

CALIFORNIA LEGISLATURE
1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 9, 1997

FIFTH SESSION DAY

THIRTY-NINTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 9, 1997

The Assembly met at 9:02 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Leonard moved a quorum call of the Assembly. Motion carried. Time, 9:03 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 9:09 a.m., Speaker pro Tempore Kuehl declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—76:

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

PRAYER

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

Dear Lord, Teach us to be generous. Teach us to serve You as You deserve; to give and not to count the cost; to fight and not to heed the wounds; to toil and not to seek for rest; to labor and not to seek reward, except the reward of knowing that we do Your will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Ashburn then lead the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Davis, seconded by Assembly Member Murray.

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 Morrow and Richter.

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

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

EXPLANATIONS OF ABSENCE

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

January 3, 1997

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

Dear Mr. Speaker: I respectfully request to be excused from session on Thursday, January 9th due to legislative business. Please waive my per diem.

Thank you for your attention to this matter.

Sincerely,

JAN GOLDSMITH, Assembly Member
Seventy-fifth District

January 8, 1997

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

Dear Mr. Speaker: I will be absent from session on January 9th 1997 due to legislative business in my district.

Thank you for your consideration in this matter.

Sincerely,

BILL MORROW, Assembly Member
Seventy-third District

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

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Campbell was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. David Donofrio, of Santa Ana.

Assembly Member Washington was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Danielle Lee Smith, Alexis Earline Curtis, Alexandria Nancy-Elizabeth Curtis, Alan Wayne Curtis, Jr., and Alex Taane Curtis, of Los Angeles.

Assembly Member Lempert was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bob Distefano, of Redwood City.

Assembly Member Napolitano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ed Mora, husband of Pico Rivera Councilwoman, Bea Proo.

Assembly Member Figueroa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bob Andersen, of Fremont.

Assembly Member Bowen was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Wolcott, of City of Torrance.

ANNOUNCEMENTS

Speaker pro Tempore Kuehl announced the following schedule:

Monday, January 13, 1997, Regular Floor Session, at 11:30 a.m.;
First Extraordinary Session to be convened at 12 m.

Tuesday, January 14, 1997, First Extraordinary Floor Session,
11 a.m.;

Wednesday, January 15, 1997, Check-in session;

Thursday, January 16, 1997, Check-in session;

Friday, January 17, 1997, Floor session, time to be announced;

Tuesday, January 21, 1997, Floor session, time to be announced.

MOTION TO ADJOURN

At 9:14 a.m., Assembly Member Bowler moved that the Assembly do now adjourn.

Assembly Member Machado seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:15 a.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 103—Figueroa. An act to amend Sections 801, 802, 803, 803.1, and 803.2 of, and to add Section 2027 to, the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 104—Leonard. An act to amend Section 2700 of, and to add Section 2699 to, the Penal Code, relating to prisoners.

ASSEMBLY BILL NO. 105—Wayne. An act to amend Section 19.8 of the Penal Code, relating to punishment.

ASSEMBLY BILL NO. 106—Napolitano. An act to add Section 14132.91 to the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 107—Ducheny. An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 108—Morrow. An act to add Part 12 (commencing with Section 53800) to Division 31 of the Health and Safety Code, relating to the financing of a program to provide low-interest loans for the replacement of shake roofs that have been in existence for ___ or more years through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

ASSEMBLY BILL NO. 109—Kaloogian. An act to add Sections 17206.5 and 24342.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

MESSAGES FROM THE GOVERNOR

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

Governor's Office
January 9, 1997

To the Senate and the Assembly of the California Legislature:

I submit for your consideration the Governor's budget for 1997-98.

This document reflect the priorities that are paramount for preparing California for the challenges of the 21st Century: reforming the state's welfare system, preserving economic growth, and bringing innovation to our classrooms.

Last year, we were successful in making the long-term investments that will benefit this state for years to come. Working together, we reduced classroom sizes for our youngest learners so that they have an honest opportunity to master the gateway skills of math and reading. We also pushed the state's business tax rates to their lowest level in nearly a quarter of a century, making California even more attractive for entrepreneurs and investors.

Our mission is to continue to lay the foundation for a California of even greater promise and prosperity—a state in which every citizen is afforded an equal opportunity to advance as far as their drive and determination allow them.

With your responsible leadership in the new year, we can achieve that promise, and ensure that this state remains the symbol of the American Dream.

Sincerely,

PETE WILSON

Accompanying Governor's Budget and Budget Summary ordered filed with the Secretary of State.

RECEIPT

I acknowledge receipt this 9th day of January, 1997, at 5:30 p.m., of the budget for the 1997-98 fiscal year, together with an explanatory message delivered to me personally by Karen Morgan.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

INTRODUCTION OF GUESTS

Assembly Member Battin, of the 80th Assembly District, introduced Gregory S. Pettis, Mayor pro Tem; George F. Truppelli, City Manager; and Gary Amy, City Council member, of Cathedral City; Percy L. Byrd, Council Member, and Michael D. Landes, Mayor pro Tem, of the City of Indian Wells.

ADJOURNMENT

At 5:30 p.m., pursuant to the motion by Assembly Member Bowler the Assembly adjourned until 11:30 a.m., Monday, January 13, 1997, out of respect to the memory of Dr. David Donofrio, on motion of Assembly Member Campbell; out of respect to the memory of Danielle Lee Smith, Alexis Earline Curtis, Alexandria Nancy-Elizabeth Curtis, Alan Wayne Curtis, Jr., and Alex Taane Curtis, on motion of Assembly Member Washington; out of respect to the memory of Bob Distefano, on motion of Assembly Member Lempert; out of respect to the memory of Ed Mora, on motion of Assembly Member Napolitano; out of respect to the memory of Bob Andersen, on motion of Assembly Member Figueroa; and out of respect to the memory of John Wolcott, on motion of Assembly Member Bowen.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk