

CALIFORNIA LEGISLATURE
1999-2000 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 5, 1999
FOURTH SESSION DAY
THIRTIETH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

Corrected January 6, 1999

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, January 5, 1999

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—76:

Aanestad	Davis	Leach	Romero
Ackerman	Dickerson	Lempert	Scott
Alquist	Ducheny	Leonard	Shelley
Aroner	Dutra	Longville	Soto
Ashburn	Firebaugh	Lowenthal	Steinberg
Baldwin	Florez	Machado	Strickland
Bates	Floyd	Maddox	Strom-Martin
Battin	Frusetta	Maldonado	Thompson
Baugh	Gallegos	Margett	Thomson
Brewer	Granlund	Mazzoni	Torlakson
Briggs	Havice	McClintock	Vincent
Calderon	Hertzberg	Migden	Washington
Campbell	Honda	Nakano	Wayne
Cardenas	House	Olberg	Wesson
Cardoza	Jackson	Pacheco, Robert	Wiggins
Corbett	Kaloogian	Pacheco, Rod	Wildman
Correa	Keeley	Papan	Wright
Cox	Knox	Pescetti	Zettel
Cunneen	Kuehl	Reyes	Mr. Speaker

Quorum present.

At 1:50 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 Members were granted leaves of absence for the day:

On legislative business: Assembly Member Oller.

Because of illness in the family: Assembly Members Cedillo and Runner.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

January 5, 1999

*The Honorable Antonio Villaraigosa
Speaker of the Assembly
State Capitol
Room 219
Sacramento, California*

Dear Mr. Speaker: This is to inform you that I will not be available for check-in session today, January 5, 1999, as I will be in my district on legislative business.

Thank you for your attention to this matter.

Sincerely,

Thomas "Rico" Oller, Assembly Member
Fourth District

COMMUNICATIONS

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

January 5, 1999

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

Dear Dotson: Please be advised that I have made the following appointments to standing committees for the 1999–2000 legislative session:

Aging and Long-Term Care

Elaine Alquist, Chair
Lynne C. Leach, Vice Chair
Jim Battin

John Dutra
Nell Soto

Agriculture

Dennis Cardoza, Chair
Abel Maldonado, Vice Chair
Marilyn C. Brewer
Dean Florez
Peter Frusetta

George House
Sarah Reyes
Helen Thomson
Patricia Wiggins

Appropriations

Carole Migden, Chair
Marilyn C. Brewer, Vice Chair
Roy Ashburn
Bill Campbell
Gil Cedillo
Susan Davis
Brett Granlund
Robert M. Hertzberg
Sheila James Kuehl
Abel Maldonado
Bob Margett

Louis J. Papan
Gloria Romero
Kevin Shelley
Darrell Steinberg
Helen Thomson
Herb Wesson
Patricia Wiggins
Roderick Wright
Charlene Zettel
Democratic Vacancy

Banking and Finance

Louis J. Papan, Chair
 Dave Cox, Vice Chair
 Bill Campbell
 John Dutra
 Dean Florez

Martin Gallegos
 Kerry Mazzoni
 Anthony Pescetti
 Carl Washington

Budget

Denise Moreno Ducheny, Chair
 George Runner, Vice Chair
 Sam Aanestad
 Dion Aroner
 Patricia Bates
 Scott Baugh
 Tony Cardenas
 Gil Cedillo
 Lou Correa
 Dave Cox
 Richard Dickerson
 Marco A. Firebaugh

Dean Florez
 Fred Keeley
 Bill Leonard
 Abel Maldonado
 George Nakano
 Robert Pacheco
 Louis J. Papan
 Sarah Reyes
 Jack Scott
 Tony Strickland
 Virginia Strom-Martin
 Tom Torlakson
 Scott Wildman
 Roderick Wright

***Consumer Protection, Governmental Efficiency and
 Economic Development***

Susan Davis, Chair
 Lynne C. Leach, Vice Chair
 Dave Cox
 Dick Floyd

Ted Lempert
 Mike Machado
 Keith Olberg
 Herb Wesson

Education

Kerry Mazzoni, Chair
 Bill Campbell, Vice Chair
 Elaine Alquist
 Roy Ashburn
 Steve Baldwin
 Thomas M. Calderon
 Lou Correa
 Jim Cunneen
 Susan Davis
 Mike Honda

Lynne C. Leach
 George Nakano
 Robert Pacheco
 Jack Scott
 Nell Soto
 Virginia Strom-Martin
 Carl Washington
 Scott Wildman
 Charlene Zettel

Elections, Reapportionment and Constitutional Amendments

Edward Vincent, Chair
 Peter Frusetta, Vice Chair
 Marilyn C. Brewer
 Tony Cardenas

Gil Cedillo
 John Longville
 Democratic Vacancy

Environmental Safety and Toxic Materials

Hannah-Beth Jackson, Chair	Alan Lowenthal
Mike Briggs, Vice Chair	Ken Maddox
Jim Cunneen	Carl Washington
Ted Lempert	Patricia Wiggins

Governmental Organization

Herb Wesson, Chair	Mike Machado
Jim Battin, Vice Chair	Abel Maldonado
Dick Ackerman	Bob Margett
Scott Baugh	Kevin Shelley
Tony Cardenas	Nell Soto
Dennis Cardoza	Edward Vincent
Brett Granlund	Patricia Wiggins
Robert M. Hertzberg	Roderick Wright
John Longville	

Health

Martin Gallegos, Chair	Darrell Steinberg
Scott Baugh, Vice Chair	Tony Strickland
Sam Aanestad	Helen Thomson
Patricia Bates	Edward Vincent
Ellen M. Corbett	Howard Wayne
Marco A. Firebaugh	Scott Wildman
Sheila James Kuehl	Charlene Zettel

Higher Education

Ted Lempert, Chair	Alan Lowenthal
Steve Baldwin, Vice Chair	Anthony Pescetti
Dick Ackerman	Sarah Reyes
Dennis Cardoza	Gloria Romero
Sally Havice	Jack Scott
Hannah-Beth Jackson	Bruce Thompson

Housing and Community Development

Alan Lowenthal, Chair	Kerry Mazzoni
George House, Vice Chair	Keith Olberg
Jim Battin	George Runner
Ellen M. Corbett	Tom Torlakson
John Dutra	Scott Wildman
Wally Knox	

Human Services

Dion Aroner, Chair	Keith Olberg
Roy Ashburn, Vice Chair	Kevin Shelley
Denise Moreno Ducheny	Virginia Strom-Martin
Howard Kaloogian	

Information Technology

John Dutra, Chair	Mike Briggs
Patricia Bates, Vice Chair	Denise Moreno Ducheny
Elaine Alquist	

Insurance

Jack Scott, Chair	Fred Keeley
Rico Oller, Vice Chair	Bill Leonard
Thomas M. Calderon	Mike Machado
Dave Cox	Tom McClintock
Dick Floyd	Tony Strickland
Martin Gallegos	Howard Wayne
Sally Havice	

International Trade and Development

Sally Havice, Chair	George Nakano
Robert Pacheco, Vice Chair	George Runner
Ted Lempert	

Judiciary

Sheila James Kuehl, Chair	Hannah-Beth Jackson
Dick Ackerman, Vice Chair	Wally Knox
Dion Aroner	Tom McClintock
Scott Baugh	Kevin Shelley
Ellen M. Corbett	Darrell Steinberg
Robert M. Hertzberg	Tony Strickland
George House	Democratic Vacancy

Labor and Employment

Darrell Steinberg, Chair	Carole Migden
Bob Margett, Vice Chair	Rico Oller
Dick Floyd	Kevin Shelley
Martin Gallegos	Democratic Vacancy
Tom McClintock	

Local Government

John Longville, Chair	Nell Soto
Ken Maddox, Vice Chair	Bruce Thompson
Ellen M. Corbett	Helen Thomson
Howard Kaloogian	Tom Torlakson

Natural Resources

Howard Wayne, Chair	Alan Lowenthal
Sam Aanestad, Vice Chair	Mike Machado
Elaine Alquist	Carole Migden
Richard Dickerson	Rico Oller
Hannah-Beth Jackson	Robert Pacheco
Fred Keeley	

Public Employees, Retirement and Social Security

Lou Correa, Chair	Mike Honda
Bruce Thompson, Vice Chair	Wally Knox
Marco A. Firebaugh	Anthony Pescetti

Public Safety

Mike Honda, Chair	Fred Keeley
Jim Cunneen, Vice Chair	Rico Oller
Jim Battin	Gloria Romero
Gil Cedillo	Carl Washington

Revenue and Taxation

Wally Knox, Chair
 Howard Kaloogian, Vice Chair
 Dion Aroner
 Mike Briggs

Denise Moreno Ducheny
 Mike Honda
 Gloria Romero

Rules

Robert M. Hertzberg, Chair
 Keith Olberg, Vice Chair
 Thomas M. Calderon
 Ellen M. Corbett
 Brett Granlund
 Carl Washington

Patricia Wiggins
 Charlene Zettel
 Marco A. Firebaugh:
 Dem. Alternate
 Bill Leonard:
 Rep. Alternate

Transportation

Tom Torlakson, Chair
 Tom McClintock, Vice Chair
 Steve Baldwin
 Patricia Bates
 Lou Correa
 Susan Davis
 John Dutra
 Marco A. Firebaugh
 Sally Havice
 George House

Lynne C. Leach
 John Longville
 Abel Maldonado
 Bob Margett
 George Nakano
 Jack Scott
 Nell Soto
 Virginia Strom-Martin
 Charlene Zettel

Utilities and Commerce

Roderick Wright, Chair
 Anthony Pescetti, Vice Chair
 Thomas M. Calderon
 Bill Campbell
 Tony Cardenas
 Peter Frusetta

Ken Maddox
 Kerry Mazzoni
 Louis J. Papan
 Sarah Reyes
 Edward Vincent
 Herb Wesson

Veterans Affairs

Dick Floyd, Chair
 Richard Dickerson, Vice Chair
 Steve Baldwin
 Lou Correa

Sally Havice
 George Nakano
 Bruce Thompson
 Howard Wayne

Water, Parks and Wildlife

Mike Machado, Chair
 Richard Dickerson, Vice Chair
 Sam Aanestad
 Roy Ashburn
 Thomas M. Calderon
 Dennis Cardoza
 Dean Florez

Dick Floyd
 Peter Frusetta
 Sheila James Kuehl
 Bob Margett
 Virginia Strom-Martin
 Howard Wayne

Joint Legislative Audit

Scott Wildman, Chair

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

January 5, 1999

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

Dear Dotson: Please be advised that I have created the Budget Subcommittees and a Rules Subcommittee listed below and appointed the chairpersons indicated.

Budget Subcommittee 1—Health and Human Services

Gil Cedillo, Chair

Sam Aanestad

Dion Aroner

Richard Dickerson

Marco A. Firebaugh

Budget Subcommittee 2—Education Finance

Sarah Reyes, Chair

Bill Leonard

Robert Pacheco

Jack Scott

Scott Wildman

Budget Subcommittee 3—Resources

Virginia Strom-Martin, Chair

Scott Baugh

Dave Cox

Fred Keeley

Louis J. Papan

Budget Subcommittee 4—State Administration

George Nakano, Chair

Tony Cardenas

George Runner

Tony Strickland

Roderick Wright

Budget Subcommittee 5—Information**Technology/Transportation**

Dean Florez, Chair

Patricia Bates

Lou Correa

Abel Maldonado

Tom Torlakson

Rules Subcommittee—Sexual Harassment**Prevention and Response**

Ellen M. Corbett, Chair

Robert Hertzberg

Bill Leonard

Further, I have created the following select committees and appointed the chairpersons indicated.

Aerospace Industry

George Nakano, Chair

***Agricultural Exports and
International Market Development***

Dean Florez, Chair

California Horse Racing Industry

Edward Vincent, Chair

California Ports

Alan Lowenthal, Chair

California Wine

Patricia Wiggins, Chair

California-Mexico Affairs

Marco A. Firebaugh, Chair

Coastal Protection

Hannah-Beth Jackson, Chair

Compton Unified School District

Carl Washington, Chair

Development of 10th University of California Campus

Dennis Cardoza, Chair

Education Technology

Ted Lempert, Chair

Entertainment and the Arts

Sheila James Kuehl, Chair

Exposition Park

Roderick Wright, Chair

Gun Violence

Jack Scott, Chair

Indian Gaming

Tony Cardenas, Chair

Mental Health

Helen Thomson, Chair

Mobilehomes

Lou Correa, Chair

Rural Economic Development

Virginia Strom-Martin, Chair

School Safety

Sally Havice, Chair

Transportation Congestion Relief

Wally Knox, Chair

Assembly Legislative EthicsHelen Thomson, Democratic Co-Chair
Tony Strickland, Republican Co-Chair***School Facilities Finance***

Kerry Mazzoni, Chair

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

California State Auditor

98022

December 1, 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 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 the department in general has ensured that seismic retrofit projects funded with bond proceeds are consistent with the purpose of the Bond Act. In the 1998-99 fiscal year, the department plans to begin reimbursing the State Highway Account and the Consolidated Toll Bridge Fund for expenditures incurred during fiscal years 1994-95 and 1995-96.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Transportation.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 116—Mazzoni. An act to amend Section 60200 of, and to add Section 60048 to, the Education Code, relating to instructional materials.

ASSEMBLY BILL NO. 117—Mazzoni. An act to add Section 35182.5 to the Education Code, relating to school district governing boards.

ASSEMBLY BILL NO. 118—Washington. An act relating to foster care, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 119—Ackerman. An act to amend Section 107 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 120—Ackerman (Principal coauthor: House). An act to add Section 14218.3 to the Elections Code, relating to elections.

ASSEMBLY BILL NO. 121—Leach. An act relating to educational resources.

ASSEMBLY BILL NO. 122—Kaloogian. An act to add Sections 17053.59 and 23659 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 123—Oller. An act to amend Section 41862 of the Education Code relating to school finance.

ASSEMBLY BILL NO. 124—Ackerman (Principal coauthor: Machado). An act to amend Section 2531 of the Business and Professions Code, relating to the Speech-Language Pathology and Audiology Board, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 125—Campbell (Principal coauthor: Rod Pacheco). An act to add Chapter 9 (commencing with Section 60850) to Part 33 of the Education Code, relating to high school graduation.

SPECIAL COMMITTEE MEETINGS

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

Human Services to convene jointly with Senate Education, on January 20, 1999, at 9:30 a.m., in Room 4202.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 4:15 p.m., Wednesday, January 6, 1999.

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk