

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 22

INTERIM RECESS

Assembly Chamber, Sacramento
December 19, 1997

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 Interim Recess:

COMMUNICATIONS

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

December 4, 1997

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

Dear Mr. Wilson: Please be advised that pursuant to Welfare and Institutions Code Sec. 10065 (Ch. 270 of 1997, AB 1542—Ducheny), I have named Assembly Member Elaine Alquist to serve on the Electronic Benefits Transfer Committee. The effective date of the appointment is December 4, 1997, and this is a pleasure appointment.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

December 19, 1997

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

Dear Mr. Wilson: Please be advised that pursuant to Business and Professions Code Sec. 4928 (amended, Ch. 676, 1982) (amended Code Sec. 4927, 28, 29 and 75) AB 2367—Filante, Ch. 1249, 1989), I have named Mr. Edmund Y. Tong to serve on the Acupuncture Committee. The effective date of the appointment is December 8, 1997, and this is a term appointment, ending July 1, 2000.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

December 8, 1997

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

Dear Mr. Wilson: Please be advised pursuant to Government Code Sec. 15346.3 (Ch. 445 of 1993, SB 458—Hart), I have named Mr. Chander P. Mittal to serve as my designee to the California Defense Conversion Council. The effective appointment date is December 8, 1997, and this is a pleasure appointment.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

December 8, 1997

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

Dear Mr. Wilson: Please be advised that pursuant to Penal Code Sec. 13810 (amended by: Ch. 155 of 1996, SB 842—Marks), I have named Mr. John R. Dierking to serve on the California Council on Criminal Justice as a public member. The effective date of the appointment is December 8, 1997, and this is a pleasure appointment.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

December 17, 1997

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

Dear Dotson: This is to advise you that I am establishing the Select Committee on Aging and am appointing Assemblymember Elaine Alquist as chair.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

The following letters of transmittal were presented by the Speaker, and ordered printed in the Journal:

California State Auditor

97022
December 18, 1997

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by Chapter 310, Statutes of 1995, the Bureau of State Audits presents its audit report concerning the Department of Transportation's (department) revenues and expenditures authorized by the Seismic Retrofit Bond Act of 1996 (Bond Act). This report concludes that, although some inappropriate charges have occurred, the department in general has ensured that seismic retrofit projects funded with bond proceeds are consistent with the purpose of the Bond Act. As of November 1997, the department had not yet reimbursed the State Highway Account or the Consolidated Toll Bridge Fund for expenditures incurred during fiscal years 1994-95 and 1995-96.

Respectfully submitted,

KURT J. SJOBERG
State Auditor

Above report referred to the Committee on Transportation.

California State Auditor

97023

December 16, 1997

*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 part of the annual financial and compliance audit of the State of California, the Bureau of State Audits presents its audit report concerning the State's controls over outpatient claims submitted by hospitals participating in the Selective Provider Contracting Program. This report concludes that the Department of Health Services (department) has not activated edits in its automated payment system to detect and prevent payments of certain ineligible outpatient claims. As a result, the department overpaid hospitals by approximately \$1.6 million annually. In addition, we found several problems with the department's proposed plan for implementing edits. Unless the department addresses these problems, it will continue to make incorrect payments to hospitals.

Respectfully submitted,

KURT J. SJOBERG
State Auditor

Above report referred to the Committee on Health.

The following proposed initiatives were received by the Chief Clerk from:

Rosemary R. Calderon, 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:

**Discharges and Releases into Watercourses from Timber Harvest Operations.
Initiative Statute.**

Referred by the Speaker to the Committees on Environmental Safety and Toxic Materials and Natural Resources.

**Timber Harvest Industry. Discharges and Releases into Watercourses.
Initiative Statute.**

Referred by the Speaker to the Committees on Environmental Safety and Toxic Materials and Natural Resources.

**Timber Harvest Practices. Discharges or Releases into Watercourses.
Initiative Statute.**

Referred by the Speaker to the Committees on Environmental Safety and Toxic Materials and Natural Resources.

**Air Quality. Tax Credits.
Initiative Constitutional Amendment and Statute.**

Referred by the Speaker to the Committees on Environmental Safety and Toxic Materials and Revenue and Taxation.

**Tax Credits. Air Quality.
Initiative Constitutional Amendment and Statute.**

Referred by the Speaker to the Committees on Environmental Safety and Toxic Materials and Revenue and Taxation.

**Air Quality Improvement. Tax Credits.
Initiative Statute.**

Referred by the Speaker to the Committees on Environmental Safety and Toxic Materials and Revenue and Taxation.

**Air-Emissions. Tax Credits.
Initiative Statute.**

Referred by the Speaker to the Committees on Environmental Safety and Toxic Materials and Revenue and Taxation.

**Timber Harvesting. Identification. Old Growth Trees. Clearcutting.
Initiative Statute.**

Referred by the Speaker to the Committee on Natural Resources.

**Timber Harvest Operations. Discharges/Releases. Clearcutting.
Initiative Statute. (Corrected)**

Referred by the Speaker to the Committees on Environmental Safety and Toxic Materials and Natural Resources.

**State and County Early Childhood Development Programs.
Additional Tobacco Surtax.
Initiative Constitutional Amendment and Statute.**

Referred by the Speaker to the Committees on Health, Revenue and Taxation, and Human Services.

Family Law. Initiative Statute.

Referred by the Speaker to the Committee on Judiciary.

Corporations. Taxes. Initiative Statute.

Referred by the Speaker to the Committee on Revenue and Taxation.

**Joint and Equal Physical Custody of Children to Both Parents.
Initiative Statute.**

Referred by the Speaker to the Committee on Judiciary.

REPORTS

The following reports were presented by the Chief Clerk:

**Meeting the Challenge, California Housing Finance Agency,
1996-97 Annual Report**

**Meeting the Challenge, California Housing Finance Agency,
1996-97 Statistical Supplement
(Pursuant to Health and Safety Code Section 51005)**

Above transmitted reports, together with letter of transmittal from Theresa A. Parker, Executive Director, California Housing Finance Agency, Sacramento, dated December 5, 1997, referred by the Speaker to the Committee on Housing and Community Development.

**A Report on Legislation Enacted in 1997
with State-Mandated Local Program Implications
(Pursuant to Government Code Section 17562(b)3)**

Above transmitted report, together with letter of transmittal from Craig L. Brown, Director, Department of Finance, Sacramento, dated December 1, 1997, referred by the Speaker to the Committee on Revenue and Taxation.

**Regulatory Review Report, Department of Consumer Affairs,
Arbitration Review Program
(Pursuant to budget control language of the 1994-95 Budget Act)**

Above transmitted report, together with letter of transmittal from Marjorie M. Berte, Director, Department of Consumer Affairs, Sacramento, dated December 3, 1997, referred by the Speaker to the Committee on Budget.

**Progress Report on the Phase Down of Rice Straw Burning
in the Sacramento Valley Air Basin, 1995-96**

Report of the Advisory Committee on Alternatives to Rice Straw Burning

**Appendices
(Pursuant to Health and Safety Code Section 41865)**

Above transmitted reports, together with letters of transmittal from John D. Dunlap, III, Chairman, Air Resources Board, Sacramento, dated December 9, 1997, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk