

CALIFORNIA LEGISLATURE
1999-2000 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, March 16, 1999

**THIRTY-FOURTH SESSION DAY
ONE HUNDREDTH 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
Tuesday, March 16, 1999

The Assembly met at 7 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 following were placed upon the morning roll call—78:

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

Quorum present.

At 1:35 p.m., Hon. Bill Leonard, 63rd 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 Member was granted leave of absence for the day:

Because of illness: Assembly Member Baugh.

COMMUNICATIONS

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

March 15, 1999

E. Dotson Wilson
Chief Clerk
State Capitol
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Robert Pacheco to the Judiciary Committee in place of Assemblymember Scott Baugh for tomorrow's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

March 16, 1999

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

Dear Dotson: Please be advised that the Aging and Long-Term Care Committee hearing room has been changed from room 444 to room 127.

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

March 16, 1999

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

Dear Mr. Wilson: Please be advised, pursuant to Public Resources Code § 30301, 30301.2, 30312, that I have appointed the following members to serve on the California Coastal Commission effective immediately. Please note the appointments below:

- The Honorable Dave Potter, Monterey County Supervisor; Central Coast—reappointed
- The Honorable Christine Kehoe, San Diego City Councilwoman; San Diego Coast—reappointed
- Cecilia V. Estolano of Venice; Public member, replacing Andrea Tuttle
- Paula Daniels of Santa Monica; Public member, replacing Pedro Nava

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

March 16, 1999

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

Dear Mr. Wilson: Please be advised, pursuant to Public Resources Code § 30301, 30301.2, 30312, that I confirm the following members to serve as alternate on the California Coastal Commission effective immediately. Please note the appointments below:

- William Krueer, alternate for Commissioner Christine Kehoe
- Constance Rice, alternate for Commissioner Paula Daniels
- Troy Fletcher, alternate for Commissioner David Potter
- David Allgood, alternate for Commissioner Cecilia Estolano

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

March 16, 1999

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

Dear Dotson: Please be advised that I have increased the membership of the Human Services Committee from 7 to 9 and have appointed Assemblymembers John Dutra and Dick Floyd to fill the vacancies.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

March 16, 1999

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

Dear Dotson: Please be advised that I have appointed Assemblymember John Longville to fill the vacancy on Judiciary Committee.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

March 16, 1999

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

Dear Dotson: Please be advised that I have made the following committee appointments for hearings scheduled for Wednesday March 17, 1999 only:

Appropriations Committee: Assemblymember George Runner in place of Assemblymember Roy Ashburn;

Education Committee: Assemblymember George Runner in place of Assemblymember Roy Ashburn.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

March 16, 1999

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

Dear Dotson: Please be advised that I have appointed Assemblymember Ken Maddox to the Education Committee in place of Assemblymember Steve Baldwin for the hearing on Wednesday, March 17, 1999 only.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

COMMUNICATONS

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

March 16, 1999

*Mr. Gregory Schmidt
Secretary of the Senate
State Capitol, Room 400
Sacramento, California*

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

Dear Mr. Schmidt and Mr. Wilson: This letter is to advise you that the Committee on Joint Rules met today and approved the following actions:

1. Appointment of Assembly Member Dennis Cardoza as Chair of the Joint Committee on Fairs Allocation and Classification, pursuant to Joint Rule 36.7.

2. Appointment of Assembly Member Virginia Strom-Martin as the Chair of the Joint Committee on Fisheries and Aquaculture, pursuant to Joint Rule 36.7.

3. Appointment of Senator Liz Figueroa as the Chair of the Joint Legislative Sunset Review Committee, pursuant to Joint Rule 36.7.

Sincerely,

ROBERT M. HERTZBERG, Chairman
Joint Committee on Rules

SPECIAL COMMITTEE MEETINGS

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

Committee on Information Technology, on April 9, 1999, at 9 a.m., at the UCLA Campus, James West Alumni Center.

Committee on Information Technology, on April 16, 1999, at 9 a.m., at the Orange County Board of Supervisors Chambers.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 16, 1999

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

Assembly Bill No. 9

Assembly Bill No. 376

Assembly Bill No. 119

Assembly Bill No. 387

Assembly Bill No. 227

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, March 16, 1999

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

Assembly Bill No. 28

Assembly Bill No. 172

Assembly Bill No. 48

Assembly Bill No. 243

Assembly Bill No. 60

Assembly Bill No. 268

Assembly Bill No. 86

Assembly Bill No. 305

Assembly Bill No. 98

Assembly Bill No. 325

Assembly Bill No. 99

Assembly Bill No. 331

Assembly Bill No. 142

Assembly Bill No. 349

Assembly Bill No. 164

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Date of Hearing: March 16, 1999

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 239

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

KUEHL, Chairwoman

Above bill ordered to second reading.

Committee on Consumer Protection, Governmental Efficiency and Economic Development

Date of Hearing: March 16, 1999

Mr. Speaker: Your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Bill No. 341

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

DAVIS, Chairwoman

Above bill re-referred to the Committee on Appropriations.

Committee on Judiciary

Date of Hearing: March 16, 1999

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 197

Assembly Bill No. 198

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

KUEHL, Chairwoman

Above bills re-referred to the Committee on Appropriations.

Committee on Banking and Finance

Date of Hearing: March 15, 1999

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 229

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

PAPAN, Chairman

Above bill re-referred to the Committee on Judiciary.

**AUTHOR'S AMENDMENTS
Committee on Transportation**

March 16, 1999

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

Assembly Bill No. 23

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

TORLAKSON, Chairman

ASSEMBLY BILL NO. 23—An act to add Section 622.2 to the Streets and Highways Code, relating to highways.

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 Human Services**

March 16, 1999

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 52

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

ARONER, Chairwoman

ASSEMBLY BILL NO. 52—An act to add Section 7560.5 to the Government Code, and to add Sections 4357.5, 4367.5, 4384, 4505.5, 5600.8, 5812, and 5856.5 to the Welfare and Institutions Code, relating to noncitizens.

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 Housing and Community Development**

March 16, 1999

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 264

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

LOWENTHAL, Chairman

ASSEMBLY BILL NO. 264—An act to add Article 9 (commencing with Section 33492.140) to Chapter 4.5 of Part 1 of Division 24 of the Health and Safety Code, relating to redevelopment.

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 16, 1999

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

Assembly Bill No. 174

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

MAZZONI, Chairwoman

ASSEMBLY BILL NO. 174—An act to add Article 7 (commencing with Section 17374.5) to Chapter 3 of Part 5 of the Education Code, relating to school facilities.

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 16, 1999

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

Assembly Bill No. 117

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

MAZZONI, Chairwoman

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

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 16, 1999

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 293

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

HONDA, Chairman

ASSEMBLY BILL NO. 293—An act to add Section 417.26 to the Penal Code, relating to lasers.

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 16, 1999

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

Assembly Bill No. 231

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

GALLEGOS, Chairman

ASSEMBLY BILL NO. 231—An act to amend Section 4935 of, and to add Section 4939.5 to, the Business and Professions Code, relating to acupuncture.

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 Transportation

March 16, 1999

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

Assembly Bill No. 357

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

TORLAKSON, Chairman

ASSEMBLY BILL NO. 357—An act to amend Section 190 of the Streets and Highways Code, relating to highways.

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.

INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1675—Committee on Judiciary (Kuehl (Chair), Aroner, Corbett, Hertzberg, Jackson, Longville, Shelley, and Steinberg). An act to amend Sections 425.16 and 904.1 of the Code of Civil Procedure, relating to civil actions.

ASSEMBLY BILL NO. 1676—Committee on Judiciary (Kuehl (Chair), Aroner, Corbett, Hertzberg, Jackson, Longville, Shelley, and Steinberg). An act to amend Section 128 of the Code of Civil Procedure, relating to judgments.

ASSEMBLY BILL NO. 1677—Committee on Consumer Protection, Governmental Efficiency and Economic Development (Davis (Chair), Leach (Vice Chair), Cox, Lempert, Machado, and Wesson). An act to amend Sections 101, 4996.21, 5000, 5030, 5133, and 7646 of, and to repeal Section 7647 of, the Business and Professions Code, relating to professions and vocations.

ASSEMBLY BILL NO. 1678—Committee on Consumer Protection, Governmental Efficiency and Economic Development (Davis (Chair), Leach (Vice Chair), Cox, Lempert, Machado, and Wesson). An act to amend Sections 5536.1, 5536.25, 7027.2, 7137, 7159, 17209, and 17536.5 of the Business and Professions Code, to amend Section 19825 of the Health and Safety Code, and to amend Section 3800 of the Labor Code, relating to businesses and professions, and making an appropriation therefor.

RESOLUTIONS

The following resolutions were offered:

HOUSE RESOLUTION NO. 15—Hertzberg. Relative to Retired Teachers Week.

HOUSE RESOLUTION NO. 16—Hertzberg. Relative to vehicle airbags.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, March 17, 1999.

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 16, 1999**

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

AB	RN
23	9909048
52	9908150
117	9908970
174	9908520
231	9908309
264	9909127
293	9909056
357	9909118

Daily Total:	8
Cumulative Total:	133

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