the membership.

**Caucus Chairpersons**

31. The chairperson of the caucus of the political party having the greatest number of Members in the Assembly, and the chairperson of the caucus of the political party having the second greatest number of Members in the Assembly, 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 who are engaged in duties related to subdivision (a).

(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 Speaker.

(g) To perform 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; before they pass out of the possession of the Assembly, to see that each 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; the Sergeant at Arms shall receive actual expenses for himself or herself, or for an assistant, incurred in executing any process.

(b) To see that no person is admitted to the Assembly Chamber except in accordance with 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 may not charge any printing or other work to the Assembly other than as 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 to order, and shall have the responsibility for ordering, the 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 each 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 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 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 of the Senate and Assembly, 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) The word "bill," as used in these rules, 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 that does not contain the signature of its author or coauthor, the bill, 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, or 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 of the Senate and Assembly, any Member desiring to introduce a bill, constitutional amendment, or concurrent or joint resolution 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, printed, and referred to a standing committee, and a copy thereof shall be placed upon the desk of each Member before final passage.

All bills, constitutional amendments, and concurrent or joint resolutions introduced before the standing committees of the

Assembly are appointed shall be referred to committee, the references to take effect when the committees are 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 of the members, including the chairperson, of the committee. If all of 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 does 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 that upon introduction makes no substantive change in or addition to existing law, and would not otherwise affect the ongoing operations of state or 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 related to a present or former state or federal elected official or a member of his or her immediate family. 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 may 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 Speaker, unless permission for a different hearing time is granted by the Speaker. No committee or subcommittee may meet during any session of the Assembly, nor may 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 that 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 bill may be set for hearing, nor may any notice thereof be published by an Assembly committee or subcommittee, until the 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 that assures that no committee or subcommittee shall commence the hearing of any bill after the hour of 6:00 p.m. at an afternoon meeting of the committee or subcommittee, or after the hour of 11:00 p.m. at an evening meeting, except that a hearing 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

chairperson 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 a special meeting, or a meeting 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 Joint Rule 44 or the Political Reform Act of 1974 (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; 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 that

explanation shall be printed in the appendix to the Journal in the appropriate place, provided that no explanation may 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 may a bill be passed out by a committee without a quorum being present.

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 that committee's assignment 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 Rule 58 has been complied with 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 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 may 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 a joint or concurrent resolution, but does include a constitutional amendment.

**Bills Requiring General Fund Appropriation**

66.6. Until the Budget Bill has been enacted, the Assembly may 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 may 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 provisions 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 enacted Budget Bill or other 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, 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 shall 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 by the Assembly, of the bill, those amendments, or any part thereof.

#### **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 any other rule, a bill to be amended pursuant to this rule may 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 to the bill. 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 effect of the amendment upon the bill can be readily understood by all of 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 a joint or concurrent resolution, but does include a constitutional amendment.

**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 or a bill that is making statutory changes to implement the Budget Bill, may 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, 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, shall 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 a joint or concurrent resolution, but does include a constitutional amendment.

(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 rule, (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 25 words from, the pending amendments, (5) amendments to the Budget Bill or 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 may 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 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 of the Senate and Assembly.

**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 (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 a copy of any such bill to him or her.

**Electronic Distribution of Bills, Conference Reports, Amendments, and Analyses**

69.5. Subject to 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 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 that has been amended and re-referred to committee is reported out by that committee, it shall be placed on the second reading file and may not be transferred therefrom to the third reading file until the following day.

**Uncontested Bills**

71. No bill may 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. A concurrent or joint resolution may be amended by a majority vote of the Members present and voting. The ayes and noes may not be called upon the adoption of concurrent resolutions, except those authorizing expenditures of money, unless regularly demanded, or required by statute or 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 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 has 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 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 of the Senate and Assembly, 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 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 rule, "bill" does not include a joint or concurrent resolution, but does include a constitutional amendment.

**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 is not 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 the third reading file on two successive legislative days, it shall be placed forthwith upon a special file to be known as the inactive file. A bill also may 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 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 the 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 that 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 ordered by the Speaker forthwith 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 forthwith shall 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, or to lay on the table, or a question of personal privilege. If an appeal is laid on the table, that action shall have no effect on the pending question.

An appeal cannot be debated when relating to indecorum, the transgression of rules, or the 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 the motion of any Member, explain the order of business when the motion pending before the Assembly is not debatable. That explanation may 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 the hour at which the motion was made and adjournment taken, shall be entered in the Journal. A motion to adjourn shall 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 may not occupy more than two minutes and is not debatable.

An affirmative recorded vote of a majority of the duly elected and qualified 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 is adopted by 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, except 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 is 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 more than 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 is 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. The making of a motion to postpone indefinitely any bill, motion, or amendment opens the main question to debate. If the motion to postpone indefinitely prevails by an affirmative recorded vote of 41 or more Members, the main question may 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 that is decided in the negative is not again in order on the same day, or at the same stage of proceeding. The fact that a motion to amend by striking out certain words is decided in the negative does not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words, except that in no case may a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule and 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, is in order when the amendment relates to a different subject than, 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 may be admitted as an amendment.

No amendment is in order that changes the original number of any bill.

No Member may 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, may 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 may be debated only as to the propriety of the reference, and shall require an affirmative recorded vote of 41 or more Members.

No bill or resolution may be withdrawn from committee and placed upon the file, except upon two days' notice thereof and 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 is debatable only 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 may 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 the affirmative recorded vote sufficient to take that action originally, except that no action may 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 may 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 may not

appear in any form whatsoever, except that the record of the proceedings on the motion to rescind and expunge shall appear in the Journal as and when printed.

#### **Reconsideration of Vote**

100. (a) A motion to reconsider a vote on the next legislative day shall 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 shall 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 forthwith shall be placed upon the unfinished business file, and no further action may be taken prior to the next legislative day. When a motion to reconsider has once been made, the motion is the property of the Assembly. When reconsideration is granted, the matter to be reconsidered shall be before the Assembly in the same status it had 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 is 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 is 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 a joint or concurrent resolution.

#### **(2) January 31—Even-numbered Year:**

No motion to reconsider the vote whereby an Assembly bill is passed to the Senate is 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 is 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 a Senate bill, a constitutional amendment, or a joint or concurrent resolution.

#### **(3) Easter or Summer Recess:**

No motion to reconsider the vote whereby a bill is passed is 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 is in order on the last two legislative days preceding the final recess.

A motion to reconsider the vote whereby a bill is defeated is 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, previously made by another Member, to reconsider the vote on that matter. 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 is not 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 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, whereupon no Members shall be permitted to leave the Assembly Chamber except by written permission of the Speaker, and no person may be permitted to enter except Members, Senators, or officers, or employees of the Legislature in the official performance of their duties.

Each Member who is found to be absent, and for whom no leave of absence has been granted, shall be forthwith taken into custody wherever found by the Sergeant at Arms, 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 may 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 would remain for the decision of the Assembly. This rule does not apply 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 excuses that Member by a majority vote of the Members present and voting.

No Member may 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 voting switch of the presiding Member, 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, 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 that explanation shall be printed in the Journal, provided that no explanation may 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 does 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 that explanation shall be printed in the Journal immediately following the vote, provided that no explanation may 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 that had been taken during his or her absence, so long as the outcome of the vote is not thereby changed. The Chief Clerk shall record any vote additions or vote changes in the order signed by the Members at the Clerk's desk.

### **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 may 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 shall 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, and in the absence of any objection, may instruct the Chief Clerk to change his or her recorded vote after the vote is announced, so long as the outcome of the vote is not thereby changed. The Chief Clerk may 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 may 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 may 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 may be allowed to speak more than five minutes thereon. No Member may 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 may not speak to the merits of the motion at that time, but 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 on the motion.

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 may 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 may absent himself or herself from attendance at any session of the Assembly without leave of the Assembly. No Member may 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, thereby waives 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 30 minutes 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 vote. If a Member does not explain his or her reason for being late, any other Member may raise a point of order under this rule, whereupon the tardy Member's vote may 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 forthwith shall be recognized by the Speaker, but may not discuss a question in that explanation. Matters of personal privilege yield only to a motion to recess or adjourn.

**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. When the objection is made, the question of reading shall be determined without debate by a majority vote of the Members present and voting, upon a brief statement by the Speaker of the substance of the objection.

**Members at Chief Clerk's Desk**

113. No Member or other person may 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 immediately shall take his or her seat, until the Speaker, without debate, has determined whether the Member is in order. 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 may 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 may 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 may 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, of the Committee on Rules.

**Use of Assembly Facilities: Smoking**

117. The 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. This 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 may be admitted to the floor of the Assembly during any session of the Assembly. A guest of any Member may 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, may, under any circumstances, be admitted to the Assembly Chamber while the Assembly is in session.

Persons admitted to the Assembly Chamber, other than Members, may 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.

Guests may be seated only in the chairs in the back of the rail in the rear of the Assembly Chamber, and may not be permitted to sit at the desks of the Members. No person other than an accredited newspaper representative may 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 a Member of the Legislature, may 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, may 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 is 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 thereupon 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 thereof 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 may 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 may be used only by or on behalf of a Member of the Assembly, or when specifically authorized by the Committee on Rules.

Standing Rules adopted by the following vote:

**AYES—42**

Alquist	Escutia	Martinez	Sweeney
Aroner	Figueroa	Mazzoni	Thompson
Baca	Gallegos	Migden	Torlakson
Bowen	Havice	Murray	Villaraigosa
Brown	Hertzberg	Napolitano	Vincent
Bustamante	Honda	Ortiz	Washington
Caldera	Keeley	Papan	Wayne
Cardenas	Knox	Perata	Wildman
Cardoza	Kuehl	Scott	Wright
Davis	Lempert	Shelley	
Ducheny	Machado	Strom-Martin	

**NOES—7**

Ackerman	Baldwin	Oller	Thompson
Ashburn	Morrow	Runner	

(Note: Assembly Member Floyd is excused on this day.)

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

January 14, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: This is to advise you that the following leadership is appointed in the 1997–98 First Extraordinary Session, consistent with the 1997–98 Regular Session:

Sheila James Kuehl, Speaker pro Tempore  
 Joe Baca, Assistant Speaker pro Tempore  
 Antonio R. Villaraigosa, Majority Floor Leader  
 Kevin Shelley, Democratic Caucus Chair

*Assembly Rules Committee*

Cruz M. Bustamante, Speaker  
 Don Perata, Chair  
 Joe Baca  
 Michael Honda  
 Deborah Ortiz  
 Carl Washington  
 Virginia Strom-Martin, Alternate

*Standing Committee Chairs*

Agriculture—Dennis Cardoza  
 Appropriations—Carole Migden  
 Banking and Finance—Lou Papan  
 Budget—Denise Moreno Ducheny  
 Consumer Protection, Governmental  
 Efficiency and Economic Development—Susan Davis  
 Education—Kerry Mazzoni  
 Elections, Reapportionment and  
 Constitutional Amendments—Edward Vincent  
 Environmental Safety and Toxic Materials—Howard Wayne  
 Governmental Organization—Valerie Brown

Health—Martin Gallegos  
 Higher Education—Ted Lempert  
 Housing and Community Development—Tom Torlakson  
 Human Services—Dion Aroner  
 Insurance—Liz Figueroa  
 International Trade and Development—Grace Napolitano  
 Judiciary—Martha M. Escutia  
 Labor and Employment—Dick Floyd  
 Local Government—Michael Sweeney  
 Natural Resources—Debra Bowen  
 Public Employees, Retirement and Social Security—Wally Knox  
 Public Safety—Robert M. Hertzberg  
 Revenue and Taxation—Louis Caldera  
 Televising the Assembly and  
 Information Technology—Elaine Alquist  
 Transportation—Kevin Murray  
 Utilities and Commerce—Diane Martinez  
 Water, Parks and Wildlife—Mike Machado

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

The following communication was presented by the Chief Clerk and ordered printed in the Journal:

January 14, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol—Room 3196*  
*Sacramento, California*

Dear Dotson: This is to advise you that the following leadership is appointed in the 1997–98 Regular Session:

Curt Pringle, Minority Floor Leader  
 Jim Battin, Republican Caucus Chair  
 Rod Pacheco, Republican Caucus Vice Chair  
 Tom McClintock, Republican Whip  
 Tom Woods, Republican Whip

*Rules Committee*

Fred Aguiar, Vice Chair  
 Marilyn C. Brewer  
 Keith Olberg  
 Bruce Thompson  
 Dick Ackerman, alternate

Sincerely,

CURT PRINGLE,  
 Minority Floor Leader

**OATH OF OFFICE**

The following Oath for the Office of Speaker pro Tempore of the Assembly was administered to Assembly Member Sheila James Kuehl on December 2, 1996 (Assembly Journal, page 54) by the Honorable Ralph Nunez, Judge of the Superior Court, County of Fresno, and without objection, deemed to have occurred in the First Extraordinary Session:

**OATH**

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

**RESOLUTIONS**

The following resolution was offered:

**House Resolution No. 1**

By Assembly Member Villaraigosa.

*Relative to the organization of the Assembly for the  
1997-98 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 receive from the Controller 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.

**HOUSE RESOLUTION NO. 1 TAKEN UP**

House Resolution No. 1 was taken up.

**HOUSE RESOLUTION NO. 1**—Relative to the organization of the Assembly for the 1997-98 First Extraordinary Session.

Resolution read and adopted.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 1**—Cardoza, Strom-Martin, Thomson, Machado, Brown, and Mazzoni. An act to amend Sections 17207 and 24347.5 of, and to add Sections 195.77, 195.78, and 195.79 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2**—Strom-Martin, Cardoza, Brown, Mazzoni, Machado, and Thomson, (Principal Senate coauthor: Thompson). 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**—Frusetta and Morrissey. An act relating to water, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 4**—Bowler (Principal coauthors: Oller and Richter) Alby, Ashburn, Battin, Baugh, Campbell, Cunneen, Frusetta, House, Kuykendall, Leach, Margett, Miller, Olberg, Pacheco, Poochigian, Prenter, Runner, Thompson, Thomson, and Woods. An act to amend Sections 17207 and 24347.5 of, and to add Sections 195.77, 195.78, and 195.79 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

### RESOLUTIONS

The following resolution was offered:

**HOUSE RESOLUTION NO. 2**—Cardoza, Strom-Martin, Thomson, Machado, Brown, and Mazzoni. Relative to flood damage.

### MESSAGES FROM THE SENATE

Senate Chamber, January 13, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 1

GREG SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

### FIRST READING OF SENATE BILLS

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 1**—Relative to the Joint Rules for the 1997–98 First Extraordinary Session.

### ADJOURNMENT

At 4:50 p.m., the Assembly adjourned to reconvene upon Call of the Chair.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, January 22, 1997**  
**SECOND SESSION DAY**  
**NINTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, January 22, 1997

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—79:

Ackerman	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Takasugi
Battin	Granlund	Morrissey	Thompson
Baugh	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Murray	Torlakson
Bowen	Honda	Napolitano	Villaraigosa
Bowler	House	Olberg	Vincent
Brewer	Kaloogian	Oller	Washington
Brown	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker
Davis	Lempert	Prenter	

Quorum present.

At 12:15 p.m., Hon. Jim Cunneen, 24th 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 Member was granted leave of absence for the day:

*On legislative business: Assembly Member Caldera.*

(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 Friday, January 17, 1997.)

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

January 21, 1997

*E. Dotson Wilson*

*Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: This is to advise you that following vice chairs of standing committees are appointed in the 1997–98 First Extraordinary Session:

Agriculture—*Assemblymember George House*  
 Appropriations—*Assemblymember Charles Poochigian*  
 Banking & Finance—*Assemblymember Howard Kaloogian*  
 Budget—*Assemblymember Gary G. Miller*  
 Consumer Protection, Government Efficiency &  
   Economic Development—*Assemblymember Bill Campbell*  
 Education—*Assemblymember Rod Pacheco*  
 Elections, Reapportionment & Constitutional Amendments—  
   *Assemblymember Peter Frusetta*  
 Environmental Safety & Toxic Materials—  
   *Assemblymember Jim Cunneen*  
 Governmental Organization—*Assemblymember Tom Bordonaro, Jr.*  
 Health—*Assemblymember Brett Granlund*  
 Higher Education—*Assemblymember Brooks Firestone*  
 Housing and Community Development—  
   *Assemblymember Tom McClintock*  
 Human Services—*Assemblymember Roy Ashburn*  
 Insurance—*Assemblymember Barbara Alby*  
 International Trade & Development—  
   *Assemblymember Bernie Richter*  
 Judiciary—*Assemblymember Bill Morrow*  
 Labor & Employment—*Assemblymember Steven T. Kuykendall*  
 Local Government—*Assemblymember Steve Baldwin*  
 Natural Resources—*Assemblymember Tom Woods*  
 Public Employees, Retirement & Social Security—  
   *Assemblymember Larry Bowler*  
 Public Safety—*Assemblymember Jan Goldsmith*  
 Revenue and Taxation—*Assemblymember Nao Takasugi*  
 Televising the Assembly & Information Technology—  
   *Assemblymember Jim Morrissey*  
 Transportation—*Assemblymember Scott Baugh*  
 Utilities & Commerce—*Assemblymember Bill Leonard*  
 Water, Parks & Wildlife—*Assemblymember Bob Margett*

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

**ADJOURNMENT**

At 5:37 p.m., the Assembly adjourned until 9 a.m., Thursday, January 23, 1997.

(NOTE: The next reconvening of the 1997-98 First Extraordinary Session was on Monday, January 27, 1997.)

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1999–2000 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, January 27, 1997**

**THIRD SESSION DAY**

**FOURTEENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, January 27, 1997

The Assembly met at 2:52 p.m.  
Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called, and the following answered to their names—80:

Ackerman	Davis	Lempert	Prenter
Aguar	Ducheny	Leonard	Pringle
Alby	Escutia	Machado	Richter
Alquist	Figueroa	Margett	Runner
Aroner	Firestone	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Takasugi
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Villaraigosa
Brewer	House	Olberg	Vincent
Brown	Kaloogian	Oller	Washington
Caldera	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*Lord God, We thank You that Your Spirit is ever urging the spirits of men and women to higher achievements of wisdom and skill, love and goodness. We praise You for the majesty of the universe and for giving us the ability to circle the earth and even reach towards the stars. Grant Your wisdom and protection to those who would go still further, and help them to know that they can never overtake You, or pass out of Your care.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Strom-Martin 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 Napolitano, seconded by Assembly Member Sweeney.

**ORDERS OF THE DAY DEMANDED**

Assembly Member Bowen demanded the Orders of the Day.

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1, WITHOUT REFERENCE TO FILE**

Assembly Member Villaraigosa requested unanimous consent to take up Assembly Bill No. 1, without reference to committee or file.

In the absence of objection it was stated by the Chair that a resolution was at the Desk to dispense with the Constitutional provision requiring 3 separate readings.

**Parliamentary Inquiry**

Assembly Member Pringle arose to the following parliamentary inquiry:

Is there assurance that all eligible bills on file will be taken up on this day?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that any Member may move to take up a bill for consideration, without reference to file.

**Point of Order**

Assembly Member Martinez arose to the following point of order:

It is inappropriate for a Member to inquire as to the future treatment of bills. Any Member may move to take up a bill for consideration, without reference to file.

**Ruling by Speaker pro Tempore Kuehl**

The Speaker pro Tempore ruled the point of order well-taken.

**Parliamentary Inquiry**

Assembly Member Battin arose to the following parliamentary inquiry:

When the First Extraordinary Session was convened, the Prayer and Pledge from the Regular Session was substituted without objection, and then the Orders of the Day were demanded. Is the House not on Motions and Resolutions at this time?

**Parliamentary Inquiry**

Assembly Member Bustamante arose to the following parliamentary inquiry:

Is the House not proceeding with the Orders of the Day?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative.

**Point of Order**

Assembly Member Battin arose to the following point of order: His microphone was raised to be recognized under Motions and Resolutions when the Orders of the Day were demanded. Is it the intent of the Chair to pass on Motions and Resolutions or will the Rules of the House be followed:

**Ruling by Speaker pro Tempore Kuehl**

The Speaker pro Tempore ruled the point of order not well-taken; that at this time the House is on consideration of Assembly Bill No. 1.

**Point of Order**

Assembly Member McClintock arose to the following point of order:

The Orders of the Day were called for. The first order of business is Motions and Resolutions and at this time there is a resolution at the Desk dealing with flood matters.

**Parliamentary Inquiry**

Assembly Member Murray arose to the following parliamentary inquiry:

Was unanimous consent not granted to take up consideration of Assembly Bill No. 1 without reference to file?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative; that a request was made to take up Assembly Bill No. 1, without reference to file, and no objection was raised.

**Point of Order**

Assembly Member Battin arose to the following point of order:

The House was on Motions and Resolutions in the Regular Session when the motion was made by Assembly Member Woods to convene the First Extraordinary Session. The House is now convened in the First Extraordinary Session and the order of business before the House in this session should be Motions and Resolutions.

**Ruling by Speaker pro Tempore Kuehl**

The Speaker pro Tempore ruled that the House is now on consideration of Assembly Bill No. 1, and the Resolution to Dispense with Article IV, Sec. 8(b) is before the House.

**Parliamentary Inquiry**

Assembly Member McClintock arose to the following parliamentary inquiry:

Were the Orders of the Day not called for by Assembly Member Bowen, and did the House not proceed with the Orders of the Day?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative.

**Point of Order**

Assembly Member McClintock arose to the following point of order:

Under the Orders of the Day the House is on Motions and Resolutions and the first order of business is the Resolution at the Desk; whereupon he cited Mason's Sec. 537.4 "Objection made with reasonable promptness, even if the presiding officer has announced the action approved, defeats the request for unanimous consent and a regular vote is required."

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that the Chair did not hear objection raised to the request for consideration of Assembly Bill No. 1.

**Point of Parliamentary Procedure**

Assembly Member Bowen arose to the following point of parliamentary procedure:

Pursuant to the Assembly Rules there is no provision stating that the raising of the microphone is the equivalent of raising objection; that it is the practice of this House to verbally raise objection.

**RESOLUTIONS**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Cardoza.

*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.

Resolution read, and adopted by the following vote:

**AYES—76**

Ackerman	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Martinez	Runner
Alquist	Firestone	Mazzoni	Scott
Aroner	Frusetta	McClintock	Shelley
Ashburn	Gallegos	Migden	Strom-Martin
Baca	Goldsmith	Miller	Sweeney
Baldwin	Granlund	Morrissey	Takasugi
Battin	Havice	Morrow	Thompson
Baugh	Hertzberg	Murray	Thomson
Bordonaro	Honda	Napolitano	Torlakson
Bowen	House	Olberg	Villaraigosa
Brown	Kaloogian	Oller	Vincent
Caldera	Keeley	Ortiz	Washington
Campbell	Knox	Pacheco	Wayne
Cardenas	Kuehl	Papan	Wildman
Cardoza	Kuykendall	Perata	Woods
Cunneen	Leach	Poochigian	Wright
Davis	Lempert	Prenter	Mr. Speaker

**NOES—None**

Article IV, Section 8(b) of the Constitution was declared dispensed with.

**Second Reading of Assembly Bill No. 1**

**ASSEMBLY BILL NO. 1**—An act to amend Sections 17207 and 24347.5 of, and to add Sections 195.77, 195.78, and 195.79 to, 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.

**Third Reading of Assembly Bill No. 1**

**ASSEMBLY BILL NO. 1 (Cardoza)**—An act to amend Sections 17207 and 24347.5 of, and to add Sections 195.77, 195.78, and 195.79 to, 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.

**Point of Order**

Assembly Member Bowler arose to the following point of order:

Assembly Member Cardoza is reading a paper during his presentation of Assembly Bill No. 1, in violation of the Rules.

**Ruling by Speaker pro Tempore Kuehl**

The Speaker pro Tempore ruled the point of order well-taken.

**Request to Present Amendments by Assembly Member Brewer**

Assembly Member Brewer requested to present amendments to Assembly Bill No. 1.

**Brewer Request Not in Order**

Speaker pro Tempore Kuehl replied that amendments to Assembly Bill No. 1 have not been received at the Desk; however, if such amendments are 25 words or less and are submitted to the Desk, they can be read in their entirety by the Clerk prior to debate.

**Request to Present Amendments by Assembly Member Pringle**

Assembly Member Pringle requested to present amendments.

**Request Not in Order**

Speaker pro Tempore Kuehl replied that Assembly Member Pringle's request to present an amendment was not in order, as an amendment solely adding a coauthor or coauthors is not in order under the Rules.

**Parliamentary Inquiry**

Assembly Member Pringle arose to the following parliamentary inquiry:

Is the author agreeable to accepting an amendment to add coauthors and other amendments to Assembly Bill No. 1?

**Reply**

The Speaker pro Tempore deferred to the author, Assembly Member Cardoza, who replied in the negative.

**Parliamentary Inquiry**

Assembly Member Bordonaro arose to the following parliamentary inquiry:

Is the House on consideration of Assembly Bill No. 1, or on proposed amendments to Assembly Bill No. 1?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied the House is proceeding on consideration of Assembly Bill No. 1 until such time as proposed amendments to Assembly Bill No. 1 are written and duplicated.

**Parliamentary Inquiry**

Assembly Member Martinez arose to the following parliamentary inquiry:

Is it appropriate that the House wait for preparation of proposed amendments while the bill is being debated?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that consideration of an amendment is in order if the amendment is presented before debate on the bill is exhausted.

**Motion to Amend by Assembly Member Brewer**

Assembly Member Brewer moved the adoption of amendments.

The Clerk was instructed to read the amendments, in their entirety.

**Motion to Table Brewer Amendments  
to Assembly Bill No. 1**

Assembly Member Villaraigosa moved that the amendments offered by Assembly Member Brewer to Assembly Bill No. 1 be laid upon the table.

Assembly Member Escutia seconded the motion.

Motion carried by the following vote:

**AYES—43**

Alquist	Figueroa	Martinez	Thomson
Aroner	Floyd	Mazzoni	Torlakson
Baca	Gallegos	Migden	Villaraigosa
Bowen	Havice	Murray	Vincent
Brown	Hertzberg	Ortiz	Washington
Caldera	Honda	Papan	Wayne
Cardenas	Keeley	Perata	Wildman
Cardoza	Knox	Scott	Woods
Davis	Kuehl	Shelley	Wright
Ducheny	Lempert	Strom-Martin	Mr. Speaker
Escutia	Machado	Sweeney	

**NOES—37**

Ackerman	Campbell	Leonard	Poochigian
Aguiar	Cunneen	Margett	Prenter
Alby	Firestone	McClintock	Pringle
Ashburn	Frusetta	Miller	Richter
Baldwin	Goldsmith	Morrissey	Runner
Battin	Granlund	Morrow	Takasugi
Baugh	House	Napolitano	Thompson
Bordonaro	Kaloogian	Olberg	
Bowler	Kuykendall	Oller	
Brewer	Leach	Pacheco	

**Demand for Previous Question**

Assembly Members Murray, Machado, Baca, Wayne, and Escutia demanded the previous question. Demand sustained.

**Request for Unanimous Consent**

Assembly Member Goldsmith requested unanimous consent to ask a question of the author, after the demand for the previous question was sustained.

Assembly Member Floyd withheld unanimous consent.

**Parliamentary Inquiry**

Assembly Member Pringle arose to the following parliamentary inquiry:

Has it not been the custom and precedent of the House to permit Members to ask questions of the author, if there is time remaining after the author closes debate?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that such was the custom of the House; however, questions of debate are controlled by the House and as objection was raised by Assembly Member Floyd, it would require a temporary suspension of the Rules (<sup>2</sup>/<sub>3</sub> present and voting) to permit Assembly Member Goldsmith to ask a question of the author.

**Motion to Temporarily Suspend the Rules**

Assembly Member Pringle moved that the Rules be temporarily suspended for the purpose of permitting Assembly Member Goldsmith to ask a question of the author, after the demand for the previous question has been sustained.

Assembly Member Morrissey seconded the motion.

Motion for temporary suspension of the Rules lost by the following vote:

**AYES—35**

Ackerman	Campbell	Leonard	Poochigian
Alby	Cunneen	Margett	Prenter
Ashburn	Frusetta	McClintock	Pringle
Baldwin	Goldsmith	Miller	Richter
Battin	Granlund	Morrissey	Runner
Baugh	House	Morrow	Takasugi
Bordonaro	Kaloogian	Olberg	Thompson
Bowler	Kuykendall	Oller	Woods
Brewer	Leach	Pacheco	

**NOES—28**

Aroner	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Villaraigosa
Davis	Honda	Perata	Vincent
Ducheny	Keeley	Scott	Washington
Escutia	Knox	Shelley	Wayne
Figueroa	Martinez	Sweeney	Wright
Gallegos	Mazzoni	Thomson	Mr. Speaker

**Further Consideration of Assembly Bill No. 1**

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 Cardoza moved a call of the Assembly.

Motion carried. Time, 3:25 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF ASSEMBLY BILL NO. 2 BY UNANIMOUS CONSENT**

Assembly Member Strom-Martin was granted unanimous consent to take up Assembly Bill No. 2, without reference to committee or file, for purpose of consideration at this time.

**Resolutions**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Strom-Martin

*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.

Resolution read, and adopted by the following vote:

**AYES—76**

Ackerman	Davis	Leonard	Pringle
Aguiar	Ducheny	Machado	Richter
Alby	Escutia	Margett	Runner
Alquist	Figueroa	Martinez	Scott
Ashburn	Firestone	Mazzoni	Shelley
Baca	Floyd	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Morrissey	Takasugi
Baugh	Goldsmith	Morrow	Thompson
Bordonaro	Granlund	Murray	Thomson
Bowen	Havice	Napolitano	Torlakson
Bowler	Hertzberg	Olberg	Villaraigosa
Brewer	House	Oller	Vincent
Brown	Keeley	Ortiz	Washington
Caldera	Knox	Pacheco	Wayne
Campbell	Kuehl	Papan	Wildman
Cardenas	Kuykendall	Perata	Woods
Cardoza	Leach	Poochigian	Wright
Cunneen	Lempert	Prenter	Mr. Speaker

**NOES—None**

Article IV, Section 8(b) of the Constitution was declared dispensed with.

**Second Reading of Assembly Bill No. 2**

**ASSEMBLY BILL NO. 2**—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.

**Third Reading of Assembly Bill No. 2**

**ASSEMBLY BILL NO. 2 (Strom-Martin)**—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.

**Urgency Clause**

Urgency clause read.

**Demand for Previous Question**

Assembly Members Murray, Machado, Gallegos, Napolitano, and Washington 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 Strom-Martin moved a call of the Assembly.

Motion carried. Time, 3:31 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**REQUEST TO CONSIDER ASSEMBLY BILL NO. 3  
BY UNANIMOUS CONSENT**

Assembly Member Pringle requested unanimous consent to take up Assembly Bill No. 3, without reference to committee or file, for purpose of consideration.

Assembly Member Villaraigosa 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. 3 without reference to committee or file.

Assembly Member Morrissey seconded the motion.

**Parliamentary Inquiry**

Assembly Member Battin arose to the following parliamentary inquiry:

Is the motion for temporary suspension of the Rules debatable?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the negative.

**Parliamentary Inquiry**

Assembly Member Villaraigosa arose to the following parliamentary inquiry:

Is a motion to offer a substitute motion in order?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that a motion to offer a substitute motion on the motion for temporary suspension of the Rules is not in order.

**Further Consideration of Pringle Motion**

The question being on the Pringle motion for temporary suspension of the Rules as they relate to Assembly Bill No. 3. 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, 3:34 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**Parliamentary Inquiry**

Assembly Member Villaraigosa arose to the following parliamentary inquiry:

Would a motion to refer Assembly Bill No. 3 to the Committee on Rules be appropriate at this time?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that a motion to refer is not in order as a Call of the House is pending on the motion for temporary suspension of the Rules as they relate to Assembly Bill No. 3.

**ORDERS OF THE DAY DEMANDED**

Assembly Member McClintock demanded the Orders of the Day.

**REQUEST TO CONSIDER ASSEMBLY BILL NO. 4 BY UNANIMOUS CONSENT**

Assembly Member Pringle requested unanimous consent to take up Assembly Bill No. 4, without reference to committee or file, for purpose of consideration.

Assembly Member Villaraigosa 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. 4 without reference to committee or file.

Assembly Member Morrissey seconded the motion.

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, 3:38 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CAUCUS ANNOUNCEMENTS**

At 3:38 p.m., by unanimous consent, the Republican Caucus was permitted to meet in the Assembly Lounge, and the Democratic Caucus was permitted to meet in the Tom Bane Rules Committee Room.

**RECESS**

By unanimous consent, at 3:38 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

**REASSEMBLED**

At 4:05 p.m., the Assembly reconvened.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO ASSEMBLY BILL NO. 1**

At 4:07 p.m., on motion of Assembly Member Cardoza, 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 adopted by the following vote:

**AYES—78**

Ackerman	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Scott
Alquist	Firestone	Martinez	Shelley
Aroner	Floyd	Mazzoni	Strom-Martin
Ashburn	Frusetta	McClintock	Sweeney
Baca	Gallegos	Migden	Takasugi
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Villaraigosa
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Caldera	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker
Cunneen	Leach	Poohigian	
Davis	Lempert	Prenter	

**NOES—None**

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—78**

Ackerman	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Scott
Alquist	Firestone	Martinez	Shelley
Aroner	Floyd	Mazzoni	Strom-Martin
Ashburn	Frusetta	McClintock	Sweeney
Baca	Gallegos	Migden	Takasugi
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Villaraigosa
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Caldera	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker
Cunneen	Leach	Poohigian	
Davis	Lempert	Prenter	

**NOES—None**

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO ASSEMBLY BILL NO. 2**

At 4:08 p.m., on motion of Assembly Member Strom-Martin, 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. 2 adopted by the following vote:

**AYES—75**

Ackerman	Davis	Machado	Richter
Aguiar	Ducheny	Margett	Runner
Alby	Escutia	Martinez	Scott
Alquist	Figueroa	Mazzoni	Shelley
Aroner	Firestone	McClintock	Strom-Martin
Ashburn	Floyd	Migden	Sweeney
Baca	Frusetta	Miller	Takasugi
Battin	Gallegos	Morrissey	Thompson
Baugh	Goldsmith	Murray	Thomson
Bordonaro	Havice	Napolitano	Torlakson
Bowen	Hertzberg	Olberg	Villaraigosa
Bowler	Honda	Oller	Vincent
Brewer	House	Ortiz	Washington
Brown	Keeley	Pacheco	Wayne
Caldera	Knox	Papan	Wildman
Campbell	Kuehl	Perata	Woods
Cardenas	Kuykendall	Poohigian	Wright
Cardoza	Leach	Prenter	Mr. Speaker
Cunneen	Lempert	Pringle	

**NOES—3**

Granlund                      Kaloogian                      Leonard

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—75**

Ackerman	Davis	Machado	Richter
Aguiar	Ducheny	Margett	Runner
Alby	Escutia	Martinez	Scott
Alquist	Figueroa	Mazzoni	Shelley
Aroner	Firestone	McClintock	Strom-Martin
Ashburn	Floyd	Migden	Sweeney
Baca	Frusetta	Miller	Takasugi
Battin	Gallegos	Morrissey	Thompson
Baugh	Goldsmith	Murray	Thomson
Bordonaro	Havice	Napolitano	Torlakson
Bowen	Hertzberg	Olberg	Villaraigosa
Bowler	Honda	Oller	Vincent
Brewer	House	Ortiz	Washington
Brown	Keeley	Pacheco	Wayne
Caldera	Knox	Papan	Wildman
Campbell	Kuehl	Perata	Woods
Cardenas	Kuykendall	Poohigian	Wright
Cardoza	Leach	Prenter	Mr. Speaker
Cunneen	Lempert	Pringle	

**NOES—3**

Granlund                      Kaloogian                      Leonard

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
PRINGLE MOTION FOR TEMPORARY SUSPENSION OF THE RULES  
AS THEY RELATE TO ASSEMBLY BILL NO. 3**

At 4:09 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 temporarily suspend the Rules to permit consideration of Assembly Bill No. 3, without reference to committee or file, lost by the following vote:

**AYES—37**

Ackerman	Campbell	Leonard	Prenter
Aguiar	Cunneen	Margett	Pringle
Alby	Firestone	McClintock	Richter
Ashburn	Frusetta	Miller	Runner
Baldwin	Goldsmith	Morrissey	Takasugi
Battin	Granlund	Morrow	Thompson
Baugh	House	Olberg	Woods
Bordonaro	Kaloogian	Oller	
Bowler	Kuykendall	Pacheco	
Brewer	Leach	Poochigian	

**NOES—39**

Alquist	Floyd	Mazzoni	Thomson
Aroner	Gallegos	Migden	Torlakson
Baca	Havice	Murray	Villaraigosa
Bowen	Hertzberg	Napolitano	Vincent
Caldera	Honda	Ortiz	Washington
Cardenas	Keeley	Papan	Wayne
Davis	Knox	Perata	Wildman
Ducheny	Kuehl	Scott	Wright
Escutia	Lempert	Shelley	Mr. Speaker
Figueroa	Martinez	Sweeney	

**Objection to Vote Adds**

Assembly Member Morrissey withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Pringle motion for a temporary suspension of the Rules as they relate to Assembly Bill No. 3.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
PRINGLE MOTION FOR TEMPORARY SUSPENSION OF THE RULES  
AS THEY RELATE TO ASSEMBLY BILL NO. 4**

At 4:10 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 temporarily suspend the Rules to permit consideration of Assembly Bill No. 4, without reference to committee or file, lost by the following vote:

**AYES—37**

Ackerman	Campbell	Leonard	Prenter
Aguiar	Cunneen	Margett	Pringle
Alby	Firestone	McClintock	Richter
Ashburn	Frusetta	Miller	Runner
Baldwin	Goldsmith	Morrissey	Takasugi
Battin	Granlund	Morrow	Thompson
Baugh	House	Olberg	Woods
Bordonaro	Kaloogian	Oller	
Bowler	Kuykendall	Pacheco	
Brewer	Leach	Poochigian	

**NOES—39**

Alquist	Floyd	Mazzoni	Thomson
Aroner	Gallegos	Migden	Torlakson
Baca	Havice	Murray	Villaragosa
Bowen	Hertzberg	Napolitano	Vincent
Caldera	Honda	Ortiz	Washington
Cardenas	Keeley	Papan	Wayne
Davis	Knox	Perata	Wildman
Ducheny	Kuehl	Scott	Wright
Escutia	Lempert	Shelley	Mr. Speaker
Figueroa	Martinez	Sweeney	

**Objection to Vote Adds**

Assembly Member Morrissey withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Pringle motion for a temporary suspension of the Rules as they relate to Assembly Bill No. 4.

**MOTION TO ADJOURN**

At 4:11 p.m., Assembly Member Villaragosa moved that the Assembly do now adjourn.

Assembly Member Machado seconded the motion.

**REMARKS ON CONDITION OF THE FILE**

Assembly Members Pringle, Martinez, and Bowler, arose to speak on the condition of the file.

**Point of Personal Privilege**

Assembly Member Cardoza arose to a point of personal privilege.

**FURTHER REMARKS ON CONDITION OF THE FILE**

Assembly Members Machado, Battin, Brown, Miller, Morrow, Kuykendall, Oller, House, Woods, and Bustamante arose to speak on the condition of the file.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items:

**Assembly Bill No. 1, Resolution to Invoke Constitution:** Bustamante and Pringle—Aye.

**Assembly Bill No. 1 and Urgency:** Scott—Aye.

**FURTHER CONSIDERATION OF MOTION TO ADJOURN**

The question being on the motion of Assembly Member Villaraigosa that the Assembly adjourn.

Motion carried.

**ADJOURNMENT**

At 4:32 p.m., pursuant to the motion by Assembly Member Villaraigosa, the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JANUARY 27, 1997**

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Amendments were considered by the Assembly, but not adopted, to the following measure:

**AB**

- 1 (Brewer amendments, laid upon the table)

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, February 5, 1997**  
**FOURTH SESSION DAY**  
**TWENTY-THIRD CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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 5, 1997

The Assembly met at 7 a.m.

Hon. Louis J. Papan, Assembly Member, 19th 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—77:

Ackerman	Davis	Lempert	Runner
Aguiar	Ducheny	Leonard	Scott
Alby	Escutia	Machado	Shelley
Alquist	Figueroa	Margett	Strom-Martin
Aroner	Firestone	Martinez	Sweeney
Ashburn	Floyd	McClintock	Takasugi
Baca	Frusetta	Migden	Thompson
Baldwin	Gallegos	Miller	Thomson
Battin	Goldsmith	Morrissey	Torlakson
Baugh	Granlund	Murray	Villarigosa
Bordonaro	Havice	Napolitano	Vincent
Bowen	Hertzberg	Olberg	Washington
Bowler	Honda	Oller	Wayne
Brewer	House	Pacheco	Wildman
Brown	Kaloogian	Papan	Woods
Caldera	Keeley	Perata	Wright
Campbell	Knox	Poochigian	Mr. Speaker
Cardenas	Kuehl	Prenter	
Cardoza	Kuykendall	Pringle	
Cunneen	Leach	Richter	

Quorum present.

At 1:30 p.m., Hon. Tom McClintock, 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 Members Mazzoni and Morrow.*

*On legislative business, per diem waived for 1997-98 Session (See Assembly Journal, page 121): Assembly Member Ortiz.*

(NOTE: For letter explaining the absence of Assembly Member Mazzoni on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, February 4, 1997; for explanations of absences of Assembly Members Ortiz and Morrow 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:

February 3, 1997

*E. Dotson Wilson*  
*Chief Clerk*

*California State Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: This is to advise you that the following committee assignments are appointed in the 1997-98 First Extraordinary session.

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*Agriculture Committee (11)*

Meets every 2nd and 4th Wednesday at 1:30 p.m.

Jim Battin  
Tom Bordonaro  
Valerie Brown  
Dennis Cardoza, Chair  
Denise Moreno Ducheny  
George House, Vice Chair

Peter Frusetta  
Mike Machado  
Don Perata  
Robert Prenter  
Helen Thomson

*Appropriations Committee (21)*

Meets every Wednesday at 9:00 a.m.

Dick Ackerman  
Fred Aguiar  
Joe Baca  
Tom Bordonaro  
Marilyn C. Brewer  
Tony Cardenas  
Brett Granlund  
Sheila James Kuehl  
Mike Machado  
Diane Martinez  
Carole Migden, Chair

Keith Olberg  
Lou Papan  
Don Perata  
Charles Poochigian, Vice Chair  
Kevin Shelley  
Michael Sweeney  
Bruce Thompson  
Helen Thomson  
Antonio R. Villaraigosa  
Carl Washington

*Banking and Finance Committee (13)*

Meets every 1st and 3rd Monday at 4:00 p.m.

Fred Aguiar  
Debra Bowen  
Louis Caldera  
Brooks Firestone  
Martin Gallegos  
Howard Kaloogian, Vice Chair  
Steven T. Kuykendall

Ted Lempert  
Bill Leonard  
Mike Machado  
Kerry Mazzoni  
Lou Papan, Chair  
Edward Vincent

*Budget Committee* (28)

Meets upon call of the chair.

Barbara Alby	George House
Roy Ashburn	Fred Keeley
Jim Battin	Wally Knox
Debra Bowen	Lynne Leach
Valerie Brown	Ted Lempert
Bill Campbell	Bill Leonard
Tony Cardenas	Gary G. Miller, Vice Chair
Dennis Cardoza	Jim Morrissey
Jim Cunneen	Jack Scott
Susan Davis	Virginia Strom-Martin
Denise Moreno Ducheny, Chair	Bruce Thompson
Martha M. Escutia	Tom Torlakson
Liz Figueroa	Antonio R. Villaraigosa
Martin Gallegos	Rod Wright

*Consumer Protection, Governmental Efficiency and  
Economic Development Committee* (12)

Meets every 1st and 3rd Tuesday at 9:00 a.m.

Elaine Alquist	Jim Morrissey
Bill Campbell, Vice Chair	Grace F. Napolitano
Susan Davis, Chair	Rico Oller
Liz Figueroa	Deborah Ortiz
Brooks Firestone	Virginia Strom-Martin
Peter Frusetta	Scott Wildman

*Education Committee* (21)

Meets every 1st and 3rd Wednesday at 1:30 p.m.

Elaine Alquist	Diane Martinez
Larry Bowler	Kerry Mazzoni, Chair
Louis Caldera	Bill Morrow
Bill Campbell	Jack Scott
Susan Davis	Virginia Strom-Martin
Jan Goldsmith	Michael Sweeney
Mike Honda	Rod Pacheco, Vice Chair
George House	Carl Washington
Lynne Leach	Howard Wayne
Ted Lempert	Scott Wildman
Bill Leonard	

*Elections, Reapportionment and  
Constitutional Amendments Committee* (7)

Meets every 2nd and 4th Monday at 4:00 p.m.

Tom Bordonaro	Bruce Thompson
Peter Frusetta, Vice Chair	Edward Vincent, Chair
Lou Papan	Rod Wright
Kevin Shelley	

*Environmental Safety and Toxic Materials Committee* (8)

Meets every 2nd and 4th Tuesday at 1:30 p.m.

Steve Baldwin	Fred Keeley
Debra Bowen	Mike Machado
Jim Cunneen, Vice Chair	Bernie Richter
Denise Moreno Ducheny	Howard Wayne, Chair

*Governmental Organization Committee* (16)

Meets every Monday at 9:00 a.m.

Joe Baca	Robert M. Hertzberg
Jim Battin	Mike Honda
Valerie Brown, Chair	Bob Margett
Tom Bordonaro, Vice Chair	Don Perata
Marilyn C. Brewer	Nao Takasugi
Denise Moreno Ducheny	Edward Vincent
Richard Floyd	Howard Wayne
Brett Granlund	Rod Wright

*Health Committee* (21)

Meets every Tuesday at 1.30 p.m.

Fred Aguiar	Kerry Mazzoni
Elaine Alquist	Bill Morrow
Scott Baugh	Keith Olberg
Valerie Brown	Deborah Ortiz
Susan Davis	Robert Prenter
Martha M. Escutia	Helen Thomson
Liz Figueroa	Antonio R. Villaraigosa
Martin Gallegos, Chair	Edward Vincent
Brett Granlund, Vice Chair	Scott Wildman
Robert M. Hertzberg	Tom Woods
Bob Margett	

*Higher Education Committee* (15)

Meets every 1st and 3rd Tuesday at 1:30 p.m.

Dick Ackerman	Sally Havice
Roy Ashburn	Fred Keeley
Steve Baldwin	Wally Knox
Debra Bowen	Sheila James Kuehl
Louis Caldera	Steven T. Kuykendall
Dennis Cardoza	Ted Lempert, Chair
Jim Cunneen	Jack Scott
Brooks Firestone, Vice Chair	

*Housing and Community Development Committee* (12)

Meets every 2nd and 4th Wednesday at 9:00 a.m.

Denise Moreno Ducheny	Lou Papan
Richard Floyd	Robert Prenter
Sally Havice	Bernie Richter
Lynne Leach	Tom Torlakson, Chair
Tom McClintock, Vice Chair	Edward Vincent
Gary G. Miller	Rod Wright

*Human Services Committee* (9)

Meets every 2nd and 4th Tuesday at 1:30 p.m.

Dion Aroner, Chair	Jan Goldsmith
Roy Ashburn, Vice Chair	Sheila James Kuehl
Tom Bordonaro	Deborah Ortiz
Valerie Brown	Rod Wright
Martin Gallegos	

*Insurance Committee* (15)

Meets every Tuesday at 9:00 a.m.

Barbara Alby, Vice Chair	Mike Honda
Steve Baldwin	Fred Keeley
Marilyn C. Brewer	Lynne Leach
Jim Cunneen	Rico Oller
Martha M. Escutia	Lou Papan
Liz Figueroa, Chair	Michael Sweeney
Richard Floyd	Antonio R. Villaraigosa
Martin Gallegos	

*International Trade and Development Committee* (7)

Meets every 2nd and 4th Monday at 9:00 a.m.

Susan Davis	Bernie Richter, Vice Chair
Sally Havice	Nao Takasugi
Robert M. Hertzberg	Bruce Thompson
Grace F. Napolitano, Chair	

*Judiciary Committee* (16)

Meets every 2nd and 4th Wednesday at 9:00 a.m.

Barbara Alby	Fred Keeley
Dion Aroner	Sheila James Kuehl
Scott Baugh	Tom McClintock
Louis Caldera	Bill Morrow, Vice Chair
Martha M. Escutia, Chair	Deborah Ortiz
Liz Figueroa	Rod Pacheco
Richard Floyd	Kevin Shelley
Howard Kaloogian	Antonio R. Villaraigosa

*Labor and Employment Committee* (11)

Meets every 1st and 3rd Wednesday at 1:30 p.m.

Martha M. Escutia	Carole Migden
Richard Floyd, Chair	Gary G. Miller
Sally Havice	Jim Morrissey
Wally Knox	Rico Oller
Steven T. Kuykendall, Vice Chair	Carl Washington
Diane Martinez	

*Local Government Committee* (15)

Meets every 2nd and 4th Wednesday at 1:30 p.m.

Dick Ackerman	Bob Margett
Steve Baldwin, Vice Chair	Kevin Murray
Dennis Cardoza	Grace F. Napolitano
Robert M. Hertzberg	George Runner
Mike Honda	Michael Sweeney, Chair
Howard Kaloogian	Helen Thomson
Steven T. Kuykendall	Tom Torlakson
Ted Lempert	

*Natural Resources Committee* (14)

Meets every Monday at 1:30 p.m.

Roy Ashburn	Carole Migden
Debra Bowen, Chair	Keith Olberg
Tony Cardenas	Bernie Richter
Brooks Firestone	Kevin Shelley
Fred Keeley	Michael Sweeney
Steven T. Kuykendall	Howard Wayne
Kerry Mazzoni	Tom Woods, Vice Chair

*Public Employees, Retirement  
and Social Security Committee* (8)

Meets every 1st and 3rd Wednesday at 9:00 a.m.

Larry Bowler, Vice Chair	Carole Migden
Sally Havice	George Runner
Wally Knox, Chair	Jack Scott
Tom McClintock	Scott Wildman

*Public Safety Committee* (13)

Meets every Tuesday at 9:00 a.m.

Dion Aroner	Diane Martinez
Scott Baugh	Carole Migden
Larry Bowler	Kevin Murray
Jan Goldsmith, Vice Chair	Grace F. Napolitano
George House	Rod Pacheco
Robert M. Hertzberg, Chair	Carl Washington
Sheila James Kuehl	

*Revenue and Taxation Committee* (11)

Meets every Monday at 1:30 p.m.

Elaine Alquist	Gary G. Miller
Dion Aroner	Lou Papan
Louis Caldera, Chair	Charles Poochigian
Howard Kaloogian	Kevin Shelley
Wally Knox	Nao Takasugi, Vice Chair
Mike Machado	

*Rules Committee* (10)

Meets upon call of the chair

Don Perata, Chair	Keith Olberg
Fred Aguiar, Vice Chair	Deborah Ortiz
Joe Baca	Bruce Thompson
Marilyn C. Brewer	Carl Washington
Cruz M. Bustamante	Dick Ackerman
	(Republican Alternate)
Mike Honda	Virginia Strom-Martin
	(Democratic Alternate)

*Televising the Assembly  
and Information Technology Committee* (5)

Meets every 2nd and 4th Monday at 4:00 p.m.

Elaine Alquist, Chair	Sheila James Kuehl
Jim Morrissey, Vice Chair	Tom Woods
Richard Floyd	

*Transportation Committee* (20)

Meets every Monday at 1:30 p.m.

Joe Baca	Bill Morrow
Jim Battin	Kevin Murray, Chair
Scott Baugh, Vice Chair	Grace F. Napolitano
Larry Bowler	Don Perata
Tony Cardenas	Charles Poochigian
Liz Figueroa	Robert Prenter
Sally Havice	George Runner
Ted Lempert	Jack Scott
Kerry Mazzoni	Tom Torlakson
Tom McClintock	Howard Wayne

*Utilities and Commerce Committee* (13)

Meets every Monday at 1:30 p.m.

Barbara Alby	Deborah Ortiz
Joe Baca	Lou Papan
Bill Campbell	Don Perata
Steven T. Kuykendall	George Runner
Bill Leonard, Vice Chair	Helen Thomson
Diane Martinez, Chair	Rod Wright
Kevin Murray	

*Water, Parks and Wildlife Committee* (17)

Meets every 2nd and 4th Tuesday at 9:00 a.m.

Debra Bowen	Bob Margett, Vice Chair
Tony Cardenas	Rico Oller
Dennis Cardoza	Charles Poochigian
Denise Moreno Ducheny	Virginia Strom-Martin
Peter Frusetta	Nao Takasugi
Jan Goldsmith	Helen Thomson
Mike Honda	Tom Torlakson
Grace F. Napolitano	Tom Woods
Mike Machado, Chair	

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY JOINT RESOLUTION NO. 1—Oller.** Relative to federal flood relief.

**ADJOURNMENT**

At 4 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, February 7, 1997**  
**FIFTH SESSION DAY**  
**TWENTY-FIFTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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 7, 1997

The Assembly met at 8:37 a.m.  
Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

#### ROLL CALL

The following were placed upon the morning roll call—61:

Ackerman	Frusetta	Martinez	Scott
Agurar	Gallegos	Mazzoni	Takasugi
Alby	Goldsmith	McClintock	Thompson
Alquist	Granlund	Morrissey	Thomson
Baca	Havice	Morrow	Torlakson
Battin	Hertzberg	Murray	Villaraigosa
Baugh	Honda	Napolitano	Vincent
Bordonaro	House	Olberg	Washington
Bowen	Keeley	Oller	Wayne
Bowler	Knox	Ortiz	Wildman
Cardoza	Kuehl	Pacheco	Woods
Davis	Kuykendall	Papan	Wright
Ducheny	Leach	Perata	Mr. Speaker
Escutia	Leonard	Pringle	
Figueroa	Machado	Richter	
Firestone	Margett	Runner	

#### 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 Aroner, Ashburn, Baldwin, Brewer, Caldera, Campbell, Cunneen, Floyd, Kaloogian, Lempert, Miller, Poochigian, Prenter, Shelley, and Strom-Martin.*

*On legislative business, and waiving per diem: Assembly Members Cardenas and Sweeney.*

*On personal business, and waiving per diem: Assembly Member Brown.*

*To attend a funeral in her district: Assembly Member Migden.*

(NOTE: For letters explaining the absences of Assembly Members Baldwin, Caldera, and Floyd on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Thursday, February 6, 1997; for letters explaining the absences of Assembly Members Aroner, Ashburn, Brewer, Campbell, Cardenas, Cunneen, Kaloogian, Lempert, Miller, Poochigian, Prenter, Shelley, Strom-Martin, and Sweeney on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily 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>House</i>		<i>Committee</i>
<i>Resolution No.</i>		<i>Rls.</i>
2	-----	

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

Date of Hearing: February 7, 1997

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 2

With amendments with the recommendation: Amend, and be adopted, as amended.  
PERATA, Chairman

Above resolution ordered on file.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, February 11, 1997**  
**SIXTH SESSION DAY**  
**TWENTY-NINTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(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 11, 1997

The Assembly met at 12:15 p.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

Ackerman	Figueroa	Margett	Richter
Aguiar	Firestone	Martinez	Runner
Alquist	Floyd	Mazzoni	Scott
Aroner	Frusetta	McClintock	Shelley
Baca	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Baugh	Granlund	Morrissey	Takasugi
Bordonaro	Havice	Morrow	Thompson
Bowen	Hertzberg	Murray	Thomson
Bowler	Honda	Napolitano	Torlakson
Brewer	House	Olberg	Villaraigosa
Caldera	Kaloogian	Oller	Vincent
Campbell	Keeley	Ortiz	Washington
Cardenas	Knox	Pacheco	Wayne
Cardoza	Kuehl	Papan	Wildman
Cunneen	Leach	Perata	Woods
Davis	Lempert	Poochigian	Wright
Ducheny	Leonard	Prenter	Mr. Speaker
Escutia	Machado	Pringle	

#### 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 Alby, Ashburn, Baldwin, and Kuykendall.*

*On personal business, and waiving per diem: Assembly Member Brown.*

(NOTE: For explanations of absences of Assembly Members Alby, Ashburn, and Kuykendall 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 Baldwin on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for February 6, 1997.)

#### REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to Committee:

*Assembly Joint  
Resolution No.*

*Committee*

**REPORTS OF STANDING COMMITTEES**  
**Committee on Rules**

Date of Hearing: February 11, 1997

Mr. Speaker: Your Committee on Rules reports:

Assembly Joint Resolution No. 1

With amendments with the recommendation: Amend, and be adopted, as amended.

PERATA, Chairman

Above resolution ordered on file.

**CONSIDERATION OF DAILY FILE**  
**SECOND READING OF ASSEMBLY BILLS**

**HOUSE RESOLUTION NO. 2**—Relative to flood damage.

Resolution read; amendments proposed by the Committee on Rules read and adopted, resolution ordered reprinted and to be placed upon the third reading file.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON FEBRUARY 11, 1997**

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The following measure was amended in the Assembly on this day:

<b>HR</b>	<b>RN</b>
2	9707403

**Daily Total: 1**

**Cumulative Total: 1**

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, February 12, 1997**

**SEVENTH SESSION DAY**

**THIRTIETH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**NOTE:** Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(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 12, 1997

The Assembly met at 7 a.m.

Hon. Louis J. Papan, Assembly Member, 19th 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	Escutia	Machado	Richter
Aguiar	Figueroa	Margett	Runner
Alby	Firestone	Martinez	Scott
Alquist	Floyd	Mazzoni	Shelley
Aroner	Frusetta	McClintock	Strom-Martin
Ashburn	Gallegos	Migden	Sweeney
Baca	Goldsmith	Miller	Takasugi
Battin	Granlund	Morrissey	Thompson
Baugh	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Murray	Torlakson
Bowen	Honda	Napolitano	Villaraigosa
Bowler	House	Olberg	Vincent
Brewer	Kaloogian	Oller	Washington
Caldera	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker
Davis	Lempert	Prenter	
Ducheny	Leonard	Pringle	

Quorum present.

At 1:35 p.m., Hon. Tom Torlakson, 11th 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 Baldwin.*

*On personal business, and waiving per diem: Assembly Member Brown.*

(NOTE: For letter explaining the absence of Assembly Member Baldwin on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Thursday, February 6, 1997.)

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, February 12, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
House Resolution No. 2

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY JOINT RESOLUTION NO. 1**—Relative to federal flood relief.

Resolution read; amendments proposed by the Committee on Rules read and adopted, resolution ordered reprinted and to be placed upon the third reading file.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON FEBRUARY 12, 1997**

The following measure was amended in the Assembly on this day:

AJR	RN
1	9707479

**Daily Total: 1**

**Cumulative Total: 2**

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, February 14, 1997**  
**EIGHTH SESSION DAY**  
**THIRTY-SECOND CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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 14, 1997

The Assembly met at 9:35 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called, and the following answered to their names—73:

Aguiar	Escutia	Leonard	Scott
Alby	Figueroa	Machado	Shelley
Alquist	Firestone	Margett	Strom-Martin
Aroner	Floyd	Martinez	Sweeney
Ashburn	Frusetta	Mazzoni	Takasugi
Baca	Gallegos	McClintock	Thompson
Battin	Goldsmith	Migden	Thomson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Morrow	Villaraigosa
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brown	House	Oller	Wayne
Caldera	Kaloogian	Pacheco	Wildman
Campbell	Keeley	Papan	Woods
Cardenas	Knox	Poochigian	Wright
Cardoza	Kuehl	Prenter	Mr. Speaker
Cunneen	Kuykendall	Pringle	
Davis	Leach	Richter	
Ducheny	Lempert	Runner	

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*O Father in Heaven, To You we commit this day, for You know all things and Your will is our peace. Deliver us from the false choices that come from self-interest, cowardice and lack of faith in You, and give us vision and strength to do Your will.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Bowler 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 Havice, 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 Members Ackerman, Baldwin, Brewer, Miller, Olberg, and Perata.*

*On legislative business, per diem waived for the 1997–98 Session (See Assembly Journal, page 121): Assembly Member Ortiz.*

(NOTE: For letter explaining the absence of Assembly Member Baldwin on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Thursday, February 6, 1997; for letter explaining the absence of Assembly Member Miller see Assembly Daily Journal for the Regular Session for Thursday, February 13, 1997; for explanations of absences of Assembly Members Ackerman, Brewer, Olberg, Ortiz, and Perata, see the Assembly Daily Journal for the Regular Session for this day.)

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, February 14, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 1

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to third reading.

**CONSIDERATION OF DAILY FILE****THIRD READING OF ASSEMBLY BILLS**

**HOUSE RESOLUTION NO. 2 (Cardoza)**—Relative to flood damage.

Resolution read.

**Members Made Coauthors of House Resolution No. 2**

Assembly Member Cardoza was granted unanimous consent to open the roll to permit Members to add as coauthors on House Resolution No. 2.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Aguiar, Alby, Alquist, Baugh, Bordonaro, Bowen, Bowler, Bustamante, Caldera, Cardenas, Cunneen, Davis, Escutia, Firestone, Floyd, Frusetta, Goldsmith, Granlund, Havice, Hertzberg, Honda, Kaloogian, Kuykendall, Leach, Margett, McClintock, Migden, Morrissey, Napolitano, Oller, Poochigian, Pringle, Richter, Runner, Scott, Shelley, Sweeney, Takasugi, Torlakson, Villaraigosa, Vincent, and Wildman.

**Request for Unanimous Consent**

Assembly Member Cardoza was granted unanimous consent to take up House Resolution No. 2, as amended, without reference to print or file.

**Consideration of House Resolution No. 2, as Amended**

**HOUSE RESOLUTION NO. 2**—Relative to flood damage.

Resolution read, as amended, and adopted by the following vote:

**AYES—68**

Aguiar	Escutia	Leach	Richter
Alby	Figueroa	Lempert	Runner
Alquist	Firestone	Leonard	Scott
Aróner	Floyd	Machado	Shelley
Baca	Frusetta	Margett	Strom-Martin
Battin	Gallegos	Martinez	Sweeney
Baugh	Goldsmith	Mazzoni	Takasugi
Bordonaro	Granlund	McClintock	Thompson
Bowen	Havice	Migden	Thomson
Bowler	Hertzberg	Morrissey	Torlakson
Brown	Honda	Murray	Villaraigosa
Caldera	House	Napolitano	Vincent
Cardenas	Kaloogian	Oller	Wayne
Cardoza	Keeley	Papan	Wildman
Cunneen	Knox	Poochigian	Woods
Davis	Kuehl	Prenter	Wright
Ducheny	Kuykendall	Pringle	Mr. Speaker

**NOES—None**

**ASSEMBLY JOINT RESOLUTION NO. 1 (Oller)**—Relative to federal flood relief.

Resolution read.

**Members Made Coauthors of Assembly Joint Resolution No. 1**

Assembly Member Oller was granted unanimous consent to open the roll to permit Members to add as coauthors on Assembly Joint Resolution No. 1.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Aguiar, Alby, Alquist, Aroner, Baca, Battin, Baugh, Bordonaro, Bowen, Bowler, Brown, Bustamante, Caldera, Cardenas, Cardoza, Cunneen, Davis, Ducheny, Escutia, Figueroa, Firestone, Floyd, Frusetta, Gallegos, Goldsmith, Granlund, Havice, Hertzberg, Honda, House, Kaloogian, Keeley, Knox, Kuehl, Kuykendall, Leach, Lempert, Leonard, Machado, Margett, Martinez, Mazzone, McClintock, Migden, Morrissey, Murray, Napolitano, Papan, Poochigian, Prenter, Pringle, Richter, Runner, Scott, Shelley, Strom-Martin, Sweeney, Takasugi, Thompson, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wildman, Woods, and Wright.

**Request for Unanimous Consent**

Assembly Member Oller was granted unanimous consent to take up Assembly Joint Resolution No. 1, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Joint Resolution No. 1, as Amended**

**ASSEMBLY JOINT RESOLUTION NO. 1**—Relative to federal flood relief.

Resolution read, as amended, and adopted by the following vote:

**AYES—67**

Aguiar	Figueroa	Lempert	Scott
Alby	Firestone	Leonard	Shelley
Alquist	Floyd	Machado	Strom-Martin
Baca	Frusetta	Margett	Sweeney
Battin	Gallegos	Martinez	Takasugi
Baugh	Goldsmith	Mazzone	Thompson
Bordonaro	Granlund	McClintock	Thomson
Bowen	Havice	Migden	Torlakson
Bowler	Hertzberg	Morrissey	Villaraigosa
Brown	Honda	Murray	Vincent
Caldera	House	Napolitano	Washington
Cardenas	Kaloogian	Papan	Wayne
Cardoza	Keeley	Poochigian	Wildman
Cunneen	Knox	Prenter	Woods
Davis	Kuehl	Pringle	Wright
Ducheny	Kuykendall	Richter	Mr. Speaker
Escutia	Leach	Runner	

**NOES—None**

Resolution ordered printed, and transmitted to the Senate.

**MOTION TO ADJOURN**

At 9:38 a.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Prenter seconded the motion.

Motion carried.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, February 19, 1997**  
**NINTH SESSION DAY**  
**THIRTY-SEVENTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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 19, 1997

The Assembly met at 7 a.m.

Hon. Louis J. Papan, Assembly Member, 19th 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—67:

Ackerman	Ducheny	Leonard	Richter
Aguiar	Escutia	Margett	Runner
Alquist	Figueroa	Martinez	Scott
Ashburn	Firestone	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Takasugi
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Villaraigosa
Bowen	Hertzberg	Napolitano	Vincent
Bowler	Honda	Olberg	Washington
Brewer	House	Oller	Wayne
Brown	Kaloogian	Ortiz	Wildman
Campbell	Keeley	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Davis	Leach	Pringle	

Quorum present.

At 4:59 p.m., Hon. Roderick Wright, 48th 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 Alby, Aroner, Caldera, Cunneen, Floyd, Knox, Lempert, Machado, Murray, Perata, Prenter, and Torlakson.*

*On personal business, and waiving per diem: Assembly Member Sweeney.*

(NOTE: For explanations of absence of Assembly Members Alby, Aroner, Caldera, Cunneen, Floyd, Knox, Lempert, Machado, Murray, Perata, Prenter, and Torlakson on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

**ASSEMBLY BILL NO. 5—Floyd.** An act to amend Section 16419 of the Government Code, and to amend Section 7102 of, and to add Sections 6051.6, 6201.6, and 6376.3 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**ADJOURNMENT**

At 9:56 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, February 26, 1997**

**TENTH SESSION DAY**

**FORTY-FOURTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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 26, 1997

The Assembly met at 7 a.m.

Hon. Brooks Firestone, Assembly Member, 35th 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	Davis	Lempert	Poochigian
Aguiar	Ducheney	Leonard	Prenter
Alby	Escutia	Machado	Pringle
Alquist	Firestone	Margett	Richter
Aroner	Floyd	Martinez	Runner
Ashburn	Frusetta	Mazzoni	Scott
Baca	Gallegos	McClintock	Shelley
Baldwin	Goldsmith	Migden	Strom-Martin
Battin	Granlund	Miller	Sweeney
Baugh	Havice	Morrissey	Takasugi
Bordonaro	Hertzberg	Morrow	Thompson
Bowen	Honda	Murray	Thomson
Bowler	House	Napolitano	Torlakson
Brewer	Kaloogian	Olberg	Vincent
Brown	Keeley	Oller	Washington
Campbell	Knox	Ortiz	Wayne
Cardenas	Kuehl	Pacheco	Wildman
Cardoza	Kuykendall	Papan	Woods
Cunneen	Leach	Perata	Wright

Quorum present.

At 10:30 a.m., Hon. Dick Ackerman, 72nd 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 Bustamante and Villaraigosa.*

*On personal business, and waiving per diem: Assembly Member Caldera.*

*Because of illness: Assembly Member Figueroa.*

(NOTE: For explanations of absences of Assembly Members Bustamante 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 communications were presented by the Speaker, and ordered printed in the Journal:

February 20, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Dennis Cardoza to the Assembly Judiciary Committee replacing Assemblymember Liz Figueroa for Thursday, February 20, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

February 20, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Dick Ackerman to the Assembly Judiciary Committee replacing Assemblymember Barbara Alby for Thursday, February 20, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

February 20, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Howard Wayne to the Assembly Judiciary Committee replacing Assemblymember Dick Floyd for Thursday, February 20, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

February 25, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Martha Escutia to the Assembly Appropriations Committee replacing Assemblymember Antonio Villaraigosa for Wednesday, February 26, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

February 26, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that the Assembly Agriculture Committee will now be meeting on the first and third week of each month rather than as previously scheduled on the second and fourth weeks.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

#### 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>	
3	----- W.,P. & W.

#### ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SHEILA JAMES KUEHL, Speaker pro Tempore

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, March 5, 1997**  
**ELEVENTH SESSION DAY**  
**FIFTY-FIRST CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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 5, 1997

The Assembly met at 7 a.m.

Hon. Bill Campbell, 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	Davis	Lempert	Prenter
Aguiar	Ducheny	Leonard	Pringle
Alby	Escutia	Machado	Runner
Alquist	Figueroa	Margett	Scott
Aroner	Firestone	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Takasugi
Battin	Goldsmith	Miller	Thomson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Morrow	Villaraigosa
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Caldera	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cunneen	Leach	Poochigian	

Quorum present.

At 1:56 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 Member Richter.*

*On personal business, and waiving per diem: Assembly Member Thompson.*

(NOTE: For explanation of absence of Assembly Member Richter on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for March 3, 1997.)

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

February 27, 1997

*E. Dotson Wilson*

*Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: This is to advise you that the following Budget Subcommittees are allowed to hold additional hearings until further notice:

Budget Subcommittee #1	Monday	4:00 p.m.	Room 444
Budget Subcommittee #2	Wednesday	4:00 p.m.	Room 127
Budget Subcommittee #4	Wednesday	4:00 p.m.	Room 444

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

February 28, 1997

*E. Dotson Wilson*

*Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: Please be advised that I have made the following appointments:

Kevin Shelley is appointed to the Public Employees, Retirement and Social Security Committee to replace Sally Havice.

Mike Machado is removed from the Environmental Safety and Toxic Materials Committee.

Rico Oller is appointed to the Banking and Finance Committee to replace Fred Aguiar.

Diane Martinez is appointed to the International Trade and Development Committee to replace Sally Havice.

Tony Cardenas is appointed to the Governmental Organization Committee to replace Robert Hertzberg.

Howard Wayne is removed from the Governmental Organization Committee, which is reduced from 16 members to 15.

Fred Aguiar is appointed to the Insurance Committee to replace Rico Oller.

Dick Floyd is removed from the Televising the Assembly and Information Technology Committee.

Robert Hertzberg is appointed to the Housing and Community Development Committee to replace Dick Floyd.

Carole Migden is removed from the Labor and Employment Committee.

Mike Machado is appointed to the Consumer Protection, Governmental Efficiency, and Economic Development Committee, which is increased in size from 12 members to 13.

Bruce Thompson is appointed to the Water, Parks and Wildlife Committee to replace Jan Goldsmith.

Jan Goldsmith is appointed to the Consumer Protection, Governmental Efficiency and Economic Development Committee to replace Rico Oller.

Rico Oller is appointed to the Transportation Committee, which is increased in size from 20 members to 21 members.

Thank you for your assistance in this matter.

Sincerely

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, March 12, 1997**  
**TWELFTH SESSION DAY**  
**FIFTY-EIGHTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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 12, 1997

The Assembly met at 7 a.m.  
Hon. Bruce Thompson, Assembly Member, 66th 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—72:

Ackerman	Ducheny	Leonard	Prenter
Aguiar	Escutia	Machado	Runner
Alby	Figueroa	Margett	Scott
Alquist	Floyd	Martinez	Shelley
Aroner	Frusetta	Mazzoni	Strom-Martin
Ashburn	Gallegos	McClintock	Sweeney
Baca	Goldsmith	Migden	Takasugi
Baldwin	Granlund	Morrissey	Thompson
Battin	Havice	Morrow	Thomson
Baugh	Hertzberg	Murray	Torlakson
Bordonaro	Honda	Napolitano	Villaraigosa
Bowler	House	Olberg	Vincent
Brewer	Kaloogian	Oller	Washington
Brown	Keeley	Ortiz	Wayne
Caldera	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Davis	Lempert	Poochigian	Mr. Speaker

Quorum present.

At 11:25 a.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 Members Bowen, Cunneen, Miller, and Pringle.*

*On personal business, and waiving per diem: Assembly Members Campbell and Firestone.*

*Because of illness: Assembly Members Leach and Richter.*

(NOTE: For letter explaining the absence of Assembly Member Bowen on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, March 11, 1997; for letter explaining the absence of Assembly Members Cunneen, Miller, and Pringle, see 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 11, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Bill Leonard to the Assembly Appropriations Committee replacing Assemblymember Fred Aguiar for Wednesday, March 12, 1997 only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

**ASSEMBLY BILL NO. 6—Torlakson.** An act to add Section 1102.6c to the Civil Code, and to add Sections 8589.4 and 51183.5 to the Government Code, relating to real estate.

**MESSAGES FROM THE SENATE**

Senate Chamber, March 10, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 1

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Above resolution ordered enrolled.

**ADJOURNMENT**

At 5 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1999-2000 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, March 19, 1997**  
**THIRTEENTH SESSION DAY**  
**SIXTY-FIFTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, March 19, 1997

The Assembly met at 7 a.m.

Hon. Bill Campbell, 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	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Runner
Alby	Figueroa	Margett	Scott
Alquist	Firestone	Martinez	Shelley
Aroner	Floyd	Mazzoni	Strom-Martin
Ashburn	Frusetta	McClintock	Sweeney
Baca	Gallegos	Migden	Takasugi
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Villaraigosa
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Caldera	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker
Cunneen	Leach	Poochigian	
Davis	Lempert	Prenter	

Quorum present.

At 11:55 a.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:

*Because of illness: Assembly Members Baldwin and Richter.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

March 17, 1997

*E. Dotson Wilson  
Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: Please be advised that I have made the following appointments:

Assemblymember Wally Knox is appointed to the Environmental Safety and Toxics Materials Committee.

Assemblymember Joe Baca is appointed to the Labor and Employment Committee.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

March 18, 1997

*E. Dotson Wilson  
Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: Please be advised that I have made the following appointments:

Assemblymember Carl Washington is appointed to the Revenue and Taxation Committee to replace Kevin Shelley.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

March 19, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Curt Pringle to the Assembly Education Committee replacing Assemblymember Bill Campbell for Wednesday, March 19, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, April 2, 1997**  
**FOURTEENTH SESSION DAY**  
**SEVENTY-NINTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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 2, 1997

The Assembly met at 7 a.m.

Hon. Louis J. Papan, Assembly Member, 19th 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—80:

Ackerman	Davis	Lempert	Prenter
Aguiar	Ducheny	Leonard	Pringle
Alby	Escutia	Machado	Richter
Alquist	Figueroa	Margett	Runner
Aroner	Firestone	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Takasugi
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Villaraigosa
Brewer	House	Olberg	Vincent
Brown	Kaloogian	Oller	Washington
Caldera	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker

Quorum present.

At 1:10 p.m., Hon. Kevin Murray, 47th 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 Speaker, and ordered printed in the Journal:

March 31, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Bob Margett to the Assembly Transportation Committee replacing Assemblymember Scott Baugh for Monday, March 31, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

March 31, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am removing Assemblymember Jan Goldsmith from the Assembly Consumer Protection, Governmental Efficiency and Economic Development Committee.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 7—Oller and Brown.** An act relating to tourism, and making an appropriation therefor.

**ASSEMBLY BILL NO. 8—Martinez.** An act to add Article 6 (commencing with Section 8693) to Chapter 7.5 of Division 1 of Title 2 of the Government Code, and to amend Sections 7071, 7072, 7073, 7101, and 19601 of, to add Section 7076 to, and to add Chapter 9.1 (commencing with Section 19730) to Part 10.2 of Division 2 of, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 9—Martinez.** An act to add Chapter 12.49 (commencing with Section 8879.30) to Division 1 of Title 2 of the Government Code, relating to financing a transportation infrastructure program 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.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 13, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 1

And reports the same correctly enrolled, and presented to the Secretary of State on the 13th day of March, 1997, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, April 9, 1997**  
**FIFTEENTH SESSION DAY**  
**EIGHTY-SIXTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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 9, 1997

The Assembly met at 7 a.m.

Hon. Louis J. Papan, Assembly Member, 19th 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	Davis	Leach	Poochigian
Aguiar	Ducheny	Lempert	Prenter
Alquist	Escutia	Leonard	Pringle
Aroner	Figueroa	Machado	Richter
Ashburn	Firestone	Margett	Runner
Baca	Floyd	Mazzoni	Scott
Baldwin	Frusetta	McClintock	Shelley
Battin	Gallegos	Migden	Strom-Martin
Baugh	Goldsmith	Miller	Sweeney
Bordonaro	Granlund	Morrissey	Takasugi
Bowen	Havice	Morrow	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Villaragosa
Brown	House	Olberg	Vincent
Caldera	Kaloogian	Oller	Washington
Campbell	Keeley	Ortiz	Wayne
Cardenas	Knox	Pacheco	Wildman
Cardoza	Kuehl	Papan	Woods
Cunneen	Kuykendall	Perata	Wright

Quorum present.

At 11:55 a.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 Bustamante and Martinez.*

*On personal business, and waiving per diem: Assembly Members Alby and Thompson.*

(NOTE: For explanations of absences of Assembly Members Bustamante and Martinez 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:

April 7, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Howard Wayne to the Assembly Televising the Assembly and Information Technology Committee for today, April 7, 1997 only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

April 7, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Debra Bowen to the Assembly Televising the Assembly and Information Technology Committee replacing Assemblymember Sheila Kuehl for today, April 7, 1997 only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

**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>	
<b>6</b> -----	H. & C.D.
<b>5</b> -----	Rev. & Tax.
<b>7</b> -----	I. T. & D.
<b>8</b> -----	Rev. & Tax. and G.O.
<b>9</b> -----	Trans.

*Senate Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>1</b> -----	Rls.

April 9, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Tom Torlakson to the Assembly Appropriations Committee to replace Assemblymember Diane Martinez for today, April 9, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

April 9, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Tom Woods to the Assembly Appropriations Committee to replace Assemblymember Bruce Thompson for today, April 9, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

April 9, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Debra Bowen to the Assembly Education Committee to replace Assemblymember Diane Martinez for today, April 9, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

April 8, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Don Perata to the Assembly Public Safety Committee to replace Assemblymember Diane Martinez. This appointment is effective today, April 8, 1997.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

April 9, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Antonio Villaraigosa to the Assembly Education Committee to replace Assemblymember Louis Caldera for today, April 9, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

April 8, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Dick Ackerman to the Assembly Consumer Protection, Governmental Efficiency and Economic Development Committee for today, April 8, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SHEILA JAMES KUEHL, Speaker pro Tempore

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, April 16, 1997**  
**SIXTEENTH SESSION DAY**  
**NINETY-THIRD CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**NOTE:** Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(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 16, 1997

The Assembly met at 7 a.m.  
Hon. Bruce Thompson, Assembly Member, 66th District,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Brian Ebbert reading.

#### ROLL CALL

The following were placed upon the morning roll call—79:

Ackerman	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Takasugi
Battin	Granlund	Morrissey	Thompson
Baugh	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Murray	Torlakson
Bowen	Honda	Napolitano	Villaraigosa
Bowler	House	Olberg	Vincent
Brewer	Kaloogian	Oller	Washington
Brown	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker
Davis	Lempert	Prenter	

Quorum present.

At 12:15 p.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 Member was granted leave of absence for the day:

*On personal business, and waiving per diem: Assembly Member Caldera.*

## COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 11, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am removing Grace Napolitano from Assembly Water, Parks and Wildlife Committee.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

April 14, 1997

*Mr. E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Mr. Wilson: I am today, at the request of Chairman Hertzberg, reducing the size of the Assembly Public Safety Committee from its current membership of 13 to eight.

The bill load of this committee is more than substantial, constituting more than a third of the total committee workload of the House. The subject matter deals with the protection of public safety. Proponents and opponents deserve a committee which is neither unwieldy in size, nor one with members who have other committee conflicts.

There are 41 bills on calendar for tomorrow. If each received only 15 minutes, the hearing would require ten hours. I expect it to last substantially longer.

The reduced committee will have the following membership: Assemblymembers Robert Hertzberg, Chair, Jan Goldsmith, Vice Chair, Larry Bowler, George House, Kevin Murray, Grace Napolitano, Don Perata and Carl Washington.

The partisan balance of the earlier committee is retained: I have removed three Democrats and two Republicans. Besides the Vice Chair, I have retained the two minority members who have previous experience on the committee.

To accommodate similar concerns, I have also reduced the size of two other committees. The Natural Resources Committee is reduced in size from 14 members to 12 members. Assemblymembers Steven T. Kuykendall and Kerry Mazzoni are removed.

The Water, Parks and Wildlife Committee is reduced in size from 17 members to 15 members. Assemblymembers Grace Napolitano and Nao Takasugi are removed. Assemblymember Takasugi is appointed to the Consumer Protection, Governmental Efficiency and Economic Development Committee to fill an existing vacancy.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

April 14, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Carole Migden to the Assembly Elections, Reapportionment and Constitutional Amendments Committee to replace Assemblymember Lou Papan for today, April 14, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

April 15, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Bill Campbell to the Assembly Health Committee to replace Assemblymember Keith Olberg for today, April 15, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

April 16, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Sweeney to the Assembly Judiciary Committee to replace Assemblymember Louis Caldera for today, April 16, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**AUTHOR'S AMENDMENTS**  
**Committee on Water, Parks and Wildlife**

April 16, 1997

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:  
Assembly Bill No. 3

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MACHADO, Chairman

**ASSEMBLY BILL NO. 3**—An act relating to water, 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 to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON APRIL 16, 1997**

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The following measures were amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>
3	9709518

<b>Daily Total:</b>	<b>1</b>
<b>Cummulative Total:</b>	<b>3</b>

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, April 23, 1997**  
**SEVENTEENTH SESSION DAY**  
**ONE HUNDREDTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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 23, 1997

The Assembly met at 7 a.m.

Hon. Bruce Thompson, Assembly Member, 66th 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—79:

Ackerman	Davis	Lempert	Pringle
Aguiar	Ducheny	Leonard	Richter
Alby	Escutia	Machado	Runner
Alquist	Figueroa	Margett	Scott
Aroner	Firestone	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Takasugi
Battin	Goldsmith	Morrissey	Thompson
Baugh	Granlund	Morrow	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Villaraigosa
Bowler	Honda	Olberg	Vincent
Brewer	House	Oller	Washington
Brown	Kaloogian	Ortiz	Wayne
Caldera	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	

Quorum present.

At 1:38 p.m., Hon. Charles Poochigian, 29th 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 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.)

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 16, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am removing Assemblymember Bruce Thompson from the Assembly International Trade and Development Committee at his request.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

April 17, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am removing Assemblymember Don Perata from the Assembly Utilities and Commerce Committee at his request.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

April 21, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Howard Wayne to the Assembly Televising the Assembly and Information Technology Committee effective today, April 21, 1997.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

April 21, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Barbara Alby to the Assembly Committee on International Trade and Development to fill an existing vacancy.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

April 22, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Carole Migden to the Assembly Committee on Insurance to replace Assemblymember Antonio Villaraigosa for today, April 22, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

April 23, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Robert Hertzberg to the Assembly Education Committee to replace Assemblymember Louis Caldera for today, April 23, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

April 23, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Michael Sweeney to the Assembly Judiciary Committee to replace Assemblymember Louis Caldera for today, April 23, 1997, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

April 23, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Scott Baugh to the Assembly Labor and Employment Committee to replace Assemblymember Gary Miller. This appointment is effective for today, April 23, 1997, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, April 23, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 3

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

**REPORTS THE STANDING COMMITTEES  
Committee on International Trade and Development**

Date of Hearing: April 21, 1997

Mr. Speaker: Your Committee on International Trade and Development reports:  
Assembly Bill No. 7

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

NAPOLITANO, Chairwoman

Above bill re-referred to the Committee on Appropriations.

**ADJOURNMENT**

At 3:45 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, April 28, 1997**  
**EIGHTEENTH SESSION DAY**  
**ONE HUNDRED FIFTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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 28, 1997

The Assembly met at 7 a.m.

Hon. Howard Wayne, Assembly Member, 78th 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—45:

Alquist	Frusetta	Mazzoni	Scott
Ashburn	Granlund	McClintock	Strom-Martin
Baugh	Honda	Migden	Sweeney
Bordonaro	Keeley	Morrissey	Thompson
Bowen	Kuehl	Morrow	Torlakson
Bowler	Kuykendall	Ortiz	Wayne
Cardenas	Leach	Pacheco	Wildman
Cardoza	Lempert	Papan	Woods
Cunneen	Leonard	Perata	Wright
Davis	Machado	Poochigian	
Firestone	Margett	Prenter	
Floyd	Martinez	Richter	

Quorum present.

**At 2:10 p.m., Hon. Ted Lempert, 21st 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, Aguiar, Aroner, Baca, Baldwin, Battin, Brewer, Brown, Bustamante, Campbell, Ducheny, Escutia, Figueroa, Gallegos, Goldsmith, Havice, Hertzberg, Kaloogian, Knox, Miller, Murray, Napolitano, Olberg, Oller, Pringle, Runner, Shelley, Takasugi, Thomson, Villaraigosa, Vincent, and Washington.*

*On personal business, and waiving per diem: Assembly Members Alby, Caldera and House.*

(NOTE: For explanations of absences of Assembly Members Ackerman, Aguiar, Aroner, Baca, Baldwin, Battin, Brewer, Brown, Bustamante, Campbell, Ducheny, Escutia, Figueroa, Gallegos, Goldsmith, Havice, Hertzberg, Kaloogian, Knox, Miller, Murray, Napolitano, Olberg, Oller, Pringle, Runner, Shelley, Takasugi, Thomson, Villaraigosa, Vincent, and Washington 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, April 24, 1997

Mr. Speaker: I am directed for inform your honorable body that the Senate on this day passed:

Senate Bill No. 9

GREG P. SCHMIDT, 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. 9**—An act to add Article 5 (commencing with Section 8140) to Chapter 2 of Part 1 of Division 5 of the Water Code, relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**ADJOURNMENT**

At 5 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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SHEILA JAMES KUEHL, Speaker pro Tempore

ROCEL BETTENCOURT, Acting Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, May 7, 1997**  
**NINETEENTH SESSION DAY**  
**ONE HUNDRED FOURTEENTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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 7, 1997

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—79:

Ackerman	Davis	Lempert	Pringle
Agular	Ducheny	Leonard	Richter
Alby	Escutia	Machado	Runner
Alquist	Figueroa	Margett	Scott
Aroner	Firestone	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Takasugi
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Villaragosa
Bowler	Honda	Napolitano	Vincent
Brewer	House	Oller	Washington
Brown	Kaloogian	Ortiz	Wayne
Caldera	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poohigian	Mr. Speaker
Cunneen	Leach	Prenter	

Quorum present.

**At 2:05 p.m., Assistant 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 Member was granted leave of absence for the day:

*On legislative business: Assembly Member Olberg.*

(NOTE: For explanation of absence of Assembly Member Olberg 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: *E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised I am reassigning the following committee rooms for the following committees for hearings on May 7 and May 14, 1997 only.

May 7, 1997

Education: Room 437  
Judiciary: Room 444  
PER&SS: Room 437

May 14, 1997

Local Government: Room 126

Thank you for your assistance in this matter.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

May 5, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Antonio Villaraigosa to the Assembly Revenue and Taxation Committee to replace Assemblymember Lou Papan for today, May 5, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 7, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Tom Woods to the Assembly Appropriations Committee replacing Assemblymember Keith Olberg for Wednesday, May 7, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 7, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Nao Takasugi to the Assembly Appropriations Committee replacing Assemblymember Bruce Thompson for Wednesday, May 7, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, May 14, 1997**

**TWENTIETH SESSION DAY**

**ONE HUNDRED TWENTY-FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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 14, 1997

The Assembly met at 7 a.m.

Hon. Bruce Thompson, Assembly Member, 66th 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	Davis	Lempert	Prenter
Aguiar	Ducheny	Leonard	Richter
Alby	Escutia	Machado	Runner
Alquist	Figueroa	Margett	Scott
Aroner	Firestone	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Takasugi
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Villaraigosa
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Caldera	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cunneen	Leach	Poohigian	

Quorum present.

At 1:30 p.m., Hon. Robert M. Hertzberg, 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 Member Pringle.*

*Because of a death in his family: Assembly Member Vincent.*

(NOTE: For explanation of absence of Assembly Member Pringle 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 9, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Howard Wayne to the Assembly Housing and Community Development Committee to replace Assemblymember Denise Ducheny for Wednesday, May 14, 1997 only

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 9, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Kevin Shelley to the Assembly Governmental Organization Committee to replace Assemblymember Denise Ducheny for Monday, May 12, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 14, 1997

May 9, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Roderick Wright to serve as Chair of the Assembly Elections, Reapportionment and Constitutional Amendments Committee, in place of Assemblymember Edward Vincent for Monday, May 12, 1997 only.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 9, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblywoman Carole Migden to the Assembly Elections, Reapportionment and Constitutional Amendments Committee in place of Assemblymember Edward Vincent for Monday, May 12, 1997 only.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 12, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Kevin Murray to the Assembly Governmental Organization Committee to replace Assemblymember Ed Vincent for today, May 12, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 12, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Diane Martinez to the Assembly Judiciary Committee to replace Assemblymember Antonio Villaraigosa. This appointment is effective today, May 12, 1997.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 12, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember George House to the Assembly Natural Resources Committee to replace Assemblymember Roy Ashburn for today, May 12, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 13, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Joe Baca to the Assembly Water, Parks and Wildlife Committee to replace Assemblymember Denise Ducheny for today, May 13, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 13, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Kevin Shelley to the Assembly Health Committee to replace Assemblymember Kerry Mazzoni for today, May 13, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 14, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Virginia Strom-Martin to the Assembly Housing and Community Development Committee in place of Assemblymember Edward Vincent for today only, May 14, 1997

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bill was referred to Committee:

<i>Senate</i>	
<i>Bill No.</i>	<i>Committee</i>
9	----- W.,P. & W.

**ADJOURNMENT**

At 4 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, May 21, 1997**

**TWENTY-FIRST SESSION DAY**

**ONE HUNDRED TWENTY-EIGHTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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 21, 1997

The Assembly met at 7 a.m.

Hon. Nao Takasugi, Assembly Member, 37th 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—79.

Ackerman	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Takasugi
Battin	Granlund	Morrissey	Thompson
Baugh	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Murray	Torlakson
Bowen	Honda	Napolitano	Villaraigosa
Bowler	House	Olberg	Vincent
Brewer	Kaloogian	Oller	Washington
Brown	Keeley	Ortiz	Wayne
Caldera	Knox	Pacheco	Wildman
Campbell	Kuehl	Papan	Woods
Cardenas	Kuykendall	Perata	Wright
Cardoza	Leach	Poochigian	Mr. Speaker
Davis	Lempert	Prenter	

Quorum present.

At 2:15 p.m., Hon. Scott Wildman, 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.

#### LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

*Because of illness in his family: Assembly Member Cunneen.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

May 16, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Michael Sweeney to the Assembly Judiciary Committee in place of Assemblymember Dick Floyd for Tuesday, May 20, 1997 only.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

May 21, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Robert Hertzberg to the Assembly Appropriations Committee replacing Assemblymember Antonio Villaraigosa for Wednesday, May 21, 1997 only

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**REPORTS OF STANDING COMMITTEES**

**Committee on Housing and Community Development**

Date of Hearing: May 14, 1997

Mr. Speaker: Your Committee on Housing and Community Development reports: Assembly Bill No. 6

With amendments with the recommendation: Amend, and do pass, as amended.

TORLAKSON, Chairman

Above bill ordered to second reading.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, May 28, 1997**

**TWENTY-SECOND SESSION DAY  
ONE HUNDRED THIRTY-FIFTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(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 28, 1997

The Assembly met at 7 a.m.

Hon. Bruce Thompson, Assembly Member, 66th 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—79:

Ackerman	Davis	Lempert	Pringle
Aguiar	Ducheny	Leonard	Richter
Alby	Escutia	Machado	Runner
Alquist	Figueroa	Margett	Scott
Aroner	Firestone	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Takasugi
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Napolitano	Villaraigosa
Bowler	Honda	Olberg	Vincent
Brewer	House	Oller	Washington
Brown	Kaloogian	Ortiz	Wayne
Caldera	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	

Quorum present.

**At 2:05 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 Member was granted leave of absence for the day:

*On legislative business: Assembly Member Murray.*

(NOTE: For letter explaining the absence of Assembly Member Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, May 27, 1997 )

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

May 27, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to the Assembly Budget Committee to replace Assemblymember Martin Gallegos for today, May 27, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**REPORTS OF STANDING COMMITTEES**

**Committee on Water, Parks and Wildlife**

Date of Hearing: May 20, 1997

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 9

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

MACHADO, Chairman

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE**

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 6**—An act to add Section 1102.6c to the Civil Code, and to add Sections 8589 4 and 51183.5 to the Government Code, relating to real estate.

Bill read second time; amendments proposed by the Committee on Housing and Community Development read and adopted, bill ordered reprinted and to be returned to the second reading file.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

ROCEL BETTENCOURT, Acting Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MAY 28, 1997**

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The following measures were amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>
6	9713969

<b>Daily Total:</b>	<b>1</b>
<b>Cumulative Total:</b>	<b>4</b>

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, June 4, 1997**

**TWENTY-THIRD SESSION DAY**

**ONE HUNDRED FORTY-SECOND CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(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 4, 1997

The Assembly met at 9:50 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called, and the following answered to their names—80:

Ackerman	Davis	Lempert	Prenter
Aguiar	Ducheny	Leonard	Pringle
Alby	Escutia	Machado	Richter
Alquist	Figueroa	Margett	Runner
Aroner	Firestone	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Takasugi
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Villaraigosa
Brewer	House	Olberg	Vincent
Brown	Kaloogian	Oller	Washington
Caldera	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochugian	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.

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

May 29, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to the Assembly Budget Committee to replace Assemblymember Antonio Villaraigosa for today, May 29, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

May 30, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember George Runner to the Assembly Appropriations Committee to replace Assemblymember Bruce Thompson for today, May 30, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, June 4, 1997

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.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 9**—An act to add Article 5 (commencing with Section 8140) to Chapter 2 of Part 1 of Division 5 of the Water Code, relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Water, Parks and Wildlife read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ADJOURNMENT**

At 10:25 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JUNE 4, 1997**

—————  
The following measures were amended in the Assembly on this day:

<b>SB</b>	<b>RN</b>
9	9714280

<b>Daily Total:</b>	<b>1</b>
<b>Cumulative Total:</b>	<b>5</b>

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, June 11, 1997**

**TWENTY-FOURTH SESSION DAY  
ONE HUNDRED FORTY-NINTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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(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 11, 1997

The Assembly met at 7 a.m.

Hon. Valerie Brown, Assembly Member, 7th 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	Ducheny	Leonard	Richter
Aguiar	Escutia	Machado	Runner
Alquist	Figueroa	Margett	Scott
Aroner	Firestone	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Miller	Takasugi
Battin	Goldsmith	Morrissey	Thompson
Baugh	Granlund	Morrow	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Villaraigosa
Bowler	Honda	Olberg	Vincent
Brewer	House	Oller	Washington
Brown	Kaloogian	Ortiz	Wayne
Caldera	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poohigian	Mr. Speaker
Cunneen	Leach	Prenter	
Davis	Lempert	Pringle	

Quorum present.

At 2:07 p.m., Hon. Bill Leonard, 63rd 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 Alby and Migden.*

(NOTE: For explanations of absences of Assembly Members Alby and Migden 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 10, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to the Assembly Public Employees, Retirement and Social Security Committee replacing Assemblymember Carole Migden for Wednesday, June 11, 1997 only. Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

June 10, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Valerie Brown to the Assembly Education Committee replacing Assemblymember Virginia Strom-Martin for Wednesday, June 11, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

June 11, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Dion Aroner to the Assembly Education Committee replacing Assemblymember Scott Wildman for Wednesday, June 11, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, June 18, 1997**

**TWENTY-FIFTH SESSION DAY**

**ONE HUNDRED FIFTY-SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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 18, 1997

The Assembly met at 7 a.m.

Hon. Bruce Thompson, Assembly Member, 66th 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—77:

Ackerman	Ducheny	Machado	Runner
Aguiar	Escutia	Margett	Scott
Alby	Figueroa	Mazzoni	Shelley
Alquist	Floyd	McClintock	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Ashburn	Gallegos	Miller	Takasugi
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Murray	Torlakson
Baugh	Hertzberg	Napolitano	Villaraigosa
Bordonaro	Honda	Olberg	Vincent
Bowen	House	Oller	Washington
Bowler	Kaloogian	Ortiz	Wayne
Brewer	Keeley	Pacheco	Wildman
Brown	Knox	Papan	Woods
Caldera	Kuehl	Perata	Wright
Campbell	Kuykendall	Poochigian	Mr. Speaker
Cardenas	Leach	Prenter	
Cardoza	Lempert	Pringle	
Davis	Leonard	Richter	

Quorum present.

**At 1:35 p.m., Hon. Jack Scott, 44th 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 Martinez.*

*On personal business, and waiving per diem: Assembly Members Cunneen and Firestone.*

(NOTE: For explanation of absence of Assembly Member Martinez 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 communications were presented by the Speaker, and ordered printed in the Journal:

June 15, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am removing Assemblymember Antonio Villaraigosa from the Assembly Health Committee at his request.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

June 16, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Marilyn Brewer to the Assembly Revenue and Taxation Committee replacing Assemblymember Gary Miller for today, Monday, June 16, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

June 17, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am removing Assemblymember Don Perata from the Assembly Agriculture Committee and the Assembly Governmental Organization Committee at his request.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

June 18, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Robert Hertzberg to the Assembly Judiciary Committee to replace Assemblymember Diane Martinez for today, June 18, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned, until 9 a.m., Thursday, June 19, 1997, or upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, June 19, 1997**

**TWENTY-SIXTH SESSION DAY**

**ONE HUNDRED FIFTY-SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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, June 19, 1997

The Assembly met at 10:44 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called, and the following answered to their names—78:

Ackerman	Davis	Lempert	Richter
Aguiar	Ducheny	Leonard	Runner
Alby	Escutia	Machado	Scott
Alquist	Figueroa	Margett	Shelley
Aróner	Firestone	Mazzoni	Strom-Martin
Ashburn	Floyd	McClintock	Sweeney
Baca	Frusetta	Migden	Takasugi
Baldwin	Gallegos	Miller	Thompson
Battin	Goldsmith	Morrissey	Thomson
Baugh	Granlund	Morrow	Torlakson
Bordonaro	Havice	Murray	Villaraigosa
Bowen	Hertzberg	Napolitano	Vincent
Bowler	Honda	Oller	Washington
Brewer	House	Ortiz	Wayne
Brown	Kaloogian	Pacheco	Wildman
Caldera	Keeley	Papan	Woods
Campbell	Knox	Perata	Wright
Cardenas	Kuehl	Poochigian	Mr. Speaker
Cardoza	Kuykendall	Prenter	
Cunneen	Leach	Pringle	

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*O Lord, You have wisely created and prudently established all things that are. To look around is to see Your goodness; to trust in You is to know Your loving kindness. O Most Merciful One, absolve us from our sins and offenses, from our errors and shortcomings. Make us clean with the cleansing of Your truth. Direct our lives, till we walk in holiness of heart and our works are good and pleasing in Your sight.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Brown 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 Mazzoni, seconded by Assembly Member Baldwin.

**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 Olberg.*

(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 on Wednesday, June 18, 1997; for letter explaining the absence of Assembly Member Olberg 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****THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 6 (Torlakson)**—An act to add Section 1102.6c to the Civil Code, and to add Sections 8589.4 and 51183.5 to the Government Code, relating to real estate.

Bill read third time, and passed by the following vote:

**AYES—73**

Ackerman	Cunneen	Leonard	Scott
Aguiar	Davis	Machado	Shelley
Alby	Ducheny	Margett	Strom-Martin
Alquist	Escutia	Mazzoni	Sweeney
Aroner	Figueroa	McClintock	Takasugi
Ashburn	Firestone	Migden	Thompson
Baca	Floyd	Miller	Thomson
Baldwin	Frusetta	Morrissey	Torlakson
Battin	Goldsmith	Morrow	Villaraigosa
Baugh	Granlund	Murray	Vincent
Bordonaro	Havice	Napolitano	Washington
Bowen	Hertzberg	Ortiz	Wayne
Bowler	Honda	Pacheco	Wildman
Brewer	Keeley	Papan	Woods
Brown	Knox	Perata	Wright
Caldera	Kuehl	Poohugian	Mr. Speaker
Campbell	Kuykendall	Prenter	
Cardenas	Leach	Pringle	
Cardoza	Lempert	Runner	

**NOES—None**

Bill ordered transmitted to the Senate.

**MOTION TO ADJOURN**

At 10:45 a.m., Assembly Member Villaraigosa moved that the Assembly do now adjourn the First Extraordinary Session.

Assembly Member Baca seconded the motion.

**Parliamentary Inquiry**

Assembly Member Pringle arose to the following parliamentary inquiry:

Is it not true that all business to be conducted in the Extraordinary Session can occur only if the Assembly is convened in Extraordinary Session?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative.

**Parliamentary Inquiry**

Assembly Member Pringle arose to the following parliamentary inquiry:

When did the House last convene in Floor session in the First Extraordinary Session?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that the Assembly last convened in Floor session in the First Extraordinary Session on February 14, 1997.

**Parliamentary Inquiry**

Assembly Member Pringle arose to the following parliamentary inquiry:

Did Assembly Members Wayne and Oller make requests of the Chair to take up matters in the First Extraordinary Session?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the negative.

**Point of Order**

Assembly Member Villaraigosa arose to the following point of order:

The motion to adjourn is not debatable, and Assembly Member Pringle is debating the motion to adjourn.

**Ruling by Speaker pro Tempore Kuehl**

The Speaker pro Tempore ruled the point of order well-taken that the motion to adjourn is not debatable, but stated that Assembly Member Pringle had arisen to a parliamentary inquiry.

**Parliamentary Inquiry**

Assembly Member Pringle arose to the following parliamentary inquiry:

Would Members not vote "No" on a motion to adjourn, to permit Assembly Members Wayne and Oller to take up matters in the First Extraordinary Session?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied in the affirmative.

**Parliamentary Inquiry**

Assembly Member Woods arose to the following parliamentary inquiry:

Are Members permitted to speak on condition of the file after the motion to adjourn has been made and seconded?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that Members may speak on condition of the file prior to the vote on the motion to adjourn.

**Remarks on Condition of the File**

Assembly Member Oller arose to speak on the condition of the file.

**Parliamentary Inquiry**

Assembly Member McClintock arose to the following parliamentary inquiry:

What is the maximum period of time that the Extraordinary Session may be in recess before it must be reconvened under the Constitution, or dissolved?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that pursuant to the Constitution the Assembly may not recess the Extraordinary Session for more than 10 days, without consent of the other House.

**Motion to Adjourn Until June 23, 1997**

Assembly Member McClintock moved that the Assembly adjourn the First Extraordinary Session until Monday, June 23, 1997.

**Motion Ruled Out of Order**

Speaker pro Tempore Kuehl ruled that although the motion by Assembly Member McClintock is in order under Mason's, under the Assembly Rules which take precedence, the motion to adjourn takes precedence over a motion to adjourn to a certain time.

**Parliamentary Inquiry**

Assembly Member McClintock arose to the following parliamentary inquiry:

When will the House reconvene the First Extraordinary Session, and will the membership be advised?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that the First Extraordinary Session would reconvene within the next 10 days pursuant to the Constitution, and that the request would be made of the Speaker that the membership be advised.

**Motion to Reconsider Assembly Bill No. 6  
on Next Legislative Day**

Assembly Member Bordonaro moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 6 was this day passed.

**Motion Ruled Out of Order**

Speaker pro Tempore Kuehl ruled the Bordonaro motion to reconsider out of order pursuant to Assembly Rule 100, as the motion to adjourn takes precedence.

**Remarks on Condition of the File**

Assembly Member Pringle arose to speak on the condition of the file.

**Further Consideration of Villaraigosa Motion to Adjourn**

The question being on the Villaraigosa motion to adjourn the First Extraordinary Session.

Motion carried by the following vote:

**AYES—40**

Alquist	Escutia	Lempert	Strom-Martin
Aroner	Figueroa	Mazzoni	Sweeney
Baca	Floyd	Migden	Thomson
Bowen	Gallegos	Murray	Torlakson
Brown	Havice	Napolitano	Villaraigosa
Caldera	Hertzberg	Ortiz	Vincent
Cardenas	Honda	Papan	Washington
Cardoza	Keeley	Perata	Wildman
Davis	Knox	Scott	Wright
Ducheny	Kuehl	Shelley	Mr. Speaker

**NOES—35**

Ackerman	Brewer	Kuykendall	Pacheco
Aguiar	Campbell	Leach	Poochigian
Alby	Cunneen	Leonard	Prenter
Ashburn	Firestone	Margett	Pringle
Baldwin	Frusetta	McClintock	Runner
Battin	Goldsmith	Miller	Takasugi
Baugh	Granlund	Morrissey	Thompson
Bordonaro	House	Morrow	Woods
Bowler	Kaloogian	Oller	

**VOTE ADDS**

The following Assembly Member was granted unanimous consent to record his vote on the following item:

**Assembly Bill No. 6:** Bordonaro—Aye.

**ADJOURNMENT**

At 10:56 a.m., pursuant to the motion by Assembly Member Villaraigosa the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, June 26, 1997**

**TWENTY-SEVENTH SESSION DAY  
ONE HUNDRED SIXTY-FOURTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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(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, June 26, 1997

The Assembly met at 10:23 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called, and the following answered to their names—78:

Ackerman	Davis	Machado	Richter
Aguiar	Ducheny	Margett	Runner
Alby	Escutia	Martinez	Scott
Alquist	Figueroa	Mazzoni	Shelley
Aroner	Firestone	McClintock	Strom-Martin
Ashburn	Frusetta	Migden	Sweeney
Baca	Gallegos	Miller	Takasugi
Baldwin	Goldsmith	Morrissey	Thompson
Battin	Granlund	Morrow	Thomson
Baugh	Havice	Murray	Torlakson
Bordonaro	Hertzberg	Napolitano	Villaraigosa
Bowen	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Caldera	Knox	Papan	Woods
Campbell	Kuehl	Perata	Wright
Cardenas	Leach	Poochigian	Mr. Speaker
Cardoza	Lempert	Prenter	
Cunneen	Leonard	Pringle	

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*Lord, Even as our forefathers devoutly called upon You in faith and in truth, help us to be obedient to Your will and to Your almighty and glorious Name. Shelter us by Your mighty hand, and save us from all wrongdoing with Your outstretched arm. Deliver us from those who hate us without cause, granting peace and concord to us and to all mankind.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Martinez 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 Napolitano, seconded by Assembly Member Oller.

**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 Floyd and Kuykendall.*

(NOTE: For explanations of absences of Assembly Members Floyd 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 communications were presented by the Speaker, and ordered printed in the Journal:

June 23, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Dennis Cardoza to the Assembly Governmental Organization Committee effective today, June 23, 1997.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

June 23, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Rico Oller to the Assembly Governmental Organization Committee to replace Assemblymember Jim Battin for today, June 23, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

June 23, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Steve Baldwin to the Assembly Revenue and Taxation Committee replacing Assemblymember Gary Miller for today, Monday, June 23, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

June 24, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to the Assembly Health Committee for today, June 24, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

June 25, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to the Assembly Health Committee effective immediately.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

June 25, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Howard Kaloogian to the Assembly Labor and Employment Committee replacing Assemblymember Gary Miller for Wednesday, June 25, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

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The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

June 23, 1997

*Dotson Wilson*  
*Chief Clerk of the Assembly*  
*Room 3196*  
*State Capitol*  
*Sacramento, California*

Dear Mr. Wilson: Please be advised that I withhold unanimous consent to conducting any order of business if the Assembly convenes a check-in session in the First Extraordinary Session, beginning today.

Sincerely,

Curt Pringle  
 Assembly Republican Leader

**NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 7  
 FROM COMMITTEE**

Pursuant to the provisions of Assembly Rule 96, Assembly Member Oller gave notice that he would move to withdraw Assembly Bill No. 7 from the Committee on Appropriations.

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Assembly Member Wayne was granted unanimous consent that the following communication be printed in the Journal:

June 26, 1997

*The Honorable Cruz Bustamante  
Speaker, California State Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Speaker Bustamante: I would like to commemorate and thank the San Diego SuperComputer Center for their enormous contributions to the State during our recent flooding.

Winter storms during the first part of the new year have devastated large portions of California. States of emergency have been declared in more than 40 (out of 58) California counties. The California Resources Agency (CRA) is the agency responsible for providing electronic information on the floods; it is headquartered in Sacramento, in the middle of the flooding regions. When the storms put CRA at risk of flooding, the San Diego SuperComputer Center (SDSC) stepped in and assisted with a contingency plan.

The SDSC is one of four national facilities established by the National Science Foundation to advance basic science and engineering research and industrial competitiveness through the effective application of high-performance computational technologies.

The onset of storms requires the compilation of storm and flood conditions data by CRA. This information is disseminated to the public and is critical to public safety. CRA has developed a system called the California Environmental Resources Evaluation System (CERES) to provide electronic data describing California's environment from many contributors. With January's extreme conditions, there was concern for the systems viability in the event Sacramento went under water. SDSC expediently established a mirror to the CRA's CERES site to handle the emergency situation.

CERES data includes bulletins; emergency assistance, preparedness and recovery; emergency declarations from the governor's office; images, including some from NASA, hydrologic data; media coverage; road, snow and weather conditions; and Sacramento-San Joaquin Delta atlas from the California Department of Water Resources.

While flooding caused by the storms was a primary concern, there was also a risk that the CERES site would become flooded with hits from interested Web users. Because this could be anticipated, CRA was working with SDSC for the purpose of warehousing CERES data on SDSC information archives. The onslaught of flooding required immediate action. SDSC responded and quickly undertook successful completion of the contingency plan.

Through the efforts of SDSC's John Helly, Jeff Makey, Chris Daharsh, Mike Vildibill, Don Doering, and others at SDSC, a Web server was made available as well as disk space to store more than four gigabytes of CERES data. The SDSC-based CERES Web server is on-line at <http://ceres.sdsc.edu/> with links still pointing to the original CERES site.

Thank you to the professionals at SDSC for providing us with peace of mind had the worst-case scenario become reality. Fortunately, thus far, the floods have not invaded the CRA offices.

Sincerely,

HOWARD WAYNE  
DENISE MORENO DUCHENY  
BRUCE THOMPSON  
HOWARD KALOOGIAN

BILL MORROW  
SUSAN DAVIS  
JAN GOLDSMITH  
STEVE BALDWIN

#### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 10—Machado.** An act to amend Section 8690.6 of the Government Code, relating to disaster assistance.

**ASSEMBLY BILL NO. 11—Poochigian.** An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

#### MOTION TO ADJOURN

At 10:26 a.m., Assembly Member House moved that the Assembly do now adjourn.

Assembly Member Washington seconded the motion.

Motion carried.

#### ADJOURNMENT

At 10:27 a.m., pursuant to the motion by Assembly Member House the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, July 3, 1997**

**TWENTY-EIGHTH SESSION DAY  
ONE HUNDRED SEVENTY-FIRST CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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(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 3, 1997

The Assembly met at 11:15 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called, and the following answered to their  
names—79:

Ackerman	Davis	Leonard	Pringle
Aguiar	Ducheny	Machado	Richter
Alby	Escutia	Margett	Runner
Alquist	Figueroa	Martinez	Scott
Aroner	Firestone	Mazzoni	Shelley
Ashburn	Floyd	McClintock	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Takasugi
Battin	Goldsmith	Morrissey	Thompson
Baugh	Granlund	Morrow	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Villaraigosa
Bowler	Honda	Olberg	Vincent
Brewer	Kaloogian	Oller	Washington
Brown	Keeley	Ortiz	Wayne
Caldera	Knox	Pacheco	Wildman
Campbell	Kuehl	Papan	Woods
Cardenas	Kuykendall	Perata	Wright
Cardoza	Leach	Poochigian	Mr. Speaker
Cunneen	Lempert	Prenter	

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*Almighty God,* As we prepare to celebrate the independence of this great country, we thank You for Your gift of freedom. All thoughts of freedom, truth and peace proceed from You and we pray that, in the hearts of all people, these things be kindled. Guide those who govern the nations of this earth, so that Your kingdom may go forward, till the earth is filled with the knowledge of Your love.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Lempert 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 Thompson.

**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 House.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

June 27, 1997

*E. Dotson Wilson*

*Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am removing Assemblymember Martha Escutia from the Assembly Labor and Employment Committee at her request. This request is effective immediately.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

June 30, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember George Runner to the Assembly Elections, Reapportionment and Constitutional Amendments Committee to replace Assemblymember Bruce Thompson for today, June 30, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

June 30, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Larry Bowler to the Assembly Governmental Organization Committee to replace Assemblymember Jim Battin for today, June 30, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

June 30, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Dick Ackerman to the Assembly Elections, Reapportionment and Constitutional Amendments Committee to replace Assemblymember Tom Bordonaro for today, June 30, 1997 only.

Thank your for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

July 1, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Jim Battin to the Assembly Water, Parks and Wildlife Committee to replace Assemblymember Bruce Thompson for today, July 1, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

July 1, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Rod Wright to the Assembly Insurance Committee for today, July 1, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

July 2, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to the Assembly Judiciary Committee to replace Assemblymember Dick Floyd for today, July 2, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

July 3, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to the Assembly Judiciary Committee to replace Assemblymember Dick Floyd.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

July 3, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Martin Gallegos to the Assembly Utilities and Commerce Committee. This appointment is effective immediately.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**CONSIDERATION OF DAILY FILE**  
**UNFINISHED BUSINESS**  
**MOTION TO WITHDRAW ASSEMBLY BILL NO. 7**  
**FROM COMMITTEE**

In compliance with a notice given on a previous day, Assembly Member Oller moved that Assembly Bill No. 7 be withdrawn from the Committee on Appropriations.

Assembly Member Pringle seconded the motion.

**Point of Order**

Assembly Member Villaraigosa arose to the following point of order:

Assembly Member Oller is not limiting debate to the merits of the motion to withdraw Assembly Bill No. 7 from committee.

**Ruling by Speaker pro Tempore Kuehl**

The Speaker pro Tempore ruled the point of order well-taken.

**Point of Order**

Assembly Member Kaloogian arose to the following point of order:

Assembly Member Migden is not limiting debate to the merits of the motion to withdraw Assembly Bill No. 7 from committee.

**Ruling by Speaker pro Tempore Kuehl**

The Speaker pro Tempore ruled the point of order well-taken.

The question being on the Oller motion to withdraw Assembly Bill No. 7 from the Committee on Appropriations.

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, 11:20 a.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:

Is the membership of committees established in the First Extraordinary Session the same as the membership of committees in the Regular Session?

**Reply by Speaker pro Tempore Kuehl**

The Speaker pro Tempore replied that the membership of committees is the same in both the Regular Session and the First Extraordinary Session, and that the Daily File is printed upon Call of the Speaker. Therefore, any changes not contained in today's Daily File would be updated for the next printing of the Daily File.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
OLLER MOTION TO WITHDRAW ASSEMBLY BILL NO. 7  
FROM COMMITTEE**

At 11:23 a.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 Oller motion to withdraw Assembly Bill No. 7 from the Committee on Appropriations lost by the following vote:

**AYES—35**

Ackerman	Campbell	Leonard	Poochigian
Aguiar	Cunneen	Margett	Prenter
Ashburn	Firestone	McClintock	Pringle
Baldwin	Frusetta	Miller	Richter
Battin	Goldsmith	Morrissey	Runner
Baugh	Granlund	Morrow	Takasugi
Bordonaro	Kaloogian	Olberg	Thompson
Bowler	Kuykendall	Oller	Woods
Brewer	Leach	Pacheco	

**NOES—39**

Alquist	Escutia	Lempert	Sweeney
Aroner	Figueroa	Martinez	Thomson
Baca	Floyd	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Villaraigosa
Brown	Havice	Murray	Vincent
Caldera	Hertzberg	Napolitano	Wayne
Cardenas	Honda	Ortiz	Wildman
Cardoza	Keeley	Perata	Wright
Davis	Knox	Scott	Mr. Speaker
Ducheny	Kuehl	Shelley	

**Objection to Vote Adds**

Assembly Member Battin withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on the Oller motion to withdraw Assembly Bill No. 7 from committee.

**MESSAGES FROM THE SENATE**

Senate Chamber, July 3, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 4  
Senate Bill No. 11

GREG P. SCHMIDT, 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. 4**—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 11**—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**MOTION TO ADJOURN**

At 11:24 a.m., Assembly Member Scott moved that the Assembly do now adjourn.

Assembly Member Brewer seconded the motion.

Motion carried.

**ADJOURNMENT**

At 11:25 a.m., pursuant to the motion by Assembly Member Scott the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, July 8, 1997**

**TWENTY-NINTH SESSION DAY  
ONE HUNDRED SEVENTY-SIXTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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(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, July 8, 1997

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—80:

Ackerman	Davis	Lempert	Prenter
Aguiar	Ducheny	Leonard	Pringle
Alby	Escutia	Machado	Richter
Alquist	Figueroa	Margett	Runner
Aroner	Firestone	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Takasugi
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Villaraigosa
Brewer	House	Olberg	Vincent
Brown	Kaloogian	Oller	Washington
Caldera	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker

Quorum present.

At 1:58 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.

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

July 7, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Martin Gallegos to the Assembly Labor and Employment Committee effective immediately.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

July 8, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Carole Migden to the Assembly Insurance Committee for today, July 8, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

---

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

July 8, 1997

*Mr. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: I will not withhold unanimous consent to the convening of a First Extraordinary Session today, July 8 or Wednesday, July 9.

However, pursuant to my letter of June 23, 1997, I reserve the right to object to the conducting of any order of business if the Assembly convenes a check-in session in the First Extraordinary Session at a future date.

Sincerely,

CURT PRINGLE  
 Assembly Republican Leader

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred to Committee:

*Assembly*

*Bill No.*

*Committee*

**10** ----- G.O.

**11** ----- W.,P. & W.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, July 9, 1997.

---

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, July 9, 1997**

**THIRTIETH SESSION DAY**

**ONE HUNDRED SEVENTY-SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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 9, 1997

The Assembly met at 7 a.m.

Hon. Mike Honda, Assembly Member, 23rd 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—77:

Ackerman	Escutia	Machado	Richter
Aguiar	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Takasugi
Battin	Granlund	Morrissey	Thompson
Baugh	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Villaraigosa
Brewer	House	Olberg	Vincent
Brown	Kaloogian	Oller	Washington
Caldera	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker
Cunneen	Leach	Poochigian	
Davis	Lempert	Prenter	
Ducheny	Leonard	Pringle	

Quorum present.

At 1:50 p.m., Hon. Scott Wildman, 93rd 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 Bowen.*

*On personal business, and waiving per diem: Assembly Member Woods.*

*Because of illness: Assembly Member Alby.*

(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 communication was presented by the Speaker, and ordered printed in the Journal:

July 9, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Steve Baldwin to the Assembly Appropriations Committee to replace Assemblymember Keith Olberg for today, July 9, 1997, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

**ADJOURNMENT**

At 4:10 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, July 14, 1997**

**THIRTY-FIRST SESSION DAY**

**ONE HUNDRED EIGHTY-SECOND CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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, July 14, 1997

The Assembly met at 11:37 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—80:

Ackerman	Davis	Lempert	Prenter
Aguiar	Ducheny	Leonard	Pringle
Alby	Escutia	Machado	Richter
Alquist	Figueroa	Margett	Runner
Aroner	Firestone	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Takasugi
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Villaraigosa
Brewer	House	Olberg	Vincent
Brown	Kaloogian	Oller	Washington
Caldera	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	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.

#### COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

July 14, 1997

*E. Dotson Wilson*

*Chief Clerk of the Assembly*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: Pleased be advised that I am appointing Assemblymember Jan Goldsmith to the Assembly Banking Committee to replace Assemblymember Howard Kaloogian for today, July 14, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

July 14, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Pleased be advised that I am appointing Assemblymember Brett Granlund to the Assembly Utilities and Commerce Committee to replace Assemblymember Barbara Alby for today, July 14, 1997, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

July 14, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Steve Baldwin to the Assembly Revenue and Taxation Committee to replace Assemblymember Howard Kaloogian for today, July 14, 1997, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

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The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

July 11, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that on July 11, 1997, the Assembly Rules Committee adopted the following policy:

The Rules Committee shall approve no mailing done in conjunction with a co-sponsored event if that event is scheduled to occur within 90 days of a statewide general election.

Sincerely,

**DON PERATA**  
Chair, Assembly Rules Committee

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred to Committee:

<i>Senate Bill No.</i>	<i>Committee</i>
<b>4</b> -----	W.,P. & W.
<b>11</b> -----	W.,P. & W.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, July 15, 1997**

**THIRTY-SECOND SESSION DAY  
ONE HUNDRED EIGHTY-THIRD CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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(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, July 15, 1997

The Assembly met at 7 a.m.

Hon. Gary G. Miller, Assembly Member, 60th 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—79:

Ackerman	Davis	Lempert	Preter
Aguiar	Ducheny	Leonard	Richter
Alby	Escutia	Machado	Runner
Alquist	Figueroa	Margett	Scott
Aroner	Firestone	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Takasugi
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Villaraigosa
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Caldera	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker
Cunneen	Leach	Poochigian	

Quorum present.

At 1:15 p.m., Hon. Carl Washington, 52nd 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 Member was granted leave of absence for the day:

*On legislative business: Assembly Member Pringle.*

(NOTE: For explanation of absence of Assembly Member Pringle 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:

July 15, 1997

*Mr. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: I will not withhold unanimous consent to the convening of a First Extraordinary Session today, July 15 or Wednesday, July 16.

However, pursuant to my letter of June 23, 1997, I reserve the right to object to the conducting of any order of business if the Assembly convenes a check-in session in the First Extraordinary Session at a future date.

Sincerely,

CURT PRINGLE  
Assembly Republican Leader

The following communications were presented by the Speaker, and ordered printed in the Journal:

July 15, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Roderick Wright to the Assembly Insurance Committee for today, July 15, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

July 15, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Howard Wayne to replace Assemblymember Dick Floyd on the Assembly Insurance Committee for today, July 15, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**REPORTS OF STANDING COMMITTEES**  
**Committee on Water, Parks and Wildlife**

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 11

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

MACHADO, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: July 15, 1997

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 4

Senate Bill No. 11

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

MACHADO, Chairman

Above bills re-referred to the Committee on Appropriations.

**Committee on Governmental Organization**

Date of Hearing: July 14, 1997

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 10

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

BROWN, Chairwoman

Above bill ordered to second reading.

**ADJOURNMENT**

At 4:35 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, July 16, 1997**

**THIRTY-THIRD SESSION DAY**

**ONE HUNDRED EIGHTY-FOURTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(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 16, 1997

The Assembly met at 7 a.m.

Hon. Louis J. Papan, Assembly Member, 19th 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—77:

Ackerman	Escutia	Machado	Runner
Aguiar	Figueroa	Margett	Scott
Alquist	Firestone	Martinez	Shelley
Aroner	Floyd	Mazzoni	Strom-Martin
Ashburn	Frusetta	McClintock	Sweeney
Baca	Gallegos	Migden	Takasugi
Baldwin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Villaraigosa
Bowler	Honda	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Ortiz	Wayne
Caldera	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	
Davis	Lempert	Pringle	
Ducheny	Leonard	Richter	

Quorum present.

At 10:05 a.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 Member Oller.*

*On personal business, and waiving per diem: Assembly Members Alby and Battin.*

(NOTE: For explanation of absence of Assembly Member Oller 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 16, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Lou Papan to replace Assemblymember Jack Scott on the Assembly Public Employees, Retirement and Social Security Committee for today, July 16, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

July 16, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to replace Assemblymember Antonio Villarigosa on the Assembly Appropriations Committee for today, July 16, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

July 16, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember George Runner to replace Assemblymember Barbara Alby on the Assembly Judiciary Committee for today, July 16, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

July 16, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Bill Campbell to replace Assemblymember Barbara Alby on the Assembly International Trade and Development Committee for today, July 16, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

July 16, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Virginia Strom-Martin to the Assembly Agriculture Committee for today, July 16, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

July 16, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Larry Bowler to replace Assemblymember Jim Battin on the Assembly Agriculture Committee for today, July 16, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

**CONSIDERATION OF DAILY FILE**  
**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 10**—An act to amend Section 8690.6 of the Government Code, relating to disaster assistance.

Bill read second time; amendments proposed by the Committee on Government Organization read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 16, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 10

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: July 16, 1997

Mr. Speaker: Your Committee on Appropriations reports:  
Assembly Bill No. 10

With amendments with the recommendation: Amend, and do pass, as amended.

MIGDEN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Appropriations reports:  
Senate Bill No. 4  
Senate Bill No. 11

With amendments with the recommendation: Amend, and do pass, as amended.

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: July 16, 1997

Mr. Speaker: Your Committee on Appropriations reports:  
Assembly Bill No. 11

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JULY 16, 1997**

The following measures were amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>
10	9718671

<b>Daily Total:</b>	<b>1</b>
<b>Cumulative Total:</b>	<b>6</b>

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, July 17, 1997**

**THIRTY-FOURTH SESSION DAY  
ONE HUNDRED EIGHTY-FIFTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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**NOTE:** Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(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 17, 1997

The Assembly met at 9:38 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Ackerman	Escutia	Machado	Richter
Aguiar	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Takasugi
Battin	Granlund	Morrissey	Thompson
Baugh	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Murray	Torlakson
Bowen	Honda	Napolitano	Villaraigosa
Bowler	House	Olberg	Vincent
Brewer	Kaloogian	Oller	Washington
Brown	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker
Davis	Lempert	Prenter	
Ducheny	Leonard	Pringle	

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 Alby and Caldera.*

**COMMUNICATIONS**

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

July 17, 1997

*E. Dotson Wilson*  
*Chief Clerk, State Assembly*  
*State Capitol, Room 3196*

Dear Mr. Wilson,

Please be advised that I am withdrawing my objection to going into the First Extraordinary Session today for the purposes of going to Second Reading to allow for the processing of amendments.

Sincerely,

CURT PRINGLE  
 Assembly Republican Leader

The following communication was presented by the Speaker, and ordered printed in the Journal:

July 17, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Carole Migden to the Assembly Banking and Finance Committee to replace Assemblymember Louis Caldera for today, July 17, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

**CONSIDERATION OF DAILY FILE****SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 10**—An act to amend Section 8690.6 of the Government Code, relating to disaster assistance.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 11**—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 4**—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 11**—An act relating to water, 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.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 17, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 11

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

**ADJOURNMENT**

At 4:05 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JULY 17, 1997**

The following measures were amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>
10	9718827

<b>SB</b>	<b>RN</b>
4	9717846
11	9717875

<b>Daily Total:</b>	<b>3</b>
<b>Cumulative Total:</b>	<b>9</b>

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, July 18, 1997**

**THIRTY-FIFTH SESSION DAY**

**ONE HUNDRED EIGHTY-SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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, July 18, 1997

The Assembly met at 8:34 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—74:

Ackerman	Figueroa	Machado	Runner
Aguiar	Firestone	Margett	Scott
Alquist	Floyd	Martinez	Shelley
Aroner	Fruetta	Mazzoni	Strom-Martin
Ashburn	Gallegos	McClintock	Sweeney
Baca	Goldsmith	Migden	Takasugi
Baldwin	Granlund	Morrissey	Thompson
Battin	Havice	Murray	Thomson
Baugh	Hertzberg	Napolitano	Torlakson
Bordonaro	Honda	Olberg	Villaraigosa
Bowen	House	Oller	Vincent
Bowler	Kaloogian	Ortiz	Washington
Brewer	Keeley	Pacheco	Wayne
Brown	Knox	Papan	Wildman
Cardenas	Kuehl	Perata	Woods
Cunneen	Kuykendall	Poochigian	Wright
Davis	Leach	Prenter	Mr. Speaker
Ducheny	Lempert	Pringle	
Escutia	Leonard	Richter	

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 Cardoza, Miller, and Morrow.*

*On personal business, and waiving per diem: Assembly Members Alby, Caldera, and Campbell.*

(NOTE: For explanations of absences of Assembly Members Cardoza, Miller, and Morrow 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:

July 18, 1997

*Mr. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: I will not withhold unanimous consent to the convening of a First Extraordinary Session today, July 18, 1997.

However, pursuant to my letter of June 23, 1997, I reserve the right to object to the conducting of any order of business if the Assembly convenes a check-in session of the First Extraordinary Session at a future date.

Sincerely,

**CURT PRINGLE**  
Assembly Republican Leader

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 18, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 10

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

**CONSIDERATION OF DAILY FILE  
ASSEMBLY BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

**Assembly Bill No. 10**, ordered to third reading.

**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. 4 and 11**, ordered to third reading.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, July 21, 1997**

**THIRTY-SIXTH SESSION DAY**

**ONE HUNDRED EIGHTY-NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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, July 21, 1997

The Assembly met at 4:23 p.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

#### ROLL CALL

The roll was called, and the following answered to their names— 78:

Ackerman	Ducheny	Leonard	Richter
Aguar	Escutia	Machado	Runner
Alby	Figueroa	Martinez	Scott
Alquist	Firestone	Mazzoni	Shelley
Aroner	Floyd	McClintock	Strom-Martin
Ashburn	Frusetta	Migden	Sweeney
Baca	Gallegos	Miller	Takasugi
Baldwin	Goldsmith	Morrissey	Thompson
Battin	Granlund	Morrow	Thomson
Baugh	Havice	Murray	Torlakson
Bordonaro	Hertzberg	Napolitano	Villaraigosa
Bowler	Honda	Olberg	Vincent
Brewer	House	Oller	Washington
Brown	Kalোগian	Ortiz	Wayne
Caldera	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	
Davis	Lempert	Pringle	

#### PRAYER

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Assembly Member Lynne C. Leach, of the 15th Assembly District:

*Heavenly Father,* We ask Your blessing on all assembled here today and on the work with Your help and guidance we will do for the good and welfare of others. Give to all public servants eyes to behold Your truth, a seeing sense to know what is right, the courage to do what is right and the genuine concern for the good of others. In Your goodness and love grant these blessing . . . and may You bless our nation, our state, our counties, our neighborhoods and our homes through the service we render in Your strength and guidance.—AMEN.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Strom-Martin 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 Havice, seconded by Assembly Member Kuykendall.

**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 Margett.*

*Because of illness: Assembly Member Bowen.*

(NOTE: For explanation of absence of Assembly Member Margett 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. 11 (Poochigian)**—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, and adopted by the following vote:

**AYES—77**

Ackerman	Escutia	Machado	Runner
Aguiar	Figueroa	Martinez	Scott
Alby	Firestone	Mazzoni	Shelley
Alquist	Floyd	McClintock	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Ashburn	Gallegos	Miller	Takasugi
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Murray	Torlakson
Baugh	Hertzberg	Napolitano	Villaraigosa
Bordonaro	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	
Davis	Lempert	Pringle	
Ducheny	Leonard	Richter	

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—77**

Ackerman	Escutia	Machado	Runner
Aguiar	Figueroa	Martinez	Scott
Alby	Firestone	Mazzoni	Shelley
Alquist	Floyd	McClintock	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Ashburn	Gallegos	Miller	Takasugi
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Murray	Torlakson
Baugh	Hertzberg	Napolitano	Villaraigosa
Bordonaro	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poohigian	Mr. Speaker
Cunneen	Leach	Prenter	
Davis	Lempert	Pringle	
Ducheny	Leonard	Richter	

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 10 (Machado)**—An act to amend Section 8690.6 of the Government Code, relating to disaster assistance.

Bill read third time, and passed by the following vote:

**AYES—77**

Ackerman	Escutia	Machado	Runner
Aguiar	Figueroa	Martinez	Scott
Alby	Firestone	Mazzoni	Shelley
Alquist	Floyd	McClintock	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Ashburn	Gallegos	Miller	Takasugi
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Murray	Torlakson
Baugh	Hertzberg	Napolitano	Villaraigosa
Bordonaro	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poohigian	Mr. Speaker
Cunneen	Leach	Prenter	
Davis	Lempert	Pringle	
Ducheny	Leonard	Richter	

**NOES—None**

Bill ordered transmitted to the Senate immediately.

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 4 (Costa)**—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Poochigian.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—77**

Ackerman	Escutia	Machado	Runner
Aguar	Figueroa	Martinez	Scott
Alby	Firestone	Mazzoni	Shelley
Alquist	Floyd	McClintock	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Ashburn	Gallegos	Miller	Takasugi
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Murray	Torlakson
Baugh	Hertzberg	Napolitano	Villaraigosa
Bordonaro	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	
Davis	Lempert	Pringle	
Ducheny	Leonard	Richter	

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

Ackerman	Escutia	Machado	Runner
Aguar	Figueroa	Martinez	Scott
Alby	Firestone	Mazzoni	Shelley
Alquist	Floyd	McClintock	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Ashburn	Gallegos	Miller	Takasugi
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Murray	Torlakson
Baugh	Hertzberg	Napolitano	Villaraigosa
Bordonaro	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	
Davis	Lempert	Pringle	
Ducheny	Leonard	Richter	

**NOES—None**

Bill ordered transmitted to the Senate immediately.

**SENATE BILL NO. 11 (Maddy)**—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Machado.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—77**

Ackerman	Escutia	Machado	Runner
Aguiar	Figueroa	Martinez	Scott
Alby	Firestone	Mazzoni	Shelley
Alquist	Floyd	McClintock	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Ashburn	Gallegos	Miller	Takasugi
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Murray	Torlakson
Baugh	Hertzberg	Napolitano	Villaraigosa
Bordonaro	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poohigian	Mr. Speaker
Cunneen	Leach	Prenter	
Davis	Lempert	Pringle	
Ducheny	Leonard	Richter	

**NOES—None**

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—77**

Ackerman	Escutia	Machado	Runner
Aguiar	Figueroa	Martinez	Scott
Alby	Firestone	Mazzoni	Shelley
Alquist	Floyd	McClintock	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Ashburn	Gallegos	Miller	Takasugi
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Murray	Torlakson
Baugh	Hertzberg	Napolitano	Villaraigosa
Bordonaro	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poohigian	Mr. Speaker
Cunneen	Leach	Prenter	
Davis	Lempert	Pringle	
Ducheny	Leonard	Richter	

**NOES—None**

Bill ordered transmitted to the Senate immediately.

**MOTION TO ADJOURN**

At 4:29 p.m., Assembly Member Machado moved that the Assembly do now adjourn.

Assembly Member Poohigian seconded the motion.

Motion carried.

**ADJOURNMENT**

At 4:30 p.m., pursuant to the motion by Assembly Member Machado the Assembly adjourned to reconvene upon Call of the Speaker.

---

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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Thursday, July 31, 1997  
THIRTY-SEVENTH SESSION DAY  
ONE HUNDRED NINETY-NINTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

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Vol. 6 46—716

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, July 31, 1997

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—68:

Ackerman	Figueroa	Leonard	Pringle
Aguiar	Firestone	Machado	Runner
Alquist	Floyd	Margett	Scott
Aroner	Frusetta	Martinez	Shelley
Ashburn	Gallegos	Mazzoni	Strom-Martin
Baca	Goldsmith	McClintock	Sweeney
Baldwin	Granlund	Miller	Takasugi
Battin	Havice	Morrissey	Thompson
Baugh	Hertzberg	Morrow	Thomson
Bordonaro	Honda	Napolitano	Torlakson
Bowen	House	Olberg	Villaraigosa
Bowler	Kaloogian	Ortiz	Vincent
Cardenas	Keeley	Pacheco	Washington
Cardoza	Knox	Papan	Wayne
Davis	Kuykendall	Perata	Wildman
Ducheny	Leach	Poochigian	Woods
Escutia	Lempert	Prenter	Mr. Speaker

Quorum present.

**At 12:05 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 Members Alby, Brewer, Brown, Caldera, \* Cunneen, Migden, Murray, Oller, Richter, and Wright.*

(NOTE: \* Per diem waived during period of 1997 Budget delay. See Assembly Journal, page 3267.)

*On legislative business, and waiving per diem: Assembly Member Campbell.*

*On personal business, and waiving per diem: Assembly Member Kuehl.*

(NOTE: For explanations of absences of Assembly Members Alby, Brewer, Brown, Caldera, Cunneen, Migden, Murray, Oller, Richter, and Wright 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 Chief Clerk, and ordered printed in the Journal:

July 31, 1997

*E. Dotson Wilson*  
*Chief Clerk, State Assembly*  
*State Capitol, Room 3196*

Dear Dotson,

Please be advised that I withdraw my objection to going into the First Extraordinary Session for the limited purpose of allowing a check-in session today.

Sincerely,

**CURT PRINGLE**  
Assembly Republican Leader

The following communications were presented by the Speaker, and ordered printed in the Journal:

July 23, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to replace Assemblymember Don Perata on the Assembly Appropriations Committee for today, July 23, 1997, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

July 23, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Liz Figueroa to replace Assemblymember Antonio Villaraigosa on the Assembly Appropriations Committee for today, July 23, 1997, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

July 23, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Howard Wayne to the Assembly Judiciary Committee to replace Assemblymember Fred Keeley for today, July 23, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

July 30, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Martin Gallegos to replace Assemblymember Antonio Villaraigosa on the Assembly Appropriations Committee for today, July 30, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

July 30, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Robert Hertzberg to replace Assemblymember Don Perata on the Assembly Appropriations Committee for today, July 30, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

July 30, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to replace Assemblymember Sheila Kuehl on the Assembly Appropriations Committee for today, July 30, 1997, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

**ADJOURNMENT**

At 3:46 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, August 5, 1997**

**THIRTY-EIGHTH SESSION DAY  
TWO HUNDRED FOURTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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(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 5, 1997

The Assembly met at 7 a.m.

Hon. Louis Caldera, Assembly Member, 46th 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—68:

Ackerman	Cunneen	Kuehl	Poochigian
Agurar	Davis	Kuykendall	Prenter
Alquist	Ducheny	Leach	Pringle
Ashburn	Escutia	Leonard	Runner
Baca	Figueroa	Machado	Scott
Baldwin	Firestone	Margett	Strom-Martin
Battin	Floyd	Martinez	Sweeney
Baugh	Frusetta	Mazzoni	Takasugi
Bordonaro	Gallegos	McClintock	Thompson
Bowen	Granlund	Miller	Torlakson
Bowler	Havice	Morrissey	Villaraigosa
Brewer	Hertzberg	Morrow	Vincent
Brown	Honda	Murray	Wayne
Caldera	House	Napolitano	Wildman
Campbell	Kaloogian	Olberg	Woods
Cardenas	Keeley	Ortiz	Wright
Cardoza	Knox	Pacheco	Mr. Speaker

Quorum present.

At 1:45 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 Aroner, Goldsmith, Migden, Oller, Papan, Perata, Richter, and Washington.*

*On personal business, and waiving per diem: Assembly Members Lempert and Thomson.*

*Because of illness: Assembly Members Alby and Shelley.*

(NOTE: For explanations of absences of Assembly Members Aroner, Goldsmith, Migden, Oller, Papan, Perata, Richter, and Washington 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:

August 5, 1997

*E. Dotson Wilson*  
*Chief Clerk, State Assembly*  
*State Capitol, Room 3196*

Dear Dotson,

Please be advised that I withdraw my objection to going into the First Extraordinary Session for today, solely for the purpose of check-in and to allow Senate messages to be received.

Sincerely,

**CURT PRINGLE**  
Assembly Republican Leader

**MESSAGES FROM THE SENATE**

Senate Chamber, August 4, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

- Senate Bill No. 4
- Senate Bill No. 11

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Senate Chamber, August 4, 1997

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. 2

And respectfully requests the Assembly to concur in said amendments.

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, August 4, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

- Senate Bill No. 6

GREG P. SCHMIDT, 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 amend Section 989 4 of the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

**ADJOURNMENT**

At 4:15 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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**CRUZ M. BUSTAMANTE**, Speaker

**PAM CAVILEER**, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, August 11, 1997**

**THIRTY-NINTH SESSION DAY  
TWO HUNDRED TENTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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(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 11, 1997

The Assembly met at 9:56 p.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called, and the following answered to their names—79:

Ackerman	Davis	Leonard	Pringle
Aguiar	Ducheny	Machado	Richter
Alby	Escutia	Margett	Runner
Alquist	Figueroa	Martinez	Scott
Aroner	Firestone	Mazzoni	Shelley
Ashburn	Floyd	McClintock	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Takasugi
Battin	Goldsmith	Morrissey	Thompson
Baugh	Granlund	Morrow	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Villaraigosa
Bowler	Honda	Olberg	Vincent
Brewer	House	Oller	Washington
Brown	Keeley	Ortiz	Wayne
Caldera	Knox	Pacheco	Wildman
Campbell	Kuehl	Papan	Woods
Cardenas	Kuykendall	Perata	Wright
Cardoza	Leach	Poochigian	Mr. Speaker
Cunneen	Lempert	Prenter	

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*O Lord, Yours is the day and Yours is the night; You have made all the good things of the earth. We ask You this morning, Heavenly Father, to let Your mercies rise upon us together with the daylight. Free us from the darkness and the shadow of death and from every evil thought. For Yours it is to have mercy and to save us, O God, and to You we send up glory, forever.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl Assembly Member Pacheco 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 Brown, seconded by Assembly Member Margett.

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

*The following Assembly Member was excused for the day, and his per diem was waived: Kaloogian.*

**CONSIDERATION OF DAILY FILE  
UNFINISHED BUSINESS****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1 (Cardoza)**—An act to amend Sections 17207 and 24347.5 of, and to add Sections 195.77, 195.78, and 195.79 to, the Revenue and Taxation Code, relating to disaster relief, 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—77**

Ackerman	Ducheny	Margett	Runner
Aguiar	Escutia	Martinez	Scott
Alquist	Figueroa	Mazzoni	Shelley
Aroner	Firestone	McClintock	Strom-Martin
Ashburn	Frusetta	Migden	Sweeney
Baca	Gallegos	Miller	Takasugi
Baldwin	Goldsmith	Morrissey	Thompson
Battin	Granlund	Morrow	Thomson
Baugh	Havice	Murray	Torlakson
Bordonaro	Hertzberg	Napolitano	Villaraigosa
Bowen	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Keeley	Ortiz	Wayne
Brown	Knox	Pacheco	Wildman
Caldera	Kuehl	Papan	Woods
Campbell	Kuykendall	Perata	Wright
Cardenas	Leach	Poochigian	Mr. Speaker
Cardoza	Lempert	Prenter	
Cunneen	Leonard	Pringle	
Davis	Machado	Richter	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2 (Strom-Martin)**—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—71**

Ackerman	Ducheny	Lempert	Prenter
Aguiar	Escutia	Machado	Richter
Alquist	Figueroa	Margett	Scott
Aroner	Firestone	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Takasugi
Bordonaro	Goldsmith	Morrissey	Thomson
Bowen	Granlund	Morrow	Torlakson
Bowler	Havice	Murray	Villaraigosa
Brewer	Hertzberg	Napolitano	Vincent
Brown	Honda	Olberg	Washington
Caldera	House	Oller	Wayne
Campbell	Keeley	Ortiz	Wildman
Cardenas	Knox	Pacheco	Woods
Cardoza	Kuehl	Papan	Wright
Cunneen	Kuykendall	Perata	Mr. Speaker
Davis	Leach	Poochigian	

**NOES—4**

Baldwin	Leonard	McClintock	Thompson
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Above bill ordered enrolled.

**VOTE ADDS**

The following Assembly Member was granted unanimous consent to record his vote on the following item:

**Assembly Bill No. 2, Concurrence:** Papan—Aye.

**RECESS**

By unanimous consent, at 9:59 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

**ADJOURNMENT**

At 2:22 a.m., pursuant to the provisions of Senate Concurrent Resolution No. 1 and Joint Resolution 51, the 1997–98 First Extraordinary Session was adjourned for the 1997 Summer Recess for the same period when the 1997–98 Regular Session is in recess.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, August 25, 1997**

**FORTIETH SESSION DAY**

**TWO HUNDRED TWENTY-FOURTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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 25, 1997

The Assembly met at 11:55 a.m.  
Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called, and the following answered to their names—80:

Ackerman	Davis	Lempert	Prenter
Aguiar	Ducheny	Leonard	Pringle
Alby	Escutia	Machado	Richter
Alquist	Figueroa	Margett	Runner
Aroner	Firestone	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Takasugi
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Villaraigosa
Brewer	House	Olberg	Vincent
Brown	Kaloogian	Oller	Washington
Caldera	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochugian	Mr. Speaker

Quorum present.

#### PRAYER

The following prayer was offered by Speaker pro Tempore Kuehl:

*Dearest Lord,* Eternal Are Your Mercies. 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 Speaker pro Tempore Kuehl, Assembly Member Caldera 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 Thompson.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 14, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1

Assembly Bill No. 2

And reports the same correctly enrolled, and presented to the Governor at 2:30 p.m., August 14, 1997

E. DOTSON WILSON, Chief Clerk

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred to Committee:

*Senate*

*Bill No.*

*Committee*

6 ----- G.O.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Governmental Organization**

Date of Hearing: August 25, 1997

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 6

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

BROWN, Chairwoman

Above bill re-referred to the Committee on Appropriations.

**MOTION TO ADJOURN**

At 11:56 a.m., Assembly Member Thompson moved that the Assembly do now adjourn.

Assembly Member Sweeney seconded the motion.

Motion carried.

**ADJOURNMENT**

At 11:56 a.m., pursuant to the motion by Assembly Member Thompson the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, August 27, 1997**

**FORTY-FIRST SESSION DAY**

**TWO HUNDRED TWENTY-SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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 27, 1997

The Assembly met at 7 a.m.

Hon. Elaine Alquist, Assembly Member, 22nd 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	Ducheny	Lempert	Pringle
Aguiar	Escutia	Leonard	Richter
Alby	Figueroa	Machado	Runner
Alquist	Firestone	Margett	Scott
Aroner	Floyd	Martinez	Shelley
Ashburn	Frusetta	Mazzoni	Strom-Martin
Baca	Gallegos	McClintock	Sweeney
Baldwin	Goldsmith	Migden	Takasugi
Battin	Granlund	Miller	Thompson
Baugh	Havice	Morrissey	Thomson
Bordonaro	Hertzberg	Morrow	Torlakson
Bowen	Honda	Murray	Villaraigosa
Bowler	House	Napolitano	Vincent
Brewer	Kaloogian	Olberg	Washington
Brown	Keeley	Oller	Wayne
Campbell	Knox	Ortiz	Wildman
Cardenas	Kuehl	Pacheco	Woods
Cardoza	Kuykendall	Papan	Wright
Davis	Leach	Poohigian	Mr. Speaker

Quorum present.

At 2:20 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 Members Caldera and Cunneen.*

*Because of illness in their families: Assembly Members Perata and Prenter.*

(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, August 26, 1997; for letter explaining the absence of Assembly Member Cunneen on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

**COMMUNICATIONS**

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

August 27, 1997

*Mr. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: I will not withhold unanimous consent to the convening of a First Extraordinary Session today, August 27, 1997.

However, pursuant to my letter of June 23, 1997, I reserve the right to object to the conducting of any order of business if the Assembly convenes a check-in session in the First Extraordinary Session at a future date.

Sincerely,

CURT PRINGLE, Assembly Member  
Sixty-eighth District

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The following communications were presented by the Speaker, and ordered printed in the Journal:

August 14, 1997

*The Honorable Cruz Bustamante*  
*Speaker of the Assembly*  
*State Capitol Building*  
*Sacramento, California*

Dear Speaker Bustamante: This letter is to notify you that after serving two very event-filled years as the leader of the Assembly Republican Caucus, I am stepping down. My resignation is effective Monday, August 18, 1997. Assemblyman Bill Leonard will assume the position of caucus leader at that time.

It has been a great honor to serve my fellow Assembly Republicans as their political and policy leader. Together, we were able to accomplish a great deal in a relatively short period of time, and I will always be proud of those accomplishments. Likewise I will always treasure the trust and support given to me by my Republican colleagues, as well as the respect and decency offered to me by so many of my Assembly Democrat colleagues.

Sincerely,

CURT L. PRINGLE  
Assembly Republican Leader

August 18, 1997

*The Honorable Cruz Bustamante, Speaker  
California State Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Speaker Bustamante: I hereby appoint as the Republican Rules Committee Members the following members:

The Honorable Fred Aguiar (Rules Vice Chair)  
The Honorable Jim Battin  
The Honorable Brett Granlund  
The Honorable Keith Olberg  
The Honorable Steve Kuykendall (Rules Alternate)

Thank you for your attention to these appointments. Please contact me if you have any comments or questions.

Sincerely,

BILL LEONARD

August 18, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that the new Assembly Republican Leadership team is as follows:

Assistant Republican Leader	Roy Ashburn
Assistant Republican Leader	Tom Bordonaro
Assistant Republican Leader	Bruce Thompson
Caucus Chair	Lynne Leach
Whip	Dick Ackerman
Whip	George Runner

If you have any questions, please do not hesitate to contact me.

Sincerely,

BILL LEONARD  
Assembly Republican Leader

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

August 26, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Robert Hertzberg to the Assembly Judiciary Committee to replace Assemblymember Louis Caldera for today, August 26, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

August 26, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Committee to replace Assemblymember George Runner for today, August 26, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

August 26, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember George House to the Assembly Local Government Committee to replace Assemblymember Steve Kuykendall for today, August 26, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

August 26, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Tom Bordonaro to the Assembly Health Committee to replace Assemblymember Fred Aguiar for today, August 26, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

August 26, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Bernie Richter to the Assembly Insurance Committee to replace Assemblymember Jim Cunneen for today, August 26, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

August 26, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Roy Ashburn to the Assembly Insurance Committee to replace Assemblymember Fred Aguiar for today, August 26, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

August 26, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Wally Knox as Acting Chairman of the Assembly Revenue and Taxation Committee for today, August 26, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

August 26, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Ted Lempert to the Assembly Revenue and Taxation Committee for today, August 26, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

August 27, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember George Runner to the Assembly Appropriations Committee to replace Assemblymember Bruce Thompson for today, August 27, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

August 27, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Liz Figueroa to the Assembly Appropriations Committee to replace Assemblymember Don Perata for today, August 27, 1997, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, September 3, 1997**

**FORTY-SECOND SESSION DAY**

**TWO HUNDRED THIRTY-THIRD CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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, September 3, 1997

The Assembly met at 9 a.m.  
Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Ackerman	Figueroa	Margett	Runner
Aguiar	Firestone	Martinez	Scott
Alquist	Floyd	Mazzoni	Shelley
Aroner	Frusetta	McClintock	Strom-Martin
Ashburn	Gallegos	Migden	Sweeney
Baca	Goldsmith	Miller	Takasugi
Baldwin	Granlund	Morrissey	Thompson
Battin	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Murray	Torlakson
Bowen	Honda	Napolitano	Villaraigosa
Bowler	House	Olberg	Vincent
Brewer	Kaloogian	Oller	Washington
Brown	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker
Davis	Lempert	Prenter	
Ducheny	Leonard	Pringle	
Escutia	Machado	Richter	

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 Alby.*

*On personal business, and waiving per diem: Assembly Member Baugh.*

(NOTE: For letter explaining the absence of Assembly Member Alby on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Friday, August 29, 1997.)

**COMMUNICATIONS**

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

September 3, 1997

*Mr. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: I am withdrawing my withhold of unanimous consent to the convening of a First Extraordinary Session today, and until further notice.

However, pursuant to my letter of June 23, 1997, I reserve the right to object to the conducting of any order of business if the Assembly convenes a check-in session in the First Extraordinary Session at a future date.

Sincerely,

CURT PRINGLE, Assembly Member  
 Sixty-eighth District

September 2, 1997

*The Honorable Cruz Bustamante*  
*Speaker of the Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Speaker Bustamante: As a result of my appointment by President Clinton and confirmation by the U.S. Senate to the position of Managing Director and Chief Operating Officer of the Corporation for National and Community Service, I hereby respectfully submit my resignation as State Assembly Member for the 46th Assembly District, effective upon my acceptance of the federal appointment on September 2, 1997.

Sincerely,

LOUIS CALDERA

September 2, 1997

*The Honorable Pete Wilson*  
*Governor State of California*  
*State Capitol, First Floor*  
*Sacramento, California*

Dear Governor Wilson: Pursuant to the Government Code and on behalf of the Speaker of the Assembly, The Honorable Cruz Bustamante, I am forwarding a letter of resignation from Assembly Member Louis Caldera. It is effective upon his acceptance of the federal appointment on Tuesday, September 2, 1997.

Sincerely,

E. DOTSON WILSON  
 Chief Clerk

The following communication was presented by the Speaker, and ordered printed in the Journal:

August 28, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Don Perata to the Assembly Banking and Finance Committee to replace Assemblymember Louis Caldera for today, August 28, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

### REPORTS OF STANDING COMMITTEES

#### Committee on Appropriations

Date of Hearing: August 28, 1997

Mr. 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.

MIGDEN, Chairwoman

Above bill ordered to second reading.

### MESSAGES FROM THE SENATE

Senate Chamber, September 3, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1

GREG P. SCHMIDT, 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. 1**—An act to add Section 17208 to the Revenue and Taxation Code, relating to disaster relief.

### ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, September 5, 1997**  
**FORTY-THIRD SESSION DAY**  
**TWO HUNDRED THIRTY-FIFTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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 5, 1997

The Assembly met at 5:30 p.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll call was called, and the following answered to their names—78:

Ackerman	Ducheny	Leonard	Pringle
Aguar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Takasugi
Battin	Granlund	Morrissey	Thomson
Baugh	Havice	Morrow	Torlakson
Bordonaro	Hertzberg	Murray	Villaraigosa
Bowen	Honda	Napolitano	Vincent
Bowler	House	Olberg	Washington
Brewer	Kaloogian	Oller	Wayne
Brown	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker
Cunneen	Leach	Poochigian	
Davis	Lempert	Prenter	

Quorum present.

#### PRAYER

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*O God, Look upon our generation and grant that our days be lived in the light of Your transcendent and eternal goodness. Keep us, day by day, close to You, that we may be close to one another. Preserve us from prideful thoughts and from vanity, that with pure purpose and holy illumination we may set forward Your Kingdom of truth and righteousness.—AMEN.*

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Figueroa then led the Assembly in the pledge of allegiance to the Flag.

**MOTION TO DISPENSE WITH READING OF THE JOURNAL**

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Perata, seconded by Assembly Member Battin.

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

*Because of a death in his family: Assembly Member Thompson.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

September 4, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Keith Olberg to the Assembly Water, Parks and Wildlife Committee to replace Assemblymember Bruce Thompson for today, September 4, 1997, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

September 4, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Robert Hertzberg to replace Assemblymember Diane Martinez on the Assembly Appropriations Committee for today, September 4, 1997, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

September 4, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Tom Woods to the Assembly Utilities and Commerce Committee to replace Assemblymember Barbara Alby for today, September 4, 1997 only.

Thank you for your attention to this request.

Sincerely

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

September 5, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember George Runner to replace Assemblymember Bruce Thompson on the Assembly Appropriations Committee for today, September 5, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

September 5, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Keith Olberg to the Assembly Water, Parks and Wildlife Committee to replace Assemblymember Bruce Thompson for today, September 5, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

#### MESSAGES FROM THE SENATE

Senate Chamber, September 2, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 11

GREG P. SCHMIDT, Secretary of the Senate  
 By John W. Rovane, Assistant Secretary

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 6**—An act to amend Section 989.4 of the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

Bill read second time, and ordered to Consent Calendar.

**ADJOURNMENT**

At 5:31 p.m., pursuant to the motion by Assembly Member Shelley, the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, September 8, 1997**  
**FORTY-FOURTH SESSION DAY**  
**TWO HUNDRED THIRTY-EIGHTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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, September 8, 1997

The Assembly met at 11 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—79:

Ackerman	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Takasugi
Battin	Granlund	Morrissey	Thompson
Baugh	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Murray	Torlakson
Bowen	Honda	Napolitano	Villaraigosa
Bowler	House	Olberg	Vincent
Brewer	Kaloogian	Oller	Washington
Brown	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker
Davis	Lempert	Prenter	

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 communication was presented by the Speaker, and ordered printed in the Journal:

September 8, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Keith Olberg to the Assembly Water, Parks and Wildlife Committee to replace Assemblymember Bruce Thompson for today, September 8, 1997, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

**MESSAGES FROM THE SENATE**

Senate Chamber, September 5, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 6

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.

**ADJOURNMENT**

At 8:07 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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**CRUZ M. BUSTAMANTE**, Speaker

**PAM CAVILEER**, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, September 9, 1997**  
**FORTY-FIFTH SESSION DAY**  
**TWO HUNDRED THIRTY-NINTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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, September 9, 1997

The Assembly met at 9 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—79:

Ackerman	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Takasugi
Battin	Granlund	Morrissey	Thompson
Baugh	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Murray	Torlakson
Bowen	Honda	Napolitano	Villaraigosa
Bowler	House	Olberg	Vincent
Brewer	Kaloogian	Oller	Washington
Brown	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker
Davis	Lempert	Prenter	

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 communication was presented by the Speaker, and ordered printed in the Journal:

September 9, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Liz Figueroa to replace Assemblymember Diane Martinez on the Assembly Appropriations Committee for today, September 9, 1997, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 9, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 11

And reports the same correctly enrolled, and presented to the Governor at 10:30 a.m., September 9, 1997

E. DOTSON WILSON, Chief Clerk

**ADJOURNMENT**

At 7:18 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, September 11, 1997**

**FORTY-SIXTH SESSION DAY**

**TWO HUNDRED FORTY-FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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, September 11, 1997

The Assembly met at 11:25 p.m.  
Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called, and the following answered to their names—79:

Ackerman	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Takasugi
Battin	Granlund	Morrissey	Thompson
Baugh	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Murray	Torlakson
Bowen	Honda	Napolitano	Villaraigosa
Bowler	House	Olberg	Vincent
Brewer	Kaloogian	Oller	Washington
Brown	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poohigian	Mr. Speaker
Davis	Lempert	Prenter	

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Don. R. Spradling, Senior Pastor of the Christian Life Church:

*Eternal God,*

We thank You for another day of life and liberty;

Of friends and family; Of faith and hope.

We are a blessed generation! Blessed beyond our merits.

Our parents and theirs have given us a life  
that could only be born in the soil of sweat and tears.

We give thanks for all who have served this State and Nation  
as well as those who fill this noble room today.

We pray for Your wisdom, Your conscience and Your grace  
to bless these public servants  
as they serve our State family and the global village of humanity.

May the lantern of HOPE and HUMAN KINDNESS  
always shine from these noble halls;  
and may these friends pour the oil of love and GOOD WILL  
into the lantern of posterity.

Your servant, Mother Teresa, has left us with many wise and helpful words,

but perhaps none anymore challenging than those spoken to our President, when she said,

“Mr. President, the poorest nation on earth is the nation that will not protect its innocent and help its helpless.”

It is our prayer that our State will be wealthy  
because WE CARE for those who NEED US MOST.

In our pursuit of effective and equitable leadership for our State,  
let us evoke one another to follow You:

The greatest to Know  
The wisest to Follow  
The perfect one to Trust  
The faithful one to Serve  
And the Highest one to LOVE.

May Your presence accompany these devoted leaders of our great State and

May Your grace and love abound in their lives and homes!

We ask these favors in Your Exalted Name.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Migden 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 Scott, seconded by Assembly Member Bordonaro.

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

September 11, 1997

*E. Dotson Wilson*

*Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please list the Televising the Assembly and Information Technology Committee in the Daily File as the Assembly Committee on Information Technology, effective today, September 11, 1997.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

**CONSIDERATION OF DAILY FILE  
UNFINISHED BUSINESS**

**ASSEMBLY BILL NO. 6 (Torlakson)**—An act to amend Section 2079.11 of, and to add Sections 1102.6c and 1102.17 to the Civil Code, to amend Sections 8589.5 and 51178 of, and to, add Sections 8589.4 and 51183.5 to, the Government Code, and to amend Sections 2621.9, 2694, 2696, 4125, and 4136 of the Public Resources Code, relating to real estate.

The question being: Shall the Assembly concur in Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—78**

Ackerman	Ducheny	Machado	Richter
Aguilar	Escutia	Margett	Runner
Alby	Figueroa	Martinez	Scott
Alquist	Firestone	Mazzoni	Shelley
Aroner	Frusetta	McClintock	Strom-Martin
Ashburn	Gallegos	Migden	Sweeney
Baca	Goldsmith	Miller	Takasugi
Baldwin	Granlund	Morrissey	Thompson
Battin	Havice	Morrow	Thomson
Baugh	Hertzberg	Murray	Torlakson
Bordonaro	Honda	Napolitano	Villaraigosa
Bowen	House	Olberg	Vincent
Bowler	Kaloogian	Oller	Washington
Brewer	Keeley	Ortiz	Wayne
Brown	Knox	Pacheco	Wildman
Campbell	Kuehl	Papan	Woods
Cardenas	Kuykendall	Perata	Wright
Cardoza	Leach	Poohigian	Mr. Speaker
Cunneen	Lempert	Prenter	
Davis	Leonard	Pringle	

**NOES—None**

Above bill ordered enrolled.

**CONSIDERATION OF CONSENT CALENDAR**

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

**Consent Calendar—Senate Bill**

**SENATE BILL NO. 6 (Ayala)**—An act to amend Section 989.4 of the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

Bill read third time and passed by the following vote:

**AYES—78**

Ackerman	Ducheny	Machado	Richter
Aguiar	Escutia	Margett	Runner
Alby	Figueroa	Martinez	Scott
Alquist	Firestone	Mazzoni	Shelley
Aroner	Floyd	McClintock	Strom-Martin
Ashburn	Frusetta	Migden	Sweeney
Baca	Goldsmith	Miller	Takasugi
Baldwin	Granlund	Morrissey	Thompson
Battin	Havice	Morrow	Thomson
Baugh	Hertzberg	Murray	Torlakson
Bordonaro	Honda	Napolitano	Villaraigosa
Bowen	House	Olberg	Vincent
Bowler	Kaloogian	Oller	Washington
Brewer	Keeley	Ortiz	Wayne
Brown	Knox	Pacheco	Wildman
Campbell	Kuehl	Papan	Woods
Cardenas	Kuykendall	Perata	Wright
Cardoza	Leach	Poochigian	Mr. Speaker
Cunneen	Lempert	Prenter	
Davis	Leonard	Pringle	

**NOES—None**

Bill ordered transmitted to the Senate.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items:

**Assembly Bill No. 6, Concurrence:** Ducheny, Gallegos, Oller, and Wright—Aye.

**Consent Calendar:** Ducheny and Wright—Aye.

**MOTION TO ADJOURN**

At 11:26 p.m., Assembly Member Havice moved that the Assembly do now adjourn.

Assembly Member Bordonaro seconded the motion.

Motion carried.

**ADJOURNMENT**

At 11:26 p.m., pursuant to the motion by Assembly Member Havice, the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Saturday, September 13, 1997**  
**FORTY-SEVENTH SESSION DAY**  
**TWO HUNDRED FORTY-THIRD CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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  
Saturday, September 13, 1997

The Assembly met at 3:34 a.m.

Hon. Joe Baca, Assistant Speaker pro Tempore 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—78:

Ackerman	Ducheny	Leonard	Richter
Aguiar	Escutia	Machado	Runner
Alby	Figueroa	Margett	Scott
Alquist	Firestone	Martinez	Shelley
Aroner	Floyd	Mazzoni	Strom-Martin
Ashburn	Frusetta	McClintock	Sweeney
Baca	Gallegos	Migden	Takasugi
Baldwin	Goldsmith	Miller	Thompson
Battin	Granlund	Morrissey	Thomson
Baugh	Havice	Morrow	Torlakson
Bordonaro	Hertzberg	Murray	Villaraigosa
Bowen	Honda	Napolitano	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	
Davis	Lempert	Pringle	

Quorum present.

#### PRAYER

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*O Lord, Take Your rightful place in our hearts and reign supreme in our lives. Show us that every wound has a blessing and every scar a remembered grace. Be with us in moments of hard thinking and painful decision-making as well as in times of triumphant joy. Lord, You are the source of our inspiration. May justice and truth be the fruit of our labors.—AMEN.*

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Campbell 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 Ackerman.

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

*Because of a death in his family and waiving per diem: Assembly Member Olberg.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

September 12, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember George Runner to replace Assemblymember Keith Olberg on the Assembly Appropriations Committee for today, September 12, 1997, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

September 12, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Ted Lempert to the Assembly Revenue and Taxation Committee for today, September 12, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

September 12, 1997

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Wally Knox as Chair of the Assembly Revenue and Taxation Committee for today, September 12, 1997, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

**MESSAGES FROM THE SENATE**

Senate Chamber, September 13, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 10

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 SENATE AMENDMENTS TO ASSEMBLY BILL NO. 10 BY UNANIMOUS CONSENT**

Assembly Member Machado was granted unanimous consent to take up Assembly Bill No. 10 without reference to file, for purpose of consideration of Senate amendments.

**ASSEMBLY BILL NO. 10 (Machado)**—An act to amend Section 8690.6 of the Government Code, relating to disaster assistance, 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—77**

Ackerman	Ducheny	Leonard	Runner
Aguiar	Escutia	Machado	Scott
Alby	Figueroa	Margett	Shelley
Alquist	Firestone	Martinez	Strom-Martin
Aroner	Floyd	Mazzoni	Sweeney
Ashburn	Frusetta	McClintock	Takasugi
Baca	Gallegos	Migden	Thompson
Baldwin	Goldsmith	Miller	Thomson
Battin	Granlund	Morrissey	Torlakson
Baugh	Havice	Morrow	Villaraigosa
Bordonaro	Hertzberg	Murray	Vincent
Bowen	Honda	Napolitano	Washington
Bowler	House	Oller	Wayne
Brewer	Kaloogian	Ortiz	Wildman
Brown	Keeley	Pacheco	Woods
Campbell	Knox	Papan	Wright
Cardenas	Kuehl	Perata	Mr. Speaker
Cardoza	Kuykendall	Poochigian	
Cunneen	Leach	Prenter	
Davis	Lempert	Richter	

**NOES—None**

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

Ackerman	Ducheny	Leonard	Runner
Aguiar	Escutia	Machado	Scott
Alby	Figueroa	Margett	Shelley
Alquist	Firestone	Martinez	Strom-Martin
Aroner	Floyd	Mazzoni	Sweeney
Ashburn	Frusetta	McClintock	Takasugi
Baca	Gallegos	Migden	Thompson
Baldwin	Goldsmith	Miller	Thomson
Battin	Granlund	Morrissey	Torlakson
Baugh	Havice	Morrow	Villaraigosa
Bordonaro	Hertzberg	Murray	Vincent
Bowen	Honda	Napolitano	Washington
Bowler	House	Oller	Wayne
Brewer	Kaloogian	Ortiz	Wildman
Brown	Keeley	Pacheco	Woods
Campbell	Knox	Papan	Wright
Cardenas	Kuehl	Perata	Mr. Speaker
Cardoza	Kuykendall	Poochigian	
Cunneen	Leach	Prenter	
Davis	Lempert	Richter	

**NOES—None**

Above bill ordered enrolled.

**VOTE ADDS**

The following Assembly Member was granted unanimous consent to record his vote on the following item:

**Assembly Bill No. 10, Concurrence: Battin—Aye.**

**ADJOURNMENT**

At 3.36 a.m., pursuant to Senate Concurrent Resolution No. 1 (usage and custom) the Assembly adjourned until Monday, January 5, 1998.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 1

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**INTERIM RECESS**

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Assembly Chamber, Sacramento  
October 14, 1997

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1997-98 First Extraordinary Session was printed while the Assembly was in Interim Recess:

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 25, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 6

Assembly Bill No. 10

And reports the same correctly enrolled, and presented to the Governor at 10:30 a.m., September 25, 1997

E. DOTSON WILSON, Chief Clerk

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, January 5, 1998**  
**FORTY-EIGHTH SESSION DAY**  
**THREE HUNDRED FIFTY-SEVENTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, January 5, 1998

The Assembly met at 12:05 p.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Ackerman	Ducheny	Leonard	Pringle
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Alquist	Firestone	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Sweeney
Baldwin	Goldsmith	Miller	Takasugi
Battin	Granlund	Morrissey	Thompson
Baugh	Havice	Morrow	Thomson
Bordonaro	Hertzberg	Murray	Torlakson
Bowen	Honda	Napolitano	Villaraigosa
Bowler	House	Olberg	Washington
Brewer	Kaloogian	Oller	Wayne
Brown	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker
Cunneen	Leach	Poochigian	
Davis	Lempert	Prenter	

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:

*Because of illness: Assembly Member Vincent.*

#### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 12—Baca.** An act relating to disasters.

**ASSEMBLY BILL NO. 13—Baca.** An act to amend Section 8686 of the Government Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

## COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

December 1, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am removing Assemblymember Wally Knox from the Assembly Public Employees, Retirement and Social Security Committee and am appointing Assemblymember Mike Honda to replace him. I also am appointing Assemblymember Honda as Chair of the committee.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

December 8, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am removing Assemblymember Mike Honda from the Assembly Rules Committee and appointing Assemblymember Antonio Villaraigosa to replace him, effective immediately.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

December 24, 1997

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am making the following changes to the following committees:

*Agriculture*

Appointing Assemblymember Kevin Murray to fill the vacancy.

*Appropriations*

Removing Assemblymember Don Perata and appointing Assemblymember Martha Escutia.

*Banking and Finance*

Reducing the size of the committee from 13 members to 11 members, removing Assemblymembers Bill Leonard and Brooks Firestone, appointing Assemblymember Curt Pringle and eliminating the vacancy.

*Budget*

Reducing the size of the committee from 28 members to 25 members. Removing Assemblymembers Antonio Villaraigosa, Bill Leonard, Ted Lempert, Wally Knox and Bill Campbell, appointing Assemblymember Dion Aroner.

*Consumer Protection, Governmental Efficiency and Economic Development*

Appointing Assemblymember George Runner as member and Vice Chair and removing Assemblymember Bill Campbell.

*Education*

Reducing the size of the committee from 21 members to 19 members, removing Assemblymember Bill Leonard and eliminating the vacancy.

*Governmental Organization*

Replacing Assemblymember Tom Bordonaro with Assemblymember Bob Margett as Vice Chair, appointing Assemblymember Curt Pringle and removing Assemblymember Nao Takasugi. (Mr. Bordonaro will remain a member.)

*Health*

Replacing Assemblymember Brett Granlund with Assemblymember Scott Baugh as Vice Chair, appointing Assemblymember Curt Pringle and removing Assemblymember Keith Olberg. (Mr. Granlund will remain a member.)

*Higher Education*

Appointing Assemblymember Tom Torlakson to fill the vacancy.

*Housing and Community Development*

Removing Assemblymember Robert Hertzberg and appointing Assemblymember Dion Aroner.

*Human Services*

Removing Assemblymember Tom Bordonaro and appointing Assemblymember Tom Woods.

*Insurance*

Appointing Assemblymember Dion Aroner to fill the vacancy.

*International Trade and Development*

Removing Assemblymember Barbara Alby and appointing Assemblymember Scott Baugh.

*Judiciary*

Appointing Assemblymember Robert Hertzberg to fill the vacancy.

*Labor and Employment*

Replacing Assemblymember Steven Kuykendall with Assemblymember Rico Oller as Vice Chair. Assemblymember Kuykendall will remain a member.

*Local Government*

Reducing the size of the committee from 15 members to 12 members, removing Assemblymembers Robert Hertzberg, Ted Lempert, Steven Kuykendall and Mike Honda and appointing Assemblymember Don Perata.

*Public Employees, Retirement and Social Security*

Removing Assemblymember Tom McClintock and appointing Assemblymember Rod Pacheco.

*Revenue and Taxation*

Removing Assemblymember Carl Washington and appointing Assemblymember Deborah Ortiz.

*Transportation*

Removing Assemblymembers Robert Prenter and Scott Baugh and appointing Assemblymembers Marilyn Brewer and Nao Takasugi. I am also appointing Assemblymember Marilyn Brewer as the Vice Chair.

*Utilities and Commerce*

Removing Assemblymembers Martin Gallegos, Bill Leonard and Deborah Ortiz and appointing Assemblymembers Ed Vincent, Howard Wayne and Tom Woods. I am also appointing Assemblymember Bill Campbell as Vice Chair.

*Water, Parks and Wildlife*

Removing Assemblymember Tony Cardenas and appointing Assemblymember Martha Escutia. I am also replacing Assemblymember Bob Margett with Assemblymember Bruce Thompson as the Vice Chair. (Mr. Margett will remain a member.)

I am also exchanging the meeting times for the Insurance and Judiciary Committees.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, January 7, 1998**

**FORTY-NINTH SESSION DAY**

**THREE HUNDRED FIFTY-NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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 7, 1998

The Assembly met at 4:26 p.m.

Hon. Cruz M. Bustamante, 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—76:

Ackerman	Ducheny	Machado	Pringle
Aguiar	Escutia	Margett	Richter
Alby	Figueroa	Martinez	Runner
Alquist	Frusetta	Mazzoni	Scott
Aroner	Gallegos	McClintock	Shelley
Ashburn	Goldsmith	Migden	Strom-Martin
Baca	Granlund	Miller	Sweeney
Baldwin	Havice	Morrissey	Takasugi
Battin	Hertzberg	Morrow	Thompson
Baugh	Honda	Murray	Thomson
Bowen	House	Napolitano	Torlakson
Bowler	Kaloogian	Olberg	Villaraigosa
Brewer	Keeley	Oller	Vincent
Brown	Knox	Ortiz	Washington
Campbell	Kuehl	Pacheco	Wayne
Cardenas	Kuykendall	Papan	Wildman
Cardoza	Leach	Perata	Woods
Cunneen	Lempert	Poochigian	Wright
Davis	Leonard	Prenter	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 Floyd.*

*On personal business, and waiving per diem: Assembly Members Bordonaro and Firestone.*

(NOTE: For explanation of absence of Assembly Member Floyd on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**ADJOURNMENT**

At 5:58 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, January 14, 1998**  
**FIFTIETH SESSION DAY**  
**THREE HUNDRED SIXTY-SIXTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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 14, 1998

The Assembly met at 7 a.m.

Hon. Bruce Thompson, Assembly Member, 66th 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	Escutia	Machado	Scott
Aguiar	Figueroa	Martinez	Shelley
Alby	Floyd	Mazzoni	Strom-Martin
Alquist	Frusetta	McClintock	Sweeney
Aroner	Gallegos	Migden	Takasugi
Baca	Goldsmith	Miller	Thompson
Baldwin	Granlund	Morrissey	Thomson
Battin	Havice	Morrow	Torlakson
Baugh	Hertzberg	Murray	Villaraigosa
Bowen	Honda	Napolitano	Vincent
Bowler	House	Olberg	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Prenter	Mr. Speaker
Cunneen	Leach	Pringle	
Davis	Lempert	Richter	
Ducheny	Leonard	Runner	

Quorum present.

**At 1:50 p.m., Assistant 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 Ashburn, Oller, and Poochigian.*

*On personal business, and waiving per diem: Assembly Members Bordonaro and Firestone.*

*Because of illness: Assembly Member Margett.*

(NOTE: For explanations of absences of Assembly Members Ashburn, Oller, and Poochigian 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 6, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am making the following committee changes:

Assembly Judiciary Committee will meet on the 1st and 3rd Tuesday of each month at 9 a.m. in Room 4202.

Assembly Insurance Committee will meet weekly at 9 a.m. on Wednesday in Room 437.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

January 12, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Sheila Kuehl to the Assembly Revenue and Taxation Committee to fill the vacancy for today, January 12, 1998 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

January 12, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to the Assembly Revenue and Taxation Committee to replace Assemblymember Elaine Alquist for today, January 12, 1998 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

January 13, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Tony Cardenas to the Assembly Consumer Protection, Governmental Efficiency and Economic Development Committee to replace Assemblymember Grace Napolitano for today, January 13, 1998, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

January 13, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Ed Vincent to the Assembly Public Safety Committee to replace Assemblymember Grace Napolitano for today, January 13, 1998, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

January 13, 1998

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am removing Assemblymember Lou Papan from the Assembly Utilities and Commerce Committee and replacing him with Assemblymember Tony Cardenas effective immediately.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

January 14, 1998

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Carole Migden to replace Assemblymember Martha Escutia in the Assembly Insurance Committee for today, January 14, 1998 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

January 14, 1998

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Nao Takasugi to the Assembly Local Government Committee to replace Assemblymember Bob Margett for today, January 14, 1998, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

46th ASSEMBLY DISTRICT SPECIAL GENERAL ELECTION  
SEMI-OFFICIAL CANVASS  
January 13, 1998

County Name	Registered Voters	Patrick Westenberg Lib	Gil Cedillo Dem	Andrew Kim Rep	Precincts By County	Precincts Reporting	Total Ballots Cast
LOS ANGELES % by County	64,226	257 2 80%	6,939 75 72%	1,968 21 48%	47	100 00%	9,482 14 76%
DISTRICT TOTAL % by County	64,226	257 2 80%	6,939 75 72%	1,968 21 48%	47	100 00%	9,482 14 76%

**ADJOURNMENT**

At 4:40 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, January 16, 1998**

**FIFTY-FIRST SESSION DAY**

**THREE HUNDRED SIXTY-EIGHTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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, January 16, 1998

The Assembly met at 9:05 a.m.

Hon. Carl Washington, Assembly Member, 52nd 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—71:

Ackerman	Ducheny	Leonard	Richter
Aguar	Escutia	Machado	Runner
Alby	Figueroa	Martinez	Scott
Alquist	Floyd	Mazzoni	Shelley
Aroner	Gallegos	McClintock	Strom-Martin
Ashburn	Goldsmith	Migden	Sweeney
Baca	Granlund	Miller	Takasugi
Baldwin	Havice	Morrissey	Thompson
Baugh	Hertzberg	Murray	Thomson
Bordonaro	Honda	Napolitano	Torlakson
Bowler	House	Olberg	Villaraigosa
Brown	Kaloogian	Oller	Vincent
Campbell	Keeley	Ortiz	Washington
Cardenas	Knox	Pacheco	Wayne
Cardoza	Kuehl	Papan	Wildman
Cedillo*	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker
Davis	Lempert	Prenter	

\*(NOTE: Assembly Member Cedillo took and subscribed to the Oath of Office this day, at 9:54 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.

#### 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, Brewer, Frusetta, Morrow, Pringle, and Woods.*

*On personal business, and waiving per diem: Assembly Member Firestone.*

*Because of illness: Assembly Member Margett.*

(NOTE: For letters explaining the absences of Assembly Members Battin, Bowen, Brewer, Frusetta, Morrow, and Pringle 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 Woods, see Assembly Daily Journal for Thursday January 15, 1998.)

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

January 16, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Denise Ducheny to the Assembly Education Committee to replace Assemblymember Ted Lempert for today, January 16, 1998 only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

**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 canvass of votes cast in the Special Election held on the 13th day of January, 1998 in the 46th Assembly District,

**GIL CEDILLO**

was elected to the office of

**STATE ASSEMBLY—DISTRICT 46**

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 14th day of January, 1998

{SEAL}

**BILL JONES**  
Secretary of State

**OATH OF OFFICE**

The following Oath of Office was administered by the Honorable Cruz M. Bustamante, Speaker of the Assembly.

**OATH**

*for the Office of Member of the Assembly  
Forty-Sixth Assembly District*

I, Gil Cedillo, 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.

GIL CEDILLO

Subscribed and sworn to before me,  
this 16th day of January  
A. D. 1998

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

January 16, 1998

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am making the following changes to the following committees:

*Budget*

Removing Assemblymember Martha Escutia and appointing Assemblymember Gil Cedillo. Mr. Cedillo will also replace Ms. Escutia on Subcommittee No. 1.

*Consumer Protection, Governmental Efficiency and  
Economic Development*

Removing Assemblymember Deborah Ortiz and appointing Assemblymember Gil Cedillo.

*Insurance*

Removing Assemblymember Martha Escutia and appointing Assemblymember Gil Cedillo.

*Labor and Employment*

Removing Assemblymember Diane Martinez and appointing Assemblymember Gil Cedillo.

*Revenue and Taxation*

Appointing Gil Cedillo to fill the vacancy.

*Utilities and Commerce*

Removing Assemblymember Howard Wayne and appointing Assemblymember Gil Cedillo.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, January 21, 1998**

**FIFTY-SECOND SESSION DAY**

**THREE HUNDRED SEVENTY-THIRD CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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 21, 1998

The Assembly met at 7 a.m.

Hon. Louis J. Papan, Assembly Member, 19th 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	Cunneen	Leach	Pringle
Aguiar	Davis	Lempert	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Shelley
Ashburn	Floyd	McClintock	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Morrissey	Takasugi
Battin	Goldsmith	Morrow	Thompson
Baugh	Granlund	Murray	Thomson
Bordonaro	Havice	Napolitano	Torlakson
Bowen	Hertzberg	Olberg	Villaraigosa
Bowler	Honda	Oller	Vincent
Brewer	House	Ortiz	Washington
Brown	Kaloogian	Pacheco	Wayne
Campbell	Keeley	Papan	Wildman
Cardenas	Knox	Perata	Woods
Cardoza	Kuehl	Poochigian	Wright
Cedillo	Kuykendall	Prenter	Mr. Speaker

Quorum present.

**At 11:23 a.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 Leonard and Miller.*

*On personal business, and waiving per diem: Assembly Member Firestone.*

*Because of illness: Assembly Member Margett.*

(NOTE: For explanations of absences of Assembly Members Leonard 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:

January 21, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to replace Assemblymember Antonio Villaraigosa on the Assembly Appropriations Committee for today, January 21, 1998 only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

January 21, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Scott Baugh to the Assembly Appropriations Committee replacing Assemblymember Tom Bordonaro for today, January 21, 1998, only.

Thank you for your attention to this request.

Sincerely,

**CRUZ M. BUSTAMANTE**  
Speaker of the Assembly

**ADJOURNMENT**

At 4:45 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, January 28, 1998**

**FIFTY-THIRD SESSION DAY**

**THREE HUNDRED EIGHTIETH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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 28, 1998

The Assembly met at 9:21 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—79:

Ackerman	Davis	Lempert	Pringle
Aguiar	Ducheny	Leonard	Richter
Alby	Escutia	Machado	Runner
Alquist	Figueroa	Martinez	Scott
Aroner	Firestone	Mazzoni	Shelley
Ashburn	Floyd	McClintock	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Baldwin	Gallegos	Miller	Takasugi
Battin	Goldsmith	Morrissey	Thompson
Baugh	Granlund	Morrow	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Villaraigosa
Bowler	Honda	Olberg	Vincent
Brewer	House	Oller	Washington
Brown	Kaloogian	Ortiz	Wayne
Campbell	Keeley	Pacheco	Wildman
Cardenas	Knox	Papan	Woods
Cardoza	Kuehl	Perata	Wright
Cedillo	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	

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:

*Because of illness: Assembly Member Margett.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

January 26, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to replace Assemblymember Antonio Villaraigosa on the Assembly Appropriations Committee for today, January 26, 1998, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

January 26, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember George Runner to replace Assemblymember Tom Bordonaro on the Assembly Appropriations Committee for today, January 26, 1998, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

January 27, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to replace Assemblymember Antonio Villaraigosa on the Assembly Appropriations Committee for today, January 27, 1998, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

January 27, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember George Runner to replace Assemblymember Tom Bordonaro on the Assembly Appropriations Committee for today, January 27, 1998, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

January 27, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am removing Assemblymember Brooks Firestone from the Assembly Natural Resources Committee and appointing Assemblymember Rico Oller. I am also removing Assemblymember Tom Woods as Vice-Chair of the committee and appointing Mr. Oller as Vice-Chair.

Mr. Woods will remain on the committee.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

January 27, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Scott Baugh to replace Assemblymember Bruce Thompson on the Assembly Appropriations Committee for today, January 27, 1998, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Secretary of State  
January 26, 1998

TO: Chief Clerk of the Assembly  
FROM: Caren Daniels-Meade  
Program Manager, Candidates and Elections

Attached is the Certificate of Election for Gil Cedillo, according to the results of the Special Election held on January 13, 1998 for the 46th Assembly District.

**Certificate of Election**

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That according to the official canvass of votes cast in the Special Election held on the 13th day of January, 1998 in the 46th Assembly District,

**GIL CEDILLO**

was elected to the office of

**STATE ASSEMBLY—DISTRICT 46**

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 26th day of January, 1998.

[SEAL]

**BILL JONES**  
Secretary of State

**ADJOURNMENT**

At 10:37 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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**CRUZ M. BUSTAMANTE, Speaker**

**PAM CAVILEER, Minute Clerk**

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, February 4, 1998**  
**FIFTY-FOURTH SESSION DAY**  
**THREE HUNDRED EIGHTY-SEVENTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(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 4, 1998

The Assembly met at 7 a.m.

Hon. Scott Baugh, Assembly Member, 67th 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—70:

Ackerman	Figueroa	McClintock	Scott
Aguiar	Floyd	Migden	Shelley
Alquist	Gallegos	Miller	Strom-Martin
Aroner	Granlund	Morrissey	Sweeney
Ashburn	Havice	Morrow	Takasugi
Baca	Hertzberg	Murray	Thompson
Battin	Honda	Napolitano	Thomson
Baugh	House	Olberg	Torlakson
Bowen	Kaloogian	Oller	Villaraigosa
Bowler	Keeley	Ortiz	Vincent
Brown	Knox	Pacheco	Washington
Cardenas	Kuehl	Papan	Wayne
Cardoza	Kuykendall	Perata	Wildman
Cedillo	Leach	Poochigian	Woods
Cunneen	Lempert	Prenter	Wright
Davis	Leonard	Pringle	Mr. Speaker
Ducheny	Machado	Richter	
Escutia	Mazzoni	Runner	

Quorum present.

**At 2:03 p.m., Hon. Mike Machado, 17th 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 Baldwin, Frusetta, Goldsmith, and Martinez.*

*On personal business, and waiving per diem: Assembly Members Alby, Bordonaro, Campbell, and Firestone.*

*Because of illness: Assembly Members Brewer and Margett.*

(NOTE: For letters explaining the absences of Assembly Members Baldwin and Martinez on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, February 3, 1998; for explanations of absences of Assembly Members Frusetta and Goldsmith 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 communications were presented by the Speaker, and ordered printed in the Journal:

February 2, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Liz Figueroa to the Assembly Education Committee to replace Assemblymember Elaine Alquist for today, February 2, 1998, only. Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

February 4, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember George Runner to the Assembly Budget Committee to replace Bruce Thompson for today, February 4, 1998, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

**ADJOURNMENT**

At 3:45 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, February 11, 1998**

**FIFTY-FIFTH SESSION DAY**

**THREE HUNDRED NINETY-FOURTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(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 11, 1998

The Assembly met at 7 a.m.

Hon. Tom McClintock, Assembly Member, 38th 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—77:

Ackerman	Escutia	Margett	Runner
Aguiar	Figueroa	Martinez	Scott
Alby	Floyd	Mazzoni	Shelley
Alquist	Frusetta	McClintock	Strom-Martin
Aroner	Gallegos	Migden	Sweeney
Ashburn	Goldsmith	Miller	Takasugi
Baca	Granlund	Morrissey	Thompson
Baldwin	Havice	Morrow	Thomson
Battin	Hertzberg	Murray	Torlakson
Baugh	Honda	Napolitano	Villaraigosa
Bowen	House	Olberg	Vincent
Bowler	Kaloogian	Oller	Washington
Brewer	Keeley	Ortiz	Wayne
Brown	Knox	Pacheco	Wildman
Campbell	Kuehl	Papan	Woods
Cardenas	Kuykendall	Perata	Wright
Cardoza	Leach	Poochigian	Mr. Speaker
Cedillo	Lempert	Prenter	
Davis	Leonard	Pringle	
Ducheny	Machado	Richter	

Quorum present.

At 1:45 p.m., Hon. Rico Oller, 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 legislative business: Assembly Member Cunneen.*

*On personal business, and waiving per diem: Assembly Members Bordonaro and Firestone.*

(NOTE: For explanation of absence of Assembly Member Cunneen 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:

February 10, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Tom Woods to the Assembly Revenue and Taxation Committee to replace Assemblymember Gary Miller for today, February 10, 1998 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

February 10, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Bill Campbell to the Assembly Revenue and Taxation Committee to replace Assemblymember Charles Poochigian for today, February 10, 1998 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE  
Speaker of the Assembly

**ADJOURNMENT**

At 3:15 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, February 18, 1998**

**FIFTY-SIXTH SESSION DAY**

**FOUR HUNDRED FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, February 18, 1998

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—75:

Ackerman	Ducheny	Leonard	Richter
Aguiar	Escutia	Machado	Runner
Alby	Figueroa	Margett	Scott
Alquist	Firestone	Martinez	Shelley
Aroner	Floyd	Mazzoni	Strom-Martin
Ashburn	Frusetta	McClintock	Sweeney
Baca	Gallegos	Migden	Takasugi
Baldwin	Goldsmith	Morrissey	Thompson
Battin	Granlund	Morrow	Thomson
Baugh	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Villaraigosa
Bowler	Honda	Oller	Vincent
Brewer	House	Ortiz	Washington
Brown	Kaloogian	Pacheco	Wayne
Campbell	Keeley	Papan	Wildman
Cardenas	Knox	Perata	Woods
Cardoza	Kuehl	Poochigian	Wright
Cedillo	Leach	Prenter	Mr. Speaker
Davis	Lempert	Pringle	

Quorum present.

**At 1:05 p.m., Hon. Tom Woods, 2nd 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 Cunneen, Kuykendall, Miller, and Olberg.*

*On personal business, and waiving per diem: Assembly Member Bordonaro.*

(NOTE: For explanations of absences of Assembly Members Cunneen, Kuykendall, Miller, and Olberg 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>
<b>12</b> -----	G.O.
<b>13</b> -----	L. Gov.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned upon Call of the Speaker.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, February 25, 1998**  
**FIFTY-SEVENTH SESSION DAY**  
**FOUR HUNDRED EIGHTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, February 25, 1998

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—73:

Ackerman	Ducheny	Machado	Runner
Aguiar	Escutia	Margett	Scott
Alby	Figueroa	Martinez	Shelley
Alquist	Firestone	Mazzoni	Strom-Martin
Aroner	Floyd	McClintock	Sweeney
Baca	Frusetta	Miller	Takasugi
Baldwin	Gallegos	Morrissey	Thompson
Battin	Goldsmith	Morrow	Thomson
Baugh	Granlund	Murray	Torlakson
Bowen	Havice	Napolitano	Villaraigosa
Bowler	Hertzberg	Olberg	Vincent
Brewer	Honda	Oller	Washington
Brown	House	Ortiz	Wayne
Campbell	Kaloogian	Pacheco	Wildman
Cardenas	Keeley	Papan	Woods
Cardoza	Kuehl	Perata	Mr. Speaker
Cedillo	Leach	Poochigian	
Cunneen	Lempert	Prenter	
Davis	Leonard	Richter	

Quorum present.

**At 12:55 p.m., Hon. Helen Thomson, 8th 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 Ashburn, Knox, Kuykendall, Migden, and Wright.*

*On personal business, and waiving per diem: Assembly Members Bordonaro and Pringle.*

(NOTE: For explanations of absences of Assembly Members Ashburn, Knox, Kuykendall, Migden, and Wright 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.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, March 5, 1998**  
**FIFTY-EIGHTH SESSION DAY**  
**FOUR HUNDRED SIXTEENTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, March 5, 1998

The Assembly met at 11:38 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called, and the following answered to their names--80:

Ackerman	Davis	Lempert	Prenter
Aguiar	Ducheny	Leonard	Pringle
Alby	Escutia	Machado	Richter
Alquist	Figueroa	Margett	Runner
Aroner	Firestone	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Takasugi
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Villaraigosa
Brewer	House	Olberg	Vincent
Brown	Kaloogian	Oller	Washington
Campbell	Keeley	Ortiz	Wayne
Cardenas	Knox	Pacheco	Wildman
Cardoza	Kuehl	Papan	Woods
Cedillo	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*Lord, We pray for peace this morning—peace in the whole world and also peace in our hearts. Help us to make peace with You, so that we can find it among ourselves. Lead us to discover heavenly peace, the peace that passes all understanding. Substantive peace, just peace, and lasting peace begins and ends with our reconciliation with You, O God, and we offer You all glory.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Cunneen 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 Pacheco.

**ELECTION OF SPEAKER**

Assembly Member Shelley was granted unanimous consent that the roll call vote for Speaker Antonio R. Villaraigosa, taken January 26, 1998 and the oath of office administered on February 26, 1998, in the 1997–98 Regular Session be substituted in the 1997–98 First Extraordinary Session.

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Thompson was granted unanimous consent that Assembly Members Ashburn and Margett, whose votes were not recorded on the roll call vote taken on January 26, 1998, be permitted to add their votes to the roll call vote on election of Speaker in the First Extraordinary Session.

**ELECTION OF SPEAKER OF THE ASSEMBLY**

*For Assembly Member Villaraigosa:*

AYES: Assembly Members Alquist, Aroner, Baca, Bowen, Brown, Cardenas, Cardoza, Cedillo, Davis, Ducheny, Escutia, Figueroa, Floyd, Gallegos, Havice, Hertzberg, Honda, Keeley, Knox, Kuehl, Lempert, Machado, Martinez, Mazzoni, Migden, Murray, Napolitano, Ortiz, Papan, Perata, Scott, Shelley, Strom-Martin, Sweeney, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wildman, Wright, and Bustamante—43.

*For Assembly Member Bill Leonard:*

AYES: Assembly Members Ackerman, Aguiar, Alby, Ashburn, Baldwin, Battin, Baugh, Bordonaro, Bowler, Brewer, Campbell, Cunneen, Firestone, Frusetta, Goldsmith, Granlund, House, Kaloogian, Kuykendall, Leach, Leonard, Margett, McClintock, Miller, Morrissey, Morrow, Olberg, Oller, Pacheco, Poochigian, Prenter, Pringle, Richter, Runner, Takasugi, Thompson, and Woods—37.

## OATH

*for the Office of Speaker of the Assembly*

I, Antonio R. Villaraigosa, 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.

ANTONIO R. VILLARAIGOSA

Subscribed and sworn to before me,  
this 26th day of February  
A. D. 1998

Judge Stephen Reinhardt  
United States Court of Appeals,  
Ninth Circuit

## COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

February 26, 1998

*Mr. E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Mr. Wilson: I am appointing Assembly Member Sheila James Kuehl as Speaker pro Tempore of the Assembly.

Thank you for your attention to this request.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 2, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Tom Torlakson to replace Assemblymember Antonio Villaraigosa on the Assembly Appropriations Committee for today, March 2, 1998, only.

Thank you for your attention to this request.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 2, 1998

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Roy Ashburn to replace Assemblymember Tom Bordonaro on the Assembly Appropriations Committee for today, March 2, 1998, only.

Thank you for your attention to this request.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 3, 1998

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Howard Wayne to the Assembly Judiciary Committee to replace Assemblymember Mike Honda, for today, March 3, 1998 only.

Thank you for your attention to this request.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 4, 1998

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Liz Figueroa to the Assembly Education Committee to replace Assemblymember Mike Honda for today, March 4, 1998 only.

Thank you for your attention to this request.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 4, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am making the following committee changes:

- Replacing Assembly Member Margett with Assembly Member Battin on the Health Committee.
- Replacing Assembly Member Battin with Assembly Member Margett on the Transportation Committee.
- Replacing Assembly Member Thompson with Assembly Member Runner on the Budget Committee.
- Replacing Assembly Member Thompson with Assembly Member Runner on the Budget Sub-Committee #2 (Education Finance).
- Replacing Assembly Member Bordonaro with Assembly Member Ashburn on the Appropriations Committee.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**MOTION TO ADJOURN**

At 11:39 a.m., Assembly Member Shelley moved that the Assembly do now adjourn.

Assembly Member Baca seconded the motion.

Motion carried.

**ADJOURNMENT**

At 11:39 a.m., pursuant to the motion by Assembly Member Shelley the Assembly adjourned to reconvene upon Call of the Speaker.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, March 12, 1998**

**FIFTY-NINTH SESSION DAY**

**FOUR HUNDRED TWENTY-THIRD CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, March 12, 1998

The Assembly met at 10:35 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—62:

Ackerman	Ducheny	Leonard	Prenter
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Aroner	Floyd	Martinez	Scott
Ashburn	Gallegos	Mazzoni	Shelley
Baca	Granlund	McClintock	Strom-Martin
Baldwin	Havice	Migden	Thomson
Battin	Hertzberg	Miller	Torlakson
Baugh	Honda	Morrissey	Vincent
Bowler	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Cardenas	Keeley	Ortiz	Wildman
Cardoza	Knox	Pacheco	Woods
Cedillo	Kuehl	Papan	Wright
Cunneen	Leach	Perata	
Davis	Lempert	Poochugian	

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 Alquist, Bowen, Brewer, Bustamante, Firestone, Frusetta, Kuykendall, Morrow, Murray, Napolitano, Takasugi, and Villaraigosa.*

*On legislative business, and waiving per diem: Assembly Member Sweeney.*

*On personal business, and waiving per diem: Assembly Members Bordonaro, Campbell, Goldsmith, Pringle, and Thompson.*

(NOTE: For explanations of absences of Assembly Members Alquist, Bowen, Brewer, Bustamante, Firestone, Frusetta, Kuykendall, Morrow, Murray, Napolitano, Sweeney, Takasugi, 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 communications were presented by the Speaker, and ordered printed in the Journal:

March 10, 1998

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am making the following changes to the following committees:

*Governmental Organization*

Expanding the committee from 15 to 16 members and appointing Assemblymember Cruz M. Bustamante.

*Health*

Expanding the committee from 21 to 22 members and appointing Assemblymember Cruz M. Bustamante.

*Insurance*

Expanding the committee from 15 to 16 members and appointing Assemblymember Cruz M. Bustamante.

*Utilities and Commerce*

Expanding the committee from 13 to 14 members and appointing Assemblymember Cruz M. Bustamante.

Thank you for your attention to this request.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 12, 1998

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Wally Knox to the Assembly Rules Committee to fill the vacancy for today, March 12, 1998, only.

Thank you for your attention to this request.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

SHEILA JAMES KUEHL, Speaker pro Tempore

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, March 18, 1998**

**SIXTIETH SESSION DAY**

**FOUR HUNDRED TWENTY-NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, March 18, 1998

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—73:

Ackerman	Davis	Leonard	Richter
Aguiar	Ducheny	Machado	Runner
Alby	Escutia	Margett	Scott
Alquist	Figueroa	Martinez	Shelley
Ashburn	Firestone	Mazzoni	Strom-Martin
Baca	Floyd	McClintock	Sweeney
Battin	Frusetta	Migden	Takasugi
Baugh	Gallegos	Morrissey	Thompson
Bordonaro	Goldsmith	Morrow	Thomson
Bowen	Granlund	Murray	Torlakson
Bowler	Havice	Olberg	Vincent
Brewer	Hertzberg	Oller	Wayne
Brown	Honda	Ortiz	Wildman
Bustamante	House	Pacheco	Woods
Campbell	Kaloogian	Papan	Wright
Cardenas	Keeley	Perata	Mr. Speaker
Cardoza	Kuehl	Poochigian	
Cedillo	Leach	Prenter	
Cunneen	Lempert	Pringle	

Quorum present.

**At 1:55 p.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 Members Aroner, Baldwin, Knox, Kuykendall, Miller, Napolitano, and Washington.*

(NOTE: For explanations of absences of Assembly Members Aroner, Baldwin, Knox, Kuykendall, Napolitano, and Washington, 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 March 17, 1998.)

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

March 13, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that effective Tuesday, March 17, 1998 I am removing Gary Miller as Vice-Chair of the Assembly Budget Committee at the request of Assembly Members Leonard and Miller.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 17, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please make the following committee assignments:

Public Safety Committee—replace Assemblymember Grace Napolitano with Assemblymember Edward Vincent for today's hearing only.

Consumer Protection, Governmental Efficiency and Economic Development—replace Assemblymember Grace Napolitano with Assemblymember Tom Torlakson for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of Assembly

March 18, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assembly Member Tony Cardenas to the Assembly Education Committee to replace Assembly Member Carl Washington for today, March 18, 1998, only.

Thank you for your attention to this request.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, March 25, 1998**

**SIXTY-FIRST SESSION DAY**

**FOUR HUNDRED THIRTY-SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, March 25, 1998

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	Davis	Leach	Richter
Aguiar	Ducheny	Lempert	Runner
Alquist	Escutia	Leonard	Scott
Aroner	Figueroa	Machado	Shelley
Ashburn	Firestone	Margett	Strom-Martin
Baca	Floyd	Martinez	Sweeney
Baldwin	Frusetta	McClintock	Takasugi
Battin	Gallegos	Migden	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Morrow	Torlakson
Bowen	Havice	Murray	Vincent
Bowler	Hertzberg	Olberg	Washington
Brewer	Honda	Oller	Wayne
Brown	House	Ortiz	Wildman
Bustamante	Kaloogian	Pacheco	Woods
Cardenas	Keeley	Papan	Wright
Cardoza	Knox	Perata	Mr. Speaker
Cedillo	Kuehl	Poochigian	
Cunneen	Kuykendall	Prenter	

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 Members Mazzoni, Miller, and Napolitano.*

*On personal business, and waiving per diem: Assembly Members Alby, Campbell, and Pringle.*

(NOTE: For explanations of absences of Assembly Members Miller and Napolitano 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 Mazzoni on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for March 23, 1998.)

**REPUBLICAN CAUCUS LEADERSHIP CHANGES ANNOUNCED**

Republican Leader Bill Leonard announced that the Republican Caucus leadership is as follows:

- Bruce Thompson, Assistant Republican Leader;
- Dick Ackerman, Assistant Republican Leader;
- Howard Kaloogian, Assistant Republican Leader;
- Lynne Leach, Caucus Chair;
- Brett Granlund, Caucus Vice-Chair;
- Tom Woods, Whip;
- Steve Baldwin, Whip.

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

March 18, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am temporarily appointing Assembly Member Hertzberg to the Assembly Committee on Rules for March 19, 1998 only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

March 19, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Pursuant to the Assembly Rules, I am appointing Assembly Member Kevin Shelley as Majority Floor Leader and Assembly Member Robert Hertzberg as Chair of the Rules Committee.

In addition, the Assembly Democratic Caucus met on March 19, 1998 and selected Assembly Member Don Perata as Majority Leader and Assembly Member Fred Keeley as Caucus Chair.

Thank you for your attention to this matter.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

March 19, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am removing Assembly Member Diane Martinez from the Committee on International Trade and Development, per her request.

Thank you for your assistance in this matter.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 23, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assembly Member Roy Ashburn as Vice Chair of Appropriations Committee in place of Assemblymember Charles Poochigian. Also, I have appointed Assemblymember George Runner as Vice Chair of Budget Committee.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 24, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblymember Bob Margett to the Environmental Safety and Toxic Materials Committee in place of Assemblymember Bernie Richter for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 24, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that pursuant to Assembly Rule 13 I am removing Assemblymember Bob Hertzberg as chairman of the Public Safety Committee.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 25, 1998

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I am temporarily appointing Assembly Member Don Perata as Acting Chair of the Committee on Public Safety until such time as a permanent chair is appointed.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 25, 1998

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Louis J. Papan to the Local Government Committee in place of Assemblymember Grace F. Napolitano for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, April 1, 1998**

**SIXTY-SECOND SESSION DAY**

**FOUR HUNDRED FORTY-THIRD CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, April 1, 1998

The Assembly met at 7 a.m.

Hon. Kerry Mazzoni, Assembly Member, 6th 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	Cunneen	Kuykendall	Perata
Aguiar	Davis	Leach	Poochgian
Alby	Ducheny	Lempert	Prenter
Alquist	Escutia	Leonard	Richter
Ashburn	Figueroa	Machado	Runner
Baca	Firestone	Margett	Scott
Baldwin	Floyd	Martinez	Shelley
Battin	Frusetta	Mazzoni	Strom-Martin
Baugh	Gallegos	McClintock	Sweeney
Bordonaro	Goldsmith	Migden	Thompson
Bowen	Granlund	Miller	Thomson
Bowler	Havice	Morrissey	Torlakson
Brewer	Hertzberg	Morrow	Vincent
Brown	Honda	Murray	Washington
Bustamante	House	Olberg	Wayne
Campbell	Kaloogian	Oller	Wildman
Cardenas	Keeley	Ortiz	Woods
Cardoza	Knox	Pacheco	Wright
Cedillo	Kuehl	Papan	Mr. Speaker

Quorum present.

At 11:10 a.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 Member Takasugi.*

*On personal business, and waiving per diem: Assembly Members Aroner, Napolitano, and Pringle.*

(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 this day.)

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

March 27, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Wally Knox to the Judiciary Committee in place of Assemblymember Dion Aroner for the hearing on Tuesday, March 31, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 30, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Kevin Shelley to the Transportation Committee in place of Assemblymember Ted Lempert for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 30, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Scott Wildman to the Banking and Finance Committee in place of Assemblymember Ted Lempert for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 30, 1998

*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 Consumer Protection, Governmental Efficiency and Economic Development Committee in place of Assemblymember Nao Takasugi for the hearing on Tuesday, March 31, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 30, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Appropriations Committee, in my place, for the hearing on Wednesday, April 1, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 31, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Assembly Health Committee in place of Assemblymember Martha Escutia for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 31, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Don Perata to the Public Employees, Retirement and Social Security Committee in place of Assemblymember Jack Scott for the hearing on Wednesday, April 1, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 1, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Kevin Shelley to the Budget Committee in place of Assemblymember Liz Figueroa for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**REPORTS OF STANDING COMMITTEES  
Committee on Governmental Organization**

Date of Hearing: March 30, 1998

Mr. Speaker: Your Committee on Governmental Organization reports:  
Assembly Bill No. 12

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

BROWN, Chairwoman

Above bill ordered to second reading.

**Committee on Local Government**

Date of Hearing: March 25, 1998

Mr. Speaker: Your Committee on Local Government reports:  
Assembly Bill No. 13

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

SWEENEY, Chairman

Above bill re-referred to the Committee on Appropriations.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, April 2, 1998**  
**SIXTY-THIRD SESSION DAY**  
**FOUR HUNDRED FORTY-FOURTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, April 2, 1998

The Assembly met at 9:50 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called, and the following answered to their names—70:

Ackerman	Cunneen	Machado	Pringle
Aguar	Davis	Margett	Richter
Alby	Ducheny	Martinez	Runner
Alquist	Escutia	Mazzoni	Scott
Ashburn	Figueroa	McClintock	Shelley
Baca	Floyd	Migden	Strom-Martin
Baldwin	Frusetta	Miller	Thompson
Battin	Gallegos	Morrissey	Thomson
Baugh	Granlund	Murray	Torlakson
Bordonaro	Havice	Napolitano	Vincent
Bowen	Honda	Olberg	Washington
Bowler	House	Oller	Wayne
Brewer	Kaloojian	Ortiz	Wildman
Brown	Keeley	Pacheco	Woods
Bustamante	Kuehl	Papan	Wright
Campbell	Leach	Perata	Mr. Speaker
Cardenas	Lempert	Poochigian	
Cardoza	Leonard	Prenter	

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*Lord, The heavens declare Your glory, the earth is Your dominion and every living creature, a testimony to Your greatness. We pray to You this morning Lord, and ask that You send upon us Your Spirit—to strengthen and to prepare us for the work we do this day. Help us to be mindful of Your commandments and keep us safe as we travel. For You are a holy, good and merciful God and we sing Your praise forever.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Brown 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 Thomson, seconded by Assembly Member Bowler.

**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 Cedillo, Hertzberg, Kuykendall, Morrow, and Takasugi.*

*On legislative business, and waiving per diem: Assembly Member Sweeney.*

*On personal business, and waiving per diem: Assembly Members Aroner, Firestone, Goldsmith, and Knox.*

(NOTE: For explanations of absences of Assembly Members Cedillo, Hertzberg, Kuykendall, Morrow, and Takasugi on this day on legislative business, pursuant to the Rules, see Assembly Journal for the Regular Session for this day.)

**CONSIDERATION OF DAILY FILE****SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 12**—An act relating to disasters.

Bill read second time; amendments proposed by the Committee on Governmental Organization read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**MOTION TO ADJOURN**

At 9:51 a.m., Assembly Member Escutia moved that the Assembly do now adjourn.

Assembly Member Ackerman seconded the motion.

Motion carried.

**ADJOURNMENT**

At 9:51 a.m., pursuant to the motion by Assembly Member Escutia, and pursuant to the provisions of Joint Rule 51, the Assembly adjourned for the 1998 Easter Recess, to reconvene on Monday, April 13, 1998.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON APRIL 2, 1998**

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The following measure was amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>
12	9807629

<b>Daily Total:</b>	<b>1</b>
<b>Cumulative Total:</b>	<b>10</b>

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, April 15, 1998**

**SIXTY-FOURTH SESSION DAY**

**FOUR HUNDRED FIFTY-SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, April 15, 1998

The Assembly met at 7 a.m.

Hon. Cruz M. Bustamante, Assembly Member, 31st 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—75:

Ackerman	Cunneen	Leach	Pringle
Aguiar	Davis	Lempert	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Takasugi
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Olberg	Washington
Brewer	House	Ortiz	Wayne
Brown	Kaloogian	Pacheco	Wildman
Bustamante	Keeley	Papan	Woods
Campbell	Knox	Perata	Wright
Cardenas	Kuehl	Poochigian	Mr. Speaker
Cedillo	Kuykendall	Prenter	

Quorum present.

At 12:30 p.m., Hon. Tom Woods, 2nd 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 Cardoza.*

*On personal business, and waiving per diem: Assembly Members Firestone and Napolitano.*

*Because of illness: Assembly Members Leonard and Oller.*

(NOTE: For explanation of absence of Assembly Member Cardoza 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, April 13, 1998

Mr. 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 re-referred to committee.

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 2, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have made the following changes in committee assignments:

*Appropriations Committee:* Removed myself and Assemblymember Diane Martinez and appointed Assemblymembers Robert Hertzberg and Virginia Strom-Martin to fill those vacancies.

*International Trade and Development Committee:* Appointed Assemblymember Virginia Strom-Martin to fill the vacancy.

*Insurance Committee:* Accepted the resignation of Assemblymember Dick Floyd.

*Judiciary Committee:* Appointed Assemblymember Wally Knox in place of Assemblymember Robert Hertzberg.

*Public Safety Committee:* Appointed Assemblymember Don Perata as Chairman.

*Rules Committee:* Appointed Assemblymember Helen Thomson in place of Assemblymember Don Perata. Appointed Assemblymember Rod Wright in place of Assemblymember Virginia Strom-Martin as alternate.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 10, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have made the following changes in committees and assignments:

*Budget:* Appointed Assemblymember Tom Woods to replace Assemblymember Roy Ashburn.

*Consumer Protection, Governmental Efficiency and Economic Development:* Appointed Assemblymember Jim Morrissey to serve as Vice Chair.

*Environmental Safety and Toxic Materials:* Appointed Assemblymember Robert Prenter to replace Assemblymember Jim Cunneen, and appointed Assemblymember Prenter to serve as Vice Chair.

*Higher Education:* Removed Assemblymember Roy Ashburn and reduced the size of the committee to 14 members.

*Human Services:* Appointed Assemblymember Tom Woods to serve as Vice Chair.

*Insurance:* Appointed Assemblymember Marilyn Brewer to serve as Vice Chair.

*Public Employees, Retirement and Social Security:* Removed Assemblymember George Runner and reduced the size of the committee to 7 members.

*Public Safety:* Appointed Assemblymember Jim Cunneen to replace Assemblymember Jan Goldsmith, and appointed Assemblymember Cunneen to serve as Vice Chair.

*Transportation:* Appointed Assemblymember Gary Miller to replace Assemblymember Marilyn Brewer, and appointed Assemblymember Miller to serve as Vice Chair.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 13, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: I have made the following committee assignment substitutions for Assemblymember Rico Oller. These substitutions apply to all committee hearings through Thursday, April 23, 1998.

- Natural Resources—Assemblymember Howard Kaloogian
- Transportation—Assemblymember Scott Baugh
- Water, Parks and Wildlife—Assemblymember Brett Granlund.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

April 13, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Sheila Kuehl to the Natural Resources Committee in place of Assemblymember Carole Migden for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

April 13, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Human Services Committee in place of Deborah Ortiz for the Hearing on Tuesday, April 14, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

April 13, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Tony Cardenas to the Water, Parks and Wildlife Committee in place of Assemblymember Martha Escutia for the hearing on Tuesday, April 14, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

April 13, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Don Perata to the Health Committee in place of Assemblymember Martha Escutia for the hearing on Tuesday, April 14, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 14, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have reduced the size of Insurance Committee from 16 to 15 members.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 14, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Wally Knox to the Insurance Committee in place of Assemblymember Cruz Bustamante for the hearing on Wednesday, April 15, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 14, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Bill Campbell to the Human Services Committee in place of Assemblymember Jan Goldsmith for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 14, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Robert Hertzberg to replace Assemblymember Grace Napolitano and Assemblymember Kerry Mazzoni to replace Dennis Cardoza to the Local Government Committee for Wednesday, April 15, 1998 hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 14, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol  
Sacramento, California*

Dear Dotson: Please be advised that Assemblymember Robert Hertzberg has been removed from Health Committee. I have reduced the size of Health Committee from 22 to 21 members.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 15, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Jim Cunneen to permanently replace Assemblymember Steve Baldwin on the Environmental Safety and Toxic Materials Committee.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 15, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Mike Honda to replace Assemblymember Don Perata on the Local Government Committee for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

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The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

April 8, 1998

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I am appointing Assemblyman Cunneen as an alternate to the Rules Committee replacing Assemblyman Kuykendall.

Sincerely,

BILL LEONARD

**ADJOURNMENT**

At 3:33 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, April 22, 1998**

**SIXTY-FIFTH SESSION DAY**

**FOUR HUNDRED SIXTY-FOURTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, April 22, 1998

The Assembly met at 7 a.m.

Hon. Steven T. Kuykendall, Assembly Member, 54th 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—77:

Ackerman	Cunneen	Lempert	Richter
Aguiar	Davis	Leonard	Runner
Alby	Ducheny	Machado	Scott
Alquist	Escutia	Margett	Shelley
Aroner	Figueroa	Martinez	Strom-Martin
Ashburn	Floyd	Mazzoni	Sweeney
Baca	Frusetta	McClintock	Takasugi
Baldwin	Gallegos	Migden	Thompson
Battin	Goldsmith	Miller	Thomson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Morrow	Vincent
Bowen	Hertzberg	Murray	Washington
Bowler	Honda	Napolitano	Wayne
Brewer	House	Olberg	Wildman
Brown	Kaloogian	Pacheco	Woods
Bustamante	Keeley	Papan	Wright
Campbell	Knox	Perata	Mr. Speaker
Cardenas	Kuehl	Poochigian	
Cardoza	Kuykendall	Prenter	
Cedillo	Leach	Pringle	

Quorum present.

At 3 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 personal business, and waiving per diem: Assembly Member Firestone.*

*Because of illness: Assembly Member Oller.*

*Because of a family emergency: Assembly Member Ortiz.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 16, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to replace Assemblymember Martha Escutia on the Assembly Health Committee for Tuesday, April 21, 1998 hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 17, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Kevin Shelley to the Human Services Committee in place of Assemblymember Debra Ortiz for the hearing on Tuesday, April 21, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 20, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Nao Takasugi to the Banking and Finance Committee in place of Assemblymember Rico Oller for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 20, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have made the following substitutions on the Natural Resources Committee. I have appointed Assemblymember Dick Ackerman in place of Assemblymember Rico Oller and Assemblymember Sheila Kuehl for Assemblymember Michael Sweeney for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 20, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Louis Papan to Water, Parks and Wildlife Committee in place of Assemblymember Martha Escutia for Tuesday, April 21, 1998 hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 20, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Wally Knox to the Insurance Committee in place of Assemblymember Cruz M. Bustamante for Wednesday, April 22, 1998 hearing, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 21, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Torlakson to the Health Committee in place of Assemblymember Deborah Ortiz for Tuesday, April 21, 1998 hearing, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 20, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to temporarily replace Assemblymember Liz Figueroa for the Assembly Transportation Committee for the remainder of today's hearing.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 21, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Public Safety Committee in place of Assemblymember Kevin Murray for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 21, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Steve Baldwin to the Education Committee in place of Assemblymember Rod Pacheco for the hearing on April 22, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 21, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Don Perata to the Public Employees, Retirement and Social Security Committee in place of Assemblymember Jack Scott for the hearing on April 22, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

April 22, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Scott Baugh to the Labor and Employment Committee in place of Assemblymember Rico Oller for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

April 22, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Ted Lempert to the Housing and Community Development Committee expanding the committee from 12 to 13 members.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

#### ADJOURNMENT

At 3:05 p.m., the Assembly adjourned until to reconvene upon Call of the Speaker.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, April 29, 1998**

**SIXTY-SIXTH SESSION DAY**

**FOUR HUNDRED SEVENTY-FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, April 29, 1998

The Assembly met at 7 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—65:

Aguar	Cunneen	Kuehl	Richter
Alby	Davis	Leach	Runner
Alquist	Ducheny	Machado	Scott
Aróner	Escutia	Margett	Shelley
Ashburn	Figueroa	Martinez	Strom-Martin
Baca	Floyd	Mazzoni	Sweeney
Baldwin	Frusetta	McClintock	Takasugi
Battin	Gallegos	Migden	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bowen	Granlund	Morrow	Vincent
Bowler	Havice	Murray	Wayne
Brewer	Hertzberg	Olberg	Wildman
Brown	Honda	Ortiz	Woods
Bustamante	House	Papan	Wright
Cardenas	Kaloogian	Perata	
Cardoza	Keeley	Poochigian	
Cedillo	Knox	Prenter	

Quorum present.

At 1:55 p.m., Hon. Jack Scott, 44th 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 Bordonaro, Kuykendall, Lempert, Pacheco, Villaraigosa, and Washington.*

*On legislative business, and waiving per diem: Assembly Member Firestone.*

*On personal business, and waiving per diem: Assembly Members Ackerman, Campbell, Leonard, Miller, Napolitano, Pringle, and Thompson.*

*Because of illness: Assembly Member Oller.*

(NOTE: For letters explaining the absences of Assembly Members Firestone and Pacheco on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for April 28, 1998; for letters explaining the absences of Assembly Members Bordonaro, Kuykendall, Lempert, Villaraigosa, and Washington on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for this day.)

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 23, 1998

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Kevin Shelley to replace Cruz Bustamante and Assemblymember Howard Wayne to replace Gil Cedillo on the Utilities and Commerce Committee for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 27, 1998

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Nao Takasugi to the Banking and Finance Committee in place of Assemblymember Rico Oller for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 27, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Ted Lempert to the Water, Parks and Wildlife Committee in place of Assemblymember Martha Escutia for the hearing on Tuesday, April 28, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

April 27, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Scott Baugh to the Transportation Committee in place of Assemblymember Rico Oller for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

April 27, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Nao Takasugi in place of Assemblymember Dick Ackerman and Assemblymember George Runner in place of Assemblymember Bruce Thompson to the Appropriations Committee for the hearing on Wednesday, April 29, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

April 28, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Brett Granlund to replace Assemblymember Rico Oller and Assemblymember Keith Olberg to replace Assemblymember Bruce Thompson on Water, Parks and Wildlife Committee for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

April 28, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Deborah Ortiz to the Housing and Community Development Committee in place of Assemblymember Ted Lempert for Wednesday, April 29, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 28, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Appropriations Committee in place of Assemblymember Carl Washington for the hearing on Wednesday, April 29, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 29, 1998

*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 Housing and Community Development Committee in place of Assemblymember Gary Miller for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 29, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Martha Escutia to replace Assemblymember Grace Napolitano on the Local Government Committee for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 29, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Bill Morrow to replace Assemblymember Dick Ackerman on the Local Government Committee for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

April 29, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Don Perata to the Public Employees, Retirement and Social Security Committee in place of Assemblymember Jack Scott for the hearing on Wednesday, May 6, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**ADJOURNMENT**

At 4:40 p.m., the Assembly adjourned until 8:30 a.m., Thursday, April 30, 1998.

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SHEILA JAMES KUEHL, Speaker pro Tempore

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, May 6, 1998**

**SIXTY-SEVENTH SESSION DAY  
FOUR HUNDRED SEVENTY-EIGHTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, May 6, 1998

The Assembly met at 7 a.m.

Hon. Bruce Thompson, Assembly Member, 66th 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—75:

Ackerman	Cunneen	Lempert	Preter
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Machado	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Takasugi
Battin	Granlund	Miller	Thompson
Baugh	Havice	Morrissey	Thomson
Bordonaro	Hertzberg	Morrow	Torlakson
Bowler	Honda	Murray	Vincent
Brewer	House	Napolitano	Washington
Brown	Kaloogian	Olberg	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker
Cedillo	Leach	Poochigian	

Quorum present.

**At 2:20 p.m., Hon. Jack Scott, 44th 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 Bowen.*

*On personal business, and waiving per diem: Assembly Members Firestone, Goldsmith, and Pringle.*

*Because of illness: Assembly Member Oller.*

(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 Speaker, and ordered printed in the Journal:

May 4, 1998

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember George House to the Transportation Committee in place of Assemblymember Bill Morrow for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

May 4, 1998

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: I have made the following committee assignment substitutions for Assemblymember Rico Oller. These substitutions apply to all committee hearings today Monday, May 4, 1998.

- Banking—Assemblymember Tom Bordonaro
- Transportation—Assemblymember Scott Baugh

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

May 4, 1998

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Human Services Committee in place of Assemblymember Deborah Ortiz for the hearing on Tuesday, May 5, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

May 6, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to the Labor and Employment Committee in place of Assemblymember Sally Havice for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

May 6, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Scott Baugh to the Labor and Employment Committee in place of Assemblymember Rico Oller for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

May 6, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Torlakson to the Appropriations Committee in place of Assemblymember Kevin Shelley for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

May 6, 1998

*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 Appropriations Committee in place of Assemblymember Dick Ackerman for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, May 13, 1998**

**SIXTY-EIGHTH SESSION DAY**

**FOUR HUNDRED EIGHTY-FIFTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, May 13, 1998

The Assembly met at 7 a.m.

Hon. Tom Woods, Assembly Member, 2nd 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	Cedillo	Leach	Poochigian
Aguiar	Cunneen	Lempert	Prenter
Alby	Davis	Leonard	Pringle
Alquist	Ducheny	Machado	Richter
Aroner	Escutia	Margett	Runner
Ashburn	Figueroa	Martinez	Scott
Baca	Floyd	Mazzoni	Strom-Martin
Baldwin	Frusetta	McClintock	Sweeney
Battin	Gallegos	Migden	Takasugi
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Ortiz	Wildman
Campbell	Keeley	Pacheco	Woods
Cardenas	Knox	Papan	Wright
Cardoza	Kuehl	Perata	Mr. Speaker

Quorum present.

**At 1:30 p.m., Hon. Jack Scott, 44th 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 Kuykendall.*

*On personal business, and waiving per diem: Assembly Member Firestone.*

*Because of illness: Assembly Members Oller and Shelley.*

(NOTE: 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 this day.)

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered in the printed in the Journal:

May 7, 1998

*E. Dotson Wilson  
Chief Clerk*

*State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Carole Migden to the Banking and Finance Committee in place of Assemblymember Ted Lempert for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

May 7, 1998

*E. Dotson Wilson  
Chief Clerk*

*State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Wally Knox to replace Assemblymember Gil Cedillo and Assemblymember Fred Keeley to replace Assemblymember Joe Baca to the Utilities and Commerce Committee for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

May 12, 1998

*E. Dotson Wilson  
Chief Clerk*

*State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Appropriations Committee in place of Assemblymember Helen Thomson for Wednesday, May 13, 1998 hearing, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

May 13, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to the Appropriations Committee in place of Assemblymember Kevin Shelley for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**ADJOURNMENT**

At 5 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, May 20, 1998**  
**SIXTY-NINTH SESSION DAY**  
**FOUR HUNDRED NINETY-SECOND CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, May 20, 1998

The Assembly met at 7 a.m.

Hon. Scott Wildman, Assembly Member, 43rd 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—75:

Ackerman	Cedillo	Kuehl	Prenter
Aguiar	Cunneen	Leach	Pringle
Alby	Davis	Leonard	Richter
Alquist	Ducheny	Machado	Runner
Aroner	Escutia	Margett	Scott
Ashburn	Figueroa	Mazzoni	Shelley
Baca	Firestone	McClintock	Strom-Martin
Baldwin	Floyd	Migden	Sweeney
Battin	Frusetta	Miller	Takasugi
Baugh	Gallegos	Morrissey	Thompson
Bordonaro	Goldsmith	Morrow	Thomson
Bowen	Granlund	Napolitano	Torlakson
Bowler	Havice	Olberg	Vincent
Brewer	Hertzberg	Oller	Washington
Brown	Honda	Ortiz	Wildman
Bustamante	House	Pacheco	Woods
Campbell	Kaloogian	Papan	Wright
Cardenas	Keeley	Perata	Mr. Speaker
Cardoza	Knox	Poochigian	

Quorum present.

**At 1:52 p.m., Hon. Bill Campbell, 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 legislative business: Assembly Members Kuykendall, Lempert, Martinez, and Murray.*

*On personal business, and waiving per diem: Assembly Member Wayne.*

(NOTE: For explanations of absences of Assembly Members Kuykendall, Lempert, Martinez, and 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:

May 20, 1998

*E. Dotson Wilson*  
*Chief Clerk*

*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Appropriations Committee in place of Assemblymember Michael Sweeney for Thursday, May 21, 1998 hearing, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**ADJOURNMENT**

At 4:15 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, May 27, 1998**

**SEVENTIETH SESSION DAY**

**FOUR HUNDRED NINETY-NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**NOTE:** Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, May 27, 1998

The Assembly met at 9 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called, and the following answered to their names—79:

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Firestone	Martinez	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Baldwin	Frusetta	McClintock	Sweeney
Batun	Gallegos	Migden	Takasugi
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Olberg	Washington
Brown	House	Oller	Wayne
Bustamante	Kaloogian	Ortiz	Wildman
Campbell	Keeley	Pacheco	Woods
Cardenas	Knox	Papan	Wright
Cardoza	Kuehl	Perata	Mr. Speaker
Cedillo	Kuykendall	Poohigian	

Quorum present.

At 9:07 a.m., Speaker pro Tempore 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 Member was granted leave of absence for the day:

*On personal business, and waiving per diem: Assembly Member Napolitano.*

#### UNANIMOUS CONSENT GRANTED

Unanimous consent was granted that all bills reported "Do Pass as Amended" or "Do Pass as Amended to Consent" from the Committee on Appropriations on May 27, be taken up without reference to file for purpose of second reading and adoption of committee amendments and that the bills be ordered to the third reading file or First Day Consent Calendar for the next legislative day.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Appropriations**

Date of Hearing: May 21, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 13

With amendments with the recommendation: Amend, and do pass, as amended.

MIGDEN, Chairwoman

Above bill ordered to second reading.

**Second Reading of Assembly Bills by Unanimous Consent**

**ASSEMBLY BILL NO. 13**—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 Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**ADJOURNMENT**

At 9:25 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MAY 27, 1998**

The following measures were amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>
13	9812015
<b>Daily Total:</b>	<b>1</b>
<b>Cumulative Total:</b>	<b>11</b>

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, June 4, 1998**

**SEVENTY-FIRST SESSION DAY  
FIVE HUNDRED SEVENTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, June 4, 1998

The Assembly met at 10 a.m.  
Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—73:

Ackerman	Cedillo	Leonard	Runner
Aguiar	Cunneen	Machado	Scott
Alby	Davis	Margett	Shelley
Alquist	Ducheny	Martinez	Strom-Martin
Aroner	Figueroa	Mazzoni	Sweeney
Ashburn	Floyd	McClintock	Takasugi
Baca	Gallegos	Migden	Thompson
Baldwin	Goldsmith	Morrissey	Thomson
Battin	Granlund	Morrow	Torlakson
Baugh	Havice	Murray	Vincent
Bordonaro	Hertzberg	Olberg	Washington
Bowen	Honda	Oller	Wayne
Bowler	House	Ortiz	Wildman
Brewer	Keeley	Pacheco	Woods
Brown	Knox	Papan	Wright
Bustamante	Kuehl	Perata	Mr. Speaker
Campbell	Kuykendall	Poochigian	
Cardenas	Leach	Prenter	
Cardoza	Lempert	Richter	

Quorum present.

At 10:16 a.m., Speaker pro Tempore 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 Frusetta, Kaloogian, Miller, and Pringle.*

*On personal business, and waiving per diem: Assembly Members Firestone and Napolitano.*

*Because of illness: Assembly Member Escutia.*

(NOTE: For explanations of absences of Assembly Members Frusetta, Kaloogian, Miller, and Pringle 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 21, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have removed Assemblymember Barbara Alby from the Budget Committee and replaced her with Assemblymember Bill Campbell effective today.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

May 29, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Human Services Committee in place of Assemblymember Deborah Ortiz.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, June 4, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 13

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.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, June 10, 1998**

**SEVENTY-SECOND SESSION DAY  
FIVE HUNDRED THIRTEENTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, June 10, 1998

The Assembly met at 7 a.m.

Hon. Bruce Thompson, Assembly Member, 66th 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—72:

Ackerman	Cedillo	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Machado	Runner
Aroner	Figueroa	Margett	Scott
Ashburn	Floyd	Martinez	Shelley
Baca	Frusetta	Mazzoni	Strom-Martin
Baldwin	Goldsmith	McClintock	Sweeney
Battin	Granlund	Migden	Takasugi
Baugh	Havice	Morrissey	Thompson
Bordonaro	Hertzberg	Morrow	Thomson
Bowen	Honda	Murray	Torlakson
Bowler	House	Olberg	Vincent
Brewer	Kaloogian	Oller	Washington
Bustamante	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Poohigian	Mr. Speaker

Quorum present.

**At 2:10 p.m., Hon. Bill Campbell, 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 legislative business: Assembly Members Brown, Cunneen, and Miller.*

*On personal business, and waiving per diem: Assembly Members Firestone and Napolitano.*

*Because of illness: Assembly Members Gallegos and Wright.*

*Because of a family emergency: Assembly Member Perata.*

(NOTE: For explanations of absences of Assembly Members Brown and Cunneen 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 Miller on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for Tuesday, June 9, 1998.)

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

June 8, 1998

*E. Dotson Wilson*  
*Chief Clerk*

*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Elections, Reapportionment and Constitutional Amendments Committee in place of Assemblymember Roderick Wright for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 8, 1998

*E. Dotson Wilson*  
*Chief Clerk*

*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Lou Papan to the Water, Parks and Wildlife Committee in place of Assemblymember Martha Escutia for the hearing on Tuesday, June 9, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 8, 1998

*E. Dotson Wilson*  
*Chief Clerk*

*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Kerry Mazzoni to the Public Safety Committee in place of Assemblymember Grace Napolitano for the hearing on Tuesday, June 9, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 8, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Susan Davis to the Water, Parks and Wildlife Committee in place of Assemblymember Denise Ducheny for the hearing on Tuesday, June 9, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

June 9, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have made the following changes on Health Committee for today's hearing only:

Appointed Assemblymember Kevin Shelley in place of Assemblymember Martin Gallegos.

Appointed Assemblymember Valerie Brown to serve as Chairperson.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

June 10, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have made the following changes on Local Government Committee for today's hearing only:

Appointed Assemblymember Edward Vincent in place of Assemblymember Grace Napolitano.

Appointed Assemblymember Kevin Shelley in place of Assemblymember Don Perata.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

#### ADJOURNMENT

At 5:52 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, June 17, 1998**

**SEVENTY-THIRD SESSION DAY  
FIVE HUNDRED TWENTIETH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, June 17, 1998

The Assembly met at 7 a.m.

Hon. Peter Frusetta, Assembly Member, 28th 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	Cunneen	Lempert	Poohigian
Agurar	Davis	Leonard	Prenter
Alby	Ducheny	Machado	Pringle
Alquist	Escutia	Margett	Richter
Aroner	Figueroa	Martinez	Runner
Ashburn	Floyd	Mazzoni	Scott
Baca	Frusetta	McClintock	Shelley
Baldwin	Goldsmith	Migden	Strom-Martin
Battin	Granlund	Miller	Sweeney
Baugh	Havice	Morrissey	Takasugi
Bordonaro	Hertzberg	Morrow	Thompson
Bowler	Honda	Murray	Thomson
Brewer	House	Napolitano	Torlakson
Brown	Kaloogian	Olberg	Vincent
Bustamante	Keeley	Oller	Washington
Campbell	Knox	Ortiz	Wayne
Cardenas	Kuehl	Pacheco	Wildman
Cardoza	Kuykendall	Papan	Woods
Cedillo	Leach	Perata	Mr. Speaker

Quorum present.

**At 2:45 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 Member Bowen.*

*On personal business, and waiving per diem: Assembly Member Firestone.*

*Because of illness: Assembly Members Gallegos and Wright.*

(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 Speaker, and ordered printed in the Journal:

June 10, 1998

*E. Dotson Wilson*  
*Chief Clerk*

*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Kerry Mazzoni to the Governmental Organization Committee in place of Assemblymember Roderick Wright for the hearing on Monday, June 15, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 11, 1998

*E. Dotson Wilson*  
*Chief Clerk*

*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Carl Washington to the Human Services Committee in place of Assemblymember Roderick Wright for the month of June.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 11, 1998

*E. Dotson Wilson*  
*Chief Clerk*

*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Kevin Shelley to the Revenue and Taxation Committee in place of Assemblymember Roderick Wright for the hearing on Monday, June 15, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 11, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Elections, Reapportionment and Constitutional Amendments Committee in place of Assemblymember Roderick Wright for Monday, June 15, 1998 hearing, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 12, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have increased the size of the Governmental Organization Committee to 17 members and have appointed Assemblymember Ted Lempert to fill the vacancy.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 12, 1998

*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 Higher Education Committee in place of Assemblymember Dick Ackerman for the hearing on Monday, June 15, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 15, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Virginia Strom-Martin to the Banking and Finance Committee in place of Assemblymember Martin Gallegos for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 16, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Kevin Murray to the Insurance Committee in place of Assemblymember Martin Gallegos for Wednesday, June 17, 1998 hearing, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 16, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Nao Takasugi to the Education Committee in place of Assemblymember Jan Goldsmith for the hearing on Wednesday, June 17, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 17, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Kerry Mazzoni to the Governmental Organization Committee in place of Assemblymember Roderick Wright for Monday, June 22, 1998 hearing, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 17, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to the Revenue and Taxation Committee in place of Assemblymember Roderick Wright for the hearing on Monday, June 22, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, June 24, 1998**

**SEVENTY-FOURTH SESSION DAY**

**FIVE HUNDRED TWENTY-SEVENTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, June 24, 1998

The Assembly met at 7 a.m.

Hon. Carl Washington, Assembly Member, 52nd 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	Cedillo	Kuehl	Perata
Aguiar	Cunneen	Leach	Poochigian
Alby	Davis	Lempert	Prenter
Alquist	Ducheny	Leonard	Richter
Aroner	Escutia	Machado	Runner
Ashburn	Figueroa	Margett	Scott
Baca	Firestone	Martinez	Shelley
Baldwin	Floyd	Mazzoni	Strom-Martin
Battin	Frusetta	McClintock	Sweeney
Baugh	Gallegos	Migden	Thomson
Bordonaro	Goldsmith	Morrissey	Torlakson
Bowen	Granlund	Morrow	Vincent
Bowler	Havice	Murray	Washington
Brewer	Hertzberg	Napolitano	Wayne
Brown	Honda	Olberg	Wildman
Bustamante	House	Oller	Woods
Campbell	Kaloogian	Ortiz	Mr. Speaker
Cardenas	Keeley	Pacheco	
Cardoza	Knox	Papan	

Quorum present.

At 1:52 p.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 personal business, and waiving per diem: Assembly Members Kuykendall, Miller, Pringle, and Thompson.*

*Because of illness: Assembly Members Takasugi and Wright.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

June 17, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Kevin Shelley to the Housing Committee in place of Assemblymember Roderick Wright for Wednesday, June 24, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 17, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Torlakson to the Revenue and Taxation Committee in place of Assemblymember Dion Aroner for the hearing on Monday, June 22, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 17, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Dick Ackerman to Revenue and Taxation Committee in place of Assemblymember Gary Miller for the June 22, 1998 hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 17, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Scott Baugh to Transportation Committee in place of Assemblymember Gary Miller for the June 22, 1998 hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

June 19, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Bill Campbell to the Housing and Community Development Committee in place of Assemblymember Gary Miller for the June 24, 1998 hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

June 22, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Wally Knox to the Public Employees, Retirement and Social Security Committee in place of Assemblymember Jack Scott.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

June 22, 1998

*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 Natural Resources Committee in place of Assemblymember Keith Olberg for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

June 22, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Kevin Murray to the Elections, Reapportionment and Constitutional Amendments Committee in place of Assemblymember Roderick Wright for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 22, 1998

*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 Revenue and Taxation Committee in place of Assemblymember Nao Takasugi for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 22, 1998

*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 Transportation Committee in place of Assemblymember Nao Takasugi for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 22, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Marilyn Brewer to the Consumer Protection, Governmental Efficiency and Economic Development Committee in place of Assemblymember Nao Takasugi for the June 23, 1998 hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 23, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Don Perata to the Housing Committee in place of Assemblymember Roderick Wright for Wednesday, June 24, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

June 24, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Marilyn C. Brewer to the Consumer Protection, Governmental Efficiency and Economic Development Committee in place of Assemblymember Nao Takasugi for the hearing on Tuesday, June 30, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

June 24, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Sheila Kuehl to replace Assemblymember Don Perata on the Local Government Committee for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

June 24, 1998

*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 Revenue and Taxation Committee in place of Assemblymember Nao Takasugi for the hearing on Monday, June 29, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

June 24, 1998

*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 Transportation Committee in place of Assemblymember Nao Takasugi for the hearing on Monday, June 29, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, July 1, 1998**

**SEVENTY-FIFTH SESSION DAY**

**FIVE HUNDRED THIRTY-FOURTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, July 1, 1998

The Assembly met at 7 a.m.

Hon. Brooks Firestone, Assembly Member, 35th 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	Cunneen	Leach	Poochigian
Aguiar	Davis	Lempert	Prenter
Alby	Ducheny	Leonard	Pringle
Alquist	Escutia	Machado	Richter
Aroner	Figueroa	Margett	Runner
Ashburn	Firestone	Martinez	Scott
Baca	Floyd	Mazzoni	Shelley
Baldwin	Frusetta	McClintock	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Papan	
Cedillo	Kuykendall	Perata	

Quorum present.

At 2:24 p.m., Hon. Robert Prenter, 30th 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:

*Because of illness: Assembly Members Takasugi and Wright.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

June 25, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Sheila Kuehl to the Natural Resources Committee in place of Assemblymember Carole Migden for Monday, June 29, 1998 hearing, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 25, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Kerry Mazzoni to the Governmental Organization Committee in place of Assemblymember Roderick Wright for Monday, June 29, 1998 hearing, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 26, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Torlakson to the Revenue and Taxation Committee in place of Assemblymember Deborah Ortiz for the hearing on Monday, June 29, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 29, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have removed Assemblymember Kerry Mazzoni from the Governmental Organization Committee. Assemblymember Roderick Wright will be attending committee on Monday, June 29, 1998 hearing.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 29, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Scott Baugh to the Governmental Organization Committee in place of Assemblymember Brett Granlund for Monday, June 29, 1998 hearing, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

June 29, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Ed Vincent to the Water, Parks and Wildlife Committee in place of Assemblymember Martha Escutia for the June 30, 1998 hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

July 1, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Carl Washington to the Human Services Committee in place of Assemblymember Roderick Wright for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

July 1, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to the Labor and Employment Committee in place of Assemblymember Wally Knox for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, July 8, 1998**

**SEVENTY-SIXTH SESSION DAY  
FIVE HUNDRED FORTY-FIRST CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

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Vol. 6 53—716

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, July 8, 1998

The Assembly met at 4:12 p.m.

Hon. Joe Baca, Assistant Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

#### ROLL CALL

The following were placed upon the morning roll call—73:

Ackerman	Davis	Lempert	Pringle
Aguiar	Ducheny	Leonard	Richter
Alby	Escutia	Machado	Runner
Alquist	Figueroa	Margett	Scott
Baca	Firestone	Martinez	Shelley
Baldwin	Floyd	Mazzoni	Strom-Martin
Battin	Frusetta	McClintock	Sweeney
Baugh	Gallegos	Migden	Thompson
Bordonaro	Goldsmith	Miller	Thomson
Bowen	Granlund	Morrissey	Torlakson
Bowler	Havice	Murray	Vincent
Brewer	Hertzberg	Napolitano	Washington
Brown	Honda	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Mr. Speaker
Cardoza	Kuehl	Papan	
Cedillo	Kuykendall	Poochigian	
Cunneen	Leach	Prenter	

Quorum present.

**At 4:15 p.m., Assistant 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:

*Because of illness: Assembly Members House, Takasugi and Wright.*

*The following Assembly Members were excused for the day, and their per diem was waived: Aroner, Ashburn, Morrow, and Perata.*

(NOTE: This day's Journal corrected to show Assembly Member House excused on this day on illness pursuant to further explanation of absence. See Assembly Journal, page 461.)

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

June 30, 1998

*Mr. E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: I am removing Assembly Member Don Perata as Assembly Majority Leader effective immediately.

Thank you for your attention to this request.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

June 30, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: Please be advised that I will be waiving per diem from July 3, 1998 until the scheduled end of summer recess of August 2, 1998.

I do not believe that I should receive additional per diem because of delays in passing the budget.

Thank you for your assistance.

Sincerely,

TOM TORLAKSON, Assembly Member  
Eleventh District

July 3, 1998

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: Please be advised that I am waiving per diem upon adjournment today, July 3, through August 2, 1998.

This period reflects summer recess of the Legislature. I do not believe that I should receive additional per diem because of delays in passing the budget.

Sincerely,

JACK SCOTT, Assembly Member  
Forty-fourth District

July 6, 1998

*California Controller  
Kathleen Connell  
P.O. Box 942850  
Sacramento, California*

Dear Ms. Connell: Please begin withholding my per diem effective today, July 6, 1998 and ending the withholding when the state budget passes or July 31, which ever comes first.

Thank you for your cooperation to this request.

Sincerely,

DENNIS CARDOZA, Assembly Member  
Twenty-sixth District

July 6, 1998

*E. Dotson Wilson  
Chief Clerk  
California State Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: Please be advised that I will be forfeiting my per diem upon adjournment of Session July 3, 1998, through August 2, 1998. This period reflects the summer recess scheduled for the Legislature.

I do not believe I should benefit from the additional per diem I would receive simply because a state budget has not been passed.

Thank you for your attention to this matter.

Sincerely,

HOWARD WAYNE, Assembly Member  
Seventy-eighth District

**ADJOURNMENT**

At 6:18 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, July 16, 1998**

**SEVENTY-SEVENTH SESSION DAY  
FIVE HUNDRED FORTY-NINTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, July 16, 1998

The Assembly met at 8:30 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—73:

Ackerman	Escutia	Machado	Pringle
Aguiar	Figueroa	Margett	Richter
Alby	Firestone	Martinez	Runner
Ashburn	Floyd	Mazzoni	Scott
Baca	Frusetta	McClintock	Shelley
Baldwin	Gallegos	Migden	Strom-Martin
Battin	Goldsmith	Miller	Sweeney
Bordonaro	Granlund	Morrissey	Thompson
Bowen	Havice	Morrow	Thomson
Bowler	Hertzberg	Murray	Torlakson
Brewer	Honda	Napolitano	Vincent
Brown	House	Olberg	Washington
Bustamante	Keeley	Oller	Wayne
Cardenas	Knox	Ortiz	Wildman
Cardoza	Kuehl	Pacheco	Woods
Cedillo	Kuykendall	Papan	Mr. Speaker
Cunneen	Leach	Perata	
Davis	Lempert	Poochigian	
Ducheny	Leonard	Prenter	

Quorum present.

At 8:48 a.m., Speaker pro Tempore 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:

*Because of illness: Assembly Members Takasugi and Wright.*

*Because of illness in her family: Assembly Member Alquist.*

*The following Assembly Members were excused for the day, and their per diem was waived: Aroner, Baugh, Campbell, and Kaloogian.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

**Explanation of Absence—July 8, 1998**

July 13, 1998

*The Honorable Antonio R. Villaraigosa  
State Capitol Building, Room 219  
Sacramento, California*

Dear Speaker Villaraigosa: This letter is to request that the Assembly Record be corrected to reflect an excused absence for me from session on Wednesday, July 8, 1998 due to an urgent doctor's appointment I had and have included a doctor's note for your information. I was on the Assembly floor at the scheduled time for session on Wednesday and had to leave for a doctor's appointment in the afternoon, thereby missing the session. Thank you for your consideration.

Sincerely,

GEORGE HOUSE, Assembly Member  
Twenty-fifth District

July 13, 1998

*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 Revenue and Taxation Committee in place of Assemblymember Nao Takasugi for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

July 14, 1998

*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 Revenue and Taxation Committee in place of Assemblymember Nao Takasugi for all hearings occurring this week.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

July 14, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Sheila Kuehl to the Revenue and Taxation Committee in place of Assemblymember Rod Wright for the hearing on Wednesday, July 15, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

July 14, 1998

*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 Appropriations Committee in place of Assemblymember Fred Aguiar for the hearing on Wednesday, July 15, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

July 14, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to the Appropriations Committee in place of Assemblymember Joe Baca for all hearings occurring this week.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

July 15, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Kevin Shelley to the Revenue and Taxation Committee in place of Assemblymember Elaine Alquist for the July 15, 1998 hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

July 10, 1998

*Mr. E. Dotson Wilson*  
*Chief Clerk, California State Assembly*  
*State Capitol*  
*Sacramento, California*

Dear Mr. Wilson: Due to the late enactment of a state budget, please be advised that I will be donating all per diem during the time the legislature was scheduled to be in summer recess until the budget is signed.

In lieu of refusing the per diem and returning it to the Assembly operating budget, I will donate it to deserving charities in my district. I strongly believe that these organizations will be better able to spend these funds in a more responsible fashion than the State Assembly.

Sincerely,

JIM CUNNEEN, Assembly Member  
Twenty-fourth District

July 10, 1998

*Mr. E. Dotson Wilson*  
*Chief Clerk, California State Assembly*  
*State Capitol*  
*Sacramento, California*

Dear Mr. Wilson,

Due to the late enactment of a state budget, please be advised that I will be donating all pay and per diem from July 1, 1998 until the budget is signed.

In lieu of refusing the pay and returning it to the Assembly operating budget, I will donate it to the Boys and Girls Clubs in my district. I strongly believe that these organizations will be better able to spend these funds in a more responsible fashion than the State Assembly.

Sincerely,

JIM MORRISSEY, Assembly Member  
Sixty-ninth District

#### **ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, July 22, 1998**

**SEVENTY-EIGHTH SESSION DAY  
FIVE HUNDRED FIFTY-FIFTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, July 22, 1998

The Assembly met at 10 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—69:

Ackerman	Cardoza	Kuykendall	Pringle
Aguiar	Cedillo	Leach	Richter
Alby	Cunneen	Lempert	Runner
Alquist	Davis	Leonard	Scott
Aroner	Ducheny	Machado	Shelley
Ashburn	Figueroa	Margett	Sweeney
Baca	Floyd	Mazzoni	Thompson
Baldwin	Frusetta	McClintock	Thomson
Battin	Gallegos	Morrissey	Torlakson
Baugh	Goldsmith	Murray	Vincent
Bordonaro	Granlund	Napolitano	Washington
Bowen	Havice	Olberg	Wayne
Bowler	Hertzberg	Oller	Wildman
Brewer	Honda	Ortiz	Woods
Brown	House	Pacheco	Mr. Speaker
Bustamante	Keeley	Perata	
Campbell	Knox	Poochigian	
Cardenas	Kuehl	Prenter	

Quorum present.

At 10:27 a.m., Speaker pro Tempore 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:

*Because of illness: Assembly Members Escutia, Takasugi, and Wright.*

*The following Assembly Members were excused for the day, and their per diem was waived: Firestone, Kaloogian, Martinez, Migden, Miller, Morrow, Papan, and Strom-Martin.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

July 21, 1998

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: Please be advised that I have made the following changes on the Insurance Committee for Wednesday, July 22, 1998, only:

Appointed Assemblymember Robert Hertzberg in place of Assemblymember Lou Papan.

Appointed Assemblymember Wally Knox in place of Assemblymember Mike Honda.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

July 21, 1998

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Rod Pacheco to the Budget Committee in place of Assemblymember Gary Miller for Thursday, July 23, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

July 22, 1998

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: Please be advised that I have made the following changes to the Budget Committee for today's hearing only.

Appointed Assemblymember Kevin Shelley in place of Assemblymember Lou Papan.

Appointed Assemblymember Wally Knox in place of Assemblymember Rod Wright.

Appointed Assemblymember Mike Sweeney in place of Assemblymember Virginia Strom-Martin.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**MESSAGES FROM THE SENATE**

Senate Chamber, July 21, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 8

GREG P. SCHMIDT, 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. 8**—An act to amend Sections 1601 and 1603 of the Fish and Game Code, relating to streambeds.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, July 30, 1998**

**SEVENTY-NINTH SESSION DAY  
FIVE HUNDRED SIXTY-THIRD CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, July 30, 1998

The Assembly met at 8:30 a.m.  
Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—74:

Ackerman	Cunneen	Kuykendall	Prenter
Aguiar	Davis	Leach	Pringle
Alby	Ducheny	Lempert	Richter
Alquist	Escutia	Leonard	Runner
Aroner	Figueroa	Machado	Scott
Ashburn	Firestone	Margett	Shelley
Baca	Floyd	Mazzoni	Strom-Martin
Baldwin	Frusetta	McClintock	Sweeney
Battin	Gallegos	Migden	Thompson
Baugh	Goldsmith	Miller	Thomson
Bowen	Granlund	Morrissey	Torlakson
Bowler	Havice	Morrow	Vincent
Brewer	Hertzberg	Murray	Washington
Brown	Honda	Napolitano	Wayne
Bustamante	House	Olberg	Wildman
Campbell	Kaloogian	Oller	Woods
Cardenas	Keeley	Ortiz	Mr. Speaker
Cardoza	Knox	Pacheco	
Cedillo	Kuehl	Poochigian	

#### LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

*Because of illness: Assembly Members Takasugi and Wright.*

*The following Assembly Members were excused for the day, and their per diem was waived: Bordonaro, Martinez, Papan, and Perata.*

Quorum present.

At 8:55 a.m., Speaker pro Tempore 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.

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

July 28, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed the following members to the Appropriations Committee for the hearing on Wednesday, July 29, 1998, only.

Assemblymember Fred Keeley for Assemblymember Lou Papan  
Assemblymember George Runner for Assemblymember Fred Aguiar  
Assemblymember Ted Lempert for Assemblymember Carl Washington

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

July 30, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Scott Baugh to the Transportation Committee in place of Assemblymember Nao Takasugi for the hearing on Monday, August 3, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**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>
8	----- W.,P. & W.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, August 6, 1998**

**EIGHTIETH SESSION DAY**

**FIVE HUNDRED SEVENTIETH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, August 6, 1998

The Assembly met at 8:44 a.m.  
Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Ackerman	Cunneen	Lempert	Prenter
Aguiar	Davis	Leonard	Pringle
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	

Quorum present.

At 8:45 a.m., Speaker pro Tempore 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:

*Because of illness: Assembly Member Takasugi.*

*The following Assembly Member was excused for the day, and his per diem was waived: Firestone.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

July 31, 1998

*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 Human Services Committee in place of Assemblymember Roy Ashburn for the hearing on Monday, August 3, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

July 31, 1998

*E. Dotson Wilson*  
*Chief Clerk*

*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Marilyn C. Brewer to the Consumer Protection, Governmental Efficiency and Economic Development Committee in place of Assemblymember Nao Takasugi for the hearing on Tuesday, August 4, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 4, 1998

*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 Revenue and Taxation Committee in place of Assemblymember Nao Takasugi for the hearing on Monday, August 10, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 5, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Woods to replace Assemblymember Bob Margett on the Local Government Committee for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, August 12, 1998**

**EIGHTY-FIRST SESSION DAY**

**FIVE HUNDRED SEVENTY-SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, August 12, 1998

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—73:

Ackerman	Davis	Leonard	Pringle
Aguiar	Ducheny	Machado	Richter
Alby	Escutia	Margett	Runner
Alquist	Figueroa	Martinez	Scott
Aroner	Floyd	Mazzoni	Shelley
Ashburn	Frusetta	McClintock	Strom-Martin
Baca	Gallegos	Migden	Thompson
Baldwin	Goldsmith	Miller	Thomson
Battin	Granlund	Morrissey	Torlakson
Baugh	Havice	Morrow	Vincent
Bordonaro	Hertzberg	Murray	Washington
Bowen	Honda	Napolitano	Wayne
Bowler	House	Olberg	Wildman
Brewer	Kaloogian	Oller	Woods
Bustamante	Keeley	Ortiz	Wright
Campbell	Knox	Pacheco	Mr. Speaker
Cardenas	Kuehl	Papan	
Cardoza	Kuykendall	Poohagian	
Cedillo	Leach	Prenter	

Quorum present.

**At 12:15 p.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 Brown, Cunneen, and Lempert.*

*On personal business, and waiving per diem: Assembly Members Firestone and Sweeney.*

*Because of illness: Assembly Member Takasugi.*

*Because of illness in his family: Assembly Member Perata.*

(NOTE: For explanations of absences of Assembly Members Brown, Cunneen, and Lempert 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 communications were presented by the Speaker, and ordered printed in the Journal:

August 11, 1998

*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 Revenue and Taxation Committee in place of Assemblymember Nao Takasugi for all hearings this week.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 10, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Scott Baugh to the Transportation Committee in place of Assemblymember Nao Takasugi for the hearing on Wednesday, August 12, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 12, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Lou Papan to the Transportation Committee in place of Assemblymember Ted Lempert for the hearing on Wednesday, August 12, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 12, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Torlakson to the Appropriations Committee in place of Assemblymember Michael Sweeney for the hearing on Wednesday, August 12, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**MESSAGES FROM THE SENATE**

Senate Chamber, August 11, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 10

GREG P. SCHMIDT, 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 to amend Sections 8685, 8686, and 8686.4 of the Government Code, relating to natural disasters.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, August 19, 1998**  
**EIGHTY-SECOND SESSION DAY**  
**FIVE HUNDRED EIGHTY-THIRD CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, August 19, 1998

The Assembly met at 2 p.m.  
Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

Ackerman	Cunneen	Lempert	Pringle
Aguiar	Davis	Leonard	Richter
Alby	Ducheny	Margett	Runner
Alquist	Escutia	Martinez	Scott
Aroner	Figueroa	Mazzoni	Shelley
Ashburn	Firestone	McClintock	Strom-Martin
Baca	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Takasugi
Baugh	Goldsmith	Morrissey	Thompson
Bordonaro	Granlund	Morrow	Thomson
Bowen	Havice	Murray	Torlakson
Bowler	Hertzberg	Olberg	Vincent
Brewer	Honda	Oller	Washington
Brown	House	Ortiz	Wayne
Bustamante	Kaloogian	Pacheco	Wildman
Campbell	Keeley	Papan	Woods
Cardenas	Knox	Perata	Wright
Cardoza	Kuehl	Poochigian	Mr. Speaker
Cedillo	Leach	Prenter	

Quorum present.

At 2:07 p.m., Speaker pro Tempore 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 personal business, and waiving per diem: Assembly Members Kuykendall and Napolitano.*

*Because of illness in his family: Assembly Member Baldwin.*

*Because of a death in his family: Assembly Member Machado.*

*The following Assembly Member was excused for the day, and his per diem was waived: Assembly Member Floyd.*

**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>
<b>10</b> -----	G.O.

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

August 17, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Bill Campbell to the Revenue and Taxation Committee in place of Assemblymember Nao Takasugi for all hearings this week.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 18, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Scott Baugh to the Transportation Committee in place of Assemblymember Nao Takasugi for all hearings through August 28, 1998.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 18, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember George House to the Local Government Committee to replace Assemblymember Steve Baldwin for all hearings through this week.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 18, 1998

*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 Consumer Protection, Governmental Efficiency and Economic Development Committee in place of Assemblymember Nao Takasugi for all hearings through August 28, 1998.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 18, 1998

*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 Public Safety Committee in place of Assemblymember Grace Napolitano for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 18, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to the Appropriations Committee in place of Assemblymember Mike Machado for the hearing on August 19, 1998.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 19, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Banking and Finance Committee in place of Assemblymember Mike Machado for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

August 18, 1998

*E. Dotson Wilson  
Chief Clerk  
California Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: The purpose of this letter is to notify you that I would like to waive my per diem for July 4, 1998 through August 2, 1998.

Thank you for your immediate attention to this matter.

Sincerely,

SUSAN A. DAVIS, Assembly Member  
Seventy-sixth District

**ADJOURNMENT**

At 6:30 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, August 25, 1998**

**EIGHTY-THIRD SESSION DAY**

**FIVE HUNDRED EIGHTY-NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Tuesday, August 25, 1998

The Assembly met at 10:25 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

Ackerman	Cunneen	Leach	Pringle
Aguiar	Davis	Lempert	Richter
Alby	Ducheny	Leonard	Runner
Alquist	Escutia	Margett	Scott
Aroner	Figueroa	Martinez	Shelley
Ashburn	Firestone	Mazzoni	Strom-Martin
Baca	Floyd	McClintock	Sweeney
Baldwin	Frusetta	Migden	Thompson
Battin	Gallegos	Miller	Thomson
Baugh	Goldsmith	Morrissey	Torlakson
Bordonaro	Granlund	Morrow	Vincent
Bowen	Havice	Murray	Washington
Bowler	Hertzberg	Napolitano	Wayne
Brewer	Honda	Olberg	Wildman
Brown	House	Oller	Woods
Bustamante	Kaloogian	Ortiz	Wright
Campbell	Keeley	Pacheco	Mr. Speaker
Cardenas	Knox	Papan	
Cardoza	Kuehl	Poochigian	
Cedillo	Kuykendall	Prenter	

Quorum present.

At 10:25 a.m., Speaker pro Tempore 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:

*Because of illness: Assembly Member Takasugi.*

*Because of death in the family: Assembly Members Machado and Perata.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

August 20, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to the Water, Parks and Wildlife Committee in place of Assemblymember Mike Machado for all hearings this week.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 24, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Torlakson to the Appropriations Committee in place of Assemblymember Martha Escutia for the hearing on August 25, 1998 only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 24, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to the Appropriations Committee in place of Assemblymember Mike Machado for the hearing on Tuesday, August 25, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 24, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Lou Papan to the Water, Parks and Wildlife Committee in place of Assemblymember Mike Machado for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 24, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Wally Knox to the Water, Parks and Wildlife Committee in place of Assemblymember Martha Escutia for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 24, 1998

*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 Revenue and Taxation Committee in place of Assemblymember Nao Takasugi for all hearings this week.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 25, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Wally Knox to the Water, Parks and Wildlife Committee in place of Assemblymember Martha Escutia for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 25, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Lou Papan to the Water, Parks and Wildlife Committee in place of Assemblymember Mike Machado for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 25, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Torlakson to the Revenue and Taxation Committee in place of Assemblymember Mike Machado for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 25, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Public Safety Committee in place of Assemblymember Don Perata for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 25, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to the Local Government Committee in place of Assemblymember Don Perata for the hearing on August 26, 1998 only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**REPORTS OF STANDING COMMITTEES**  
**Committee on Water, Parks and Wildlife**

Date of Hearing: August 21, 1998

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 8

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

MACHADO, Chairman

Above bill re-referred to the Committee on Appropriations.

**Committee on Appropriations**

Date of Hearing: August 25, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 8

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MIGDEN, Chairwoman

Above bill ordered to second reading.

**SECOND READING BY UNANIMOUS CONSENT**

Unanimous consent was granted that all bills amended on second reading today be ordered to the third reading or First Day Consent Calendar on Wednesday, August 26th; and that all bills reported from committees with amendments today, have amendments adopted and the bills ordered returned to the second reading file or First Day Consent Calendar on August 26th.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 8**—An act to amend Sections 1601 and 1603 of the Fish and Game Code, relating to streambeds.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the Consent Calendar.

**ADJOURNMENT**

At 6 p.m., the Assembly adjourned to reconvene upon call of the Speaker.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 25, 1998**

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The following measure was amended in the Assembly on this day:

<b>SB</b>	<b>RN</b>
8	9819994

<b>Daily Total:</b>	<b>1</b>
<b>Cumulative Total:</b>	<b>11</b>

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, August 26, 1998**  
**EIGHTY-FOURTH SESSION DAY**  
**FIVE HUNDRED NINETIETH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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**NOTE:** Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, August 26, 1998

The Assembly met at 9:30 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Firestone	Mazzoni	Shelley
Baca	Floyd	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Morrow	Torlakson
Bowen	Havice	Murray	Vincent
Bowler	Hertzberg	Napolitano	Washington
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Wright
Cardenas	Knox	Papan	Mr. Speaker
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	

Quorum present.

At 10:07 a.m., Speaker pro Tempore 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:

*Because of illness: Assembly Member Takasugi.*

*Because of a death in his family: Assembly Member Machado.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

August 25, 1998

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Wally Knox to the Water, Parks and Wildlife Committee in place of Assemblymember Martha Escutia for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 25, 1998

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Lou Papan to the Water, Parks and Wildlife Committee in place of Assemblymember Mike Machado for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 25, 1998

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Torlakson to the Revenue and Taxation Committee in place of Assemblymember Mike Machado for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 25, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Public Safety Committee in place of Assemblymember Don Perata for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

August 25, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to the Local Government Committee in place of Assemblymember Don Perata for the hearing on August 26, 1998 only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

**AUTHOR'S AMENDMENTS**  
**Committee on Governmental Organization**

August 26, 1998

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Senate Bill No. 10

With author's amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairwoman

**SENATE BILL NO. 10**—An act to amend Sections 8680.4, 8685, 8686, and 8686.4 of the Government Code, relating to natural disasters.

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 7:06 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 26, 1998**

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The following measures were amended in the Assembly on this day:

<b>SB</b>	<b>RN</b>
10	9820497
<b>Daily Total:</b>	<b>1</b>
<b>Cumulative Total:</b>	<b>12</b>

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, August 27, 1998**

**EIGHTY-FIFTH SESSION DAY**

**FIVE HUNDRED NINETY-FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, August 27, 1998

The Assembly met at 10:24 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—79:

Ackerman	Cunneen	Leach	Poochigian
Aguiar	Davis	Lempert	Prenter
Alby	Ducheny	Leonard	Pringle
Alquist	Escutia	Machado	Richter
Aroner	Figueroa	Margett	Runner
Ashburn	Firestone	Martinez	Scott
Baca	Floyd	Mazzoni	Shelley
Baldwin	Frusetta	McClintock	Strom-Martin
Battin	Gallegos	Migden	Sweeney
Baugh	Goldsmith	Miller	Thompson
Bordonaro	Granlund	Morrissey	Thomson
Bowen	Havice	Morrow	Torlakson
Bowler	Hertzberg	Murray	Vincent
Brewer	Honda	Napolitano	Washington
Brown	House	Olberg	Wayne
Bustamante	Kaloogian	Oller	Wildman
Campbell	Keeley	Ortiz	Woods
Cardenas	Knox	Pacheco	Wright
Cardoza	Kuehl	Papan	Mr. Speaker
Cedillo	Kuykendall	Perata	

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*O God, Our Father, We thank You for this new day and for the privilege of serving this great state. Grant that we make prudent use of the hours given us this day and to fulfill our duties with diligence. Grant also to us that Your kingdom come and Your will be done, beginning with us. Lord, bring us to the evening at peace with ourselves, at peace with our neighbor, and at peace with You.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, 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 Papan, seconded by Assembly Member Ackerman.

**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:

*Because of illness: Assembly Member Takasugi.*

**COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

August 27, 1998

*E. Dotson Wilson  
Chief Clerk  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Torlakson to the Revenue and Taxation Committee in place of Assemblymember Mike Machado for all hearings this week.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

August 27, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Wally Knox to the Water, Parks and Wildlife Committee in place of Assemblymember Mike Machado for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

August 27, 1998

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Fred Keeley to the Appropriations Committee in place of Assemblymember Mike Machado for all hearings this week.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

#### CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

#### Consent Calendar—Senate Bill

**Senate Bill No. 8 (Johannessen)**—An act to amend Sections 1601 and 1603 of the Fish and Game Code, relating to streambeds.

Bill read third time, and passed by the following vote:

#### AYES—75

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Firestone	Mazzoni	Shelley
Baca	Floyd	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Murray	Torlakson
Bowen	Hertzberg	Napolitano	Vincent
Bowler	Honda	Olberg	Washington
Brewer	House	Oller	Wayne
Brown	Kaloogian	Ortiz	Wildman
Campbell	Keeley	Pacheco	Woods
Cardenas	Knox	Papan	Wright
Cardoza	Kuehl	Perata	Mr. Speaker
Cedillo	Kuykendall	Poochigian	

NOES—None

**CONSIDERATION OF DAILY FILE  
THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 13 (Baca)**—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.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—78**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Firestone	Mazzoni	Shelley
Baca	Floyd	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Morrow	Torlakson
Bowen	Havice	Murray	Vincent
Bowler	Hertzberg	Napolitano	Washington
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Wright
Cardenas	Knox	Papan	Mr. Speaker
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—78**

Ackerman	Cunneen	Leach	Prenter
Aguiar	Davis	Lempert	Pringle
Alby	Ducheny	Leonard	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Firestone	Mazzoni	Shelley
Baca	Floyd	McClintock	Strom-Martin
Baldwin	Frusetta	Migden	Sweeney
Battin	Gallegos	Miller	Thompson
Baugh	Goldsmith	Morrissey	Thomson
Bordonaro	Granlund	Morrow	Torlakson
Bowen	Havice	Murray	Vincent
Bowler	Hertzberg	Napolitano	Washington
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Wright
Cardenas	Knox	Papan	Mr. Speaker
Cardoza	Kuehl	Perata	
Cedillo	Kuykendall	Poochigian	

**NOES—None**

Bill ordered transmitted to the Senate.

**RE-REFERENCE OF BILLS**

Speaker pro Tempore Kuehl was granted unanimous consent that Senate Bill No. 10 be re-referred from the Committee on Governmental Organization to the Committee on Water, Parks and Wildlife.

**REPORTS OF STANDING COMMITTEES  
Committee on Water, Parks and Wildlife**

Date of Hearing: August 27, 1998

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 10

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

MACHADO, Chairman

Above bill re-referred to the Committee on Appropriations.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items:

**Consent Calendar:** Alby, Aroner, Ashburn, Bordonaro, Brewer, Campbell, Cardoza, Gallegos, Goldsmith, Havice, Kaloogian, Knox, Margett, Martinez, Mazzoni, Murray, Pacheco, Perata, Prenter, and Thomson—Aye.

**Assembly Bill No. 13 and Urgency:** Alby, Aroner, Ashburn, Bordonaro, Brewer, Frusetta, Gallegos, Goldsmith, Havice, Kaloogian, Margett, Martinez, Mazzoni, Morrow, Murray, Olberg, Pacheco, Perata, Prenter, and Thomson—Aye.

**ADJOURNMENT**

At 10:27 a.m., the Assembly adjourned to reconvene upon Call of the Speaker.

---

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE  
1997-98 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, August 31, 1998**  
**EIGHTY-SIXTH SESSION DAY**  
**FIVE HUNDRED NINETY-FIFTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, August 31, 1998

The Assembly met at 7:54 p.m.  
Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—78:

Ackerman	Cunneen	Lempert	Prenter
Aguiar	Davis	Leonard	Pringle
Alby	Ducheny	Machado	Richter
Alquist	Escutia	Margett	Runner
Aroner	Figueroa	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Thompson
Baugh	Granlund	Morrissey	Thomson
Bordonaro	Havice	Morrow	Torlakson
Bowen	Hertzberg	Murray	Vincent
Bowler	Honda	Napolitano	Washington
Brewer	House	Olberg	Wayne
Brown	Kaloogian	Oller	Wildman
Bustamante	Keeley	Ortiz	Woods
Campbell	Knox	Pacheco	Wright
Cardenas	Kuehl	Papan	Mr. Speaker
Cardoza	Kuykendall	Perata	
Cedillo	Leach	Poochigian	

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*Lord God, As we pray at the end of this session, we thank You for the goodness and mercy that You have showered upon us. Lord, we ask that You be with us in the coming months and guide the people of this great state as they exercise their citizenship. Whatever the consequences, we will have You as our Guide and our Judge. May Your Spirit descend upon the people of California to kindle the fires of faith, so that this land will glow brightly as a beacon of hope for all mankind. Grant joy and peace to those, whose work in this Assembly is concluded and to all others give strength and wisdom for the future.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Sweeney 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 Strom-Martin, seconded by Assembly Member Bordonaro.

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

*Because of illness: Assembly Members Firestone and Takasugi.*

**MESSAGES FROM THE SENATE**

Senate Chamber, August 30, 1998

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

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

**REPORTS OF STANDING COMMITTEES****Committee on Appropriations**

Date of Hearing: August 31, 1998

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 10

With amendments with the recommendation: Amend, and do pass, as amended.

MIGDEN, Chairwoman

Above bill ordered to second reading.

**SENATE BILL NO. 10 TAKEN UP BY UNANIMOUS CONSENT  
FOR SECOND READING**

Assembly Member Woods was granted unanimous consent to take up Senate Bill No. 10 without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

**SENATE BILL NO. 10**—An act relating to water, making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted.

**Consideration of Senate Bill No. 10 Without Reference To File**

Assembly Member Woods was granted unanimous consent to take up Senate Bill No. 10, without reference to file, for purpose of consideration.

**SENATE BILL NO. 10 (Johannessen)**—An act relating to water, making an appropriation therefor.

Bill read third time, and presented by Assembly Member Woods.

Bill passed by the following vote:

**AYES—73**

Ackerman	Cunneen	Leach	Richter
Aguiar	Davis	Lempert	Runner
Alby	Ducheny	Leonard	Scott
Alquist	Escutia	Machado	Shelley
Arøner	Figueroa	Margett	Strom-Martin
Ashburn	Floyd	Martinez	Sweeney
Baca	Frusetta	Mazzoni	Thompson
Battin	Gallegos	Migden	Thomson
Baugh	Goldsmith	Miller	Torlakson
Bordonaro	Granlund	Morrissey	Vincent
Bowen	Havice	Murray	Washington
Bowler	Hertzberg	Napolitano	Wayne
Brewer	Honda	Oller	Wildman
Brown	House	Ortiz	Woods
Bustamante	Kaloogian	Pacheco	Wright
Campbell	Keeley	Papan	Mr. Speaker
Cardenas	Knox	Perata	
Cardoza	Kuehl	Poochigian	
Cedillo	Kuykendall	Prenter	

**NOES—3**

Baldwin	McClintock	Olberg
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Bill ordered transmitted to the Senate.

**RECESS**

By unanimous consent, at 7:56 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 31, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 2

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 2**—Relative to the 1997–98 First Extraordinary Session of the Legislature.

**REASSEMBLED**

**FIVE HUNDRED NINETY-SIXTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, September 1, 1998

At 12:12 a.m., Speaker pro Tempore Kuehl, presiding.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 31, 1998

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

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

**SENATE CONCURRENT RESOLUTION NO. 2 TAKEN UP  
BY UNANIMOUS CONSENT**

Assembly Member Shelley 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 the 1997–98 First Extraordinary Session of the Legislature.

Resolution read, and adopted by the following vote:

**AYES—69**

Ackerman	Davis	Lempert	Runner
Aguiar	Ducheny	Leonard	Scott
Alquist	Escutia	Machado	Shelley
Aroner	Figueroa	Margett	Strom-Martin
Ashburn	Frusetta	Mazzoni	Sweeney
Baca	Gallegos	McClintock	Thompson
Battin	Goldsmith	Migden	Thomson
Baugh	Granlund	Morrissey	Torlakson
Bordonaro	Havice	Murray	Vincent
Bowen	Hertzberg	Napolitano	Washington
Brewer	Honda	Olberg	Wayne
Brown	House	Oller	Wildman
Bustamante	Kaloogian	Ortiz	Woods
Campbell	Keeley	Pacheco	Wright
Cardenas	Knox	Papan	Mr. Speaker
Cardoza	Kuehl	Poochigian	
Cedillo	Kuykendall	Prenter	
Cunneen	Leach	Richter	

**NOES—None**

Resolution 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. 10:** Battin, Martinez, Mazzoni, and Poochigian—Aye; Baldwin and Olberg—No.

**Senate Concurrent Resolution No. 2:** Bowen—Aye.

**ADJOURNMENT**

At 12:13 a.m., pursuant to the provisions of Senate Concurrent Resolution No. 2, the 1997-98 First Extraordinary Session of the Legislature was adjourned *sine die*.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 31, 1998**

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The following measure was amended in the Assembly on this day:

<b>SB</b>	<b>RN</b>
10	98121035

<b>Daily Total:</b>	<b>1</b>
<b>Cumulative Total:</b>	<b>13</b>

CALIFORNIA LEGISLATURE

1997-98 FIRST EXTRAORDINARY SESSION

ASSEMBLY JOURNAL

APPENDIX TO THE ASSEMBLY JOURNAL  
FOR THE 1997-98 FIRST EXTRAORDINARY SESSION

Assembly Chamber, Sacramento  
November 30, 1998

The following is an appendix to the Assembly Journal for the 1997-98 First Extraordinary Session containing information received subsequent to adjournment *sine die* of the session.

REPORTS OF STANDING COMMITTEES  
Committee on Rules

September 1, 1998

Mr. Speaker: Your Committee on Rules reports:  
Senate Concurrent Resolution No. 1  
Without action.

HERTZBERG, Chairman

Above resolution ordered transmitted to the Senate.

Committee on Appropriations

September 1, 1998

Mr. Speaker: The Committee on Appropriations reports:  
Senate Bill No. 9  
Without action.

MIGDEN, Chairwoman

Above bill returned to the Senate.

September 1, 1998

Mr. Speaker: The Committee on Appropriations reports:  
Assembly Bill No. 7  
Assembly Bill No. 12  
Without action.

MIGDEN, Chairwoman

Committee on Revenue and Taxation

September 1, 1998

Mr. Speaker: The Committee on Revenue and Taxation reports:  
Assembly Bill No. 5  
Assembly Bill No. 8  
Without action.

KNOX, Chairman

**Committee on Transportation**

November 30, 1998

Mr. Speaker: The Committee on Transportation reports:  
Assembly Bill No. 9  
Without action.

MURRAY, Chairman

**Committee on Water, Parks and Wildlife**

November 30, 1998

Mr. Speaker: The Committee on Water, Parks and Wildlife reports:  
Assembly Bill No. 3  
Without action.

MACHADO, Chairman

**MESSAGES FROM THE SENATE**

Senate Chamber, September 1, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day returns without further action:  
Assembly Bill No. 13

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

**MEASURES WHICH DIED AT ASSEMBLY DESK**

Assembly Bill No. 4 and Senate Bill No. 1.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk