

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 20, 1998

ONE HUNDRED FORTY-EIGHTH SESSION DAY

FOUR HUNDRED FIFTEENTH 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
 Tuesday, January 20, 1998

The Assembly met at 7 a.m.

Hon. Debra Bowen, Assembly Member, 53rd 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—69:

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

Quorum present.

At 2:10 p.m., Hon. Jim Morrissey, 69th 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, Escutia, Knox, Leach, Lempert, Leonard, and Miller.

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

On personal business, and waiving per diem: Assembly Members Campbell and Firestone.

Because of illness: Assembly Member Margett.

EXPLANATIONS OF ABSENCE

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

January 16, 1998

*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 Tuesday, January 20, 1998 due to legislative business in my district. Thank you for your consideration of this request.

Sincerely,

JIM CUNNEEN, Assembly Member
Twenty-fourth District

January 16, 1998

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

Dear Mr. Speaker: This letter is to respectfully request a pass for Tuesday, January 20, 1998 from check-in session and Health Committee due to legislative business in my district

Thank you for your help in this matter.

Sincerely,

MARTHA M. ESCUTIA, Assembly Member
Fiftieth District

January 16, 1998

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

Dear Cruz: I respectfully request to be excused from Check-In Session on Tuesday, January 20, 1998 due to legislative business in my district that day. Thank you.

Sincerely,

WALLY KNOX, Assembly Member
Forty-second District

January 16, 1998

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

Dear Mr. Speaker: Please excuse me from check-in Session on Tuesday, January 20, 1998. I must be in my district due to legislative business.

Thank you for your attention to this request.

Sincerely,

LYNNE C. LEACH, Assembly Member
Fifteenth District

January 16, 1998

*The Honorable Cruz M. Bustamante
Speaker, California State Assembly
Room 219, State Capitol
Sacramento, California*

Dear Mr. Speaker: This letter is to request that I be excused from Check-In Session on January 20th for legislative business in my District.

I will be in my District Office on Tuesday. During the day, I will be conducting legislative business in my office and throughout my District.

Sincerely,

TED LEMPert, Assembly Member
Twenty-first District

January 15, 1998

*Speaker Cruz Bustamante
State Capitol, Room 219
Sacramento, California*

Dear Speaker Bustamante, I would like to notify you that I will be conducting Legislative Business on January 20, 1998 out of my district office.

Should you have any questions please call Jim Richardson. Thank you for your prompt response to this matter.

Sincerely,

BILL LEONARD, Assembly Member
Sixty-third District

January 16, 1998

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 Tuesday, January 20, 1998. 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

January 20, 1998

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

Dear Mr. Speaker: I respectfully request that my per diem be waived for January 20, 1998, due to the fact that I am in my district today on legislative business.

Respectfully,

MICHAEL SWEENEY, Assembly Member
 Eighteenth District

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1688—Torlakson. An act to add Section 8655.5 to the Government Code, relating to emergencies.

ASSEMBLY BILL NO. 1689—Keeley. An act relating to forest resources, and declaring the urgency thereof, to take effect immediately.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 88—Mazzoni (Principal coauthor: Woods) (Principal Senate coauthors: McPherson and Vasconcellos). Relative to Long-Term Care Awareness.

ENROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 20, 1998

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

Assembly Bill No. 969

Assembly Bill No. 1514

Assembly Bill No. 1615

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, January 20, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 532

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, January 20, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 86

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, January 20, 1998

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

Assembly Bill No. 204

Assembly Bill No. 224

Assembly Bill No. 302

Assembly Bill No. 681

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, January 20, 1998

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

Assembly Concurrent Resolution No. 85

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, January 20, 1998

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

Assembly Bill No. 16

Assembly Bill No. 118

Assembly Bill No. 183

Assembly Bill No. 322

Assembly Bill No. 390

Assembly Bill No. 391

Assembly Bill No. 790

Assembly Bill No. 795

Assembly Bill No. 796

Assembly Bill No. 960

Assembly Bill No. 964

Assembly Bill No. 1136

Assembly Bill No. 1187

Assembly Bill No. 1314

Assembly Bill No. 1449

Assembly Bill No. 1488

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

CONSIDERATION OF DAILY FILE

ASSEMBLY BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were
this day on the second reading file:

Assembly Bills Nos. 1514, 1615, and 969, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 630—An act to amend Sections 1983, 1984, 1986, 1987,
and 1988 of and to add Section 1941.5 to, the Civil Code, reading to tenancies.

Bill read second time; amendments proposed by the Committee on
Judiciary read and adopted, bill ordered reprinted and to be returned to
the second reading file.

ASSEMBLY BILL NO. 913—An act to add Chapter 4.5 (commencing with Section 2350) to Part 3 of Division 6 of the Family Code, relating to marriage.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted, bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1094—An act to amend Section 6301.1 of the Business and Professions Code, to amend Section 3144 of the Civil Code, to amend Sections 437c, 438, 704.090, 704.750, 708.160, 760.010, 904.2, 2024, and 2031 of, and to repeal Section 87 of, the Code of Civil Procedure, to amend Sections 4251 and 4508 of the Family Code, to amend Sections 21290, 26854, 53069.4, 68511.3, 69845.5, 75050, 76219, and 77200 of the Government Code, to repeal Section 101 of the Labor Code, and to amend Sections 40230 and 40256 of the Vehicle Code, and to amend Section 602 of the Welfare and Institutions Code, relating to civil law.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1199—An act to amend Section 170.6 of the Code of Civil Procedure, relating to court proceedings.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1439—An act to add Article 7.5 (commencing with Section 680) to Chapter 1 of Division 2 of the Business and Professions Code, and to amend Section 5251 of the Welfare and Institutions Code, relating to health.

Bill read second time; amendments proposed by the Committee on Health read and adopted, bill ordered reprinted and to be returned to the second reading file.

SECOND READING OF BILLS BY UNANIMOUS CONSENT

Unanimous consent was granted that all Assembly bills reported with amendments from policy committees to the Committee on Appropriations and from policy committee to a policy committee of second reference, be taken up without reference to file, for purpose of second reading and adoption of committee amendments and that the bills be re-referred to the appropriate committee.

REPORTS OF STANDING COMMITTEES

Committee on Water, Parks and Wildlife

Date of Hearing: January 13, 1998

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 609

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

MACHADO, Chairman

Above bill ordered to second reading.

Committee on Human Services

Date of Hearing: January 13, 1998

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 718

Assembly Bill No. 1440

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

ARONER, Chairwoman

Above bills ordered to second reading.

Date of Hearing: January 13, 1998

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 1305

With amendments with the recommendation: Do pass, as amended, and re-refer to the Committee on Appropriations with recommendation: To Consent Calendar.

ARONER, Chairwoman

Above bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS BY UNANIMOUS CONSENT

ASSEMBLY BILL NO. 609—An act to amend Sections 13575, 13576, 13579, 13580, and 13581 of, and to add Section 13581.5 to, the Water Code, relating to water.

Bill read second time; amendments proposed by the Committee on Water, Parks and Wildlife read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 718—An act to add Chapter 5.1 (commencing with Section 16523) to Part 4 of Division 9 of the Welfare and Institutions Code, relating to human services.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1440—An act to add Chapter 3.5 (commencing with Section 100600) to Part 1 of Division 101 of the Health and Safety Code, and to add Section 12300.8 to the Welfare and Institutions Code, relating to public social services.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1305—An act to add Section 10990 to the Welfare and Institutions Code, relating to public social services.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 338, on request of Assembly Member Sweeney;

Assembly Bill No. 1218, on request of Assembly Member Alquist;

Assembly Bill No. 695, on request of Assembly Member Kuehl.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 1577 and Senate Bill No. 867 were continued until Thursday, January 22, 1998.

ADJOURNMENT

At 3:10 p.m., the Assembly adjourned until 7 a.m., Wednesday, January 21, 1998.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 20, 1998**

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

AB	RN
609	9801063
630	9801059
718	9804605
913	9801061
1094	9801055
1199	9801052
1305	9802310
1439	9801265
1440	9802182

Daily Total:	9
Cumulative Total:	3683

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