

CALIFORNIA LEGISLATURE  
1999-2000 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, December 8, 1998**

**SECOND SESSION DAY**

**SECOND CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Tuesday, December 8, 1998

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—65:

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

Quorum present.

**At 12:36 p.m., Hon. Rico Oller, 4th 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 Aroner, Baldwin, Battin, Baugh, Cunneen, Kaloogian, Knox, and Margett.*

*On legislative business, and waiving per diem: Assembly Member Davis.*

*On personal business, and waiving per diem: Assembly Members Leach and Thompson.*

*Because of illness in her family: Assembly Member Strom-Martin.*

*The following Assembly Members were excused for the day, and their per diem was waived: McClintock and Torlakson.*

**EXPLANATIONS OF ABSENCE**

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

December 7, 1998

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

Dear Speaker Villaraigosa: I respectfully request to be excused from check-in tomorrow, December 8, 1998 due to preexisting legislative meetings in the districts, including a roundtable meeting at the University of California.

Thank you for your consideration.

Sincerely,

DION ARONER, Assembly Member  
Fourteenth District

December 8, 1998

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

Dear Mr. Speaker: Please excuse me from check-in session today, December 8, 1998 on legislative business. I have to be in my district office to present a resolution to an out-going Mayor.

Thank you for your consideration.

Sincerely,

STEVE BALDWIN, Assembly Member  
Seventy-seventh District

December 8, 1998

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

Dear Mr. Speaker, I would like to request an excused absence from the Assembly check-in session for Tuesday, December 8. I will be attending to legislative duties in my district office that day.

Thank you for your attention to this request.

Sincerely,

JIM BATTIN, Assembly Member  
Eightieth District

December 7, 1998

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

Dear Speaker Villaraigosa: I would like to request that I be excused from check-in session on December 8, 1998 on legislative business. I have legislative meetings scheduled for tomorrow in my district office that can not be rescheduled.

Thank you very much for your attention to this matter. If you have any questions please call Shelli Winslow in my office at 916-319-2067.

Sincerely,

SCOTT BAUGH, Assembly Member  
Sixty-seventh District

December 7, 1998

*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, Tuesday, December 8, due to legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

JIM CUNNEEN, Assembly Member  
Twenty-fourth District

December 7, 1998

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

Dear Mr. Speaker: The purpose of this letter is to notify you that I will not be in Sacramento on Tuesday, December 8, 1998. I will be attending to legislative business in my district and will be unavailable for check-in Session. I would like to waive per diem.

Thank you for your consideration.

Sincerely,

SUSAN A. DAVIS, Assembly Member  
Seventy-sixth District

December 8, 1998

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

Dear Mr. Speaker: Please excuse me from check-in session today, Tuesday, December 8, 1998, as I will be in my district on legislative business.

Thank you for your consideration of this request. You may contact my Capitol office with any questions regarding this matter.

Respectfully,

HOWARD KALOOGIAN, Assembly Member  
Seventy-fourth District

December 7, 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 tomorrow, December 8, due to legislative business in my district.

Sincerely,

WALLY KNOX, Assembly Member  
Forty-second District

December 8, 1998

*Speaker Antonio Villaraigosa  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: Please excuse me from check-in session today as I am on legislative business.

Warm regards,

BOB MARGETT, Assembly Member  
Fifty-ninth District

**COMMUNICATIONS**

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

December 8, 1998

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

Dear Chief Clerk Wilson: This letter is to inform you that I will not be accepting per diem payment for the 1999–2000 Assembly session. Thank you in advance for your attention to this matter.

Sincerely,

ANTHONY PES CETTI, Assembly Member  
Tenth District

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 76—Keeley.** An act to amend Section 7074 of the Fish and Game Code, relating to marine resources.

**ASSEMBLY BILL NO. 77—Cardenas.** An act to amend Section 14060.5 of, and to add Section 14053 to, the Corporations Code, relating to small business development, and making an appropriation therefor.

**ASSEMBLY BILL NO. 78—Gallegos.** An act to amend Sections 1368, 1368.01, and 1368.03 of, to amend, repeal, and add Sections 1341, 1342.5, 1347, and 1368.02 of, and to add Division 108 (commencing with Section 140000) to, the Health and Safety Code, relating to health care coverage, and making an appropriation therefor.

**ASSEMBLY BILL NO. 79—Baldwin (Senator Alpert, coauthor).** An act to amend Section 48915 of the Education Code, relating to pupil expulsions.

**ASSEMBLY BILL NO. 80—Baldwin.** An act to amend Sections 8093, 16322, 17022.7, 17281, 81033, 81160, 81162, 81177, 81332, 81348, 81401, 81523, 81528, 81529, and 81530 of, to add Article 3 (commencing with Section 81050) to, and to repeal Article 7 (commencing with Section 81130) of Chapter 1 of Part 49 of, the Education Code, and to amend Sections 13143 and 19168 of the Health and Safety Code, relating to community colleges.

**MESSAGES FROM THE SENATE**

Senate Chamber, December 7, 1998

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

Senate Bill No. 1

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

Senate Chamber, December 7, 1998

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

Senate Concurrent Resolution No. 1

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following bill was read the first time:

**SENATE BILL NO. 1—**An act to amend Section 14581 of, to amend, add, and repeal Section 14575 of, and to add and repeal Section 14585 of, the Public Resources Code, relating to beverage containers, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 1—**Relative to the adoption of the Joint Rules of the Senate and Assembly for the 1999–2000 Regular Session.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until Monday, January 4, 1999, (time to be announced).

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk