

CALIFORNIA LEGISLATURE
1999-2000 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 3, 1999
TWENTY-SEVENTH SESSION DAY
EIGHTY-SEVENTH 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
Wednesday, March 3, 1999

The Assembly met at 7 a.m.

Hon. John Dutra, Assembly Member, 20th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—73:

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

Quorum present.

At 11:20 a.m., **Speaker pro Tempore Keeley, 27th District, presiding**

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Members Ackerman, Corbett, Knox, and Rod Pacheco.

On personal business, and waiving per diem: Assembly Member Floyd.

Because of illness in his family: Assembly Member Shelley.

EXPLANATIONS OF ABSENCE

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

March 3, 1999

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

Dear Speaker Villaraigosa: I respectfully request permission to be excused today because I have to travel to my district on legislative business to attend the funeral of Anaheim Police Chief Randy Gaston.

Thank you for your consideration in this matter.

Sincerely,

DICK ACKERMAN, Assembly Member
Seventy-second District

March 2, 1999

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

Dear Mr. Speaker,

I would like to request permission to be excused from Check-in Session on Wednesday, March 3, 1999. I have legislative business to attend to, in the district.

Thank you for your consideration of my request. If you have any questions please feel free to contact me at (916) 319-2018.

Sincerely,

ELLEN M. CORBETT, Assembly Member
Eighteenth District

March 1, 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 Check-In Session on Wednesday, March 3 due to legislative business in my district.

Thank you for your attention to this request.

Sincerely,

WALLY KNOX, Assembly Member
Forty-second District

March 3, 1999

*Hon. Antonio Villaraigosa, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: This letter is to respectfully request an excuse from check-in session, on March 3, 1999. I was in San Jose on legislative business. Please call Karrie Watson at 319-2064 if you have any questions regarding this request.

Very truly yours,

ROD PACHECO, Assembly Republican Leader
Sixty-fourth District

COMMUNICATIONS

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

March 3, 1999

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

Dear Dotson: Please be advised that I have appointed Assemblymember Dean Florez to Budget Subcommittee #3 in place of Tony Cardenas for the hearing on Wednesday, March 10, 1999, only.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

March 2, 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 the Protection of Inland Waterways and have appointed Assemblymember Ted Lempert as the Chair.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

March 2, 1999

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

Dear Mr. Wilson: Please be advised that pursuant to Government Code, Sec. 8700, I have named the following Assembly Members to serve on the Commission of the Californias:

Assembly Member Nell Soto replacing former Assembly Member Martha Escutia;

Assembly Member Marco Firebaugh replacing Assembly Member Jim Battin;

Assembly Member Dean Florez replacing former Assembly Member Grace Napolitano.

I am reappointing Assembly Members Denise Ducheny and Mike Honda. The effective date of these pleasure appointments is March 2, 1999.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

March 3, 1999

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

Dear Dotson: Please be advised that I have appointed Assemblymember Wally Knox to the Appropriations Committee in place of Assemblymember Gil Cedillo for the hearing on Thursday, March 4, 1999, only.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

REPORTS

DESEGREGATION PROGRAM FUNDS REPORTS

Reports to the Legislature relative to the use of desegregation program funds (submitted pursuant to the Budget Act of 1998, Item 6110-230-0001) have been received from the following California school districts:

Bakersfield City School District, Banning Unified School District, Belmont-Redwood Shores Elementary School District, Berkeley Unified School District, Brawley Elementary School District, Carlsbad Unified School District, Claremont Unified School District, Compton Unified School District, Duarte Unified School District, East Side Union High School District, Fresno Unified School District, Fullerton School District, Grant Joint Union High School District, Hanford Elementary School District, La Habra City School District, Los Angeles Unified School District, Lynwood Unified School District, Menlo Park City School District, Mountain View-Los Altos Union High School District, North Monterey County Unified School District, Norwalk-La Mirada Unified School District, Oakland Unified School

District, Ocean View School District, Pasadena Unified School District, Portola Valley School District, Ravenswood City School District, Riverside Unified School District, San Bernardino City Unified School District, San Carlos School District, San Diego Unified School District, San Francisco Unified School District, San Jose Unified School District, San Mateo County Office of Education, Santa Monica-Malibu Unified School District, Santa Paula Elementary School District (Ventura County), Sausalito School District, Sequoia Union High School District, Stockton Unified School District, Sweetwater Union High School District, and West Contra Costa Unified School District.

Referred by the Speaker to the Committee on Budget.

SPECIAL COMMITTEE MEETINGS

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

Committee on Education, on March 10, 1999, at 1:30 p.m., in Room 4202;

Committee on Governmental Organization, on March 24, 1999, at 1:30 p.m., in Room 4202;

Committee on Human Services, on March 16, 1999, at 1:30 p.m., in Room 437;

Committee on Information Technology, on March 19, 1999, at 9:30 a.m., at the Elihu M. Harris State Building, Oakland;

Committee on Information Technology, on March 26, 1999, at 9 a.m., in Room 4202;

Committee on Labor and Employment, on March 23, 1999, at 9:30 a.m., in Room 447;

Committee on Information Technology to convene jointly with Senate Select Committee on Economic Development and Senate Committee on Energy, Utilities and Communications, on March 22, 1999, in Room 113.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 3, 1999

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

Assembly Bill No. 10

Assembly Bill No. 127

Assembly Bill No. 53

Assembly Bill No. 128

Assembly Bill No. 87

Assembly Bill No. 159

Assembly Bill No. 104

Assembly Bill No. 209

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1631—Committee on Veterans Affairs (Floyd (Chair), Correa, Havice, Nakano, and Wayne). An act to amend Section 987.71 of the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 1632—Committee on Veterans Affairs (Floyd (Chair), Dickerson (Vice Chair), Correa, Havice, Nakano, Thompson, and Wayne). An act to amend Section 1023 of the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 1633—Committee on Veterans Affairs (Floyd (Chair), Dickerson (Vice Chair), Correa, Havice, Nakano, and Thompson). An act to amend Section 970 of the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 1634—Committee on Revenue and Taxation (Knox (Chair), Kaloogian (Vice Chair), Aroner, Briggs, Ducheny, Honda, and Romero). An act to amend Sections 1088 and 13050 of, and to add Section 13009.5 to, the Unemployment Insurance Code, relating to taxation.

ASSEMBLY BILL NO. 1635—Committee on Revenue and Taxation (Knox (Chair), Kaloogian (Vice Chair), Aroner, Briggs, Ducheny, Honda, and Romero). An act to amend Section 18521 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1636—Committee on Revenue and Taxation (Knox (Chair), Kaloogian (Vice Chair), Aroner, Briggs, Ducheny, Honda, and Romero). An act to amend Sections 19347 and 19384 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1637—Committee on Revenue and Taxation (Knox (Chair), Kaloogian (Vice Chair), Aroner, Briggs, Ducheny, Honda, and Romero). An act to amend Section 6361 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1638—Committee on Revenue and Taxation (Knox (Chair), Kaloogian (Vice Chair), Aroner, Briggs, Ducheny, Honda, and Romero). An act to amend Sections 8262, 8269, 9262, 9269, 9275, 30458.2, 30458.9, 30459.5, 32462, 32469, 32475, 40202, 40209, 40215, 41162, 41169, 41175, 43513, 43520, 43526, 45858, 45865, 45871, 46613, 46620, 46626, 50112.2, 50156.2, 50156.9, 50156.15, 55323, 55330, 55336, 60623, and 60630 of, and to add Sections 7658.1, 8174, 8878.5, 9033, 9184, 9272.1, 11253, 11254, 11409, 30283.5, 30354, 30384, 30459.2A, 32256.5, 32389, 32432, 32472.1, 38455, 38504, 38505, 38624, 40103.5, 40167, 40212.5, 41097.5, 41127.5, 41172.5, 43158.5, 43448, 43484, 43523.5, 45156.5, 45609, 45752, 45868.5, 46157.5, 46464, 46544, 46623.5, 50112.4, 50138.6, 50150.5, 50156.17, 55046, 55209, 55262, 55333.5, 60212, 60493, 60564, 60632.1, 60633.1, and 60633.2 to, the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1639—Committee on Public Employees, Retirement and Social Security (Correa (Chair), Firebaugh, Honda, Knox, and Pescetti). An act to repeal and add Section 75101 of the Government Code, relating to the Judges' Retirement System.

The following resolutions were introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 15—Leach. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending, repealing, and adding Section 9 to Article II thereof, by amending, repealing, and adding Sections 3, 8, 10, and 12 to Article IV thereof, by amending Section 10.5 of, and by amending, repealing, and adding Sections 1, 2, 3, and 8 to, Article XIII B thereof, and by amending Sections 8 and 8.5 of Article XVI thereof, relating to the state budget.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 16—Cox. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Article XXII thereof, relating to public contracts.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 19—Knox. Relative to Public Employees Recognition Week.

ASSEMBLY CONCURRENT RESOLUTION NO. 20—Kaloogian. Relative to the Armenian Genocide.

ASSEMBLY CONCURRENT RESOLUTION NO. 21—Davis. Relative to California Holocaust Memorial Week.

ASSEMBLY CONCURRENT RESOLUTION NO. 22—Correa (Coauthors: Calderon, Cedillo, Firebaugh, Havice, Hertzberg, Honda, Romero, and Villaraigosa). Relative to California Hispanic Heritage Month.

ASSEMBLY JOINT RESOLUTION NO. 9—Correa and Senator Ortiz (Coauthors: Firebaugh, Honda, Knox, and Pescetti) (Coauthors: Senators Baca, Costa, and Karnette). Relative to Social Security.

AUTHOR'S AMENDMENTS

Committee on Aging and Long-Term Care

March 3, 1999

Mr. Speaker: The Chair of your Committee on Aging and Long-Term Care reports: Assembly Bill No. 59

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

ALQUIST, Chairwoman

ASSEMBLY BILL NO. 59—An act to amend Section 273.6 of the Penal Code, and to add Section 15657.03 to the Welfare and Institutions Code, relating to elderly and dependent adults.

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

AUTHOR'S AMENDMENTS

Committee on Environmental Safety and Toxic Materials

March 3, 1999

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 241

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

JACKSON, Chairwoman

ASSEMBLY BILL NO. 241—An act to amend Section 25160.1 of the Health and Safety Code, relating to hazardous waste.

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

AUTHOR'S AMENDMENTS

Committee on Insurance

March 3, 1999

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

Assembly Bill No. 200

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

SCOTT, Chairman

ASSEMBLY BILL NO. 200—An act to amend Section 1359 of the Health and Safety Code, and to add Sections 1622.1, 1626.1, 1631.1, and 1749.03 to the Insurance Code, relating to life agents.

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

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

March 3, 1999

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 130

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

KNOX, Chairman

ASSEMBLY BILL NO. 130—An act to amend Section 17273 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

AUTHOR'S AMENDMENTS
Committee on Natural Resources

March 3, 1999

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 64

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

WAYNE, Chairman

ASSEMBLY BILL NO. 64—An act to add Article 2.8 (commencing with Section 69.5) to Chapter 2 of Division 1 of the Harbors and Navigation Code, relating to coastal resources.

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

AUTHOR'S AMENDMENTS
Committee on Health

March 3, 1999

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 63

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

GALLEGOS, Chairman

ASSEMBLY BILL NO. 63—An act to add Part 3 (commencing with Section 475) to Division 1 of the Health and Safety Code, relating to public health.

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

AUTHOR'S AMENDMENTS
Committee on Local Government

March 3, 1999

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 223

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

LONGVILLE, Chairman

ASSEMBLY BILL NO. 223—An act to amend Section 97.2 of the Revenue and Taxation Code, relating to local government finance.

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

AUTHOR'S AMENDMENTS
Committee on Public Safety

March 3, 1999

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 35

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

HONDA, Chairman

ASSEMBLY BILL NO. 35—An act to amend Sections 190.3, 264, and 288 of the Penal Code, relating to the death penalty.

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 Judiciary

Date of Hearing: March 2, 1999

Mr. Speaker: Your Committee on Judiciary reports:
Assembly Bill No. 196

With the recommendation: Do pass, and be re-referred to the Committee on Human Services.

KUEHL, Chairwoman

Above bill re-referred to the Committee on Human Services.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9:45 a.m., Thursday, March 4, 1999.

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 3, 1999**

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

AB	RN
35	9907956
59	9907561
63	9908411
64	9907624
130	9908032
200	9908517
223	9908578
241	9907949

Daily Total:	8
Cumulative Total:	59

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