

CALIFORNIA LEGISLATURE
1999–2000 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, February 8, 1999
SEVENTEENTH SESSION DAY
SIXTY-FOURTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, February 8, 1999

The Assembly met at 1 p.m.

Hon. Fred Keeley, 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.

Quorum Call of the Assembly

Assembly Member Shelley moved a quorum call of the Assembly.

Motion carried. Time, 1:01 p.m.

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

Quorum Present

At 1:10 p.m., Speaker pro Tempore Keeley declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—73:

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

PRAYER

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Alternate Chaplain Rev. Constantine C. Pappademos:

Lord, You have promised when two or three are gathered in Your name, to fulfill their askings. Will You now grant our petitions as may be best for us, giving us, in this world the knowledge of Your truth, and in the world to come everlasting life; for You are a good and loving God.—AMEN.

ADJOURN IN MEMORY**Moment of Silence Observed**

Speaker pro Tempore Keeley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of King Hussein of Jordan, and that the Assembly observe a moment of silence in his honor.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY**Moment of Silence Observed**

Speaker pro Tempore Keeley and Assembly Member Hertzberg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Laura Mattos, wife of Assembly Television Project Director Rich Mattos, and that the Assembly observe a moment of silence in her honor.

(Assembly Rule 45.5 suspended.)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSED WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Shelley, seconded by Assembly Member Rod Pacheco.

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 Briggs, Cardoza, Florez, and Margett.

Because of illness: Assembly Member Granlund.

Because of illness in his family: Assembly Member Cedillo.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 4, 1999

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

Dear Mr. Speaker: I am respectfully requesting to be excused from floor session for legislative reasons on Monday, February 8, 1999. I will be traveling to Thousand Oaks to testify before the Animal Plant Health Inspection Services of the U.S. Department of Agriculture regarding introduction of Argentinean Citrus to California. As the representative of the largest citrus producing county in the state, I want to ensure that APHIS actions do not harm our local growers by introducing harmful pests to our environment.

Thank you for your assistance with this matter. Please feel free to contact my Capitol Director, Rock Zierman, should you have any questions.

Sincerely,

MIKE BRIGGS, Assembly Member
Twenty-ninth District

February 8, 1999

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

Dear Mr. Speaker: I regret to inform you that I may be unable to return to Sacramento for Session today at 1:30 p.m. I am away on Legislative business and may be unable to arrive in Sacramento before Session begins. I request that you excuse my absence from Session in case I cannot make it on time.

Thank you for your consideration on this matter.

Sincerely,

DENNIS CARDOZA, Assembly Member
Twenty-sixth District

January 29, 1999

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

Dear Speaker Villaraigosa: I am requesting permission to be excused from Session Monday, February 8, 1999, on legislative business.

Thank you for your consideration.

Sincerely,

DEAN FLOREZ, Assembly Member
Thirtieth District

February 3, 1999

*Speaker Antonio Villaraigosa
State Capitol, Room 219
Sacramento, California*

Dear Speaker Villaraigosa: I am requesting to be excused from session on Monday, February 8, 1999 due to legislative business.

Warm regards,

BOB MARGETT, Assembly Member
Fifty-ninth District

COMMUNICATIONS

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

February 5, 1999

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

Dear Dotson: Please be advised that I have appointed Ms. Sandra Gutierrez to the Health & Safety Code, 130110 (Created by: 1998, Proposition 10) California Children and Families First Commission.

The effective date of this appointment is February 5, 1999, and this is a term appointment expiring February 2, 2002.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

February 8, 1999

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

Dear Dotson: Please be advised that I have appointed Assemblymember Helen Thomson to replace Assemblymember Richard Floyd on the Water, Parks and Wildlife Committee.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

February 8, 1999

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

Dear Dotson: Please be advised that I have removed Assemblymember Louis J. Papan from Budget Subcommittee #3 and placed him on Budget Subcommittee #4.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

February 8, 1999

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

Dear Dotson: Please be advised that I have removed Assemblymember Tony Cardenas from Budget Subcommittee #4 and placed him on Budget Subcommittee #3.

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

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

February 1, 1999

The Honorable Scott Wildman, Chairman
Joint Legislative Audit Committee
State Capitol, Room 3091
Sacramento, California

Dear Mr. Wildman: The Senate Rules Committee has appointed the following members to the Joint Legislative Audit Committee to fill existing vacancies: Senators Alarcón, Vice Chair, Poochigian and Speier. In addition, the Committee has appointed Senator Morrow to replace Senator Schiff and Senator Murray to replace Senator Vasconcellos on the joint committee.

Sincerely,

JOHN L. BURTON
 Chairman

REPORTS

The following reports were presented by the Chief Clerk:

**Report on Salaries in Occupations Comparable to State Civil Service
 (Pursuant to Government Code Section 19826)**

Above transmitted report, together with letter of transmittal from Marty Morgenstern, Director, Department of Personnel Administration, Sacramento, dated January 12, 1999, referred by the Speaker to the Committee on Labor and Employment.

**Healthy Families Program's Quarterly Report
 Covering the Enrollment Period
 from July 1, 1998 through December 31, 1998
 (Pursuant to the 1998 Budget Act, Item 4280-101-0001)**

Above transmitted report, together with letter of transmittal from Sandra Shewry, Executive Director, California Managed Risk Medical Insurance Board, Sacramento, dated January 15, 1999, referred by the Speaker to the Committee on Budget.

**Annual Report on Lottery Revenues and Expenditures for
the Department of the Youth Authority's Education Programs
(Pursuant to the 1997 Budget Act, Section 24.60)**

Above transmitted report, together with letter of transmittal from Francisco J. Alarcon, Director, Department of the Youth Authority, Sacramento, dated January 14, 1999, referred by the Speaker to the Committee on Budget.

**California Public Employees' Retirement System
Report on Audit of Financial Statements for the Year Ended June 30, 1998
(Pursuant to Government Code Section 20228)**

Above transmitted report, together with letter of transmittal from William Dale Crist, President, Board of Administration, California Public Employees' Retirement System, Sacramento, dated January 22, 1999, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Preliminary Report on the Recycling Market Development
Revolving Loan Program
(Pursuant to the 1998 Budget Act, Item 3910-001-0281)**

Above transmitted report, together with letter of transmittal from Dan Eaton, Chairman, California Integrated Waste Management Board, Sacramento, dated January 15, 1999, referred by the Speaker to the Committee on Budget.

**Audit of the Department of Rehabilitation's
Business Enterprise Program for the Blind
(Pursuant to California Welfare and Institutions Code Section 19640.5)**

Above transmitted report, together with letter of transmittal from Kurt R. Sjoberg, State Auditor, Bureau of State Audits, Sacramento, dated January 26, 1999, referred by the Speaker to the Committee on Labor and Employment.

**Report to the Legislature on
New Career Executive Assignment Positions for
Fiscal Year 1998-99
(Pursuant to the 1998 Budget Act, Item 1880-001-0001)**

Above transmitted report, together with letter of transmittal from Walter Vaughn, Executive Officer, California State Personnel Board, Sacramento, dated January 25, 1999, referred by the Speaker to the Committee on Budget.

**Office of Administrative Law Determination No. 5
(Department of Corrections, Docket No. 97-010)
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Charlene G. Mathias, Deputy Director, Office of Administrative Law, Sacramento, dated January 25, 1999, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**California Energy Commission's Quarterly Report
Concerning the Public Interest Energy Research Program
(Pursuant to Public Resources Code Section 25620.5(h))**

Above transmitted report, together with letter of transmittal from David A. Rohy, Ph.D., Vice Chair and Presiding Member, California Energy Commission, Sacramento, dated January 22, 1999, referred by the Speaker to the Committee on Utilities and Commerce.

**California Department of Mental Health's Report on Napa State Hospital
(Pursuant to Welfare and Institutions Code Section 7229 (d))**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, Sacramento, dated January 29, 1999, referred by the Speaker to the Committee on Health.

**Audit Report Concerning the Evaluation of
the Department of Justice's Claims Review Process for
the Witness Protection Program
(Pursuant to the 1998 Budget Act)**

Above transmitted report, together with letter of transmittal from Kurt R. Sjoberg, State Auditor, Bureau of State Audits, Sacramento, dated February 2, 1999, referred by the Speaker to the Committee on Budget.

**Expenditure Information for Hazardous Substance Cleanup Bond Fund
(Pursuant to Health and Safety Code Section 25334.5(c))**

Above transmitted report, together with letter of transmittal from Jesse R. Huff, Director, Department of Toxic Substances Control, Sacramento, dated January 28, 1999, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**CALFED Bay-Delta Program Executive Summary
(Pursuant to Government Code Section 9795)**

Above transmitted report, together with letter of transmittal from Lester A. Snow, Executive Director, CALFED Bay-Delta Program, Sacramento, dated January 27, 1999, referred by the Speaker to the Committee on Natural Resources.

**Quarterly Report on Loaned Employees and
Quarterly Report on Employees Working for
Agency's Interdepartmental Initiatives for
the California Environmental Protection Agency
(Pursuant to the 1998 Budget Act, Items 3985-001-0001.3 and .4)**

Above transmitted report, together with letter of transmittal from Winston H. Hickox, Secretary for Environmental Protection, California Environmental Protection Agency, Sacramento, dated January 29, 1999, referred by the Speaker to the Committee on Budget.

**Quarterly Report on the Status of the Progress of Making the
New California Environmental Protection Agency
Headquarters a "Green Building"
(Pursuant to the 1998 Budget Act, Item 0555-001-0044.1)**

Above transmitted report, together with letter of transmittal from Winston H. Hickox, Secretary for Environmental Protection, California Environmental Protection Agency, Sacramento, dated January 29, 1999, referred by the Speaker to the Committee on Budget.

**Report of the California Housing Finance Agency's Implementation of
Minority, Women and Disabled Veteran Business Enterprise Goals for
Contracts and Professional Bond Services
(Pursuant to Public Contract Code Section 10115.5,
and Government Code Section 16855)**

Above transmitted report, together with letter of transmittal from Theresa A. Parker, Executive Director, California Housing Finance Agency, Sacramento, dated January 20, 1999, referred by the Speaker to the Committee on Utilities and Commerce.

**Report on State Corporate Taxation of Sales to
the Federal Government**

(Pursuant to Senate Concurrent Resolution Chapter 157, Statutes of 1998)

Above transmitted report, together with letter of transmittal from Elizabeth G. Hill, Legislative Analyst, California Legislature, Sacramento, dated January 21, 1999, referred by the Speaker to the Committee on Revenue and Taxation.

**Report for the Assumption Program of Loans for Education
(Pursuant to California Education Code Sections 69612 and 69612.5)**

Above transmitted report, together with letter of transmittal from Wally Boeck, Executive Director, California Student Aid Commission, Rancho Cordova, dated February 2, 1999, referred by the Speaker to the Committee on Higher Education.

**Disabled Veteran Business Enterprise Program
1997-98 Annual Report
(Pursuant to California Public Contract Code Section 10115.5)**

Above transmitted report, together with letter of transmittal from Robert L. Garcia, Interim Chief Deputy Director, Employment Development Department, Sacramento, dated February 4, 1999, referred by the Speaker to the Committee on Labor and Employment.

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

California State Auditor

98024

February 2, 1999

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 205
Sacramento, California*

Members of the Assembly: As required by AB 1656, the 1998-99 Budget Bill, the Bureau of State Audits presents its audit report concerning its evaluation of the Department of Justice's (department) claims review process for the Witness Protection Program. This report concludes that the department has taken important steps to implement controls ensuring that all program costs are appropriate and that only approved witnesses receive program services. However, the program policies and procedures display some shortcomings, that as the program increases in size, could lead to inconsistencies and backlogs in processing claims.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Budget.

California State Auditor

98020
January 26, 1999

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 219
Sacramento, California*

Members of the Assembly: As required by the California Welfare and Institutions Code, Section 19640.5, the Bureau of State Audits presents its audit report concerning its fiscal audit of the Department of Rehabilitation's (department) Business Enterprise Program for the Blind (program). This report concludes that the financial condition of the program is sound, and although the department has improved its financial management of the program, some opportunities for further improvement exist. Specifically, the surplus in the Vending Stand Account—Special Deposit Fund appears excessive. Additionally, the department could increase vending machine income more than 35 percent by establishing contracts for all vending machines on state and federal property.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Labor and Employment.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 8, 1999

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

Assembly Bill No. 34

Assembly Bill No. 81

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

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>
142 -----	Health
184 -----	L. & E.
196 -----	Jud. and Hum. S.
220 -----	G.O.
230 -----	C.P.,G.E. & E.D.
236 -----	L. Gov.
243 -----	Pub. S.
244 -----	B. & F.
245 -----	Pub. S.
246 -----	Ed.
247 -----	Jud.
248 -----	Jud.
249 -----	Health
250 -----	Hum. S.

252	-----	Higher Ed.
254	-----	Health and Jud.
256	-----	Health
259	-----	L. & E.
261	-----	Health
263	-----	Health
265	-----	Health
266	-----	P.E.,R. & S.S.
267	-----	Pub. S.
268	-----	W,P. & W.
269	-----	Rev. & Tax.
270	-----	G.O.
271	-----	Health
272	-----	Ed.
273	-----	Pub. S.

Assembly Constitutional

<i>Amendment No.</i>	<i>Committee</i>
3	----- Ed.
5	----- Jud.
6	----- C.P.,G.E. & E.D. and Budget

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
6	----- Rls.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
2	----- U. & C.

House

<i>Resolution No.</i>	<i>Committee</i>
9	----- Rls.

Senate

<i>Bill No.</i>	<i>Committee</i>
104	----- E.,R. & C.A.
138	----- P.E.,R. & S.S.

Senate Concurrent

<i>Resolution No.</i>	<i>Committee</i>
10	----- Rls.

AUTHOR'S AMENDMENTS
Committee on Rules

February 8, 1999

Mr. Speaker: The Chair of your Committee on Rules reports:
Senate Concurrent Resolution No. 3

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HERTZBERG, Chairman

SENATE CONCURRENT RESOLUTION NO. 3—Relative to College Awareness Month.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

February 8, 1999

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 15

With author's amendments with the recommendation: Amend, and re-refer to the committee.

TORLAKSON, Chairman

ASSEMBLY BILL NO. 15—An act to add Section 38047.5 to the Education Code, and to repeal and add Section 27316 of the Vehicle Code, relating to vehicles.

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: February 3, 1999

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 36

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

MAZZONI, Chairwoman

Above bill ordered to second reading.

Date of Hearing: February 3, 1999

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1

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

MAZZONI, Chairwoman

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: February 8, 1999

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 6

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

HERTZBERG, Chairman

Above resolution re-referred to the Committee on Appropriations.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Joint hearing of the Joint Legislative Audit Committee and the Assembly Committee on Environmental Safety and Toxic Materials, on February 9, 1999, at 9 a.m., in Room 4202;

Subcommittee on Sexual Harassment Prevention and Response, on February 12, 1999, upon adjournment of session.

SPECIAL RECOGNITION

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

REQUEST FOR PHOTOGRAPHER

Assembly Member Shelley was granted unanimous consent that a photographer be permitted in the Gallery of the Assembly.

RE-REFERENCE OF BILLS

Assembly Member Shelley was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 65 from the Committee on Human Services, to the Committee on Judiciary;

Assembly Bill No. 101 from the Committee on Higher Education, to the Committee on Education.

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. 138 for hearing in the Committee on Public Employees, Retirement and Social Security on Tuesday, February 9, 1999.

SPECIAL COMMITTEE MEETINGS

Assembly Member Migden was granted unanimous consent that the Committee on Appropriations be permitted to hold a special meeting today, off the Floor, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Concurrent Resolution No. 6 for hearing.

CAUCUS ANNOUNCEMENTS

At 1:20 p.m., Assembly Member Cardenas was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

RECESS

By unanimous consent, at 1:20 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

REASSEMBLED

At 1:51 p.m., the Assembly reconvened.

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

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 1:52 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.

RECESS

By unanimous consent, at 1:53 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

REASSEMBLED

At 2:05 p.m., the Assembly reconvened.

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

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Date of Hearing: February 8, 1999

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 6

With the recommendation: Be adopted.

MIGDEN, Chairwoman

**ASSEMBLY CONCURRENT RESOLUTION NO. 6 TAKEN UP
BY UNANIMOUS CONSENT**

Upon request of Assembly Member Shelley, Assembly Member Reyes was granted unanimous consent to take up Assembly Concurrent Resolution No. 6, without reference to file.

ASSEMBLY CONCURRENT RESOLUTION NO. 6—Relative to agriculture.
Resolution read.

Members Made Coauthors of Assembly Concurrent Resolution No. 6

Assembly Member Reyes was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 6.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Ackerman, Alquist, Aroner, Bates, Battin, Baugh, Brewer, Calderon, Campbell, Cardenas, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Dutra, Frusetta, Gallegos, Havice, Hertzberg, Honda, Jackson, Keeley, Knox, Leach, Lempert, Leonard, Longville, Lowenthal, Maddox, Maldonado, Mazzoni, Nakano, Oller, Papan, Pescetti, Romero, Runner, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel.

Request for Unanimous Consent

Assembly Member Reyes was granted unanimous consent to take up Assembly Concurrent Resolution No. 6, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 6, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 6—Relative to agriculture.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate immediately.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: February 8, 1999

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 10

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

Date of Hearing: February 8, 1999

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 9

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

SENATE CONCURRENT RESOLUTION NO. 10 REMOVED FROM CONSENT CALENDAR AND TAKEN UP

Upon request of Assembly Member Shelley, Assembly Member Correa was granted unanimous consent that Senate Concurrent Resolution No. 10 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. 10—Relative to Orange County Vietnamese-American Community Week.

Resolution read.

Members Made Coauthors of Senate Concurrent Resolution No. 10

Assembly Member Correa was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 10.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aanestad, Alquist, Aroner, Ashburn, Baldwin, Battin, Calderon, Cardenas, Corbett, Cox, Cunneen, Davis, Ducheny, Dutra, Firebaugh, Floyd, Frusetta, Gallegos, Havice, Hertzberg, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maldonado, Mazzone, McClintock, Nakano, Oller, Robert Pacheco, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thompson, Torklakson, Villaraigosa, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, and Zettel.

Request for Unanimous Consent

Assembly Member Correa was granted unanimous consent to take up Senate Concurrent Resolution No. 10, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No 10, as Amended

SENATE CONCURRENT RESOLUTION NO. 10—Relative to Orange County Vietnamese-American Community Week.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

HOUSE RESOLUTION NO. 9 REMOVED FROM CONSENT CALENDAR AND TAKEN UP

Upon request of Assembly Member Shelley, Assembly Member Alquist was granted unanimous consent that House Resolution No. 9 be removed from the Consent Calendar, and to take the resolution up at this time, without reference to file, for purpose of consideration.

HOUSE RESOLUTION NO. 9—Relative to the “Hospice Care” Postage Stamp.

Resolution read.

Members Made Coauthors of House Resolution No. 9

Assembly Member Alquist was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 9.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aanestad, Ackerman, Aroner, Ashburn, Baldwin, Bates, Battin, Baugh, Calderon, Campbell, Cardenas, Corbett, Correa, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Frusetta, Gallegos, Havice, Hertzberg, Honda, House, Jackson, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Lowenthal, Machado, Maddox, Maldonado, Mazzone, Migden, Nakano, Oller, Robert Pacheco, Papan, Reyes, Romero, Runner, Scott, Shelley, Soto, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, and Zettel.

Request for Unanimous Consent

Assembly Member Alquist was granted unanimous consent to take up House Resolution No. 9, as amended, without reference to print or file.

Consideration of House Resolution No. 9, As Amended

HOUSE RESOLUTION NO. 9—Relative to the “Hospice Care” Postage Stamp.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

RECESS

By unanimous consent, at 2:16 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

REASSEMBLED

At 2:18 p.m., the Assembly reconvened.

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

SESSION SCHEDULE ANNOUNCEMENTS

Speaker pro Tempore Keeley announced the following session schedule:

Tuesday–Wednesday, February 9, 10, 1999, No Check-in Session;

Thursday, February 11, 1999, Check-in Session, 7 a.m.–5 p.m.;

Friday, February 12, 1999, Floor Session, 8:30 a.m.

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 Jack Neelon, of Villa Park.

Assembly Member Corbett was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of California Highway Patrol Officer James Nelson, of San Leandro.

Assembly Member Cunneen was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jack P. Covert, of San Jose.

Assembly Member Keeley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Margaret Owings, of Monterey County.

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 Ted Satour Fujii, of Elk Grove.

Assembly Member Mazzoni was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Martin Gerth, of Sacramento.

VOTE ADDS

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

Assembly Concurrent Resolution No. 6, Coauthors: Runner and Zettel—Aye.

Senate Concurrent Resolution No. 10, Coauthors: Kaloogian—Aye.

MOTION TO ADJOURN

At 2:18 p.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Battin seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:19 p.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 289—Leonard and Leach (Senators Johannessen and Knight, coauthors). An act to amend Sections 8800, 21051, and 40610 of, and to repeal Section 4454 of, the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 290—Steinberg (Principal Senate coauthor: Ortiz). An act to add Chapter 3 (commencing with Section 430) to Part 1 of Division 1 of the Health and Safety Code, relating to health, and making an appropriation therefor.

ASSEMBLY BILL NO. 291—Runner. An act to add Section 1203.95 to the Penal Code, relating to probationers.

ASSEMBLY BILL NO. 292—Davis. An act to amend Sections 44279.1 and 44929.21 of the Education Code, relating to teachers.

ASSEMBLY BILL NO. 293—Wesson (Principal coauthor: Washington) (Senators Baca, O'Connell, and Solis, coauthors). An act to add Section 417.26 to the Penal Code, relating to lasers.

ASSEMBLY BILL NO. 294—Leonard (Coauthors: Baldwin, Baugh, Brewer, Campbell, House, Robert Pacheco, Runner, Strickland, and Thompson). An act to add Section 60640.2, and to add Part 26.5 (commencing with Section 47000) to, the Education Code, relating to schools.

ASSEMBLY BILL NO. 295—Corbett. An act to amend Section 12001.6 of the Penal Code, relating to firearms.

ASSEMBLY BILL NO. 296—Strickland, Kaloogian (Coauthor: Pescetti). An act to amend Section 19133 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 297—Thomson. An act to amend Section 2207 of, and to repeal Section 2774.6 of, the Public Resources Code, relating to surface mining.

ASSEMBLY BILL NO. 298—Battin. An act to amend Section 1808.4 of the Vehicle Code, relating to confidential records.

ASSEMBLY BILL NO. 299—Thomson. An act to add Section 2313 to the Health and Safety Code, relating to pest abatement, and making an appropriation therefor.

ASSEMBLY BILL NO. 300—Corbett. An act to amend Section 2810 of the Public Resources Code, relating to earthquake preparedness.

ASSEMBLY BILL NO. 301—Wright. An act to add Section 311.3 to the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 302—Floyd. An act to amend Sections 1720 and 1720.3 of the Labor Code, relating to public works.

ASSEMBLY BILL NO. 303—Thomson. An act to amend Section 10750 of the Water Code, relating to water.

ASSEMBLY BILL NO. 304—Wildman. An act to amend Section 41204.1 of the Education Code, and to add Section 97.43 to the Revenue and Taxation Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 305—Robert Pacheco. An act to amend Sections 980 and 1196 of the Penal Code, relating to criminal procedure.

ASSEMBLY BILL NO. 306—Corbett. An act to add Part 14.5 (commencing with Section 33001) to Division 2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 307—Davis. An act to repeal and add Article 5 (commencing with Section 84501) of Chapter 4 of Title 9 of the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 308—Longville. An act to amend, repeal, and add Sections 163 and 164 of, and to add and repeal Section 164.7 of, the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 309—Mazzoni. An act to amend Section 44386 of the Education Code, relating to teacher credentialing.

ASSEMBLY BILL NO. 310—Leach. An act to amend Section 222 of, and to add Section 222.3 to, the Code of Civil Procedure, relating to jury selection.

ASSEMBLY BILL NO. 311—Honda. An act to amend Section 22200 of, and to add Section 22200.1 to, the Education Code, relating to the State Teachers' Retirement System.

ASSEMBLY BILL NO. 312—Honda. An act to amend Sections 48664 and 48667 of, and to add Section 2550.25 to, the Education Code, and to amend Section 39 of Chapter 825 of the Statutes of 1997, relating to community day schools, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 313—Zettel. An act to add Section 3494.5 to the Civil Code, relating to nuisance.

ASSEMBLY BILL NO. 314—Mazzoni. An act to add Chapter 16 (commencing with Section 53050) to Part 28 of the Education Code, relating to reading comprehension.

ASSEMBLY BILL NO. 315—Wright. An act to amend Section 19412 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

ASSEMBLY BILL NO. 316—Machado. An act to add Section 31874.5 to the Government Code, relating to county retirement.

ASSEMBLY BILL NO. 317—Floyd. An act to amend Section 19842A of the Business and Professions Code, relating to gambling.

ASSEMBLY BILL NO. 318—Lempert. An act to add and repeal Article 14 (commencing with Section 44410) of Chapter 2 of Part 25 of the Education Code, relating to public school employees.

ASSEMBLY BILL NO. 319—Thomson. An act relating to health.

ASSEMBLY BILL NO. 320—Kaloogian. An act to add Section 316.3 to the Welfare and Institutions Code, relating to dependent children.

ASSEMBLY BILL NO. 321—Wildman. An act to amend Section 1263.330 of the Code of Civil Procedure, relating to eminent domain.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 7—Battin. Relative to child abuse and neglect.

ASSEMBLY CONCURRENT RESOLUTION NO. 8—Battin. Relative to California Hispanic Heritage Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 9—Campbell and Cardenas. Relative to Engineer's Week.

HOUSE RESOLUTION NO. 10—Migden (Principal Senate coauthor: Burton). Relative to state regulations of self-funded employer-based health plans.

INTRODUCTION OF GUESTS

Assembly Member Cardenas, of the 39th Assembly District, introduced former Assembly Member Jim Keysor, and Gerri Jorgenson.

Assembly Member Machado, of the 17th Assembly District, introduced Terry Tutupoli, and her children Michael and Maya.

Assembly Member Machado, of the 17th Assembly District, introduced Frank Machado, Karen Machado, Joe Coelho, and Karen Coelho, in absence of Assembly Member Cordoza, of the 26th Assembly District.

Assembly Member Gallegos, of the 57th Assembly District, introduced Dr. Marco A. Dominguez, Fernando Ortega, and Lawrence Valdovinos.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 7 a.m., Thursday, February 11, 1999, out of respect to the memory of Jack Neelon on motion of Assembly Member Campbell; out of respect to the memory of James Nelson, California Highway Patrol Officer on motion of Assembly Member Corbett; out of respect to the memory of Jack P. Covert on motion of Assembly Member Cunneen; out of respect to the memory of Margaret Owings on motion of Assembly Member Keeley; out of respect to the memory of Ted Satour Fujii on motion of Assembly Member Machado; and out of respect to the memory of Martin Gerth on motion of Assembly Member Mazzoni.

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON FEBRUARY 8, 1999

The following measures were amended in the Assembly on this day:

AB	RN
15	9907632

SCR	RN
3	9907722

Daily Total:	2
Cumulative Total:	18

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