

CALIFORNIA LEGISLATURE  
1999-2000 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, March 24, 1999**

**THIRTY-NINTH SESSION DAY**

**ONE HUNDRED EIGHTH 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  
Wednesday, March 24, 1999

The Assembly met at 7 a.m.

Hon. Anthony Pescetti, Assembly Member, 10th 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—75:

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

Quorum present.

At 11:45 a.m., Hon. Howard Wayne, 78th 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 Member Machado.*

*On personal business, and waiving per diem: Assembly Members Olberg and Rod Pacheco.*

*Because of illness in his family: Assembly Member Cedillo.*

**EXPLANATIONS OF ABSENCE**

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

March 23, 1999

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

Dear Speaker Villaraigosa: I am requesting to be excused from check-in Session on Wednesday, March 24, 1999. I am travelling to Washington D.C. to a meeting called by Senator Diane Feinstein regarding Cal Fed and other water issues that are within my jurisdiction as Chair of Assembly Water, Parks and Wildlife.

If you have an questions, or need additional information, please feel free to call me.

Thank you for your consideration of my request.

Sincerely,

MICHAEL J. MACHADO, Assembly Member  
Seventeenth District

**COMMUNICATIONS**

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

March 24, 1999

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

Dear Dotson: Please be advised that I have appointed Assemblymember Denise Ducheny to Budget Subcommittee No. 1 in place of Assemblymember Gil Cedillo for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 24, 1999

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

Dear Dotson: Please be advised that I have appointed Assemblymember Denise Moreno Ducheny to the Budget Subcommittee 2 in place of Assemblymember Jack Scott for the hearing on Wednesday, March 24, 1999, only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 24, 1999

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

Dear Dotson: Please be advised that Assemblymember Charlene Zettel has resigned from the Select Committee on Gun Violence.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

**SPECIAL COMMITTING MEETINGS**

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

Committee on Human Services, on April 21, 1999, at 9 a.m., in Room 447;

Committee on Environmental Safety and Toxic Materials, on April 20, 1999, at 1:30 p.m., in Room 444;

Budget Subcommittee No. 2 to convene jointly with Higher Education, on April 14, 1999, at 1:30 p.m., in Room 126.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 24, 1999

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

Assembly Concurrent Resolution No. 6

And reports the same correctly enrolled, and presented to the Secretary of State on the 24th day of March, 1999, at 10:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, March 24, 1999

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

Assembly Bill No. 10

Assembly Bill No. 252

Assembly Bill No. 18

Assembly Bill No. 272

Assembly Bill No. 29

Assembly Bill No. 312

Assembly Bill No. 75

Assembly Bill No. 314

Assembly Bill No. 140

Assembly Bill No. 335

Assembly Bill No. 213

Assembly Bill No. 360

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 24, 1999

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

Assembly Bill No. 126

Assembly Bill No. 309

Assembly Bill No. 162

Assembly Bill No. 389

Assembly Bill No. 246

Assembly Bill No. 393

Assembly Bill No. 296

Assembly Bill No. 401

Assembly Bill No. 305

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 24, 1999

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

Assembly Concurrent Resolution No. 1

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 24, 1999

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

Assembly Joint Resolution No. 6

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

**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 Cardoza to introduce a bill relating to migrant children: service regions. Request No. 9908690.

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 1692—Committee on Consumer Protection, Governmental Efficiency and Economic Development (Davis (Chair), Leach (Vice Chair), Floyd, Lempert, Machado, and Wesson).** An act to amend Section 15330 of the Government Code, relating to economic development.

**ASSEMBLY BILL NO. 1693—Cardoza.** An act to add Section 54444.5 to the Education Code, relating to migrant children, and declaring the urgency thereof, to take effect immediately.

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 34—Cedillo.** Relative to children.

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly*

*Bill No.*

*Committee*

<b>222</b>	-----	Ed.
<b>410</b>	-----	B. & F.
<b>414</b>	-----	Rev. & Tax.
<b>420</b>	-----	Higher Ed.
<b>779</b>	-----	L. Gov.
<b>842</b>	-----	P.E.,R. & S.S. and Ed.
<b>858</b>	-----	Jud.
<b>985</b>	-----	Ed.
<b>1007</b>	-----	B. & F.
<b>1067</b>	-----	Ed.
<b>1143</b>	-----	Rev. & Tax.

1314	-----	L. Gov.
1370	-----	Rev. & Tax.
1445	-----	Aging & L.T.C.
1482	-----	L. Gov.
1505	-----	H. & C.D. and Nat. Res.
1509	-----	B. & F.
1571	-----	Trans.
1585	-----	C.P.,G.E. & E.D. and Higher Ed.
1651	-----	V. A. and W.,P. & W.
1652	-----	L. & E.
1656	-----	L. & E.
1657	-----	U. & C. and Jud.
1658	-----	U. & C.
1662	-----	Hum. S.
1675	-----	Jud.
1676	-----	Jud.
1677	-----	C.P.,G.E. & E.D. and Health
1679	-----	L. Gov.
1680	-----	E.S. & T.M.
1681	-----	E.S. & T.M.
1682	-----	Hum. S.
1683	-----	Info. Tech. and G.O.
1684	-----	Info. Tech. and C.P.,G.E. & E.D.
1685	-----	Info. Tech. and E.S. & T.M.
1686	-----	Info. Tech.
1687	-----	B. & F.
1688	-----	B. & F.

*Assembly Constitutional*

<i>Amendment No.</i>	<i>Committee</i>
7	----- E.,R. & C.A.
8	----- C.P.,G.E. & E.D. and Budget
12	----- E.,R. & C.A.
15	----- C.P.,G.E. & E.D. and Budget

*House*

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

*Senate*

<i>Bill No.</i>	<i>Committee</i>
279	----- Pub. S.

**AUTHOR'S AMENDMENTS**  
**Committee on Higher Education**

March 24, 1999

Mr. Speaker: The Chair of your Committee on Higher Education reports:  
 Assembly Bill No. 420

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

LEMPERT, Chairman

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

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 Rules**

March 24, 1999

Mr. Speaker: The Chair of your Committee on Rules reports:  
Senate Concurrent Resolution No. 7

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

HERTZBERG, Chairman

**SENATE CONCURRENT RESOLUTION NO. 7**—Relative to Domestic Violence Awareness Month.

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

**AUTHOR'S AMENDMENTS  
Committee on Education**

March 24, 1999

Mr. Speaker: The Chair of your Committee on Education reports:  
Assembly Bill No. 101

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

MAZZONI, Chairwoman

**ASSEMBLY BILL NO. 101**—An act to add Chapter 14.5 (commencing with Section 52990) to Part 28 of the Education Code, relating to remedial instruction.

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 24, 1999

Mr. Speaker: The Chair of your Committee on Public Safety reports:  
Assembly Bill No. 451

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

HONDA, Chairman

**ASSEMBLY BILL NO. 451**—An act to amend Sections 480, 502, and 502.01 of the Penal Code, relating to crimes.

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 24, 1999

Mr. Speaker: The Chair of your Committee on Local Government reports:  
Assembly Bill No. 165

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

LONGVILLE, Chairman

**ASSEMBLY BILL NO. 165**—An act to amend Section 30064.1 of the Government Code, relating to law enforcement.

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 Consumer Protection, Governmental Efficiency  
and Economic Development**

March 24, 1999

Mr. Speaker: The Chair of your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Bill No. 425

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

DAVIS, Chairwoman

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

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 Banking and Finance**

March 24, 1999

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 410

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

PAPAN, Chairman

**ASSEMBLY BILL NO. 410**—An act to amend Section 17003 of the Financial Code, relating to escrow 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 24, 1999

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 122

Assembly Bill No. 203

Assembly Bill No. 414

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

KNOX, Chairman

**ASSEMBLY BILL NO. 122**—An act to add Sections 17053.59 and 23659 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.

**ASSEMBLY BILL NO. 203**—An act to add and repeal Section 25339 of the Government Code, to add and repeal Section 1203.7 of the Penal Code, and to add and repeal Sections 17053.29 and 23629 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.



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

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 24, 1999

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

Assembly Bill No. 121  
Assembly Bill No. 222

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

MAZZONI, Chairwoman

**ASSEMBLY BILL NO. 121**—An act relating to educational 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.

**ASSEMBLY BILL NO. 222**—An act to amend Sections 200, 220, 233, 235, 260, 35179, 44100, 44830, 45293, 47605, 48204, 51004, 51500, 51501, 58019 60044, 66251, 66270, 66292, 66292.1, 66292.2, 69535, 69762, 69958, 72011, 72014, 87100, 87400, 88112, 89757, and 92150 of, and to add Sections 212.6 and 66262.6 to, the Education Code, relating to instructional services and 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.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Water, Parks and Wildlife**

Date of Hearing: March 23, 1999

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 76  
Assembly Bill No. 372

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

MACHADO, Chairman

Above bill re-referred to the Committee on Appropriations.

**Committee on Elections, Reapportionment and Constitutional Amendments**

Date of Hearing: March 22, 1999

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Assembly Bill No. 186

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

VINCENT, Chairman

Above bill ordered to second reading.

**Committee on Housing and Community Development**

Date of Hearing: March 24, 1999

Mr. Speaker: Your Committee on Housing and Community Development reports:

Assembly Bill No. 264

With the recommendation: Do pass.

LOWENTHAL, Chairman

Above bill ordered to second reading.

Date of Hearing: March 24, 1999

Mr. Speaker: Your Committee on Housing and Community Development reports:  
Senate Bill No. 307

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.

LOWENTHAL, Chairman

Above bill ordered to second reading.

### **Committee on Appropriations**

Date of Hearing: March 24, 1999

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 542

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: March 24, 1999

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 1

With the recommendation: Be adopted.

MIGDEN, Chairwoman

Above resolution ordered on file.

### **Committee on Health**

Date of Hearing: March 23, 1999

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 12

Assembly Bill No. 161

Assembly Bill No. 58

Assembly Bill No. 265

Assembly Bill No. 103

Assembly Bill No. 469

Assembly Bill No. 155

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

GALLEGOS, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 23, 1999

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 141

Assembly Bill No. 440

Assembly Bill No. 271

Assembly Bill No. 461

Assembly Bill No. 352

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

GALLEGOS, Chairman

Above bills re-referred to the Committee on Appropriations.

### **Committee on Environmental Safety and Toxic Materials**

Date of Hearing: March 23, 1999

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 241

Assembly Bill No. 516

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

JACKSON, Chairwoman

Above bills re-referred to the Committee on Appropriations.

**Committee on Health**

Date of Hearing: March 23, 1999

Mr. Speaker: Your Committee on Health reports:

- Assembly Bill No. 251
- Assembly Bill No. 255
- Assembly Bill No. 359

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

GALLEGOS, Chairman

Above bills re-referred to the Committee on Governmental Organization.

Date of Hearing: March 23, 1999

Mr. Speaker: Your Committee on Health reports:

- Assembly Bill No. 351

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

GALLEGOS, Chairman

Above bill re-referred to the Committee on Judiciary.

Date of Hearing: March 23, 1999

Mr. Speaker: Your Committee on Health reports:

- Assembly Bill No. 1532

With the recommendation: Do pass.

GALLEGOS, Chairman

Above bill ordered to second reading.

**Committee on Elections, Reapportionment and Constitutional Amendments**

Date of Hearing: March 22, 1999

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

- Senate Bill No. 28

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

VINCENT, Chairman

Above bill ordered to second reading.

**Committee on Human Services**

Date of Hearing: March 23, 1999

Mr. Speaker: Your Committee on Human Services reports:

- Assembly Bill No. 278

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

ARONER, Chairwoman

Above bill ordered to second reading.

Date of Hearing: March 23, 1999

Mr. Speaker: Your Committee on Human Services reports:

- Assembly Bill No. 472

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

ARONER, Chairwoman

Above bill ordered to second reading.

Date of Hearing: March 23, 1999

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 52

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

ARONER, Chairwoman

Above bill re-referred to the Committee on Health.

Date of Hearing: March 23, 1999

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 87

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

ARONER, Chairwoman

Above bill re-referred to the Committee on Appropriations.

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

**ASSEMBLY BILL NO. 724**—An act to add Section 11006.5 to the Government Code, relating to the Year 2000 Problem.

Bill read second time; amendments proposed by the Committee on Information Technology read and adopted, bill ordered reprinted and to be re-referred to the Committee on Governmental Organization.

**ASSEMBLY BILL NO. 370**—An act to add Section 4723.5 to the Family Code, and to amend Section 11350.6 of the Welfare and Institutions Code, relating to support.

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

**ASSEMBLY BILL NO. 247**—An act to amend Sections 346 and 358.1 of, and to add Section 16003 to, the Welfare and Institutions Code, relating to foster parents.

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

**ASSEMBLY BILL NO. 84**—An act to add Section 53072.5 to the Government Code, relating to political committees.

Bill read second time, and ordered to third reading.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 25, 1999.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 24, 1999**

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

<b>AB</b>	<b>RN</b>
101	9909052
121	9908146
122	9909554
165	9909498
203	9909473
222	9909260
247	9909328
370	9909431
410	9909007
414	9908827
420	9908490
425	9908646
451	9909413
724	9908617

<b>SCR</b>	<b>RN</b>
7	9909508

<b>Daily Total:</b>	<b>15</b>
<b>Cumulative Total:</b>	<b>210</b>

O