

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 4, 1998

ONE HUNDRED FIFTY-SEVENTH SESSION DAY

FOUR HUNDRED THIRTIETH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 4, 1998

The Assembly met at 7 a.m.

Hon. Scott Baugh, Assembly Member, 67th 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—70:

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

Quorum present.

At 2:03 p.m., Hon. Mike Machado, 17th 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 Baldwin, Frusetta, Goldsmith, and Martinez.

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

Because of illness: Assembly Members Brewer and Margett.

EXPLANATIONS OF ABSENCE

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

February 3, 1998

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

Dear Mr. Speaker: I humbly request to be excused from legislative session on February 4, 1998 to attend to legislative business in my district. Major areas of my district are flooding as a result of the recent rainfall. Weather estimates predict up to 10 inches of rain between last Sunday and tomorrow.

Thank you for your time and consideration.

Sincerely,

PETER FRUSETTA, Assembly Member
Twenty-eighth District

February 2, 1998

*Assembly Speaker's Office
State Capitol
Sacramento, California*

Dear Mr. Speaker: Please excuse me for legislative session on Wednesday, February 4, 1998. I have legislative business in the district.

Thank you for your attention to this request.

Sincerely,

JAN GOLDSMITH, Assembly Member
Seventy-fifth District

(NOTE: For letters explaining the absence of Assembly Members Baldwin and Martinez on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Tuesday, February 3, 1998.)

COMMUNICATIONS

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

February 4, 1998

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

Dear Dotson: Please be advised that I am appointing Assemblymember George Runner to the Assembly Budget Committee to replace Bruce Thompson for today, February 4, 1998, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

**Department of Mental Health, 1997–98 Second Quarter Status Update
on the Security Modifications at Napa State Hospital
(Pursuant to Chapter 281, Budget Act of 1997, Item 4440-011-0001(13))**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, Sacramento, referred by the Speaker to the Committee on Budget.

**Santa Monica Mountains Conservancy
Annual Report—Fiscal year 1996–97
(Pursuant to Supplemental Budget Language)**

Above transmitted report, together with letter of transmittal from Joseph T. Edmiston, AICP, Executive Director, Santa Monica Mountains Conservancy, Beverly Hills, dated December 30, 1997, referred by the Speaker to the Committee on Budget.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1749—Leach. An act to add and repeal Section 1596.7926 of the Health and Safety Code, relating to child day care facilities.

ASSEMBLY BILL NO. 1750—Pringle. An act to amend Section 25503.7 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 1751—Wildman. An act to amend Sections 5311.5 and 5813 of, and to repeal Section 27 of, the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 1752—Davis. An act to add Chapter 3 (commencing with Section 14100) to Part 5 of Division 3 of Title 1 of the Corporations Code, relating to business development.

ASSEMBLY BILL NO. 1753—Escutia. An act to amend Section 51225.3 of the Education Code, relating to instructional programs.

ASSEMBLY BILL NO. 1754—Havice. An act to amend Sections 1048.1 and 1050 of the Penal Code, relating to criminal procedure.

ASSEMBLY BILL NO. 1755—Keeley and Takasugi. An act to amend Section 2827 of the Public Utilities Code, and to add Section 73 to the Revenue and Taxation Code, relating to solar energy.

ASSEMBLY BILL NO. 1756—Havice. An act to add Article 6 (commencing with Section 49356) to Chapter 8 of Part 27 of the Education Code, relating to the School and Community Policing Program.

ASSEMBLY BILL NO. 1757—Bowler. An act to amend Section 42238.18 of the Education Code, relating to school finance.

ASSEMBLY BILL NO. 1758—Runner. An act to add Section 123451 to the Health and Safety Code, relating to abortion.

ASSEMBLY BILL NO. 1759—Runner. An act to amend Section 14527 of the Government Code, relating to transportation.

ASSEMBLY BILL NO. 1760—Baldwin. An act to amend Section 33413 of the Health and Safety Code, relating to housing.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 30—Murray (Principal coauthor: Brewer) (Principal Senate coauthor: Kopp) (Coauthors: Battin, Cunneen, Leach, Oller, Runner, Scott, and Thomson) (Senators McPherson and Watson, coauthors). A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 6 and 7 of Article XIX thereof, and by adding Article XIXA thereto, relating to transportation.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

SENATE CONSTITUTIONAL AMENDMENT NO. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIII A thereof, and by amending Section 18 of Article XVI thereof, relating to school facilities financing.

Resolution read second time, and ordered to third reading.

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until 7 a.m., Thursday, February 5, 1998.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

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