

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, January 21, 1997**

**ELEVENTH SESSION DAY**

**FIFTY-FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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 21, 1997

The Assembly met at 1:30 p.m.  
Hon. Louis J. Papan, Assembly Member, 19th District, 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 House moved a quorum call of the Assembly.  
Motion carried. Time, 1:31 p.m.

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

### At 1:40 p.m., Speaker Cruz M. Bustamante, 31st District, presiding

### Quorum Present

At 1:40 p.m., Speaker Bustamante declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—74:

Ackerman	Escutia	Machado	Runner
Aguiar	Figueroa	Margett	Scott
Alquist	Firestone	Martinez	Shelley
Aroner	Floyd	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	Olberg	Villaraigosa
Bowen	Honda	Oller	Vincent
Bowler	House	Ortiz	Washington
Brewer	Kaloogian	Pacheco	Wayne
Campbell	Keeley	Papan	Wildman
Cardenas	Knox	Perata	Woods
Cardoza	Kuykendall	Poochigian	Wright
Cunneen	Leach	Prenter	Mr. Speaker
Davis	Lempert	Pringle	
Ducheny	Leonard	Richter	

**PRAYER**

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

*O Heavenly Father, Your presence in our lives is liberty. Grant us that freedom of the spirit which will not fear to tread in unknown ways, nor be held back by misgivings of ourselves and others. Call us forward to the place of Your will, which is also the place of Your power, O merciful and loving Lord.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker Bustamante, Assembly Member Honda 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 Washington, seconded by Assembly Member Aguiar.

**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 Brown, Caldera, and Napolitano.*

*On personal business, and waiving per diem: Assembly Members Alby, Kuehl, and Mazzoni.*

**EXPLANATIONS OF ABSENCE**

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

January 21, 1997

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

Dear Mr. Speaker: I am writing to respectfully request that I be excused from Session on Tuesday, January 21, for legislative business. I will be speaking at the California District Attorneys Association, Violence Against Women Prosecution Symposium being held in San Francisco.

Should you have any questions concerning the above, please call my Chief of Staff, John Latimer, at 445-8492.

Sincerely,

VALERIE K. BROWN, Assembly Member  
Seventh District

(NOTE: For letters explaining the absences of Assembly Members Caldera and Napolitano on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Friday, January 17, 1997.)

**REQUEST FOR UNANIMOUS CONSENT**

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 Corie Williams, of Los Angeles.

Assembly Member Morrissey was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Raymond L. Fontaine.

Assembly Member Wright was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of three-time All-Star and seven-time Golden Glove winner, Curt Flood.

Assembly Members Migden, Shelley, and Papan were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Helen Hale Smith, of San Francisco.

Assembly Members Poochigian and Bowler were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Teresita "Tessie" Cabello Ford and her son "Mo Mo", of Elk Grove.

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 Richard "Dick" Joy, of City of Orange.

**ASSEMBLY CONCURRENT RESOLUTION NO. 7 TAKEN UP  
BY UNANIMOUS CONSENT**

Assembly Member Cunneen was granted unanimous consent to take up Assembly Concurrent Resolution No. 7, without reference to committee or file, and that the same be considered engrossed.

**ASSEMBLY CONCURRENT RESOLUTION NO. 7**—Relative to Random Acts of Kindness Week.

Resolution read.

**Members Made Coauthors of Assembly Concurrent Resolution No. 7**

Assembly Member Cunneen was granted unanimous consent that all Assembly Members voting "Aye" be placed upon Assembly Concurrent Resolution No. 7 as coauthors.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Aguiar, Alquist, Ashburn, Battin, Bordonaro, Brewer, Bustamante, Campbell, Cardenas, Davis, Figueroa, Floyd, Goldsmith, Granlund, Honda, House, Kaloogian, Kuykendall, Leach, Machado, Miller, Morrissey, Murray, Olberg, Oller, Ortiz, Pacheco, Pringle, Sweeney, Takasugi, Thompson, Thomson, Torlakson, Villaraigosa, Vincent, and Woods.

### **Request for Unanimous Consent**

Assembly Member Cunneen was granted unanimous consent to take of Assembly Concurrent Resolution No. 7, as amended, without reference to print or file, and that the same be considered engrossed.

#### **Consideration of Assembly Concurrent Resolution No. 7, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 7**—Relative to Random Acts of Kindness Week.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

#### **HOUSE RESOLUTION NO. 5 TAKEN UP BY UNANIMOUS CONSENT**

Assembly Member Thompson was granted unanimous consent to take up House Resolution No. 5, without reference to committee or file.

**HOUSE RESOLUTION NO. 5**—Relative to commending the Mormon Battalion.

Resolution read.

#### **Motion to Amend**

Assembly Member Thompson moved the adoption of amendments.

Amendments read and adopted; resolution ordered reprinted, and to be referred to the Committee on Rules.

#### **CAUCUS ANNOUNCEMENTS**

Assembly Member Shelley announced that the Democratic Caucus would meet on Wednesday, January 22, 1997, at noon, in the Assembly Lounge.

#### **ANNOUNCEMENTS**

Assembly Member Villaraigosa announced that the Training Seminar for new Members was rescheduled to 3 p.m. today.

Speaker Bustamante announced that the Assembly would be in check-in session tomorrow from 7 a.m.–3 p.m. and that Floor session was scheduled for Thursday, January 23, 1997 at 9 a.m. He further requested that Members arrive at 8:30 a.m. on Thursday for official legislative photographs. The Mock Floor session for new Members is scheduled for Wednesday, January 22, 1997, at 2:30 p.m.

#### **MOTION TO ADJOURN**

At 2:03 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 2:03 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. 144**—Thompson. An act relating to gambling.

**ASSEMBLY BILL NO. 145**—Thompson. An act to add Section 148 to the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to water.

**ASSEMBLY BILL NO. 146—Havice.** An act to amend Section 30052 of the Government Code, relating to local government finance.

**ASSEMBLY BILL NO. 147—Runner.** An act to amend Section 11477 of the Welfare and Institutions Code, relating to human services.

#### **INTRODUCTION OF GUESTS**

Assembly Member Ackerman, of the 72nd Assembly District, introduced Mark Tuerffs and Dan Wixted, of Placentia.

#### **ADJOURNMENT**

At 4:20 p.m., pursuant to the motion by Assembly Member Villaraigosa the Assembly adjourned until 7 a.m., Wednesday, January 22, 1997, out of respect to the memory of Corie Williams, on motion of Assembly Member Washington; out of respect to the memory of Raymond L. Fontaine, on motion of Assembly Member Morrissey; out of respect to the memory of Curt Flood, on motion of Assembly Member Wright; out of respect to the memory of Helen Hale Smith, on motion of Assembly Members Migden, Shelley, and Papan; out of respect to the memory of Teresita “Tessie” Cabello Ford and her son “Mo Mo,” on motion of Assembly Members Poochigian and Bowler; and out of respect to the memory of Richard “Dick” Joy, on motion of Assembly Member Campbell.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JANUARY 21, 1997**

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The following measure was amended in the Assembly on this day:

<b>HR</b>	<b>RN</b>
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