

CALIFORNIA LEGISLATURE  
1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, January 8, 1997**

**FOURTH SESSION DAY**

**THIRTY-EIGHTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



# PROCEEDINGS OF THE ASSEMBLY

## IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, January 8, 1997

The Assembly met at 7 a.m.

Hon. Roy Ashburn, Assembly Member, 32nd 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—72:

Ackerman	Ducheny	Lempert	Prenter
Aguiar	Escutia	Leonard	Pringle
Alby	Figueroa	Machado	Runner
Alquist	Firestone	Margett	Scott
Aroner	Frusetta	Martinez	Shelley
Ashburn	Gallegos	Mazzoni	Strom-Martin
Baca	Goldsmith	McClintock	Sweeney
Baldwin	Granlund	Morrissey	Takasugi
Battin	Havice	Morrow	Thomson
Baugh	Hertzberg	Murray	Torlakson
Bordonaro	Honda	Napolitano	Villaraigosa
Bowen	House	Olberg	Vincent
Brewer	Kaloogian	Oller	Washington
Brown	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Davis	Leach	Poochigian	Mr. Speaker

Quorum present.

**At 1:40 p.m., Hon. Bill Leonard, 63rd 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 Cunneen, Migden, Miller, Richter, and Thompson.*

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

*On legislative business, per diem waived for 1997–98 Session (See Assembly Journal, page 121): Assembly Member Bowler.*

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

**EXPLANATIONS OF ABSENCE**

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

January 8, 1997

FROM: ASSEMBLYMAN LARRY BOWLER  
TO: SPEAKER CRUZ BUSTAMANTE  
RE: CHECK-IN SESSION FOR JANUARY 8, 1997

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Dear Speaker Bustamante: Please excuse my absence from the “check-in” session scheduled for January 8th. I will be in the southern portion of my district conducting legislative business related to the recent floods, and will be unable to attend.

Thank you in advance for your attention to this matter.

Sincerely,

LARRY BOWLER, Assembly Member  
10th District

January 6, 1997

*The Honorable Cruz Bustamante  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from check-in session on Wednesday, January 8 due to legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

JIM CUNNEEN, Assembly Member  
24th District

December 31, 1996

*The Honorable Cruz M. Bustamante*  
*Speaker, California State Assembly*  
*State Capitol*  
*Sacramento, California*

Dear Speaker Bustamante: I respectfully request to be excused from check in session on Wednesday, January 8, 1997 due to legislative business in my district.

Thank you for your attention in this matter.

Sincerely,

CAROLE MIGDEN, Assembly Member  
Thirteenth District

January 7, 1997

*The Honorable Cruz Bustamante*  
*Speaker of the State Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Speaker Bustamante: Please excuse me from check-in session on Wednesday, January 8, 1997. I will be in my district on legislative business.

Thank you for your attention to this matter. Please do not hesitate to contact my office if you have any questions.

Sincerely,

GARY G. MILLER, Assembly Member  
Sixtieth District

(NOTE: For letter explaining the absence of Assembly Member Richter on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Monday, January 6, 1997; for letter explaining the absence of Assembly Member Thompson, see Assembly Daily Journal for the Regular Session for Tuesday, January 7, 1997.)

**COMMUNICATIONS**

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

December 18, 1996

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

Dear Dotson: The purpose of this letter is to state for the record that I do not wish to collect regular session per diem for the 1997-98 session.

Thank you very much.

Sincerely,

LARRY BOWLER, Assembly Member  
Tenth District

December 12, 1996

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

Dear Dotson: This letter is to inform you that I do not intend to receive per diem for the 1997-98 session.

Sincerely,

DEBORAH ORTIZ, Assembly Member  
Ninth District

December 12, 1996

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

Dear Mr. Wilson: This is to state for the record that I choose to waive my per diem for 1997-98 Legislative Session.

Thank you.

Sincerely,

HELEN THOMSON, Assembly Member  
Eighth District

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 99—Runner.** An act to add Section 652 to the Penal Code, relating to body piercing.

**ASSEMBLY BILL NO. 100—Granlund.** An act to amend Sections 9201, 9533, 9544, 9630, 9631, and 9718 of, to amend and renumber the heading of Chapter 14 (commencing with Section 9750) of Division 8.5 of, and to repeal Division 8.5 (commencing with Section 9000) of, the Welfare and Institutions Code, relating to aging.

**ASSEMBLY BILL NO. 101—Kuehl.** An act to amend Sections 260, 262, 262.1, 262.2, 35179, 44100, 44830, 45293, 47605, 48204, 51004, 51500, 51501, 58019, 58508, 60044, 69535, 69674, 69762, 69958, 72011, 72014, 87100, 87400, 88112, 89757, and 92150 of the Education Code, relating to education.

**ASSEMBLY BILL NO. 102—Cunneen and Kuehl.** An act to amend Section 1170.1 of, and to add Section 667.14 to, the Penal Code, relating to sentencing.

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 2—Floyd.** Relative to the California Veterans' Cemetery at Yountville.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, January 9, 1997.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk