

CALIFORNIA LEGISLATURE
1999-2000 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, February 12, 1999
NINETEENTH SESSION DAY
SIXTY-EIGHTH 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
Friday, February 12, 1999

The Assembly met at 8:30 a.m.

Hon. Fred Keeley, 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 Shelley moved a quorum call of the Assembly.

Motion carried. Time, 8:31 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 8:37 a.m., Speaker pro Tempore Keeley declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—70:

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

PRAYER

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Chaplain Rabbi Mona Alfi:

While Albert Einstein is best known for his theories about the universe, ultimately the time and space he was most interested in was the time and space each of us occupies that is called "life".

He once wrote:

Strange is our situation here upon the earth.

Each of us comes for a short visit,

not knowing why,

yet sometimes seeming to divine a purpose.

From this standpoint of daily life, however,

there is one thing we do know:

that we are here for the sake of others;

above all, for those on whose smile and well-being our own happiness depends;

and also for the countless unknown souls with whose fate we are connected by a bond of sympathy.

Many times a day I realize how much my own outer and inner life is built upon the labors of others,

both living and dead,

and how earnestly I must exert myself

in order to give in return

as much as I have received and am still receiving.

Each of us live lives that have been built on the labors of others. This institution, this nation, is testimony to that. Part of how we can derive meaning from life is by acknowledging the gifts that we have been given, and in turn, we can give to others. Giving not with the expectation of personal reward, power or thanks, but contributing, by giving of ourselves, in many selfless ways. Giving, so when we are gone, the world will be better for the next generation.

We ask the Holy One of Blessing that our eyes always be open to seeing the many gifts we have been blessed with, we ask that our hearts will always be filled with a generosity of spirit towards those whom we encounter every day, and that the work of our hands will be used to create a world free from ignorance, violence, and pain.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member Briggs 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 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 Baldwin, Brewer, Calderon, Campbell, Cunneen, Firebaugh, and Vincent.

Because of illness: Assembly Member Cardoza.

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 9, 1999

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

Dear Mr. Speaker: Please excuse me from regular session on Friday, February 12, 1999, on legislative business. I have to attend a dinner on Thursday night and have meetings in my office on Friday morning that cannot be cancelled.

Thank you in advance for your assistance.

Sincerely,

STEVE BALDWIN, Assembly Member
Seventy-seventh District

February 8, 1999

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

Dear Speaker Villaraigosa: I am respectfully requesting to be excused from Assembly Floor Session, Friday, February 12th, due to legislative business in my District Office.

Thank you for your consideration of this request. If you have any questions, please do not hesitate to contact me at (916) 319-2070.

Sincerely,

MARILYN C. BREWER, Assembly Member
Seventieth District

February 8, 1999

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

Dear Speaker Villaraigosa: I am writing this letter to request permission for myself to be excused from Assembly Floor Session on Friday, February 12, 1999. I have a legislative business commitment in my district, that I must attend on that day. I will be available for attendance at Assembly Floor Session on Tuesday, February 16, 1999.

I want to thank you in advance, for your attention to this matter.

Sincerely,

THOMAS M. CALDERON, Assembly Member
Fifty-eighth District

February 10, 1999

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

Dear Mr. Speaker: This is a correction to my letter dated February 8th (copy attached). I will be travelling to my district office on Friday to attend legislative business.

I would respectfully ask for your consideration in the matter.

Sincerely,

BILL CAMPBELL, Assembly Member
 Seventy-first District

February 11, 1999

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

Dear Mr. Speaker: I respectfully request to be excused from Session, Friday, February 12, 1999 due to Legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

JIM CUNNEEN, Assembly Member
 Twenty-fourth District

February 5, 1999

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

Dear Speaker Villaraigosa: This letter is to respectfully request to be excused from session on Friday, February 12, 1999. I will be in the district on legislative business.

Thank you for your consideration of this matter.

Sincerely,

MARCO ANTONIO FIREBAUGH, Assembly Member
 Fiftieth District

February 4, 1999

The Honorable Antonio R. Villaraigosa
Speaker of the Assembly
State Capitol, Room 5119
Sacramento, California

Dear Speaker Villaraigosa: I am writing to request permission to be excused from session on Friday, February 12, 1999. I have legislative business to take care of in my District Office.

If you have any questions, please contact Sedrick Spencer in my Capitol Office.

Thank you, in advance for your prompt attention to this matter.

Sincerely,

EDWARD VINCENT, Assembly Member
 Fifty-first District

COMMUNICATIONS

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

February 11, 1999

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

Dear Dotson: Please be advised that I have created the Select Committee on Jobs-Housing Balance and have appointed the following members:

Assemblymember Tom Torlakson, Chair
 Assemblymember Dick Ackerman
 Assemblymember Elaine Alquist
 Assemblymember Wally Knox
 Assemblymember John Longville
 Assemblymember Alan Lowenthal
 Assemblymember Ken Maddox
 Assemblymember Bob Margett
 Assemblymember Kerry Mazzone
 Assemblymember Darrell Steinberg
 Assemblymember Virginia Strom-Martin
 Assemblymember Howard Wayne
 Assemblymember Roderick Wright

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

February 12, 1999

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 Select Committee on the Development of a 10th University of California Campus:

Assemblymember Roy Ashburn
 Assemblymember Steve Baldwin
 Assemblymember Dean Florez
 Assemblymember Robert Hertzberg
 Assemblymember Ted Lempert
 Assemblymember Mike Machado
 Assemblymember Anthony Pescetti
 Assemblymember Sarah Reyes

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

February 12, 1999

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 Select Committee on California Horse Racing Industry:

- Assemblymember Scott Baugh
- Assemblymember Marilyn C. Brewer
- Assemblymember Mike Briggs
- Assemblymember Dennis Cardoza
- Assemblymember Richard Dickerson
- Assemblymember Brett Granlund
- Assemblymember Howard Kaloogian
- Assemblymember Bob Margett
- Assemblymember Carole Migden
- Assemblymember Louis J. Papan
- Assemblymember Herb Wesson
- Assemblymember Roderick Wright

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

February 12, 1999

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 Select Committee on Mental Health:

- Assemblymember Dion Aroner
- Assemblymember Roy Ashburn
- Assemblymember Marilyn C. Brewer
- Assemblymember Jim Cunneen
- Assemblymember Peter Frusetta
- Assemblymember Martin Gallegos
- Assemblymember Robert Hertzberg
- Assemblymember Virginia Strom-Martin
- Assemblymember Patricia Wiggins

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

February 12, 1999

*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 Select Committee on Indian Gaming:

Assemblymember Scott Baugh
 Assemblymember Dennis Cardoza
 Assemblymember Richard Dickerson
 Assemblymember Denise Moreno Ducheny
 Assemblymember Dean Florez
 Assemblymember Brett Granlund
 Assemblymember Mike Machado
 Assemblymember Tom McClintock
 Assemblymember Nell Soto
 Assemblymember Helen Thomson
 Assemblymember Edward Vincent
 Assemblymember Carl Washington
 Assemblymember Herb Wesson
 Assemblymember Charlene Zettel

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

February 12, 1999

*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 Select Committee on Exposition Park:

Assemblymember Marilyn C. Brewer
 Assemblymember Bill Campbell
 Assemblymember Gil Cedillo
 Assemblymember Bob Margett
 Assemblymember George Nakano
 Assemblymember Virginia Strom-Martin
 Assemblymember Tom Torlakson
 Assemblymember Edward Vincent
 Assemblymember Herb Wesson

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

February 12, 1999

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 Select Committee on Entertainment and the Arts:

- Assemblymember Patricia Bates
- Assemblymember Hannah-Beth Jackson
- Assemblymember John Longville
- Assemblymember George Nakano
- Assemblymember Herb Wesson
- Assemblymember Charlene Zettel

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

February 12, 1999

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 Select Committee on California Ports:

- Assemblymember Denise Moreno Ducheny
- Assemblymember Sally Havice
- Assemblymember Carole Migden
- Assemblymember Robert Pacheco
- Assemblymember Tony Strickland
- Assemblymember Helen Thomson
- Assemblymember Tom Torlaxson

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

February 12, 1999

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 Select Committee on Education Technology:

- Assemblymember Bill Campbell
- Assemblymember Ellen M. Corbett
- Assemblymember Jim Cunneen
- Assemblymember Nell Soto
- Assemblymember Howard Wayne

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

February 11, 1999

*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 Select Committee on School Facilities Finance:

Assemblymember Bill Campbell
Assemblymember Ellen Corbett
Assemblymember Marco Firebaugh
Assemblymember Bill Leonard
Assemblymember Mike Machado
Assemblymember Keith Olberg
Assemblymember Helen Thomson
Assemblymember Scott Wildman

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

February 11, 1999

*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 Select Committee on Rural Economic Development:

Assemblymember Sam Aanestad
Assemblymember Dennis Cardoza
Assemblymember Ellen Corbett
Assemblymember Richard Dickerson
Assemblymember Dean Florez
Assemblymember John Longville
Assemblymember Sarah Reyes
Assemblymember Helen Thomson
Assemblymember Roderick Wright

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

February 12, 1999

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 Select Committee on Compton Unified School District:

- Assemblymember Robert Hertzberg
- Assemblymember Mike Honda
- Assemblymember Bill Leonard
- Assemblymember Kerry Mazzoni
- Assemblymember Rod Pacheco
- Assemblymember Herb Wesson

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

February 12, 1999

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 Select Committee on Aerospace Industry:

- Assemblymember Elaine Alquist
- Assemblymember Ellen M. Corbett
- Assemblymember John Dutra
- Assemblymember Alan Lowenthal
- Assemblymember Abel Maldonado
- Assemblymember George Runner
- Assemblymember Tony Strickland

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

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

February 12, 1999

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

Dear Dotson: Please be advised that on February 12, 1999, the Assembly Rules Subcommittee on Sexual Harassment Prevention and Response adopted the enclosed Assembly Policy Against Sexual Harassment (rev. July 1997).

Please ensure this information is printed in the Assembly Journal. Thank you for prompt attention.

Sincerely,

ROBERT M. HERTZBERG
Chairman, Assembly Rules Committee

POLICY AGAINST SEXUAL HARASSMENT

It is the policy of the California State Assembly that sexual harassment in the workplace is prohibited. This policy is intended to prevent sexual harassment of Assembly employees. The Assembly will take all reasonable steps to prevent harassment from occurring, and will take prompt and appropriate action when it knows that sexual harassment has occurred.

Sexual harassment in the workplace is also prohibited by state and federal law. Under the California Fair Employment and Housing Act, sexual harassment is in violation of the law if the harassment is sufficiently severe or pervasive as to alter the conditions of employment and create an abusive working environment, or if submission to conduct of a sexual nature is made either explicitly or implicitly a term or condition of employment. Sexual harassment is prohibited in similar circumstances under federal law by Title VII of the Civil Rights Act of 1964.

The sexual harassment policy of the Assembly imposes a stricter standard of conduct than that in state and federal law. It is a "zero tolerance" standard, prohibiting sexual harassment (defined below) even though the conduct may not be sufficiently severe or pervasive to constitute sexual harassment in violation of law.

This policy does not create a contract. The Rules Committee may, in its discretion, discipline employees for conduct or follow procedures not described in this policy.

A summary of this policy shall be posted in every office and placed in the employee handbook. A copy of the policy shall be given to every employee upon employment, at the beginning of every session, and whenever the policy is revised.

WHAT IS SEXUAL HARASSMENT?

For purposes of this policy, sexual harassment includes unwanted sexual advances, requests for sexual favors, and other visual, verbal, or physical conduct of a sexual nature when: (1) submission to the conduct is made either an explicit or implicit term or condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Conduct which violates this policy may take many forms and includes, but is not limited to, slurs, jokes, statements, gestures, pictures, or cartoons. Examples of conduct which may violate this policy also include requests for sexual favors, conversation containing sexual comments which would be offensive to a reasonable person of the same sex as the complainant, and unwelcome sexual advances. Specific examples of conduct which may be found to violate this policy are:

1. Offering employment benefits in exchange for sexual favors.
2. Making or threatening reprisals after a negative response to sexual advances.
3. Verbal sexual advances or propositions; or pressuring or persistently asking an employee for dates.

4. Visual conduct: leering, sexual gestures, display of sexually suggestive objects or pictures, cartoons, calendars or posters.
5. Verbal conduct: sexually degrading or derogatory comments, epithets, slurs or jokes regarding a person's sex or physical appearance; constantly questioning someone about his or her personal life and speculating about his or her sex life.
6. Written conduct: suggestive or obscene letters, notes, electronic mail messages, or invitations.
7. Physical conduct: unwelcome touching, assault, or impending or blocking normal movement.
8. Other unwelcome conduct of a sexual nature which is unbecoming of an Assembly official or employee and which creates an intimidating, hostile or offensive work environment.

Harassment may involve outside vendors, lobbyists, or visitors. If the harassment is by a person who is not employed by the Assembly, it should nevertheless be reported to one of the people listed below.

Not all conduct which an employee may find offensive will necessarily violate this policy. For example, an ordinary social invitation to an employee, made under circumstances and in a manner that would not intimidate or offend a reasonable person of the same sex under the same or similar circumstances, is not sexual harassment, even though the particular employee may find the conduct objectionable.

Until July 28, 2000, the Rules Committee will investigate only those complaints of sexual harassment which have been reported to it within three years of the alleged harassment. After July 28, 2000, Rules Committee will investigate all complaints of sexual harassment reported to it within one year of the harassment. Rules Committee will promptly investigate these claims and, if necessary, appropriate corrective action will be taken. The investigation will take into consideration the totality of the circumstances as alleged, including the nature of the conduct, the severity or frequency of the conduct, the total number of days over which all of the conduct occurred, and the context in which the conduct occurred.

WHAT TO DO IF YOU BELIEVE YOU HAVE BEEN SEXUALLY HARASSED

If you have been subjected to conduct of a sexual nature that is not welcome, you may choose to speak directly with the person responsible for the conduct. This could be a quick and effective way to bring the offensive conduct to a halt.

If you believe you are being sexually harassed or have been exposed to a sexually hostile work environment, you should bring the problem to the attention of one of the following people: your supervisor, the Member of the Assembly in whose office you work, the Compliance Officer, the Chief Administrative Officer, or any Member of the Rules Committee. If you receive a sexual harassment complaint or observe conduct in the workplace which you believe violates this policy, you should notify one of these same people. Complaints of sexual harassment should be reported as soon as possible after the incident or incidents have occurred. **You are not required to notify your supervisor first, especially if your supervisor is the individual whom you believe is doing the harassing.**

**INTERNAL COMPLAINT POLICY AND PROCEDURES AVAILABLE
TO ALL ASSEMBLY MEMBERS AND EMPLOYEES**

Until July 28, 2000, the Rules Committee will investigate only those complaints of sexual harassment which have been reported to it within three years of the alleged harassment. After July 28, 2000, Rules Committee will investigate all complaints of sexual harassment reported to it within one year of the harassment. The Rules Committee will promptly investigate these claims and, if necessary, appropriate corrective action will be taken. The complainant and the accused will be interviewed. Other employees and witnesses may also be interviewed if circumstances warrant.

In most cases, the Rules Committee will attempt to resolve the problem informally. If informal resolution is not feasible or appropriate, a formal investigation, with specific findings, may be made. If the complaint is found to have merit, disciplinary action may be recommended.

The Rules Committee will strive to limit disclosure of any complaint to those directly concerned, consistent with its duty of fairness to the people involved and its duty to prevent harassment from occurring in the future. However, complete confidentiality cannot be guaranteed.

In determining whether or not particular conduct violates this policy, the Rules Committee will take into account such factors as the severity, duration, nature of the conduct, and the totality of the circumstances in each case. In addition, the Assembly prohibits retaliation against any employee for making a complaint or cooperating in an investigation. As set forth below, retaliation is a separate violation of this policy and the law.

I. INFORMAL RESOLUTION

A. Informal Resolution by a Supervisor

If a complaint of harassment is initially brought to the attention of a supervisor, the supervisor may attempt to resolve the problem informally within 10 working days, or may immediately refer the matter to the Compliance Officer. If the supervisor attempts to resolve the problem and either the complainant or the accused rejects the proposed resolution, the supervisor shall report both the complaint and the proposed resolution promptly to the Compliance Officer. If the supervisor successfully resolves the problem, both the complaint and its resolution shall be reported promptly to the Rules Committee personnel.

B. Informal Resolution by the Rules Committee

Any unresolved complaint of harassment brought to the attention of the Rules Committee shall be investigated and, where appropriate, effective corrective action shall be taken. The Rules Committee in its sole discretion may attempt to resolve the complaint through informal procedures, and will complete these procedures within 10 working days whenever possible.

The Compliance Officer, or other person designated by the Rules Committee, will interview the complainant, the accused, and other individuals as appropriate, and may review other evidence. The Committee will strive to keep the investigation confidential to the extent possible. In the event that informal resolution is unsuccessful, either the complainant or the accused may request that the matter be handled

through the formal procedure outlined below. At any time the Chief Administrative Officer or Compliance Officer may decide that the matter is to be handled through the formal procedure.

II. FORMAL RESOLUTION

The Rules Committee will conduct a formal investigation under the following guidelines:

A. Interviews and Information Gathering

1. If the informal resolution procedure has not resolved the complaint an outside investigator will review all reasonably available evidence and will interview the complainant, the accused, and other individuals with information on the matter, as appropriate.

2. The investigator will attempt to complete the investigation within 30 calendar days. The Rules Committee in its sole discretion may extend the time for completion of the investigation.

3. The Committee will strive to keep the investigation confidential to the extent possible.

4. The matter may be resolved informally at any time during the formal procedure.

B. Findings and Recommendations

At the conclusion of the investigation, the investigator shall prepare a written report of findings of fact, and shall file the report with the Chief Administrative Officer.

1. If the Chief Administrative Officer determines that the facts found by the investigator do not constitute a violation of this policy, the investigation is complete.

2. If the Chief Administrative Officer determines that the facts found by the investigator constitute a violation of this policy, the Chief Administrative Officer shall promptly notify the Chair and Vice-Chair of the Rules Committee of the determination that a violation of this policy has occurred. If an employee has violated the policy, the Chief Administrative Officer shall also notify the Chair and Vice-Chair of any corrective action that the Chief Administrative Officer proposes to take, and any discipline that the Chief Administrative Officer proposes to impose pursuant to Part IV. If a Member has violated the policy, the Chief Administrative Officer shall report to the Chair and Vice Chair pursuant to Part V.

Both parties shall be informed in writing of the outcome of the investigation immediately.

III. RIGHTS OF APPEAL OF AN EMPLOYEE

The decision of the Chief Administrative Officer shall be final. However, a party may appeal this decision to the Chair and Vice-Chair of the Rules Committee by filing written objections with the Chief Administrative Officers within 10 working days of receipt of notification of the decision. If the Chair and Vice-Chair both determine that the accused or the complainant has been denied a fair evaluation of the complaint, the Chair and Vice-Chair shall direct the Chief Administrative Officer to take remedial action.

IV. DISCIPLINE AGAINST AN EMPLOYEE

The Chief Administrative Officer shall take appropriate corrective action, and shall also impose appropriate discipline on an employee which may include, but is not limited to, reprimand, suspension without

pay, reduction in pay, demotion, or termination. In addition, an employee may be required to participate in additional training or individual counseling about sexual harassment and the responsibilities of personnel to maintain a working environment free from harassment.

The Chief Administrative Officer shall impose discipline upon an employee found to have violated this policy within five working days after the expiration of the appeals period.

V. SANCTIONS AGAINST A MEMBER

Upon receipt of a report by the Chief Administrative Officer that a Member has violated this policy, the Chair and Vice-Chair of the Rules Committee shall consult with the Speaker and Minority Floor Leader to determine what further action shall be taken. If appropriate, they may bring the matter before the Rules Committee in closed session. The Committee may decide on informal action, or it may vote to present a resolution to the floor of the Assembly for the formal discipline of a Member. Formal discipline may include reprimand, censure, or expulsion. In addition, a Member may be required to participate in additional training or individual counseling about sexual harassment and the responsibilities of supervisory personnel to maintain a working environment free from harassment.

VI. NOTICES AND RECORD-KEEPING IN ALL CASES

A. Notice of Action Taken

The Rules Committee shall promptly inform the complainant and the accused of the outcome of its investigation under this policy, including any corrective actions taken as a result of the complaint and investigation. The Rules Committee will limit the information conveyed in order to protect the reasonable expectations of privacy of the parties and witnesses.

B. Written Records to be Maintained

The Rules Committee shall keep written records of any supervisor's reports, informal or formal Rules Committee investigations, and any recommendations for discipline, corrective action, or sanctions made pursuant to this policy.

VII. STATE AND FEDERAL COMPLAINTS

In addition to or in lieu of filing a complaint with the Assembly under this policy, a person who believes that he or she has been subjected to sexual harassment in violation of law may file a complaint with the California Department of Fair Employment and Housing (DFEH) or the Federal Equal Employment Opportunity Commission (EEOC). A complaint with the DFEH must be filed within one year of the harassment. A complaint with the EEOC must be filed within 300 days of the harassment.

EEOC (800) 669-4000	TDD (415) 744-7392
DFEH (800) 884-1684	TDD (213) 897-2840 L.A.
	TDD (916) 324-1678 SAC.

No Assembly supervisor or Rules Committee investigator may attempt to dissuade any person from filing a complaint with the DFEH or the EEOC. To the contrary, an employee who is not satisfied with the internal complaint procedure outlined in this policy may pursue his or her claim with these outside agencies.

VIII. PERSONAL LIABILITY

A Member of the Assembly who is found liable by a court of law for acts or omissions constituting sexual harassment, as defined by law, may be personally liable to the plaintiff for the total judgment and for the costs of the Member’s defense (see Sec. 815.3, Gov. C.).

Any employee of the Assembly who is found liable by a court of law for acts constituting sexual harassment, as defined by law, may be personally liable to the plaintiff for money damages awarded because of those acts.

IX. RETALIATION IS PROHIBITED

Retaliation for reporting sexual harassment, filing a complaint, or providing information or assisting in the investigation of any complaint of sexual harassment is prohibited by this policy and by law. Retaliation in any form is prohibited. Examples of retaliation include, but are not limited to, verbal abuse, reduction in pay, termination, refusal to hire, or any other adverse employment actions which are intended to have a detrimental effect on an employee and are substantially influenced by improper retaliatory motives.

Retaliatory conduct is a separate violation of this policy and state and federal laws and is subject to the same procedures for investigation, discipline and sanctions that are applicable to sexual harassment.

X. SELECTION OF COMPLIANCE OFFICER AND OUTSIDE INVESTIGATOR

The Chief Administrative Officer shall make the selection of a Compliance Officer and an outside investigator from a list of candidates previously approved by the Chair and Vice-Chair of the Assembly Rules Committee.

XI. NO EFFECT ON EMPLOYMENT RELATIONSHIP OR LEGAL REMEDIES

Nothing in this policy shall alter the at-will employment relationship between the employee and the Assembly as set forth in the Personnel Policy Manual for Assembly Employees.

Nothing in this policy shall create any new cause of action or waive, extend, or otherwise alter any applicable statute of limitations in state or federal law.

Policy Adopted February 1993; revised July 1995; revised July 1997.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 11, 1999

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

Assembly Bill No. 15

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, February 12, 1999

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

Assembly Bill No. 1

Assembly Bill No. 36

Assembly Bill No. 56

Assembly Bill No. 90

Assembly Bill No. 126

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

AUTHOR'S AMENDMENTS

Committee on Elections, Reapportionment and Constitutional Amendments

February 12, 1999

Mr. Speaker: The Chair of your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Assembly Constitutional Amendment No. 2

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

VINCENT, Chairman

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 of Article IV thereof, and by amending Section 7 of Article XX thereof, relating to legislative terms.

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

SPECIAL COMMITTEE MEETINGS

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

Committee on Public Employees, Retirement and Social Security, on February 24, 1999, at 1 p.m., in Room 444.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

Bill No.

Committee

100	-----	Health and G.O.
136	-----	Health
168	-----	Trans. and L. Gov.
172	-----	E.S. & T.M.
173	-----	E.S. & T.M. and Ed.
185	-----	L. Gov.
251	-----	Health and G.O.
253	-----	Health
255	-----	Health and G.O.
257	-----	Aging & L.T.C.
264	-----	H. & C.D.
274	-----	V.A.
275	-----	Ed.
276	-----	Rev. & Tax. and Trans.
277	-----	Ed.
278	-----	Hum. S.
280	-----	Trans.
281	-----	L. & E.
282	-----	Health
284	-----	L. Gov.
285	-----	Health
286	-----	Ed.
287	-----	Rev. & Tax.
288	-----	P.E.,R. & S.S.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
5 -----	Trans.
9 -----	Rls.
12 -----	Rls.

Assembly Joint

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

REQUEST TO WAIVE JOINT RULE 62(a)

Assembly Member Migden requested unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 138 for hearing in the Committee on Appropriations today.

Assembly Member Battin withheld unanimous consent.

**REQUEST TO CONSIDER AND ACT ON BILLS
WITHIN 30 CALENDAR DAYS**

The following request was submitted:

Assembly Chamber, February 11, 1999

Mr. Speaker: I request permission to introduce a resolution providing that Assembly Bill No. 288 may be considered and acted upon within 30 days after introduction and prior to being in print for 30 days.

HERB WESSON

Recommendation of Rules Committee

February 12, 1999

Mr. Speaker: Your Committee on Rules recommends:

That the request by Assembly Member Herb Wesson, Jr. for permission to introduce a resolution dispensing with the limitation contained in Article IV, Section 8(a), of the Constitution and suspending Joint Rule 55 as they pertain to Assembly Bill No. 288 be granted.

HERTZBERG, Chairman

**Resolution to Dispense with Article IV, Sec. 8(a) of the Constitution
and Suspend Joint Rule 55**

Resolved, That, pursuant to Article IV, Section 8(a) of the Constitution, Assembly Bill No. 288 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed since introduction and that Joint Rule 55 be suspended to permit such hearing and action prior to being in print for 30 days.

Resolution read, and adopted by the following vote:

AYES—63

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

NOES—None

Article IV, Section 8(a) of the Constitution was declared dispensed with, and Joint Rule 55 suspended.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: February 12, 1999

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 9

Assembly Concurrent Resolution No. 12

With the recommendation: Be adopted.

HERTZBERG, Chairman

Above resolutions ordered on file.

Date of Hearing: February 12, 1999

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 3

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.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Shelley requested unanimous consent that Assembly Member Cardenas be permitted to take up Assembly Concurrent Resolution No. 9, without reference to file, and that Assembly Member Steinberg be permitted to take up Assembly Concurrent Resolution No. 12, without reference to file.

Assembly Member Rod Pacheco withheld unanimous consent.

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. 138 for hearing in the Committee on Appropriations.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 8:52 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.

RECESS

By unanimous consent, at 8:52 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

REASSEMBLED

At 8:58 a.m., the Assembly reconvened.

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

**ASSEMBLY CONCURRENT RESOLUTION NO. 9 TAKEN UP
BY UNANIMOUS CONSENT**

Upon request of Assembly Member Shelley, Assembly Member Cardenas was granted unanimous consent to take up Assembly Concurrent Resolution No. 9, without reference to file, and that the same be considered engrossed.

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

Resolution read.

Members Made Coauthors of Assembly Concurrent Resolution No. 9

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

The following Assembly Members indicated a desire to become coauthors:

Aanestad, Ackerman, Alquist, Ashburn, Bates, Battin, Baugh, Briggs, Corbett, Correa, Cox, Davis, Dickerson, Ducheny, Dutra, Frusetta, Granlund, Havice, Hertzberg, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Maddox, Maldonado, Margett, Mazzoni, McClintock, Nakano, Olberg, Robert Pacheco, Papan, Pescetti, Reyes, Romero, Scott, Soto, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Villaraigosa, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, and Zettel.

Request for Unanimous Consent

Assembly Member Cardenas was granted unanimous consent to take up Assembly Concurrent Resolution No. 9, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 9, as Amended

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

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**ASSEMBLY CONCURRENT RESOLUTION NO. 12 TAKEN UP
BY UNANIMOUS CONSENT**

Upon request of Assembly Member Shelley, Assembly Member Steinberg was granted unanimous consent to take up Assembly Concurrent Resolution No. 12, without reference to file, and that the same be considered engrossed.

ASSEMBLY CONCURRENT RESOLUTION NO. 12—Relative to the Honorable Robert K. Puglia.

Resolution read.

Members Made Coauthors of Assembly Concurrent Resolution No. 12

Assembly Member Steinberg was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 12.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aanestad, Ackerman, Alquist, Aroner, Ashburn, Bates, Battin, Baugh, Cardenas, Corbett, Correa, Cox, Davis, Dickerson, Ducheny, Dutra, Florez, Frusetta, Gallegos, Granlund, Havice, Hertzberg, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Margett, Mazzone, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Scott, Shelley, Soto, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Villaraigosa, Wayne, Wesson, Wiggins, and Wildman.

Request for Unanimous Consent

Assembly Member Steinberg was granted unanimous consent to take up Assembly Concurrent Resolution No. 12, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 12, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 12—Relative to the Honorable Robert K. Puglia.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: February 12, 1999

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 138

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Assembly Member Hertzberg.

Resolution to Dispense With Constitutional Provision

Resolved, That Senate Bill No. 138 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—63

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

NOES—None

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Second Reading of Senate Bill No. 138

SENATE BILL NO. 138—An act to amend Sections 18903, 19170.1, and 21465.5 of, and to add Sections 21362.1, 21573.5, and 22955.1 to, the Government Code, relating to state employees, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Senate Bill No. 138 Without Reference to File

Assembly Member Hertzberg was granted unanimous consent to take up Senate Bill No. 138, without reference to file, for purpose of consideration.

SENATE BILL NO. 138 (O'Connell)—An act to amend Sections 18903, 19170.1 and 21465.5 of, and to add Sections 21362.1, 21573.5, and 22955.1 to, the Government Code, relating to state employees, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—68

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—68

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

NOES—None

Bill ordered transmitted to the Senate.

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

HOUSE RESOLUTION NO. 7 (Papan)—Relative to Assembly Rules 22.5 and 69.1.

Resolution read.

Motion to Amend

Assembly Member Papan moved the adoption of amendments.

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

ADJOURN IN MEMORY

Moment of Silence Observed

Assembly Members Steinberg and Oller were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sacramento Police Officer William “Bill” Chandler Bean, Jr., of Auburn, and that the Assembly observe a moment of silence in his honor.

Assembly Rule 45.5 suspended.

SESSION SCHEDULE AND OTHER ANNOUNCEMENTS

Speaker pro Tempore Keeley announced the following session schedule:

Tuesday, February 16, 1999, Floor Session, 12 noon.

Speaker pro Tempore Keeley also announced that:

The Rules Subcommittee on Sexual Harassment Prevention and Response would meet in the Tom Bane Rules Committee meeting room, upon adjournment of Floor session today.

ADJOURN IN MEMORY

Assembly Member Cox was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Morgan Johnson, of Carmichael and Bill Shanley, of Sacramento.

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 Gurden Mooser, of Santa Cruz.

Assembly Member Kuehl was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marge Feinberg, of Encino.

Assembly Members Papan and Cox were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Demos Givas, of Sacramento.

Assembly Member Reyes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ann Ward, of Sanger.

Assembly Member Scott was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Chung Hong, of La Canada.

Assembly Member Thomson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Almena Innerst Neff, of Davis.

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 Marion Marshall, of Burbank.

VOTE ADDS

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

Assembly Bill No. 288, Resolution to Invoke Constitution: Frusetta, Lempert, and Runner—Aye.

Assembly Concurrent Resolution No. 9: Ashburn, Knox, and Zettel—Aye.

Assembly Concurrent Resolution No. 12: Ashburn and Knox—Aye.

Senate Bill No. 138 and Urgency: Frusetta and Knox—Aye.

MOTION TO ADJOURN

At 9:16 a.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 9:16 a.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. 398—Migden. An act to add Part 11 (commencing with Section 53500) to Division 31 of the Health and Safety Code, relating to financing housing programs 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.

ASSEMBLY BILL NO. 399—Wayne. (Principal coauthor: Jackson). An act to amend Section 30604 of the Public Resources Code, relating to coastal resources.

ASSEMBLY BILL NO. 400—Lempert. An act to amend, repeal, and add Sections 2902 and 2914 of the Business and Professions Code, relating to psychology.

ASSEMBLY BILL NO. 401—Strickland (Coauthors: Aanestad, Bates, Briggs, Kaloogian, Leach, and Pescetti.) An act to amend Sections 17052.18 and 23617.5 of, and to add Section 17053.54 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 402—Romero. An act to amend Section 273.55 of the Penal Code, relating to sentencing.

ASSEMBLY BILL NO. 403—Romero. An act to add Section 6228 to the Family Code, relating to family law.

ASSEMBLY BILL NO. 404—Kuehl. An act relating to taxation.

ASSEMBLY BILL NO. 405—Knox. An act relating to highways, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 406—Knox. An act to amend Section 89036 of the Education Code, relating to postsecondary education.

ASSEMBLY BILL NO. 407—Cedillo. An act to amend Sections 51 and 51.7 of the Civil Code, relating to discrimination.

ASSEMBLY BILL NO. 408—Correa. An act to add and repeal Section 17052.35 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 409—Dickerson and Bates (Coauthors: Maddox and Rod Pacheco) (Senator Johannessen, coauthor). An act to amend Sections 999, 999.5, and 999.7 of, and to add Sections 999.2, 999.4, and 999.11 to, the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 410—Lempert. An act to amend Section 17003 of the Financial Code, relating to escrow agents.

ASSEMBLY BILL NO. 411—Davis. An act to amend Section 90.1 of the Streets and Highways Code, relating to highways.

ASSEMBLY BILL NO. 412—Brewer. An act to amend Section 290 of, and to add Section 777c to, the Penal Code, relating to criminal procedure.

ASSEMBLY BILL NO. 413—Brewer. An act to amend Section 1760.5 of the Insurance Code, relating to insurance.

ASSEMBLY BILL NO. 414—Havice. An act to amend Sections 19057 and 19306 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 415—Havice. An act to add Sections 35021.2, 35021.3, and 35021.4 to the Education Code, relating to school volunteers.

ASSEMBLY BILL NO. 416—Machado. An act to amend Sections 56.10 and 56.16 of the Civil Code, to add Section 1374.18 to the Health and Safety Code, and to add Section 10119.10 to the Insurance Code, relating to personal information.

ASSEMBLY BILL NO. 417—Floyd. An act to amend Section 97.2 of the Revenue and Taxation Code, relating to local government finance.

ASSEMBLY BILL NO. 418—Firebaugh. An act to add Article 1 (commencing with Section 1350) to Chapter 3 of Part 4 of Division 2 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 419—Firebaugh. An act to amend Sections 21252 and 21455 of, and to add Section 21636 to, the Government Code, relating to the Public Employees' Retirement System.

ASSEMBLY BILL NO. 420—Wildman. An act relating to community colleges.

ASSEMBLY BILL NO. 421—Aroner. An act to amend Section 1300 of the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 422—Steinberg. An act to amend Section 60061 of, and to add Section 67302 to, the Education Code, relating to instructional materials.

ASSEMBLY BILL NO. 423—Dutra. An act to amend Section 13132.7 of the Health and Safety Code, relating to fire safety.

ASSEMBLY BILL NO. 424—Wildman. An act to add Chapter 3.5 (commencing with Section 18600) to Part 11 of the Education Code, relating to school libraries.

ASSEMBLY BILL NO. 425—Corbett. An act to amend Section 1789.35 of the Civil Code, relating to consumers.

ASSEMBLY BILL NO. 426—Scott. An act to add Section 5500.4 to the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 427—Scott. An act to repeal Section 1490 of the Insurance Code, relating to reciprocal insurers.

ASSEMBLY BILL NO. 428—Correa. An act to amend Section 21623 of the Government Code, relating to retirement.

ASSEMBLY BILL NO. 429—Correa. An act to amend Section 24600 of the Education Code, relating to the State Teachers' Retirement System.

ASSEMBLY BILL NO. 430—Davis. An act to amend Section 17273 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 431—Dutra. An act to amend Sections 1058.5, 2924, 2924c, 2924f, 2924j, 2924k, 2924l, and 2934a of the Civil Code, relating to trust deeds.

ASSEMBLY BILL NO. 432—Leach. An act to amend Section 10236.4 of the Business and Professions Code, relating to real estate brokers.

ASSEMBLY BILL NO. 433—Washington. An act to add Section 1965 to the Labor Code, relating to employment.

ASSEMBLY BILL NO. 434—Aroner. An act to add Section 89350 to the Education Code, relating to student aid.

ASSEMBLY BILL NO. 435—Corbett. An act to amend Section 56.30 of the Civil Code, relating to workers' compensation.

ASSEMBLY BILL NO. 436—McClintock. An act to add Part 33 (commencing with Section 71001) to Division 2 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 437—Wesson and Torlakson (Coauthors: Nakano, Washington, and Wildman). An act to add Section 22959.5 to the Business and Professions Code, relating to tobacco.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 13—Wright (Principal coauthors: Villaraigosa, Vincent, Washington, and Wesson) (Principal coauthors: Senators Hughes and Murray). Relative to Black History Month.

ASSEMBLY JOINT RESOLUTION NO. 6—Briggs. Relative to federal transportation funds.

INTRODUCTION OF GUESTS

Assembly Member Corbett, of the 18th Assembly District, introduced Karen and Ted Cox, of Columbus, Ohio and Jack Felldin, of Hermosa Beach.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 12 noon, Tuesday, February 16, 1999, out of respect to the memory of Morgan Johnson and Bill Shanley on motion of Assembly Member Cox; out of respect to the memory of Gurden Mooser on motion of Speaker pro Tempore Keeley; out of respect to the memory of Marge Feinberg on motion of Assembly Member Kuehl; out of respect to the memory of Demos Givas on motion of Assembly Members Papan and Cox; out of respect to the memory of Ann Ward on motion of Assembly Member Reyes; out of respect to the memory of Chung Hong on motion of Assembly Member Scott; out of respect to the memory of Almena Innerst Neff on motion of Assembly Member Thomson; out of respect to the memory of Marion Marshall on motion of Assembly Member Wildman; and out of respect to the memory of Officer William "Bill" Chandler Bean, Jr. on motion of Assembly Members Steinberg and Oller.

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 12, 1999**

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

ACA RN
2 9907790

HR RN
7 9907914

Daily Total: 2
Cumulative Total: 25

O