

CALIFORNIA LEGISLATURE  
1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, January 28, 1997**  
**FIFTEENTH SESSION DAY**  
**FIFTY-EIGHTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Tuesday, January 28, 1997

The Assembly met at 7 a.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 following were placed upon the morning roll call—77:

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

Quorum present.

**At 1:45 p.m., Hon. Brett Granlund, 65th 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 Bowen, Margett, and Mazzoni.*

**EXPLANATIONS OF ABSENCE**

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

January 28, 1997

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

Dear Mr. Speaker: On Tuesday, January 28th I will be in San Francisco representing the Legislature at the Administrative Office of the Courts' Court Technology Task Force committee meeting.

I am writing to request that I be excused from check-in session on legislative business.

Please feel free to contact me should you have any questions.

Sincerely,

DEBRA BOWEN, Assembly Member  
Fifty-third District

January 28, 1997

*Assembly Speaker Cruz Bustamante  
Rules Committee  
State Capitol, Room 3016*

Dear Mr. Speaker: Please excuse me from session today, Tuesday, January 28, 1997, as I will be on Legislative business in my district.

Thank you for your attention to this matter.

Warmest Regards,

BOB MARGETT, Assembly Member  
Fifty-ninth District

January 27, 1997

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

Dear Speaker Bustamante: This letter is to request that I be excused from Check-In Session due to legislative business on Tuesday and Wednesday, January 28th and 29th. I will be in Washington D.C. attending the California School Boards Conference to discuss education legislation.

Thank you for your attention to this request. If you have any questions or need further information, please contact Barbara Ann Guido at 445-7783.

Sincerely,

KERRY MAZZONI, Assembly Member  
Sixth District

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

January 27, 1997

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

Dear Dotson: This is to advise you that I am establishing the Select Committee on Veterans Affairs and appoint Assemblyman Richard Floyd as the chairman.

Thank you for your attention to this matter.

Sincerely,

CRUZ M. BUSTAMANTE  
 Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 170—Papan (Senator Thompson, coauthor)** An act to amend Section 926.17 of the Government Code, relating to claims against the state.

**ASSEMBLY BILL NO. 171—Cunneen and Figueroa (Alquist, Honda, and Lempert, coauthors) (Senators Sher and Vasconcellos, coauthors).** An act to add and repeal Sections 17053 and 23605 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 172—Wright.** An act to amend Section 19616.51 of the Business and Professions Code, relating to horseracing.

**ASSEMBLY BILL NO. 173—Aguiar.** An act to add Article 13 (commencing with Section 44400) to Chapter 2 of Part 25 of the Education Code, relating to teacher credentialing.

**ASSEMBLY BILL NO. 174—Napolitano.** An act to amend Section 4935 of the Business and Professions Code, relating to healing arts.

**ASSEMBLY BILL NO. 175—Torlakson.** An act to amend Section 21100 of the Public Resources Code, relating to environmental quality.

**ASSEMBLY BILL NO. 176—Honda.** An act to amend Section 14076.2 of the Government Code, to amend Section 20300 of, and to amend the heading of Article 16 (commencing with Section 20300) of Chapter 1 of Part 3 of Division 2 of, the Public Contract Code, and to amend Sections 100000 and 100011 of, to amend the heading of Part 12 (commencing with Section 100000) of Division 10 of, and to add Section 100002 to, the Public Utilities Code, relating to transportation.

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 8—Honda.** Relative to a Day of Remembrance.

**MESSAGES FROM THE SENATE**

Senate Chamber, January 27, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

Assembly Concurrent Resolution No. 7

And respectfully requests the Assembly to concur in said amendments.

GREG P. SCHMIDT, Secretary of the Senate  
 By John W. Rovane, Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, January 27, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 6

GREG P. SCHMIDT, Secretary of the Senate  
By John W. Rovane, Assistant Secretary

**FIRST READING OF SENATE BILLS**

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 6**—Relative to the California State Parent Teacher Association.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, January 29, 1997.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

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