

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 20, 1998

TWO HUNDRED ELEVENTH SESSION DAY

FIVE HUNDRED THIRTY-FIFTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 20, 1998

The Assembly met at 7 a.m.

Hon. Scott Wildman, Assembly Member, 43rd 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:

Ackerman	Cedillo	Kuehl	Prenter
Aguiar	Cunneen	Leach	Pringle
Alby	Davis	Leonard	Richter
Alquist	Ducheny	Machado	Runner
Aroner	Escutia	Margett	Scott
Ashburn	Figuroa	Mazzoni	Shelley
Baca	Firestone	McClintock	Strom-Martin
Baldwin	Floyd	Migden	Sweeney
Battin	Frusetta	Miller	Takasugi
Baugh	Gallegos	Morrissey	Thompson
Bordonaro	Goldsmith	Morrow	Thomson
Bowen	Granlund	Napolitano	Torlakson
Bowler	Havice	Olberg	Vincent
Brewer	Hertzberg	Oller	Washington
Brown	Honda	Ortiz	Wildman
Bustamante	House	Pacheco	Woods
Campbell	Kaloogian	Papan	Wright
Cardenas	Keeley	Perata	Mr. Speaker
Cardoza	Knox	Poohigian	

Quorum present.

At 1:52 p.m., Hon. Bill Campbell, 71st 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 Kuykendall, Lempert, Martinez, and Murray.

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

EXPLANATIONS OF ABSENCE

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

May 14, 1998

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

Dear Speaker Villaraigosa: On Wednesday, May 20th, I have been invited to present a proclamation in honor of World Trade Week. The event is sponsored by the Foreign Trade Association of Southern California, and I respectfully request my absence be approved as legislative business in the district.

Thank you for your consideration of this matter. If there are any questions, please do not hesitate to contact me at 319-2054.

Sincerely,

STEVEN T. KUYKENDALL, Assembly Member
Fifty-fourth District

May 19, 1998

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

Dear Mr. Speaker: This letter is to inform you and our honorable body that I will be absent from Check-In Session on May 20th due to legislative business in my district. Note, that I will not be able to perform any of my unanticipated committee duties for the day.

Thank you for your attention.

Sincerely,

TED LEMPert, Assembly Member
Twenty-first District

May 20, 1998

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

Dear Mr. Speaker: I am writing to request to be excused from today's session on legislative business. I will be chairing a hearing of the Assembly Select Committee on Insurance Reform at the Edmund G. "Pat" Brown Building in San Francisco (as referenced in the Daily File).

Thank you in advance for your consideration of this request.

Warmest regards,

DIANE MARTINEZ, Assembly Member
Forty-ninth District

May 19, 1998

*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, Wednesday, May 20, 1998 so that I may attend to legislative business in my district. I will return to Sacramento in time for session on Thursday, May 21, 1998.

Thank you for your consideration in this matter.

Sincerely,

KEVIN MURRAY, Assembly Member
Forty-seventh District

COMMUNICATIONS

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

May 19, 1998

*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 #5 in place of Assemblymember Liz Figueroa for the hearing on Wednesday, May 20, 1998, only.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

May 20, 1998

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

Dear Dotson: Please be advised that I have appointed Assemblymember Gil Cedillo to the Appropriations Committee in place of Assemblymember Michael Sweeney for Thursday, May 21, 1998 hearing, only.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

May 20, 1998

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

Dear Dotson: Please be advised that I have appointed Assemblymember Lynne Leach to the Budget Subcommittee #1 in place of Assemblymember Barbara Alby for today’s hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 20, 1998

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1688 | Assembly Bill No. 2509 |
| Assembly Bill No. 1856 | Assembly Bill No. 2522 |
| Assembly Bill No. 1987 | Assembly Bill No. 2527 |
| Assembly Bill No. 2154 | Assembly Bill No. 2572 |
| Assembly Bill No. 2207 | Assembly Bill No. 2680 |
| Assembly Bill No. 2252 | Assembly Bill No. 2721 |
| Assembly Bill No. 2416 | |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 20, 1998

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1827 | Assembly Bill No. 2155 |
| Assembly Bill No. 1995 | Assembly Bill No. 2465 |
| Assembly Bill No. 2065 | |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 161—Strom-Martin.
Relative to the George H. Cox Memorial Bridge.

AUTHOR’S AMENDMENTS
Committee on Health

May 20, 1998

Mr. Speaker: The Chair of your Committee on Health reports:
Senate Bill No. 1790

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

GALLEGOS, Chairman

SENATE BILL NO. 1790—An act to amend Section 1357 of the Health and Safety Code, and to amend Section 10700 of the Insurance Code, relating to health care coverage.

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**

May 20, 1998

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

Senate Bill No. 1022

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

HONDA, Chairman

SENATE BILL NO. 1022—An act to amend Sections 19572, 19574.1, and 19582 of the Government Code, relating to public 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 Public Safety**

May 20, 1998

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

Senate Bill No. 441

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

PERATA, Chairman

SENATE BILL NO. 441—An act to add Section 1203.015 to the Penal Code, relating to postconviction bonds.

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 Elections, Reapportionment and Constitutional Amendments**

May 20, 1998

Mr. Speaker: The Chair of your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 627

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

VINCENT, Chairman

SENATE BILL NO. 627—An act to amend Section 2142 of the Elections Code, relating to elections.

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 Budget

Date of Hearing: May 19, 1998

Mr. Speaker: Your Committee on Budget reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1721 | Assembly Bill No. 2787 |
| Assembly Bill No. 2775 | Assembly Bill No. 2788 |
| Assembly Bill No. 2776 | Assembly Bill No. 2789 |
| Assembly Bill No. 2777 | Assembly Bill No. 2790 |
| Assembly Bill No. 2778 | Assembly Bill No. 2791 |
| Assembly Bill No. 2779 | Assembly Bill No. 2792 |
| Assembly Bill No. 2780 | Assembly Bill No. 2793 |
| Assembly Bill No. 2781 | Assembly Bill No. 2794 |
| Assembly Bill No. 2782 | Assembly Bill No. 2795 |
| Assembly Bill No. 2783 | Assembly Bill No. 2796 |
| Assembly Bill No. 2784 | Assembly Bill No. 2797 |
| Assembly Bill No. 2785 | Assembly Bill No. 2798 |
| Assembly Bill No. 2786 | |

With the recommendation: Do pass.

DUCHENY, Chairwoman

Above bills ordered to second reading.

Committee on Human Services

May 14, 1998

Mr. Speaker: Your Committee on Human Services reports the following bills pursuant to the provisions of Joint Rule 62(a):

- Assembly Bill No. 1778
- Assembly Bill No. 1983
- Assembly Bill No. 2468

ARONER, Chairwoman

Above bills ordered filed with the Chief Clerk.

Committee on Judiciary

May 18, 1998

Mr. Speaker: Your Committee on Judiciary reports the following bills pursuant to the provisions of Joint Rule 62(a):

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1700 | Assembly Bill No. 2093 |
| Assembly Bill No. 1710 | Assembly Bill No. 2094 |
| Assembly Bill No. 1828 | Assembly Bill No. 2269 |
| Assembly Bill No. 1912 | Assembly Bill No. 2343 |
| Assembly Bill No. 2071 | Assembly Bill No. 2446 |

ESCUTIA, Chairwoman

Above bills ordered filed with the Chief Clerk.

Committee on Labor and Employment

May 20, 1998

Mr. Speaker: Your Committee on Labor and Employment reports the following bills pursuant to the provisions of Joint Rule 62(a):

- Assembly Bill No. 1940
- Assembly Bill No. 2399

FLOYD, Chairman

Above bills ordered filed with the Chief Clerk.

Committee on Appropriations

Date of Hearing: May 20, 1998

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1792 | Assembly Bill No. 2492 |
| Assembly Bill No. 2008 | Assembly Bill No. 2771 |
| Assembly Bill No. 2251 | Assembly Bill No. 2802 |
| Assembly Bill No. 2352 | |

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 bills be placed on the Consent Calendar.

MIGDEN, Chairwoman

Above bills ordered to second reading.

Date of Hearing: May 20, 1998

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1625 | Assembly Bill No. 2320 |
| Assembly Bill No. 1869 | Assembly Bill No. 2407 |
| Assembly Bill No. 1889 | Assembly Bill No. 2552 |
| Assembly Bill No. 1906 | Assembly Bill No. 2557 |
| Assembly Bill No. 1941 | Assembly Bill No. 2605 |
| Assembly Bill No. 1955 | Assembly Bill No. 2650 |
| Assembly Bill No. 1959 | Assembly Bill No. 2658 |
| Assembly Bill No. 1994 | Assembly Bill No. 2698 |
| Assembly Bill No. 2010 | Assembly Bill No. 2707 |
| Assembly Bill No. 2102 | Assembly Bill No. 2729 |
| Assembly Bill No. 2118 | Assembly Bill No. 2742 |
| Assembly Bill No. 2145 | |

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bills ordered to second reading.

Committee on Budget

Date of Hearing: May 19, 1998

Mr. Speaker: Your Committee on Budget reports:

- Assembly Bill No. 2810

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

DUCHENY, Chairwoman

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: May 20, 1998

Mr. Speaker: Your Committee on Appropriations reports:

- Senate Concurrent Resolution No. 73
- Senate Concurrent Resolution No. 79

With the recommendation: Be adopted.

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

MIGDEN, Chairwoman

Above resolutions ordered to Consent Calendar.

Date of Hearing: May 20, 1998

Mr. Speaker: Your Committee on Appropriations reports:

- Assembly Concurrent Resolution No. 148

With the recommendation: Be adopted.

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

MIGDEN, Chairwoman

Above resolution ordered to Consent Calendar.

Date of Hearing: May 20, 1998

Mr. Speaker: Your Committee on Appropriations reports:
Assembly Concurrent Resolution No. 100

With the recommendation: Be adopted.

MIGDEN, Chairwoman

Above resolution ordered to third reading.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 1856, 1987, 2207, 2252, 2522, 2527, 1688, and 2416, ordered to third reading;

Assembly Bills Nos. 2154, 2509, 2572, 2680, and 2721, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 2501—An act to add Section 48906.5 to the Education Code, relating to pupils.

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

ASSEMBLY BILL NO. 1922—An act to add Section 96.5 to the Penal Code, relating to obstruction of justice.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the third reading file.

Senate Bill No. 495, on request of Assembly Member Sweeney.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 20, 1998

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

Assembly Concurrent Resolution No. 122

Assembly Concurrent Resolution No. 140

And reports the same correctly enrolled, and presented to the Secretary of State on the 20th day of May, 1998, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, May 20, 1998

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

Assembly Bill No. 510

Assembly Bill No. 1418

Assembly Bill No. 1799

Assembly Bill No. 1858

And reports the same correctly enrolled, and presented to the Governor at 2 p.m., May 20, 1998.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 4:15 p.m., the Assembly adjourned until 9 a.m., Thursday, May 21, 1998.

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MAY 20, 1998**

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

AB	RN
1922	9811294
2501	9811220

SB	RN
441	9810969
627	9811029
1022	9809981
1790	9810051

Daily Total:	6
Cumulative Total:	5411

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