

CALIFORNIA LEGISLATURE  
1999-2000 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, March 9, 1999**  
**THIRTIETH SESSION DAY**  
**NINETY-THIRD CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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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  
Tuesday, March 9, 1999

The Assembly met at 7 a.m.

Hon. Gloria Romero, Assembly Member, 49th 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—71:

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

Quorum present.

**At 1:45 p.m., Hon. Lou Correa, 69th 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 Cunneen, Knox, Leonard, Wesson, and Wright.*

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

*Because of illness: Assembly Member Margett.*

*Because of death in his family: Assembly Member Vincent.*

**EXPLANATIONS OF ABSENCE**

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

March 8, 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, Tuesday, March 9, 1999 due to legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

JIM CUNNEEN, Assembly Member  
Twenty-fourth District

March 8, 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 tommorrow due to legislative business in my district.

Thank you for your attention to this matter.

Sincerely,

WALLY KNOX, Assembly Member  
Forty-second District

March 9, 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 session on March 9, 1999 due to legislative business. I am participating in a tour of the old and new Folsom prisons.

If you have any questions, please contact me or Mai Harvill at 319-2063. Thank you for your prompt response to this matter.

Sincerely,

BILL LEONARD, Assembly Member  
Sixty-third District

March 9, 1999

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

Dear Mr. Speaker: I am respectfully requesting I be excused from Check-in Session on Tuesday, March 9, 1999 due to legislative business. I will be meeting the principals at Table Mountain in Fresno.

If you have any questions concerning the above, please contact my Chief of Staff, Charmette Bonpua.

Sincerely,

HERB J. WESSON, JR., Assembly Member  
Forty-seventh District

March 2, 1999

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

Dear Mr. Speaker: This letter is to respectfully request permission to be excused from Check-in Session and Committee Hearings on Tuesday, March 9, 1999 due to legislative business in my district. I have been invited to attend a meeting of the Los Angeles County Board of Supervisors to receive an award for distinguished service in 1998. I also have meetings regarding constituent issues in my district.

Should you have any questions or comments, please feel free to contact my office at 319-2048. Thank you for your attention to this request.

Sincerely,

RODERICK D. WRIGHT, Assembly Member  
Forty-eighth District

#### COMMUNICATIONS

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

March 9, 1999

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

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Health Committee in place of Assemblymember Edward Vincent for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 9, 1999

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

Dear Dotson: Please disregard my letter of March 3, 1999, relative to the temporary appointment of Assemblymember Dean Florez to Budget Subcommittee 3 for the hearing on Wednesday, March 10, 1999.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 9, 1999

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

Dear Dotson: Please be advised that I have appointed Assemblymember Gloria Romero to fill the vacancy on the Labor and Employment Committee.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 9, 1999

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

Dear Dotson: Please be advised that I have changed the hearing schedule for the Aging and Long-Term Care Committee to the first and third Tuesdays at 1:30 p.m.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**SPECIAL COMMITTEE MEETINGS**

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

Select Committee on Aerospace Industry, on April 1, 1999, at 1 p.m., at Torrance City Hall, City Council Chambers.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 9, 1999

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

- |                       |                       |
|-----------------------|-----------------------|
| Assembly Bill No. 133 | Assembly Bill No. 206 |
| Assembly Bill No. 157 | Assembly Bill No. 252 |
| Assembly Bill No. 162 | Assembly Bill No. 289 |
| Assembly Bill No. 202 |                       |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 9, 1999

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

Assembly Bill No. 33  
 Assembly Bill No. 187  
 Assembly Bill No. 195

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 9, 1999

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

Assembly Bill No. 36

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 1652—Committee on Labor and Employment (Steinberg (Chair), Floyd, Gallegos, Migden, and Shelley).** An act to amend Section 98.7 of, and to add Section 98.73 to, the Labor Code, relating to employment.

**ASSEMBLY BILL NO. 1653—Committee on Labor and Employment (Steinberg (Chair), Floyd, Gallegos, Migden, and Shelley).** An act to add Chapter 2.2 (commencing with Section 6359) to Part 1 of Division 5 of the Labor Code, relating to occupational safety and health.

**ASSEMBLY BILL NO. 1654—Committee on Labor and Employment (Steinberg (Chair), Floyd, Gallegos, Migden, and Shelley).** An act to add Section 56.1 to, and to repeal Section 105 of, the Labor Code, relating to industrial relations.

**ASSEMBLY BILL NO. 1655—Committee on Labor and Employment (Steinberg (Chair), Floyd, Gallegos, Migden, and Shelley).** An act to amend Section 143 of the Labor Code, relating to occupational safety and health.

**ASSEMBLY BILL NO. 1656—Committee on Labor and Employment (Steinberg (Chair), Floyd, Gallegos, Migden, and Shelley).** An act to amend Section 2260 of the Labor Code, relating to occupational safety and health.

### AUTHOR'S AMENDMENTS Committee on Education

March 9, 1999

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

Assembly Bill No. 116

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

MAZZONI, Chairwoman

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

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 Education**

March 9, 1999

Mr. Speaker: The Chair of your Committee on Education reports:  
Assembly Bill No. 90

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

MAZZONI, Chairwoman

**ASSEMBLY BILL NO. 90**—An act to amend Sections 48000 and 48010 of, aamad to add Sections 14022.7 and 42238.20 to, the Education Code, relating to pupils.

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 Employees, Retirement and Social Security**

March 9, 1999

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 91

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

CORREA, Chairman

**ASSEMBLY BILL NO. 91**—An act to amend Section 3540.1 of the Government Code, relating to public school employees.

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: March 3, 1999

Mr. Speaker: Your Committee on Education reports:  
Assembly Bill No. 192

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

MAZZONI, Chairwoman

Above bill ordered to second reading.

Date of Hearing: March 3, 1999

Mr. Speaker: Your Committee on Education reports:  
Assembly Bill No. 20

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

MAZZONI, Chairwoman

Above bill ordered to second reading.

**Committee on International Trade and Development**

Date of Hearing: March 8, 1999

Mr. Speaker: Your Committee on International Trade and Development reports:  
Senate Concurrent Resolution No. 5

With amendments with the recommendation: Amend, and be adopted, as amended.

HAVICE, Chairwoman

Above resolution ordered to second reading.

**Committee on Revenue and Taxation**

Date of Hearing: March 8, 1999

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Senate Bill No. 93

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

KNOX, Chairman

Above bill re-referred to the Committee on Appropriations.

**Committee on Public Safety**

Date of Hearing: March 2, 1999

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 32

With amendments with the recommendation: Amend, and do pass, as amended.

HONDA, Chairman

Above bill ordered to second reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, March 8, 1999

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 20

Senate Concurrent Resolution No. 23

GREG P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following resolutions were read:

**SENATE CONCURRENT RESOLUTION NO. 20**—Relative to adult education.**SENATE CONCURRENT RESOLUTION NO. 23**—Relative to Absolutely Incredible Kids Day.**CONSIDERATION OF DAILY FILE****ASSEMBLY BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

**Assembly Bill No. 36**, ordered to third reading.**SECOND READING OF ASSEMBLY BILLS****ASSEMBLY CONCURRENT RESOLUTION NO. 10**—Relative to California Architecture Week.

Resolution read; amendments proposed by the Committee on Rules read and adopted, resolution ordered reprinted and to be placed upon the Consent Calendar.

**ASSEMBLY BILL NO. 177**—An act to add and repeal Section 26826.3 of the Government Code, relating to filing fees.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted, bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 207**—An act to amend Section 633.5 of the Penal Code, relating to crime.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted, bill ordered reprinted and to be returned to the second reading file.



**ASSEMBLY BILL NO. 72**—An act to amend Section 399.5 of the Penal Code, relating to dog bites.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 139**—An act to add Section 243.9 to the Penal Code, relating to violent crimes.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 123**—An act to add Article 16.5 (commencing with Section 41965) to Chapter 5 of Part 24 of the Education Code relating to school finance, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 140**—An act to add Article 4.6 (commencing with Section 11415) to Chapter 3 of Title 1 of Part 4 the Penal Code, relating to terrorism.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

#### ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, March 10, 1999.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 9, 1999

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

**AB RN**

72	9908619
90	9908636
91	9908732
116	9908700
123	9908593
139	9908612
140	9908618
177	9908614
207	9908607

**ACR RN**

10	9908665
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<b>Daily Total:</b>	<b>10</b>
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<b>Cumulative Total:</b>	<b>80</b>
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