

CALIFORNIA LEGISLATURE
1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 14, 1997
SEVENTH SESSION DAY
FORTY-FOURTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, January 14, 1997

The Assembly met at 3:33 p.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 Papan moved a quorum call of the Assembly. Motion carried. Time, 3:34 p.m.

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

Quorum Present

At 3:44 p.m., Speaker pro Tempore Kuehl declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—78:

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

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:

O Lord Our God, Set our hearts on fire with love for You, that in its flame we may love You with all our heart, with all our mind, with all our soul and with all our strength, and our neighbors as ourselves, so that, keeping Your commandments, we may glorify You the giver of all good gifts.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Keeley then led 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 Caldera, seconded by Assembly Member Davis.

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 Member Kuykendall.

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

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

January 13, 1997

*Hon. Cruz Bustamante
Chair, Assembly Rules Committee
State Capitol, Room 219
Sacramento, California*

Dear Speaker Bustamante, On Tuesday, January 14, 1997, I will be flying from Sacramento to Los Angeles to attend the State of the City address in Long Beach. I was invited personally by Mayor O'Neill and will be attending various events throughout the day. I respectfully request that I be excused from session for legislative business in the district.

Thank you for your consideration of this matter. If there are any questions, please call Lori Sanders in my Capitol office at 445-9234.

Sincerely,

STEVEN T. KUYKENDALL, Assembly Member
Fifty-fourth District

REQUEST FOR UNANIMOUS CONSENT

Speaker Bustamante was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rose Rodriguez, of Fresno.

Assembly Member Migden was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rich Sorro, of San Francisco.

Assembly Member Ortiz was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Katherine Macdonald, of Sacramento.

Assembly Members Wayne and Pacheco were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Professor Dwan "Lou" Kerig, of La Jolla.

Assembly Member Papan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Larry Margolis, of Sacramento, and that the following newspaper article from the *Sacramento Bee*, be printed in the Journal:

The Sacramento Bee**Larry Margolis, top aide to ex-Speaker Unruh, dies**

By Steve Gibson
Bee Staff Writer

Larry Margolis, a tough-minded public policy expert who once served as the powerful top aide to former Assembly Speaker Jesse Unruh, died Saturday at Sutter General Hospital.

He was 73.

The exact cause of death wasn't immediately known, his wife, Selma, said Monday.

Respected by some, feared by others, Margolis wielded so much power while serving under Unruh from 1961 to 1965 that he was sometimes referred to as "the 81st member" of the 80-member state Assembly.

Some even perceived him as "an evil genius," Margolis conceded in a 1980 interview.

"There are people who look on me as an evil genius, someone tied into mysterious forces, linked to secret political machinations," he said.

But Capitol insiders, those who understood the process, recognized that Margolis was, in the words of one college government professor, an "idealistic reformer."

"Legislators immediately perceived the trust in which Unruh held him and feared or respected him for it," Lou Cannon wrote in "Ronnie and Jesse," a dual biography of Ronald Reagan and Jesse Unruh.

Along with helping create the Unruh Civil Rights Act, one of his greatest legacies was turning the legislative staff into a professional cadre of policy experts independent of the executive branch, said

Sherry Bebitch Jeffe, senior associate at the Center for Politics and Economics at Claremont Graduate School.

In accomplishing these goals, Margolis and Unruh were so compatible in their thinking that “one could begin a sentence and the other would finish it,” Jeff said.

But clearly, Larry was more than the alter ego of Jess Unruh,” she said, “He was able to prod Jess, to push him intellectually. Jess was the upfront politician, while Larry was more the behind-the-scenes thinker and strategist.”

But during his tenure as Unruh’s chief assistant, Margolis assembled enough power to establish a sizable number of political enemies. Coupled with Unruh’s aspirations to become governor, former Assembly staffers said, Margolis’ clout became a threat to his boss’ speakership, and he left the job in 1965.

After leaving Unruh’s staff, he did a variety of things, including serving as a public policy consultant and visiting lecturer at Stanford University, the University of Kansas and the University of Missouri.

From 1967 until 1978, he was executive director of the Citizens Conference of State Legislatures, later known as Legis 50/The Center for Legislative Improvement.

Most recently, he helped found Preventive Dental Systems Inc., a non-profit health maintenance organization to provide dental care for low-income families. In 1995, he was a consultant to the Republic of Georgia’s parliament, which was writing a constitution in the wake of the dissolution of the Soviet Union.

Margolis said he grew up in a poor, dysfunctional home. He and his sister ran away when he was 12 and he spent part of his teenage years in a charity-sponsored institution for the children of broken families.

Talking about the similarities between him and Unruh in a 1989 oral history interview, Margolis said:

“We came from poor families, outsider families, families that were not in the mainstream. . . . We were scramblers, street-fighters, people who didn’t belong to the country club set, people who had to fight for everything we got, didn’t have any helpers, no father who paved the way or set us up in business.”

Like Unruh, he was a World War II veteran who attended college on the GI Bill. Margolis graduated from UCLA in 1951 with a bachelor’s degree in political science. He and Unruh became acquainted through Democratic Party activities in Los Angeles.

“He was kind of an intellectual and moral giant in terms of what he understood about state government,” said Jeff Lustig, government professor at California State University, Sacramento. “He had a moral vision of what he thought government ought to be—not utopian, but kind of what I call a higher realism.”

Mr. Margolis was an “idealistic reformer,” Lustig said.

Steve Thompson, a former Assembly staffer and now vice president of the California Medical Association, described Margolis as an idealist “who had a very strong belief that government’s role was to make the world a better place for most people. . . . But he did create a lot of enemies.”

Margolis is survived by his wife of 40 years, Selma Portugal Margolis of Sacramento; a son, Geoffrey Margolis of Sacramento; daughters Andrea Margolis of Cambridge, Mass., and Melinda

Margolis of Las Vegas; and a sister, Shirley Luevano of Calabasas, Los Angeles County.

Services are pending.

Assembly Member Alby was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Einar G. Johansen, of Portland, Oregon.

Assembly Member Aguiar was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Edward Duncan, who passed away on December 2, 1996, who was a resident of Chino Hills, and father of Chino City Councilman Glenn Duncan; and Patrick Guillen, a life-long resident of Chino, son of Cheyo and Mary Ann Guillen.

RECESS

By unanimous consent, at 3:50 p.m., Speaker pro Tempore Kuehl declared the Assembly recessed.

IN JOINT CONVENTION

At 3:51 p.m., the Senate and Assembly met in Joint Convention.

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

ASSOCIATE JUSTICES INVITED TO THE ROSTRUM

Speaker pro Tempore Kuehl invited the Associate Justices of the Supreme Court of California to be seated at the Dais.

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Speaker pro Tempore Kuehl appointed Senators Burton, Vasconcellos, and Leslie and Assembly Members Escutia, Hertzberg, and Morrow as a Joint Committee on Escort to escort the Honorable Ronald M. George, Chief Justice of the Supreme Court of California, to the Rostrum.

INTRODUCTION OF SPECIAL GUESTS

Speaker pro Tempore Kuehl introduced the wife of the Chief Justice, Mrs. Barbara George, and their son, Eric; and the wives of the Associate Justices, Mrs. Kaygey Kash Mosk, Mrs. Jane Baxter, and Mrs. Carol Chin.

INTRODUCTION OF JUDICIAL COUNCIL

Speaker pro Tempore Kuehl stated that the Chief Justice is Chair of the Judicial Council and introduced the Chairs of the three council committees Justice Marvin Baxter, Justice Arthur Scotland of the Third District Court of Appeal, and Judge Paul Boland of the Los Angeles Superior Court. Speaker pro Tempore Kuehl also acknowledged the Legislature's representatives on the Judicial Council, Senator Charles Calderon and Assembly Member Martha Escutia.

PRESENTATION OF PRESIDENT PRO TEMPORE OF THE SENATE

Speaker pro Tempore Kuehl then presented the Honorable Bill Lockyer, President pro Tempore of the Senate.

INTRODUCTION OF MEMBERS OF THE SUPREME COURT OF CALIFORNIA

President pro Tempore Bill Lockyer introduced the Honorable Ronald M. George, Chief Justice, and Associate Justices Hon. Stanley J. Mosk, Hon. Joyce Kennard (acknowledged, although unable to attend today's Joint Convention), Hon. Marvin R. Baxter, Hon. Kathryn Werdeger, Hon. Ming W. Chin, and Hon. Janice R. Brown.

PRESENTATION OF HONORABLE RONALD M. GEORGE

President pro Tempore Bill Lockyer then presented the Honorable Ronald M. George, Chief Justice of the Supreme Court of California, to the Joint Convention.

ADDRESS BY HONORABLE RONALD M. GEORGE

Chief Justice Ronald M. George then delivered the "State of the Judiciary" address to the Joint Convention.

At 4:41 p.m., Speaker Cruz M. Bustamante, 31st District, presiding

ADJOURNMENT OF JOINT CONVENTION

At 4:41 p.m., there being no further business, Speaker Cruz M. Bustamante declared the Joint Convention adjourned, *sine die*.

REASSEMBLED

At 4:41 p.m., the Assembly reconvened.

Hon. Cruz M. Bustamante, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Speaker Bustamante was granted unanimous consent that the "State of the Judiciary" address by Chief Justice Ronald M. George be printed as a separate appendix to the Assembly Journal.

RECESS

By unanimous consent, at 4:42 p.m., Speaker Bustamante declared the Assembly recessed.

REASSEMBLED

At 4:51 p.m., the Assembly reconvened.

Hon. Cruz M. Bustamante, Speaker of the Assembly, presiding.

MOTION TO ADJOURN

At 4:51 p.m., Assembly Member Villaraigosa moved that the Assembly do now adjourn.

Assembly Member Pringle seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4:52 p.m., Speaker Bustamante 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. 119—Runner. An act to add Section 17053.18 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 120—Kuykendall (Senator Karnette, coauthor). An act to amend and repeal Section 6385 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 121—Battin. An act to amend Section 52332 of the Food and Agricultural Code, relating to agriculture.

ASSEMBLY BILL NO. 122—Brown (Principal Senate coauthor: Thompson). An act to amend Sections 53, 17250, and 24349 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 123—Wildman and Cunneen. An act to amend Section 270 of the Penal Code, relating to support.

ASSEMBLY BILL NO. 124—Runner (Senator Knight, coauthor). An act to amend Section 76000 of the Government Code, relating to courthouse construction, and declaring the urgency thereof, to take effect immediately.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 5—Richter. Relative to the official State Fife and Drum Corps.

ASSEMBLY CONCURRENT RESOLUTION NO. 6—Torlakson and Mazzoni. Relative to Parent-Teacher Involvement and Responsibility Week.

INTRODUCTION OF GUESTS

Speaker pro Tempore Kuehl, introduced Brenda Gottfried, Board Member of the Santa Monica-Malibu Unified School District.

ADJOURNMENT

At 4:55 p.m., on motion of Assembly Member Villaraigosa, the Assembly adjourned until 7 a.m., Wednesday, January 15, 1997, out of respect to the memory of Rose Rodriguez, on motion of Speaker Bustamante; out of respect to the memory of Einar G. Johansen, on motion of Assembly Member Alby; out of respect to the memory of Rich Sorro, on motion of Assembly Member Migden; out of respect to the memory of Larry Margolis, on motion of Assembly Member Papan; out of respect to the memory of Katherine Macdonald on motion of Assembly Member Ortiz; out of respect to the memory of Professor Dwan "Lou" Kerig, on motion of Assembly Members Wayne and Pacheco; out of respect to the memory of Edward Duncan and Patrick Guillen, on motion of Assembly Member Aguiar.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk