

CALIFORNIA LEGISLATURE
1999-2000 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 22, 1999

**THIRTY-SEVENTH SESSION DAY
ONE HUNDRED SIXTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, March 22, 1999

The Assembly met at 12 noon.

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 Wayne moved a quorum call of the Assembly.

Motion carried. Time, 12:01 p.m.

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

Quorum Present

At 12:13 p.m., Speaker pro Tempore Keeley declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—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
Baugh	Granlund	McClintock	Torlakson
Brewer	Havice	Migden	Vincent
Briggs	Hertzberg	Nakano	Washington
Calderon	Honda	Olberg	Wayne
Campbell	House	Oller	Wesson
Cardenas	Jackson	Pacheco, Robert	Wiggins
Cardoza	Kaloogian	Pacheco, Rod	Wildman
Corbett	Keeley	Papan	Wright
Correa	Knox	Pescetti	Zettel
Cox	Kuehl	Reyes	Mr. Speaker
Cunneen	Leach	Romero	
Davis	Lempert	Runner	

PRAYER

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

The great American poet, Henry Wadsworth Longfellow wrote:

If spring came but once a century instead of once a year,
or burst forth with the sound of an earthquake and not in silence,
what wonder and expectation there would be in all hearts,
to behold the miraculous change.

Because nature's miracles happen on a regular basis, we often forget to notice how miraculous they really are. Too often we take for granted the beauty and the gifts of the natural world and only notice them when they are taken from us by flood, or fire, drought or earthquake.

Through religious festivals such as Easter and Passover, we are reminded to pay attention to the annual miracle of the earth's reawakening every Spring. Similarly we are reminded that even into the darkest soul, light and redemption can take root.

May our eyes always be open to the miracles that have been bestowed upon us, and may it be God's will that we continue to be witnesses to the miracle of Creation in its many daily manifestations.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member Jackson 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 Member was granted leave of absence for the day:

Because of illness in his family: Assembly Member Cedillo.

COMMUNICATIONS

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

March 18, 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 §66801 (Chapter 872 of 1980), I have named Ms. Leslie Medina to serve on the Tahoe Regional Planning Agency. The effective appointment date is March 18, 1999, and this is a pleasure term appointment. She will be replacing Ms. Mara Bresnick.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

March 18, 1999

E. Dotson Wilson
Chief Clerk
State Capitol
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Ellen Corbett to the Labor and Employment Committee in place of Assemblymember Dick Floyd for the hearings on Tuesday, March 23 and Wednesday, April 7, 1999, only.

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

March 19, 1999

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

Dear Dotson: Please be advised that I have appointed Assemblymember Wally Knox in place of Assemblymember Gil Cedillo to the Appropriations Committee for the hearing on Wednesday, March 24, 1999 only.

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

March 19, 1999

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

Dear Dotson: Please be advised that I have appointed Assemblymember Kevin Shelley to the Elections, Reapportionment and Constitutional Amendments Committee in place of Assemblymember Gil Cedillo for the hearing on Monday, March 22, 1999 only.

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

March 22, 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 today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

March 22, 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 Health and Safety Code, §1799 (Created by: 1260 of 1980); (Amended by: Chapter Amended 1391 of 1984, SB 1124—Watson); (Amended by: Chapter Amended 1726 of 1984, AB 2840—Felando) (Amended by: Chapter Amended 42 of 1985, AB 99—Johnston); (Amended by: Chapter Amended 1102 of 1987, AB 1017—Bronzan); (Chapter Amended 220 of 1989, SB 217—Royce) I have appointed Lou Meyer to the Commission on Emergency Medical Services.

The effective date of this term appointment is March 17, 1999, expiring December 31, 1999, completing the term of Steve Murphy.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

(NOTE: The above communication supersedes the communication printed in the Assembly Journal of March 17, 1999, page 693.)

SPECIAL COMMITTEE MEETINGS

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

Select Committee on Transportation Relief, on June 7, 1999;

Committee on Elections, Reapportionment and Constitutional Amendments, on April 5, 1999, at 11 a.m., in Room 447, and on April 19, 1999, at 2 p.m., in Room 127;

Select Committee on Aerospace Industry to convene jointly with Senate Select Committee on Defense Conversion, Retention and Space Flight Industries, on April 6, 1999, at 8 a.m., in Room 444.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 22, 1999

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

Assembly Concurrent Resolution No. 24

Assembly Joint Resolution No. 9

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, March 22, 1999

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

Assembly Bill No. 16

Assembly Bill No. 39

Assembly Bill No. 46

Assembly Bill No. 50

Assembly Bill No. 92

Assembly Bill No. 103

Assembly Bill No. 106

Assembly Bill No. 116

Assembly Bill No. 161

Assembly Bill No. 196

Assembly Bill No. 254

Assembly Bill No. 256

Assembly Bill No. 268

Assembly Bill No. 270

Assembly Bill No. 325

Assembly Bill No. 329

Assembly Bill No. 402

Assembly Bill No. 403

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**AUTHORIZATION TO INTRODUCE BILLS PURSUANT TO
JOINT RULE 54**

Pursuant to the provisions of Joint Rule 54, the following communication was presented permitting the introduction of an Assembly bill:

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Briggs to introduce a bill relating to parole. Request No. 9905002.

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 1689—Briggs. An act to amend Section 3001 of the Penal Code, relating to parole.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 30—Gallegos. Relative to Child Passenger Safety Week.

ASSEMBLY CONCURRENT RESOLUTION NO. 31—Machado. Relative to National Boys and Girls Club Week.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

<i>Bill No.</i>	<i>Committee</i>
388	L. & E.
435	Jud.
447	Pub. S. and Aging & L.T.C.
559	Pub. S.
1355	Nat. Res.
1501	Health
1502	Pub. S.
1503	Health
1504	C.P.,G.E. & E.D.
1506	C.P.,G.E. & E.D.
1508	B. & F.
1510	Hum. S.
1511	L. Gov.
1512	Agri.
1513	Health
1516	Ed.
1517	G.O.
1518	Hum. S.
1519	Pub. S.
1520	C.P.,G.E. & E.D.
1521	W.,P. & W.
1522	Pub. S.
1523	Trans.
1524	Rev. & Tax.
1525	G.O.
1526	L. Gov.

1528	-----	P.E.,R. & S.S.
1529	-----	Higher Ed.
1530	-----	E.,R. & C.A.
1534	-----	Hum. S.
1535	-----	Pub. S.
1538	-----	Ed.
1539	-----	Ed.
1540	-----	Pub. S.
1545	-----	Health
1547	-----	Ed.
1549	-----	L. Gov.
1550	-----	Rev. & Tax.
1552	-----	Trans.
1555	-----	L. Gov.
1560	-----	Trans.
1562	-----	Pub. S.
1563	-----	Pub. S.
1564	-----	C.P.,G.E. & E.D. and H. & C.D.
1566	-----	Higher Ed.
1567	-----	Pub. S.
1569	-----	Jud. and Info. Tech.
1570	-----	Higher Ed.
1575	-----	L. Gov.
1576	-----	Health
1577	-----	Jud.
1579	-----	Jud.
1580	-----	H. & C.D.
1582	-----	Agri.
1586	-----	Pub. S.
1587	-----	Pub. S.
1588	-----	L. Gov.
1590	-----	Health
1591	-----	E.,R. & C.A.
1594	-----	Health
1596	-----	Ed.
1597	-----	Pub. S.
1600	-----	Ed.
1601	-----	I.T. & D.
1602	-----	Higher Ed.
1604	-----	G.O.
1607	-----	Pub. S.
1608	-----	Ed.
1610	-----	Rev. & Tax.
1612	-----	Trans. and L. Gov.
1615	-----	I.T. & D.
1616	-----	I.T. & D.
1617	-----	I.T. & D.
1619	-----	I.T. & D.
1621	-----	Health and Jud.
1622	-----	C.P.,G.E. & E.D.
1623	-----	Higher Ed.
1624	-----	Higher Ed.
1625	-----	Jud.
1627	-----	Ed.

1628	-----	Jud.
1629	-----	E.,R. & C.A.
1630	-----	E.,R. & C.A.
1632	-----	V.A.
1633	-----	V.A.
1634	-----	Rev. & Tax.
1635	-----	Rev. & Tax.
1636	-----	Rev. & Tax.
1637	-----	Rev. & Tax.
1638	-----	Rev. & Tax.
1639	-----	P.E.,R. & S.S.
1641	-----	Agri. and Rev. & Tax.
1642	-----	C.P.,G.E. & E.D.
1643	-----	Rev. & Tax.
1645	-----	Agri. and Ed.
1647	-----	Trans.
1648	-----	Trans.
1649	-----	Trans.
1650	-----	Trans.
1653	-----	L. & E.
1654	-----	L. & E.
1655	-----	L. & E.
1659	-----	Hum. S.
1660	-----	Hum. S.
1661	-----	Hum. S.
1663	-----	U. & C.
1664	-----	Rev. & Tax.
1665	-----	Rev. & Tax.
1666	-----	Rev. & Tax.
1668	-----	Ed.
1669	-----	Jud.
1671	-----	Jud.
1672	-----	Jud.
1673	-----	Jud.
1674	-----	U. & C.

*Assembly Concurrent**Resolution No.**Committee*

26 ----- Rls.

AUTHOR'S AMENDMENTS**Committee on Education**

March 22, 1999

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

Assembly Bill No. 457

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

MAZZONI, Chairwoman

ASSEMBLY BILL NO. 457—An act to amend Section 44010 of the Education Code, relating to 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.

AUTHOR'S AMENDMENTS

Committee on Aging and Long Term Care

March 22, 1999

Mr. Speaker: The Chair of your Committee on Aging and Long Term Care reports: Assembly Bill No. 452

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

ALQUIST, Chairwoman

ASSEMBLY BILL NO. 452—An act relating to long-term care programs.

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 Water, Parks and Wildlife

March 22, 1999

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports: Assembly Bill No. 445

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

MACHADO, Chairman

ASSEMBLY BILL NO. 445—An act to amend Sections 7149, 7149.2, and 7150 of, and to add Section 7156 to, the Fish and Game Code, relating to fishing, and making an appropriation therefor.

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 22, 1999

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports: Assembly Bill No. 430

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

KNOX, Chairman

ASSEMBLY BILL NO. 430—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 Revenue and Taxation

March 22, 1999

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports: Assembly Bill No. 156

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

KNOX, Chairman

ASSEMBLY BILL NO. 156—An act to add Section 17053.78 to 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 Insurance

March 22, 1999

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 509

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

SCOTT, Chairman

ASSEMBLY BILL NO. 509—An act to add Section 116.5 to the Insurance Code, relating to automotive lubricant product warranties.

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 Higher Education

March 22, 1999

Mr. Speaker: The Chair of your Committee on Higher Education reports:
Assembly Bill No. 31

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

LEMPERT, Chairman

ASSEMBLY BILL NO. 31—An act to amend Sections 69612, 69612.5, 69613, 69613.1, 69615.4, and 69615.6 of the Education Code, relating to teacher training.

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 22, 1999

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

Assembly Bill No. 137

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

JACKSON, Chairwoman

ASSEMBLY BILL NO. 137—An act to add Section 17214 to 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 Insurance

March 22, 1999

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 427

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

SCOTT, Chairman

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

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 Natural Resources

Date of Hearing: March 15, 1999

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 75

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

WAYNE, Chairman

Above bill ordered to second reading.

Committee on Revenue and Taxation

Date of Hearing: March 8, 1999

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

Assembly Bill No. 10

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

KNOX, Chairman

Above bill ordered to second reading.

Committee on Education

Date of Hearing: March 17, 1999

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 246

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

MAZZONI, Chairwoman

Above bill ordered to second reading.

Date of Hearing: March 17, 1999

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 29

With amendments with the recommendation: Do pass, as amended, and re-refer to the Committee on Appropriations with recommendation: To Consent Calendar.

MAZZONI, Chairwoman

Above bill ordered to second reading.

Date of Hearing: March 16, 1999

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 126

Assembly Bill No. 252

Assembly Bill No. 389

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

LEMPERT, Chairman

Above bills ordered to second reading.

Committee on Education

Date of Hearing: March 17, 1999

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 272

Assembly Bill No. 312

Assembly Bill No. 309

Assembly Bill No. 314

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

MAZZONI, Chairwoman

Above bills ordered to second reading.

Committee on Public Safety

Date of Hearing: March 16, 1999

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 162

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

HONDA, Chairman

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, March 22, 1999

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

Assembly Concurrent Resolution No. 6

And respectfully requests the Assembly to concur in said amendments.

GREG P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, March 22, 1999

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

Senate Bill No. 16

Senate Bill No. 301

Senate Bill No. 47

Senate Bill No. 463

Senate Bill No. 72

Senate Bill No. 1257

Senate Bill No. 108

Senate Bill No. 1273

Senate Bill No. 204

Senate Bill No. 1303

GREG P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

Senate Chamber, March 22, 1999

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

Senate Joint Resolution No. 1

GREG P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 16—An act to amend Sections 1773 and 1773.1 of, to add Section 1773.9 to, and to repeal Section 1773.8 of, the Labor Code, relating to public works.

SENATE BILL NO. 47—An act to repeal and add Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code, relating to hazardous substances, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 72—An act to add Article 10.5 (commencing with Section 6175) to Chapter 4 of Division 3 of the Business and Professions Code, relating to financial services by lawyers.

SENATE BILL NO. 108—An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 204—An act relating to pest control, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 301—An act to amend Sections 1180 and 1181 of the Civil Code and to amend Section 9191.5 of the Government Code, relating to acknowledgments.

SENATE BILL NO. 463—An act relating to the payment of claims against the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 1257—An act to make an appropriation in augmentation of Items 9800-001-0001, 9800-002-0494, and 9800-011-0001 of Section 2.00 of the Budget Act of 1998, relating to state employees, to take effect immediately as an appropriation for the usual and current expenses of the state.

SENATE BILL NO. 1273—An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 1303—An act to add Sections 1252.3 and 1279.1 to the Unemployment Insurance Code, relating to unemployment compensation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The following resolution was read:

SENATE JOINT RESOLUTION NO. 1—Relative to Medicare.

March 22, 1999

Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber

Dear Dotson: By direction of the Senate I am returning Senate Concurrent Resolution No. 5 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Shelley was granted unanimous consent that Assembly Member Jackson be permitted to have guests seated at her desk in the Assembly Chamber during today's proceedings.

JOINT RULE 62(a) WAIVED

Assembly Member Shelley was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 28 for hearing in the Committee on Elections, Reapportionment and Constitutional Amendments, today; and to permit Budget Subcommittee No. 4 to hear Items 5440, 5240, 5460, 5450, 8100, 8120, and 8950–8966, on Wednesday, March 24, 1999.

**REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY
SUSPEND THE RULES**

Assembly Member Shelley was granted unanimous consent that Assembly Rule 56 be temporarily suspended for the purpose of permitting the Committee on Appropriation to notice hearing of Assembly Bill No. 542 on Wednesday, March 24, 1999 in the Daily File, prior to re-referral to the committee.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Wesson was granted unanimous consent that his wife Fabian be permitted to sit at his desk in the Assembly Chamber, during today's proceedings.

ADJOURN IN MEMORY

Assembly Members Granlund, Battin, and Zettel were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sammy Stoeckl, of Hemet.

(Assembly Rule 45.5 suspended.)

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY CONCURRENT RESOLUTION NO. 6
WITHOUT REFERENCE TO FILE**

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

ASSEMBLY CONCURRENT RESOLUTION NO. 6 (Reyes)—Relative to agriculture.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—76

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

NOES—None

Above resolution ordered enrolled.

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

ASSEMBLY BILL NO. 60—An act to amend Sections 510, 554, 556, and 11821.3 of, to add Sections 511, 512, 513, 514, 515, and 557 to, and to repeal Sections 1182.2, 1182.9, 1182.10, and 1183.5 of, the Labor Code, relating to employment.

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

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; amendments proposed by the Committee on Natural Resources read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 132—An act to amend Section 7316 of the Business and Professions Code, relating to cosmetology.

Bill read second time; amendments proposed by the Committee on Consumer Protection, Governmental Efficiency and Economic Development read and adopted, bill ordered reprinted and to be returned to the second reading file.

CAUCUS ANNOUNCEMENTS

At 12:28 p.m., Assembly Member Battin was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 12:28 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

REASSEMBLED

At 1:02 p.m., the Assembly reconvened.

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

RECESS

By unanimous consent, at 1:06 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

REASSEMBLED

At 4:19 p.m., the Assembly reconvened.

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

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Wright announced that the Joint Hearing of Senate Select Committee on Economic Development, Senate Energy, Utilities and Communications, Assembly Information Technology and Assembly Utilities and Commerce Committees scheduled to meet earlier this day would be rescheduled to April 6, 1999.

Assembly Member Vincent announced that the Committee on Elections, Reapportionment and Constitutional Amendments would meet today, upon adjournment of Floor session, in Room 447.

Assembly Member Torlakson announced that the Committee on Transportation would meet today, upon adjournment of Floor session, in Room 4202.

Assembly Member Dutra announced that the Committee on Information Technology would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

Assembly Member Knox announced that the Committee on Revenue and Taxation would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room, upon adjournment of the Committee on Information Technology.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 4:19 p.m., by unanimous consent, the members of the Committee on Appropriations were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

RECESS

By unanimous consent, at 4:20 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

REASSEMBLED

At 4:29 p.m., the Assembly reconvened.

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

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS**

ASSEMBLY JOINT RESOLUTION NO. 9 (Correa)—Relative to Social Security. Resolution read.

Members Made Coauthors of Assembly Joint Resolution No. 9

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

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aanestad, Ackerman, Alquist, Bates, Battin, Baugh, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Corbett, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Florez, Frusetta, Gallegos, Havice, Hertzberg, House, Jackson, Keeley, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Mazzoni, Nakano, Oller, Robert Pacheco, Rod Pacheco, Papan, Reyes, Romero, Scott, Shelley, Soto, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Villaraigosa, Vincent, Wesson, Wildman, and Zettel.

Request for Unanimous Consent

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

Consideration of Assembly Joint Resolution No. 9, as Amended

ASSEMBLY JOINT RESOLUTION NO. 9—Relative to Social Security.

Resolution read, as amended, and adopted by the following vote:

AYES—74

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

NOES—None

Resolution ordered transmitted to the Senate.

ASSEMBLY BILL NO. 266 (Longville)—An act to amend Section 31625.2 of the Government Code, relating to county employee retirement.

Bill read third time, and passed by the following vote:

AYES—75

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

NOES—None

Bill ordered transmitted to the Senate.

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

Bill read third time, and passed by the following vote:

AYES—52

Alquist	Firebaugh	Lowenthal	Soto
Aroner	Floyd	Machado	Steinberg
Battin	Gallegos	Maddox	Strom-Martin
Calderon	Granlund	Maldonado	Thomson
Cardenas	Havice	Mazzoni	Torlakson
Cardoza	Hertzberg	Migden	Vincent
Corbett	Honda	Nakano	Washington
Correa	Jackson	Papan	Wayne
Cunneen	Keeley	Pescetti	Wesson
Davis	Knox	Reyes	Wiggins
Dickerson	Kuehl	Romero	Wildman
Ducheny	Lempert	Scott	Wright
Dutra	Longville	Shelley	Mr. Speaker

NOES—22

Aanestad	Briggs	Leach	Runner
Ackerman	Campbell	Leonard	Strickland
Baldwin	Cox	Margett	Thompson
Bates	Frusetta	McClintock	Zettel
Baugh	House	Oller	
Brewer	Kaloogian	Pacheco, Robert	

Bill ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 24 (Honda)—Relative to National Sleep Awareness Week.

Resolution read, and adopted by the following vote:

AYES—74

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

NOES—None

Resolution ordered transmitted to the Senate.

BILLS REMOVED FROM CONSENT CALENDAR

The following bill was removed from the Consent Calendar, and placed on the third reading file pursuant to Joint Rule 22.2:

Senate Bill No. 104, on request of Assembly Member Rod Pacheco.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bill

ASSEMBLY BILL NO. 239 (Kaloogian)—An act to amend Sections 2357, 2580, 8465, and 17200 of, to add Part 18 (commencing with Section 825) to Division 2 of, and to repeal Section 7200 of, the Probate Code, relating to estates and trusts.

Bill read third time, and passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 4:40 p.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

REFERENCE OF BILLS TO COMMITTEE

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

<i>Senate</i>	
<i>Bill No.</i>	<i>Committee</i>
1303 -----	Ins.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: March 22, 1999

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 100

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

SENATE BILL NO. 100 TAKEN UP BY UNANIMOUS CONSENT FOR SECOND READING

Assembly Member Hertzberg was granted unanimous consent to take up Senate Bill No. 100 without reference to file, for the purpose of reading the bill a second time.

SENATE BILL NO. 100—An act to amend Sections 15151, 15375, and 15500 of, to add Section 13300.5 to, and to add Part 6 (commencing with Section 7900) to Division 7 of, the Elections Code, relating to presidential primaries, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Senate Bill No. 100 Without Reference to File

Assembly Member Hertzberg was granted unanimous consent to take up Senate Bill No. 100, without reference to file, for purpose of consideration.

SENATE BILL NO. 100 (Burton)—An act to amend Sections 15151, 15375, and 15500 of, to add Section 13300.5 to, and to add Part 6 (commencing with Section 7900) to Division 7 of, the Elections Code, relating to presidential primaries, 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—66

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

NOES—5

Aanestad	Kaloogian	Strickland
Baldwin	McClintock	

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—66

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

NOES—5

Aanestad	Kaloogian	Strickland
Baldwin	McClintock	

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Date of Hearing: March 22, 1999

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 1

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

HERTZBERG, Chairman

Above resolution ordered on file.

CAUCUS ANNOUNCEMENTS

At 4:59 p.m., Assembly Member Battin was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 4:59 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

REASSEMBLED

At 5:25 p.m., the Assembly reconvened.

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

COMMITTEE MEETING CANCELED

Assembly Member Knox announced that the meeting of the Committee on Revenue and Taxation scheduled for today has been canceled.

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

The following request was submitted:

Assembly Chamber, March 22, 1999

Mr. Speaker: I request permission to introduce a resolution providing that Senate Bill No. 1303 may be considered and acted upon within 30 days after introduction and prior to being in print for 30 days.

HILDA L. SOLIS

Recommendation of Rules Committee

March 22, 1999

Mr. Speaker: Your Committee on Rules recommends:

That the request by Senator Solis 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 Senate Bill No. 1303 be granted.

ROBERT M. HERTZBERG, Chair

**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, Senate Bill No. 1303 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 refused adoption by the following vote:

AYES—46

Alquist	Floyd	Machado	Thomson
Aroner	Gallegos	Mazzoni	Torlakson
Calderon	Haveice	Migden	Vincent
Cardenas	Hertzberg	Nakano	Washington
Cardoza	Honda	Papan	Wayne
Corbett	Jackson	Reyes	Wesson
Correa	Keeley	Romero	Wiggins
Davis	Knox	Scott	Wildman
Ducheny	Kuehl	Shelley	Wright
Dutra	Lempert	Soto	Mr. Speaker
Firebaugh	Longville	Steinberg	
Florez	Lowenthal	Strom-Martin	

NOES—25

Ackerman	Campbell	Leonard	Pacheco, Rod
Ashburn	Cox	Maddox	Pescetti
Bates	Cunneen	Maldonado	Runner
Battin	Dickerson	Margett	Zettel
Baugh	Granlund	McClintock	
Brewer	House	Oller	
Briggs	Leach	Pacheco, Robert	

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Hertzberg announced that the Joint Rules Committee would meet today, upon adjournment of Floor session, in Room 4203.

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Keeley was granted unanimous consent that the members of the Committees on Appropriations and Rules be permitted to record votes missed while meeting off the Floor today, as if present.

ADJOURN IN MEMORY

Assembly Member Pescetti was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ms. Pat Davis, of Galt.

Assembly Member Strickland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Anna Helen Cooney, of Sacramento.

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 Gordon Barron, of Burbank, and Daniel Yonan of Burbank.

VOTE ADDS

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

Assembly Concurrent Resolution No. 6, Concurrence: Kaloogian and Machado—Aye.

Assembly Joint Resolution No. 9, Coauthors: Cardenas—Aye.

Senate Bill No. 100 and Urgency: Gallegos and Machado—Aye.

Senate Bill No. 1303, Resolution to Dispense with Constitution, Art. IV, Sec. 8(a): McClintock—No.

MOTION TO ADJOURN

At 5:45 p.m., Assembly Member Floyd moved that the Assembly do now adjourn.

Assembly Member Washington seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 5:45 p.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

INTRODUCTION OF GUESTS

Assembly Member Jackson, of the 35th Assembly District, introduced her daughter Jennie Eskin and Susannah Smith.

ADJOURNMENT

At 5:46 p.m., pursuant to the motion by Assembly Member Floyd, the Assembly adjourned until 7 a.m., Tuesday, March 23, 1999, out of respect to the memory of Sammy Stoeckl, on motion of Assembly Members Granlund, Battin, and Zettel; out of respect to the memory of Pat Davis, on motion of Assembly Member Pescetti; out of respect to the memory of Anna Helen Cooney, on motion of Assembly Member Strickland; and out of respect to the memory of Gordon Barron and Daniel Yonan on motion of Assembly Member Wildman.

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 22, 1999**

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

AB	RN
31	9901735
60	9909222
64	9909285
132	9909206
137	9909107
156	9909341
427	9909500
430	9909237
445	9908960
452	9908547
457	9908147
509	9909131

Daily Total:	12
Cumulative Total:	173

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