# CALIFORNIA LEGISLATURE 1999–2000 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

Thursday, June 17, 1999

# EIGHTY-FIRST SESSION DAY ONE HUNDRED NINETY-THIRD 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 Thursday, June 17, 1999

The Assembly met at 7 a.m.

Hon. Dick Ackerman, Assembly Member, 72nd 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—70:

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

Quorum present.

### At 10:45 a.m., Hon. Herb Wesson, 47th 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 Bock, Cunneen, Granlund, Knox, Leach, Maldonado, Oller, Thompson, and Vincent.

Because of a death in his family: Assembly Member Runner.

#### **EXPLANATIONS OF ABSENCE**

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

June 17, 1999

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

State Capitoi, Room 219 Sacramento, California

Dear Mr. Speaker: This letter is to request permission to be excused from check-in session today, due to legislative business in my district. Your approval of this absence is appreciated.

Sincerely,

AUDIE BOCK, Assembly Member Sixteenth District

June 17, 1999

The Honorable Antonio Villaraigosa

Speaker of the Assembly State Capitol, Room 219 Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session, Thursday, June 17, 1999 due to legislative business in my district. Thank you for your consideration of this request.

Sincerely,

JIM CUNNEEN, Assembly Member Twenty-fourth District

June 16, 1999

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

Dear Mr. Speaker: This letter is to request that I be excused from check-in session on Thursday, June 17 as I have pressing legislative business in my district and have to leave before the desk opens on Thursday morning.

Thank you for your attention to this request.

Sincerely,

BRETT GRANLUND, Assembly Member Sixty-fifth District

June 17, 1999

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 today due to legislative business in my district. Thank you for your attention to this matter.

Sincerely,

WALLY KNOX, Assembly Member Forty-second District

June 16, 1999

 $The\ Honorable\ Antonio\ Villaraigosa$ 

Speaker of the California State Assembly

State Capitol

Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from check-in session on Thursday, June 17, 1999 due to legislative business in my district.

Thank you for your consideration of this request. Should you have any questions please contact my Chief of Staff, Angela Wiederrich at 319-2015.

Sincerely,

LYNNE C. LEACH, Assembly Member Fifteenth District

June 17, 1999

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, June 17 on legislative business. I will be attending several meetings in my district.

Thanking you in advance for your consideration of my request.

Sincerely,

ABEL MALDONADO, Assembly Member Thirty-third District

June 17, 1999

The Honorable Antonio Villaraigosa

Speaker of the Assembly

State Capitol

Room 219

Sacramento, California

Dear Mr. Speaker: Due to legislative business in my district, I will not be checking-in today, June 17, 1999.

Thank you for your attention to this matter.

Sincerely,

THOMAS "RICO" OLLER, Assembly Member Fourth District

June 14, 1999

The Honorable Antonio R. Villaraigosa Speaker of the Assembly

State Capitol—Room 219

Sacramento, California

Dear Mr. Speaker: Please excuse me from session on Thursday, due to legislative business in my District Office.

If you have any questions please contact Dina Flores in my Capitol office at 319-2066.

Your assistance in this matter is greatly appreciated.

Sincerely,

BRUCE THOMPSON, Assembly Member Sixty-sixth District

June 17, 1999

The Honorable Antonio Villaraigosa

Speaker of the Assembly

State Capitol, Room 219

Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from Check in Session due to legislative business in my district.

If you should have any questions regarding this request, please feel free to contact me at (916) 319-2051.

Sincerely,

EDWARD VINCENT, Assembly Member Fifty-first District

### COMMUNICATIONS

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

June 15, 1999

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

Dear Dotson: Please be advised that I have reappointed Ms. Ellen O'Connor to the Veterinary Medical Board, pursuant to Business and Professions, §4800 (Amended by: Chapter 60 of 1995, SB 42—Kelley); (Created by: Ch. 676 of 1982). This is a term appointment expiring June 1, 2002.

Sincerely,

ANTONIO R. VILLARAIGOSA Speaker of the Assembly

June 15, 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 Fish and Game Code Secs. 1320–24, I have named Assembly Member Howard Wayne to serve on the Wildlife Conservation Board. The effective date of the appointment is June 14, 1999, and this is a pleasure appointment.

Sincerely,

ANTONIO R. VILLARAIGOSA Speaker of the Assembly

June 15, 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, §104182 (Created by: Ch. 755 of 1997, AB 1544—Ortiz, Migden and Perata) I have appointed Dr. Arnold W. Malcolm to the Cancer Research Council. This is a term appointment starting immediately and expiring January 21, 2001. Dr. Malcolm will be completing the term started by Karla Kerlikowskie.

Sincerely,

ANTONIO R. VILLARAIGOSA Speaker of the Assembly

June 17, 1999

E. Dotson Wilson
Chief Clerk
State Capitol
Sacramento, California

Dear Dotson: Please be advised that I have appointed the following Assembly Members to Select Committee on School Safety.

Assembly Member Dean Florez Assembly Member Peter Frusetta Assembly Member Lynne Leach Assembly Member George Nakano Assembly Member Sarah Reyes Assembly Member Charlene Zettel

Thank you for your time and consideration in the above matter. Sincerely,

ANTONIO R. VILLARAIGOSA Speaker of the Assembly

Senate

### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, June 17, 1999

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

Assembly Concurrent Resolution No. 64

And reports the same correctly enrolled, and presented to the Secretary of State on the 17th day of June, 1999, at 9:45 a.m.

E. DOTSON WILSON, Chief Clerk

### REFERENCE OF BILLS TO COMMITTEE

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

Senate	
$Bill\ No.$	Committee
4 _	V.A.
14 _	Trans.
48 _	G.O.
	Pub. S.
	Jud.
	B.,R. & C.A.
	Agri. and Nat. Res.
	Health
	Trans. and Nat. Res.
	Pub. S.
	L. & E.
	Ed.
	Jud.
	L. & E.
	Nat. Res.
	Pub. S.
	Health
	Pub. S.
363 _	Ins.
382 _	H. & C.D.
	Trans.
394 _	W.,P. & W.
451 _	Pub. S.
471 _	Jud.
475 _	Health and Ins.
482 _	E.S. & T.M.
490 _	Agri. and Jud.
	Nat. Res.
	Hum. S. and Jud.
	L. Gov. and W.,P. & W.
	Trans. and E.S. & T.M.
552	W.,P. & W. and L. Gov.
623	Health and L. Gov.
	W.,P. & W. and L. Gov.
	L. Gov.
	Higher Ed.
	Nat. Res.
	C.P.,G.E. & E.D.
831	Agri. and Nat. Res.
865	Agri. and Nat. Res.
	P.E.,R. & S.S. and Pub. S.
000 -	

898	
914	C.P.,G.E. & E.D. and Jud.
926	Jud. and C.P.,G.E. & E.D.
930	
974	Trans.
979	- Health
981	- C.P.,G.E. & E.D.
985	
1011	
1013	
1016	
1026	
1065	
1085	
1087	
1101	
1105	
	Nat. Res. and C.P.,G.E. & E.D.
1118	
1122	
1133	
1147	
1149	
1171	
1177	
1186	
1237	
1242	
1245	· · · · · · · · · · · · · · · · · · ·
1254	
1268	
	C.P.,G.E. & E.D. and Health
1308	
1311	
	- La. and Higher La.

# AUTHOR'S AMENDMENTS Committee on Public Safety

June 17, 1999

Mr. Speaker: The Chair of your Committee on Public Safety reports: Senate Bill No. 1199

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

HONDA, Chairman

**SENATE BILL NO. 1199**—An act to amend Section 3058.6 of the Penal Code, relating to child protective 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 Human Services

June 17, 1999

Mr. Speaker: The Chair of your Committee on Human Services reports: Senate Bill No. 879

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

ARONER, Chairwoman

SENATE BILL NO. 879—An act relating to child care.

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 17, 1999

Mr. Speaker: The Chair of your Committee on Health reports: Senate Bill No. 741

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

GALLEGOS, Chairman

**SENATE BILL NO. 741**—An act to amend Sections 120325 and 120335 of the Health and Safety Code, relating to health.

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 Utilities and Commerce

June 17, 1999

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports: Senate Bill No. 531

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

WRIGHT, Chairman

**SENATE BILL NO. 531**—An act to add Section 311.4 to the Public Utilities Code, relating to public utilities.

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 17, 1999

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

Senate Bill No. 497

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

LOWENTHAL, Chairman

**SENATE BILL NO. 497**—An act to amend Section 33080.2 of, and to add Section 33080.8 to, the Health and Safety Code, relating to redevelopment.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

# AUTHOR'S AMENDMENTS Committee on Veterans Affairs

June 17, 1999

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports: Senate Bill No. 281

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

FLOYD, Chairman

**SENATE BILL NO. 281**—An act to amend Sections 1047, 1048, and 1049 of the Military and Veterans Code, relating to veterans.

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 17, 1999

Mr. Speaker: The Chair of your Committee on Local Government reports: Senate Bill No. 275

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

LONGVILLE, Chairman

SENATE BILL NO. 275—An act to amend Section 13.5 of the Elections Code, to amend Sections 27000.8, 27000.9, 27063, 30063, 37361, 61107, 65307, 65850, 65850.4, 65956, 66451.2, and 66458 of the Government Code, to amend Section 4730.6 of the Health and Safety Code, and to amend Section 99 of the Revenue and Taxation Code, relating to local agencies.

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 17, 1999

Mr. Speaker: The Chair of your Committee on Appropriations reports: Senate Bill No. 63

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

MIGDEN. Chairwoman

**SENATE BILL NO. 63**—An act to add and repeal Section 21655.12 of the Vehicle Code, relating to vehicles.

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 17, 1999

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

Senate Bill No. 218

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

KUEHL, Chairwoman

**SENATE BILL NO. 218**—An act to amend Section 185 of the Code of Civil Procedure, to amend Sections 6343 and 6389 of the Family Code, to amend Section 124250 of the Health and Safety Code, to amend Sections 166, 273d, 273.5, 273.6, 836, 1328, 11163.3, and 12028.5 of, to repeal Sections 273.55 and 273.56 of, and to add Section 11163.6 to, the Penal Code, relating to domestic violence.

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 17, 1999

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

Senate Bill No. 349

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

GALLEGOS, Chairman

**SENATE BILL NO. 349**—An act to amend Section 1317.1 of the Health and Safety Code, relating to emergency 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 17, 1999

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

Senate Bill No. 623

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

GALLEGOS, Chairman

**SENATE BILL NO. 623**—An act to amend Section 1797.98b of the Health and Safety Code, and to amend Section 42007 of the Vehicle Code, relating to emergency medical 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 Environmental Safety and Toxic Materials

une 17, 1999

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

House Resolution No. 27

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

JACKSON, Chairwoman

### HOUSE RESOLUTION NO. 27—Relative to dioxin.

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 Human Services

June 17, 1999

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

Senate Bill No. 1247

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

ARONER, Chairwoman

**SENATE BILL NO. 1247**—An act to amend Section 10072 of the Welfare and Institutions Code, relating to public social 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 Appropriations**

June 17, 1999

Mr. Speaker: The Chair of your Committee on Appropriations reports: Senate Bill No. 186

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

MIGDEN. Chairwoman

**SENATE BILL NO. 186**—An act to amend Section 24607, to add Section 385.5 to, and to add Article 5 (commencing with Section 21250) to Chapter 1 of Division 11 of, the Vehicle Code, relating to low-speed vehicles.

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 Natural Resources

June 17, 1999

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Senate Bill No. 216 Senate Bill No. 291 Senate Bill No. 876

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

WAYNE, Chairman

**SENATE BILL NO. 216**—An act to add Division 22.8 (commencing with Section 32600) to the Public Resources Code, relating to the San Gabriel River and Mountains Conservancy.

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. 291**—An act to add Division 21.5 (commencing with Section 31800) to the Public Resources Code, relating to coastal salmonid conservation.

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. 876**—An act to amend Sections 42807 and 42950 of, and to add Sections 42801.5, 42803.5, 42804.5, 42805.5, 42805.6, and 42806.5 to, the Public Resources Code, relating to waste tires, 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 Insurance

June 17, 1999

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

Senate Bill No. 737

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

SCOTT, Chairman

**SENATE BILL NO. 737**—An act to add Section 1357.075 to the Health and Safety Code, and to add Section 10710 to the Insurance Code, relating to small employer health 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.

### REPORTS OF STANDING COMMITTEES Committee on Health

Date of Hearing: June 15, 1999

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 422

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

GALLEGOS, Chairman

Above bill ordered to second reading.

### **Committee on Judiciary**

Date of Hearing: June 15, 1999

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 469

With the recommendation: Do pass, as amended.

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

KUEHL, Chairwoman

Above bill ordered to second reading.

### Committee on Aging and Long-Term Care

Date of Hearing: June 15, 1999

Mr. Speaker: Your Committee on Aging and Long-Term Care reports:

Senate Bill No. 286

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

ALQUIST, Chairwoman

Above bill re-referred to the Committee on Human Services.

#### Committee on Revenue and Taxation

June 17, 1999

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

Assembly Bill No. 19

KNOX, Chairman

Above bill ordered filed with the Chief Clerk.

### Committee on Consumer Protection, Governmental Efficiency and Economic Development

Date of Hearing: June 15, 1999

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

Senate Bill No. 280

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

DAVIS, Chairwoman

Above bill ordered to second reading.

### CONSIDERATION OF DAILY FILE SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 601, ordered to the Consent Calendar.

#### SECOND READING OF SENATE BILLS

**SENATE BILL NO. 838**—An act to amend Section 4112 of the Business and Professions Code, relating to pharmacies.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 585**—An act to amend Sections 1206.5, 1265, and 1300 of the Business and Professions Code, relating to clinical laboratories.

Bill read second time, and ordered to Consent Calendar.

### **ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 12 noon, Monday, June 21, 1999.

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER. Minute Clerk

# AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JUNE 17, 1999

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

RN		
9916043		
DM		
'		
9915965		
9915210		
9915719		
9915823		
9915612		
9915529		
9916089		
9915878		
9915534		
9915457		
9916003		
9915993		
9915816		
9915809		
9915688		
9915986		
Daily Total:		
<b>Cumulative Total:</b>		
	9916043  RN 9915460 9915965 9915210 9915719 9915823 9915612 9915529 9916089 9915878 9915534 9915933 9915993 9915816 9915809 9915888 9915986 ly Total:	