

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, June 1, 1998**

**TWO HUNDRED SEVENTEENTH SESSION DAY  
FIVE HUNDRED FORTY-SEVENTH 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  
Monday, June 1, 1998

The Assembly met at 7 a.m.

Hon. Bernie Richter, Assembly Member, Third 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—51:

Ackerman	Cunneen	Migden	Strom-Martin
Aguiar	Ducheny	Olberg	Takasugi
Alby	Gallegos	Oller	Thompson
Alquist	Havice	Ortiz	Thomson
Aroner	Hertzberg	Pacheco	Torlakson
Ashburn	House	Papan	Vincent
Baca	Kaloogian	Poochigian	Washington
Battin	Kuykendall	Prenter	Wayne
Baugh	Leach	Pringle	Wildman
Bowler	Leonard	Richter	Woods
Brown	Machado	Runner	Wright
Cardenas	Martinez	Scott	Mr. Speaker
Cardoza	McClintock	Shelley	

Quorum present.

**At 2:10 p.m., Hon. Howard Kaloogian, 74th 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 Bordonaro, Bowen, Brewer, Bustamante, Frusetta, Granlund, Keeley, Knox, Lempert, Margett, Mazzone, Morrissey, Morrow, and Murray.*

*On personal business, and waiving per diem: Assembly Members Baldwin, Campbell, Davis, Figueroa, Firestone, Floyd, Kuehl, Miller, Napolitano, Perata, and Sweeney.*

*Because of illness: Assembly Members Cedillo and Escutia.*

*Because of a death in his family: Assembly Member Honda.*

*The following Assembly Member was excused for the day, and his per diem was waived: Goldsmith.*

**EXPLANATIONS OF ABSENCE**

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

June 1, 1998

*Antonio Villaraigosa, Speaker  
California State Assembly  
State Capitol  
Sacramento, California*

Dear Speaker Villaraigosa: I am writing this letter in order to request that I be excused from Assembly Check-In Session for today, June 1, due to Legislative business in my district.

Thank you in advance for your attention to this matter.

Sincerely,

TOM J. BORDONARO, JR., Assembly Member  
Thirty-third District

June 1, 1998

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

Dear Mr. Speaker: I am writing to request that I be excused from check-in session today. I will be working in my district all day.

Please feel free to contact me should you have any questions.

Thank you for your attention to this request.

Sincerely,

DEBRA BOWEN, Assembly Member  
Fifty-third District

May 28, 1998

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

Dear Speaker Villaraigosa: I am respectfully requesting to be excused from Assembly Floor Session, Monday, June 1, 1998, and Assembly Check-In Session, Tuesday, June 2, 1998, due to legislative business in my District Office.

Thank you for your consideration of this request. If you have any questions, please do not hesitate to contact me at (916) 445-7222.

Sincerely,

MARILYN C. BREWER, Assembly Member  
Seventieth District

June 1, 1998

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

Dear Speaker Villaraigosa: I respectfully request to be excused from check-in session on Monday, June 1, 1998 and Tuesday, June 2, 1998. I will be in my district on legislative business.

Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE, Assembly Member  
Thirty-first District

May 29, 1998

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

Dear Mr. Speaker: I humbly request that I be excused June 1, 1998 to attend to legislative business in my district. As you know, my district has experienced heavy flood related damage weakening the structural integrity of levee systems. I plan on touring and inspecting portions of the Pajaro River and its tributaries to assess their status.

Thank you for your consideration of this request, Mr. Speaker.

Sincerely,

PETER FRUSETTA, Assembly Member  
Twenty-eighth District

May 28, 1998

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

Dear Mr. Speaker: I am requesting permission to be dismissed from session on June 1–June 3. I have district business that necessitates my absence.

Thank you in advance for your prompt attention to this matter.

Sincerely,

BRETT GRANLUND, Assembly Member  
Sixty-fifth District

May 29, 1998

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

Dear Mr. Speaker: This letter is to request authorization to be excused from Session Check-In on Monday, June 1, 1998. The purpose of my absence is district related business.

Thank you for consideration of this request.

Sincerely,

FRED KEELEY, Assembly Member  
Twenty-seventh District

May 28, 1998

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

Dear Antonio: I respectfully request to be excused from Session on Monday, June 1 due to legislative business in my district. Thank you for your attention to this matter.

Sincerely,

WALLY KNOX, Assembly Member  
Forty-second District

May 28, 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 June 1st and June 2nd 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 29, 1998

*Assemblyman Robert Hertzberg  
Chairman, Assembly Rules Committee  
Capitol Room 3016  
Sacramento, California*

Dear Chairman Hertzberg: I am writing this letter to ask to be excused from check-in session on Monday, June 1, 1998 to attend to Legislative business in my district.

Your attention to this request is greatly appreciated.

Kindest regards,

BOB MARGETT, Assembly Member  
Fifty-ninth District

May 14, 1998

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

Dear Speaker Villaraigosa: This letter is to request that I be excused from Session on Monday, June 1, 1998. I will be in Chicago attending a day-long series of meetings with representatives from the Chicago school system. The focus will be on what Chicago is doing to promote excellence and accountability in their school system.

If you have any questions or need further information, please call Barbara Ann Guido at 319-2006. Thank you for your attention to this matter.

Sincerely,

KERRY MAZZONI, Assembly Member  
Sixth District

May 29, 1998

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

Dear Speaker Villaraigosa: I will be unable to attend check-in session Monday, June 1st, 1998 as I will be in my district on legislative business. Please contact Rebecca Ann Fontaine in my capitol office at (916) 319-2069 with any further questions.

Sincerely,

JIM MORRISSEY, Assembly Member  
Sixty-ninth District

June 1, 1998

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

Dear Sir: Please excuse my absence from check-in on Monday June 1, 1998 as I have remained in my district on legislative business.

If you have any questions please contact Jayme Murray @ 319-2073.

Sincerely,

BILL MORROW, Assembly Member  
Seventy-third District

June 1, 1998

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

Dear Mr. Speaker: I am requesting that I be excused from Session today because of legislative business in my district.

Thank you for your consideration.

Sincerely,

KEVIN MURRAY, Assembly Member  
 Forty-seventh District

#### COMMUNICATIONS

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

May 29, 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 Human Services Committee in place of Assemblymember Deborah Ortiz.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

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

#### Explanation of Vote—Assembly Bill No. 1707

June 1, 1998

*E. Dotson Wilson Chief Clerk of the Assembly*  
*State Capitol, Room 5150*  
*Sacramento, California*

Dear Mr. Wilson: During floor session on May 26, 1998, I was called to the telephone to discuss an urgent matter. While I was away from my desk for a brief period of time, AB 1707 (Wildman) was taken up and voted on. The normal legislative courtesy accorded to members who are temporarily away from their desk and wish to add-on was withheld on this measure, so my vote was not recorded.

I want the record to reflect my strong intention to have been recorded as an "aye" vote instead of "not voting."

Sincerely,

SALLY M. HAVICE, Assembly Member  
 Fifty-sixth Assembly District

The following communication was presented by the Chief Clerk from:

Connie Lemus, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**State Officers. Compensation.  
Initiative Constitutional Amendment.**

Referred by the Speaker to the Committee on Rules.

**REPORTS**

The following letters of transmittal were presented by the Chief Clerk, and ordered printed in the Journal:

California State Auditor

97111  
May 6, 1998

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the Department of Alcoholic Beverage Control's (department) enforcement program and allegations of selective and discriminatory enforcement activities against minorities. This report concludes that, although we did not identify any pattern of discriminatory enforcement or individual instances of unjustified enforcement activity, inconsistencies in the department's enforcement activities and penalty assessments leave it vulnerable to accusations of discrimination. Further, the department should improve its management of enforcement activity.

Respectfully submitted,

**KURT R. SJOBERG**  
State Auditor

Above report referred to the Committee on Governmental Organization.



California State Auditor

97115  
May 13, 1998

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the Los Angeles County Office of AIDS Programs and Policy (OAPP). Our audit focussed on the OAPP’s ability to properly allocate its available resources and ensure that AIDS funds are appropriately spent. This report concludes that the OAPP generally allocates and spends its AIDS funding in accordance with service priorities established by its local AIDS commission. However, we found that because the OAPP lacks an accurate time-reporting and cost-allocation system, it cannot ensure that grant funds are spent as intended. Also, because the OAPP does not regularly monitor its contracts, it cannot ensure that contractors spend AIDS funds as intended.

Respectfully submitted,

KURT R. SJOBERG  
State Auditor

Above report referred to the Committee on Health.

California State Auditor

98106  
May 20, 1998

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the Admissions Fund of the State Bar of California (State Bar). This report concludes that the State Bar’s Office of Admissions (admissions) has inaccurately portrayed a bleak financial outlook for the Admissions Fund by basing its projections of revenues and expenses on questionable assumptions. As a result, rather than incurring a deficit of \$2.1 million by the end of calendar year 2000, we estimate the fund balance for admissions will range from a deficit no greater than \$629,000 to a positive balance of \$319,000.

Respectfully submitted,

KURT R. SJOBERG  
State Auditor

Above report referred to the Committee on Judiciary.

## California State Auditor

98105  
May 28, 1998

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the Fair Political Practices Commission (commission). This report concludes that the commission's regulations and advice reasonably interpret the Political Reform Act (act). However, the commission's decision process for investigating complaints is flawed. Because of this flaw, the commission may inconsistently enforce similar violations of the act.

Further, the commission could improve customer service by obtaining more information on customer needs. Also, the commission's strategic plan lacks meaningful goals, objectives, and performance measures to determine if it is successfully meeting its mission. Finally, we noted that the act's dollar limits for disclosures of and restrictions on activities of public officials, some set as early as 1974, are low and may restrict normal and reasonable activities of public officials.

Respectfully submitted,

KURT R. SJOBERG  
State Auditor

Above report referred to the Committee on Elections, Reapportionment and Constitutional Amendments.

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The following reports were presented by the Chief Clerk:

**Employment Services Program,  
A Report to the California Legislature  
(Pursuant to Section 9616.5, Unemployment Insurance Code)**

Above transmitted report, together with letter of transmittal from Ray Remy, Director, Health and Welfare Agency, dated May 13, 1998, referred by the Speaker to the Committee on Labor and Employment.

**Housing Element Status Report 1997  
(Pursuant to Chapter 1441, Statutes of 1990)**

Above transmitted report, together with letter of transmittal from Richard E. Mallory, Director, Department of Housing and Community Development, Division of Housing Policy Development, Sacramento, dated April 27, 1998, referred by the Speaker to the Committee on Housing and Community Development.

**Feasibility Study of the Collection of Civil Settlement Data  
(Pursuant to Section 68513, Government Code)**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, San Francisco, dated May 7, 1998, referred by the Speaker to the Committee on Judiciary.

**1998 Office of Administrative Law Determination No. 2  
(Pursuant to Section 11340.5, Government Code)**

Above transmitted report, together with letter of transmittal from Edward G. Heidig, Director, Office of Administrative Law, Sacramento, dated May 15, 1998, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**Report to the Legislature on Unmet Placement Needs  
(Pursuant to Senate Bill 370, Chapter 1294,  
Statutes of 1989)**

Above transmitted report, together with letter of transmittal from Eloise Anderson, Director, Department of Social Services, Sacramento, dated May 1, 1998, referred by the Speaker to the Committee on Human Services.

**Office of Criminal Justice Planning  
California's 1998 Application for Federal Assistance Under  
Edward Byrne Memorial  
State and Local Law Enforcement Assistance Program**

Above transmitted report, together with letter of transmittal from Ray Johnson, Executive Director, Office of Criminal Justice Planning, Sacramento, dated April 30, 1998, referred by the Speaker to the Committee on Public Safety.

**JOB TRAINING PARTNERSHIP ACT (JTPA) REPORTS**

The following reports required under the Job Training Partnership Act (JTPA) were presented by the Speaker and referred to the Committee on Labor and Employment.

**City of Richmond Summary of Proposed Job Training Plan**

Above transmitted report, together with letter of transmittal, dated April 7, 1998, submitted by Upesi Mtambuzi, Assistant Employment and Training Director, Office of Community and Economic Development, Richmond.

**ENROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, June 1, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 1195

And reports the same correctly enrolled, and presented to the Governor at 10:30 a.m., June 1, 1998.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, June 1, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Concurrent Resolution No. 144  
Assembly Concurrent Resolution No. 151  
Assembly Concurrent Resolution No. 158

And reports the same correctly enrolled, and presented to the Secretary of State on the 1st day of June, 1998, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 165—Kaloogian (Senators Haynes and Monteith, coauthors).** Relative to the American Legislative Exchange Council.

**ASSEMBLY CONCURRENT RESOLUTION NO. 166—Wayne.** Relative to Fire Prevention Week.

**ASSEMBLY CONCURRENT RESOLUTION NO. 167—Machado.** Relative to California Pear Day.

**AUTHOR'S AMENDMENTS**  
**Committee on Judiciary**

June 1, 1998

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

Senate Bill No. 213

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

ESCUZIA, Chairwoman

**SENATE BILL NO. 213**—An act to amend Section 11040 of the Government Code, and to amend Section 1036 of the Insurance Code, relating to legal services.

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**

June 1, 1998

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

Senate Bill No. 694

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

GALLEGOS, Chairman

**SENATE BILL NO. 694**—An act to add Part 7 (commencing with Section 122400) to Division 105 of the Health and Safety Code, relating to hepatitis.

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**

June 1, 1998

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

Senate Bill No. 858

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

FIGUEROA, Chairwoman

**SENATE BILL NO. 858**—An act to add Section 11624.8 to the Insurance Code, relating to insurance.

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**

June 1, 1998

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

Senate Bill No. 1405

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

TORLAKSON, Chairman

**SENATE BILL NO. 1405**—An act to amend Section 13113.9 of, and to add Sections 13114.1, 13114.2, and 17922.5 to, the Health and Safety Code, relating to housing.

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**

June 1, 1998

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

Senate Bill No. 272

Senate Bill No. 1940

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

FIGUEROA, Chairwoman

**SENATE BILL NO. 272**—An act to add Section 733.1 to the Insurance Code, relating to insurance.

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.

**SENATE BILL NO. 1940**—An act to add Section 3209.10 to the Labor Code, relating to workers' compensation.

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**

June 1, 1998

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

Senate Bill No. 1362

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

TORLAKSON, Chairman

**SENATE BILL NO. 1362**—An act to amend Sections 65850, 65860, 65915, 66021, 66452.6, and 66498.5 of, to add Section 65850.3 to, and to repeal Section 65587.1 of, the Government Code, to amend Sections 18035.3, 18062.2, 18070.5, and 116049.1 of, to amend and repeal Section 17959.3 of, to add and repeal Section 50710.2 of, and to repeal Section 18202 of, the Health and Safety Code, and to amend Section 423.3 of the Revenue and Taxation Code, relating to housing and land use.

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 Judiciary**

June 1, 1998

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

Senate Bill No. 262

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

ESCUTIA, Chairwoman

**SENATE BILL NO. 262**—An act to add Section 1708.8 to the Civil Code, relating to privacy.

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**

June 1, 1998

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

Senate Bill No. 859

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

FIGUEROA, Chairwoman

**SENATE BILL NO. 859**—An act to amend Sections 1861.01 and 1861.05 of, and to add Section 11623.1 to, the Insurance Code, relating to insurance.

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**

June 1, 1998

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

Senate Bill No. 2240

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

WAYNE, Chairman

**SENATE BILL NO. 2240**—An act to amend Sections 25173.6, 25173.7, 25174, 25187.5, 25205.6, 25205.7, 25205.15, 25354, and 25354.5 of, and to repeal Section 25174.8 of, the Health and Safety Code, to amend Section 43551 of, and to add Sections 43055 and 43552 to, the Revenue and Taxation Code, relating to hazardous waste and substances.

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 Appropriations**

June 1, 1998

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

Senate Bill No. 117

Senate Bill No. 487

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

MIGDEN, Chairwoman

**SENATE BILL NO. 117**—An act to amend Sections 7500.1 and 7503.3 of the Business and Professions Code, to amend Section 22202 of the Financial Code, and to amend Sections 14602.6, 14607.6, and 23198 of the Vehicle Code, relating to collateral recovery.

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.

**SENATE BILL NO. 487**—An act to amend Sections 50880, 50881.5, 50882, 50887, 50888.3, 50888.5, 50888.7, 50889.5, 50890, 50893.5, 50893.7, and 50895 of, and to repeal Section 50884 of, the Health and Safety Code, relating to housing.

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**

June 1, 1998

Mr. Speaker: The Chair of your Committee on Local Government reports:

Senate Bill No. 120

Senate Bill No. 1381

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

SWEENEY, Chairman

**SENATE BILL NO. 120**—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced.

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.

**SENATE BILL NO. 1381**—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

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**

June 1, 1998

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

House Resolution No. 29

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

HERTZBERG, Chairman

**HOUSE RESOLUTION NO. 29**—Relative to Medicare.

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 Rules**

June 1, 1998

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

Assembly Joint Resolution No. 67

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

HERTZBERG, Chairman

**ASSEMBLY JOINT RESOLUTION NO. 67**—Relative to radioactive-depleted uranium exposures to veterans during the Persian Gulf War.

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 Revenue and Taxation**

June 1, 1998

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

Assembly Constitutional Amendment No. 43

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

KNOX, Chairman

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 43**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (k) of Section 3 of Article XIII thereof, relating to property taxation.

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 Transportation**

June 1, 1998

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

Assembly Bill No. 2072

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

MURRAY, Chairman

**ASSEMBLY BILL NO. 2072**—An act to amend Sections 1101, 11310, 11600, 11602, and 11701 of, to add Sections 11809 and 11810 to, and to repeal and add Section 11401 of, the Streets and Highways Code, relating to streets.

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**

June 1, 1998

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

Senate Bill No. 1690

Senate Bill No. 1728

Senate Bill No. 2202

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

PERATA, Chairman



**SENATE BILL NO. 1690**—An act to amend Section 219 of the Code of Civil Procedure, to amend Sections 148.1, 148.5, 148.9, 150, 190, 12027, and 12031 of the Penal Code, and to amend Section 2805 of the Vehicle Code, relating to peace officers.

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.

**SENATE BILL NO. 1728**—An act to add Section 2624 to the Penal Code, relating to prisoners.

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.

**SENATE BILL NO. 2202**—An act to amend Section 13961.1 of the Government Code, relating to victims of crime, 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 Banking and Finance**

June 1, 1998

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:  
Senate Bill No. 1493

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

PAPAN, Chairman

**SENATE BILL NO. 1493**—An act to amend Section 1107 of the Corporations Code, relating to corporate mergers.

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**

June 1, 1998

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

Senate Bill No. 597  
Senate Bill No. 1367

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

DAVIS, Chairwoman

**SENATE BILL NO. 597**—An act to amend Sections 17500, 17502, 17509, 17510.4, 17510.85, 17530, 17531, 17531.5, 17533, 17533.8, 17533.9, 17533.10, 17537.5, 17539.5, and 17539.55 of Business and Professions Code, relating to electronic commerce.

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.

**SENATE BILL NO. 1367**—An act to add Section 11011.25 to the Government Code, relating to state property, and declaring the urgency thereof, to take effect immediately.

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**

May 29, 1998

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

Assembly Bill No. 1743  
 Assembly Bill No. 2422

BOWEN, Chairwoman

Above bills ordered filed with the Chief Clerk.

**Committee on Public Employees, Retirement and Social Security**

May 29, 1998

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2357

HONDA, Chairman

Above bill ordered filed with the Chief Clerk.

**Committee on Transportation**

May 28, 1998

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

Assembly Bill No. 2588

MURRAY, Chairman

Above bill ordered filed with the Chief Clerk.

May 28, 1998

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

Assembly Bill No. 2478

MURRAY, Chairman

Above bill ordered filed with the Chief Clerk.

**Committee on Health**

May 28, 1998

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

Assembly Bill No. 2389

GALLEGOS, Chairman

Above bill ordered filed with the Chief Clerk.

**Committee on Education**

May 28, 1998

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

Assembly Bill No. 1674  
 Assembly Bill No. 1901  
 Assembly Bill No. 1990  
 Assembly Bill No. 1993

Assembly Bill No. 2241  
 Assembly Bill No. 2290  
 Assembly Bill No. 2574

MAZZONI, Chairwoman

Above bills ordered filed with the Chief Clerk.

**MESSAGES FROM THE GOVERNOR**

The following message from the Governor was received and ordered printed in the Journal:

**Governor's Reorganization Plan No. 1 of 1998**

Governor's Office, Sacramento

June 1, 1998

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

To the Honorable Antonio Villaraigosa:

By this letter, and pursuant to the authority granted me under Section 12080.1 and 12080.2 of the Government Code, I am delivering to both houses of the Legislature this day Governor's Reorganization Plan No. 1 of 1998, which includes the form and language of a bill (Legislative Counsel No. RN9812416) prepared as nearly as practicable. The reorganization reforms the organizational structure for regulating managed care and financial services.

I declare that, with respect to Governor's Reorganization Plan No. 1 of 1998, I have found the reorganization to be in the public interest and that it will promote the better execution of the laws, the more effective management of the executive and administrative branch of state government and its agencies and functions, and the expeditious administration of the public business.

The specific nature and purpose of Governor's Reorganization Plan No. 1 of 1998 is a more efficient and effective regulation of managed care and financial services by realigning the regulatory structure in a way that fosters, and offers consumers the benefits of, core competencies within each regulatory agency. Creating a department exclusively focused on the regulation of managed care will significantly improve quality control, accountability and efficiency in the administration of the Knox-Keene Health Care Service Plan Act of 1975, as amended (the "Knox-Keene Act"). Similarly, consolidating the regulation of financial services, while adhering to the principle of functional regulation, will provide more efficient and effective implementation and administration of programs that encourage efficiency, integrity and innovation in financial service industries and marketplaces. There are significant advantages to the reorganization.

In the managed care arena, Governor's Reorganization Plan No. 1 of 1998 creates a Department of Managed Health Care that will be solely focused on regulating the managed care industry. The regulatory structure would be significantly improved by: (i) a department director whose full time and attention is devoted to the oversight of managed care; (ii) enhanced consumer representation and input through the department's advisory committee; (iii) a stronger consumer services division augmented with additional staff and upgraded technology; and (iv) an enforcement division solely focused on systematic and case-specific violations of the Knox-Keene Act.

The Department of Financial Services will significantly improve the State's ability to provide enhanced consumer protection while facilitating free competition in the marketplace. Recognizing the trend toward industry consolidation, consumers could benefit from a single

regulatory agency that can more efficiently and effectively apply existing state laws to regulated products and services, regardless of the corporate structure under which they are offered.

The reorganization proposed by Governor's Reorganization Plan No. 1 of 1998 is structural. Consequently, no functions are proposed to be created or abolished.

The Legislature has declared that the public interest requires the carrying out of the purpose set forth in Section 12080.1 of the Government Code, and these purposes may be accomplished more speedily and effectively under an executive reorganization than by the enactment of specific legislation. The Governor's Reorganization Plan No. 1 of 1998 effectuates the legislative intent expressed in Section 12080.1.

Sincerely,

PETE WILSON

Governor's Reorganization Plan No. 1 of 1998 ordered held at the Desk.

#### RECEIPT

I acknowledge receipt this 1st day of June, 1998, at 3:02 p.m., of the Governor's Reorganization Plan No. 1, pursuant to Government Code Section 12080.2, delivered to me personally by Karen Morgan.

E. DOTSON WILSON  
Chief Clerk of the Assembly

#### CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

**SENATE BILL NO. 1075**—An act to amend Sections 29759, 29760, 29761.5, 29762, 29763, 29763.5, 29764, 29767, 29770, 29771, 29772, and 29780 of, to add Section 29756.5 to, and to repeal Section 29729 of, the Public Resources Code, relating to the Sacramento-San Joaquin Delta.

Bill read second time, and ordered to third reading.

#### UNFINISHED BUSINESS MOTION TO RECONSIDER ASSEMBLY BILL NO. 23 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 23 was continued until Thursday, June 4, 1998.

#### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2064 FROM COMMITTEE CONTINUED

By unanimous consent the notice of motion to withdraw Assembly Bill No. 2064 from the Committee on Consumer Protection, Governmental Efficiency and Economic Development was continued until Thursday, June 4, 1998.

#### 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. 549**, on request of Assembly Member Aguiar.

**ADJOURNMENT**

At 5:45 p.m., the Assembly adjourned until 10 a.m., Thursday, June 4, 1998.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JUNE 1, 1998

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

<b>AB</b>	<b>RN</b>
2072	9810871

<b>ACA</b>	<b>RN</b>
43	9811740

<b>AJR</b>	<b>RN</b>
67	9811666

<b>HR</b>	<b>RN</b>
29	9812293

<b>SB</b>	<b>RN</b>
117	9812296
120	9811547
213	9810442
262	9811614
272	9811790
487	9811270
597	9811789
694	9812097
858	9811681
859	9811682
1362	9811988
1367	9811895
1381	9811546
1405	9812322
1493	9812421
1690	9811767
1728	9811841
1940	9812160
2202	9810998
2240	9811254

<b>Daily Total:</b>	<b>24</b>
<b>Cumulative Total:</b>	<b>5650</b>