

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 12, 1997

TWENTY-FOURTH SESSION DAY

SEVENTY-THIRD 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
Wednesday, February 12, 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—78:

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

Quorum present.

At 1:35 p.m., Hon. Tom Torlakson, 11th 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 Member Baldwin.

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

(NOTE: For letter explaining the absence of Assembly Member Baldwin on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Thursday, February 6, 1997.)

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

February 12, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Martin Gallegos to the Assembly Public Safety Committee for Wednesday, February 12 only, to replace Assemblymember Diane Martinez.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

February 12, 1997

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

Dear Dotson: Please be advised that the following members have been appointed to the Joint Legislative Audit Committee:

Assemblymembers Tony Cardenas, Susan Davis, Richard Floyd, Steven T. Kuykendall, Lynn Leach and Tom Torlakson.

Thank you for your attention to this matter.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

The following letters of transmittal were presented by the Speaker, and ordered printed in the Journal:

California State Auditor

26022

December 31, 1996

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by Chapter 310, Statute of 1995, the Bureau of State Audits presents its audit report concerning the Department of Transportation's current status towards financing the seismic retrofit of state-owned highways and bridges, including toll bridges, throughout the State. This report concludes for the period March 1996 through December 18, 1996, that there were no general obligation bond sales authorized by the Seismic Retrofit Bond Act of 1996 (Bond Act). Further, our review of the financial records of the Seismic Retrofit Bond Fund of 1996 established to

account for the Bond Act found that there were no recorded expenditures for fiscal year 1995–96. Finally, the initial transactions charged to the Seismic Retrofit Bond Fund of 1996 are scheduled to occur in fiscal year 1996–97.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Transportation.

California State Auditor

96008
January 3, 1997

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by California Government Code, Section 13299.1, the Bureau of State Audits presents its audit report concerning the State Treasurer's Office Statement of Securities Accountability as of June 30, 1996. This report concludes that the statement presents fairly the securities accountability of the State Treasurer's Office as of June 30, 1996.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Banking and Finance.

California State Auditor

96034
January 16, 1997

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by the Budget Act of 1996, the Bureau of State Audits presents its audit report concerning the effectiveness of the Department of Fair Employment and Housing's (department) management of discrimination complaints and the adequacy of its information systems.

This report concludes that the department does not promptly resolve complaints of discrimination. Specifically, the department does not have a sufficiently expedited process for investigating and closing complaints and does not enforce some of its current policies

that promote prompt processing of complaints. In addition, the department does not fully use its current computer capabilities and needs more automation to process complaints efficiently.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Housing and Community Development and Labor and Employment.

California State Auditor

97011
January 28, 1997

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by Chapter 716, Statutes of 1992, the Bureau of State Audits presents its audit report concerning the processing activity associated with reimbursement requests for certain prescribed drugs under the California Medical Assistance Program. These requests are known as drug treatment authorization requests (TARs). This report concludes that number of TARs submitted for processing has begun to stabilize. This is the first of the 12 drug TARs reports that have been issued since 1991 that has not reported an increase in the number of TARs submitted.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Health.

California State Auditor

96035
January 29, 1997

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 219
Sacramento, California*

Members of the Assembly: As required by the Budget Act of 1996, the Bureau of State Audits presents its audit report concerning the medical operations of the California Veterans Home at Yountville.

This report concludes that the Veterans Home at Yountville has many opportunities to decrease costs, increase efficiencies, generate additional revenues, and improve the quality of care of its residents.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Governmental Organization.

California State Auditor

96032

January 30, 1997

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by Chapter 146, Statutes of 1996, the Bureau of State Audits presents its audit report concerning the examination of the Office of Emergency Services' (OES) disaster assistance and hazard mitigation programs to identify aspects of those operations that could be improved to produce a more efficient and cost-effective process for resolving claims and grant applications.

This report concludes that OES should remain the state entity responsible for the processing of claims for disaster assistance funds and hazard mitigation grants, even though OES needs to improve its management of California's recovery from disasters. OES needs to better plan its recovery from disasters by standardizing procedures, establishing priorities for its activities, and affixing accountability for tasks. Also, OES should streamline some of its disaster recovery activities which we estimate will generate savings of up to \$833,000 per year, savings that can be redirected to other necessary recovery activities.

Furthermore, OES is behind schedule in implementing key initiatives for improving its automated information technology, although progress has been made. Finally, this report also details the specific actions that OES has taken to address the recommendations in our previous Report 95114, dated January 1996.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Governmental Organization.

The following communications were presented by the Chief Clerk from:

Linda A. Cabatic, Supervising Deputy Attorney General, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

Casino Gambling. Initiative Constitutional Amendment.

Referred by the Speaker to the Committee on Governmental Organization.

Elizabeth G. Hill, Legislative Analyst, Joint Legislative Budget Committee, Sacramento, dated December 18, 1996, relative to the report, Understanding Proposition 218. Referred by the Speaker to the Committee on Revenue and Taxation.

REPORTS

The following reports were presented by the Chief Clerk:

**Annual Report on Minority/Women/Disabled Veteran Business Enterprises,
July 1, 1995–June 30, 1996
(Pursuant to Public Contract Code Section 10115.5)**

Above transmitted report, together with letter of transmittal from Andrew M. Mecca, Dr.P.H., Director, Department of Alcohol and Drug Programs, Sacramento, dated January 2, 1997, referred by the Speaker to the Committee on Utilities and Commerce.

**Minority/Women/Disabled Veteran Business Enterprise Participation
in Contracts Awarded by the State Teachers' Retirement System,
July 1, 1995–June 30, 1996
(Pursuant to Public Contract Code Section 10115.5)**

Above transmitted report, together with letter of transmittal from James D. Mosman, Chief Executive Officer, State Teachers' Retirement System, Sacramento, dated December 31, 1996, referred by the Speaker to the Committee on Utilities and Commerce.

**Toll Bridge Report to the California Legislature, Fiscal Year 1996–97
(Pursuant to Streets and Highways Code Section 30895)**

Above transmitted report, together with letter of transmittal from Lawrence D. Dahms, Executive Director, Metropolitan Transportation Commission, Oakland, dated December 31, 1996, referred by the Speaker to the Committee on Transportation.

**The Consumer, Our Purpose Our Priority,
California Department of Consumer Affairs Annual Report, 1995–96**

Above transmitted report, together with letter of transmittal from Marjorie M. Berte, Director, Consumer Affairs, Sacramento, dated January 3, 1997, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**Status Report on Housing Task Force Recommendation
(Pursuant to Item #0520-001-0001, Supplemental Report of the 1996 Budget Act)**

Above transmitted report, together with letter of transmittal from Dean R. Dunphy, Secretary, Business, Transportation, and Housing Agency, Sacramento, dated January 3, 1997, referred by the Speaker to the Committee on Budget.

**Adoption of Public Participation Policy by
the Multistate Tax Commission—November 21, 1996
(Pursuant to Budget Item #1730-001-0001, Provision 4, 1996–97 Budget Act,
Chapter 96-162)**

Above transmitted report together with letter of transmittal from Dan R. Bucks, Executive Director, Multistate Tax Commission, Washington, DC, dated December 18, 1996, referred by the Speaker to the Committee on Budget.

**State Teachers' Retirement System, Quarterly Report of System Assets,
as of September 30, 1996
(Pursuant to Education Code Section 22358)**

Above transmitted report, together with letter of transmittal from James D. Mosman, Chief Executive Officer, State Teachers' Retirement System, Sacramento, dated December 13, 1996, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**California State Lottery Fund, Financial Statements, September 30, 1996
(Pursuant to Government Code Section 8880.22)**

Above transmitted report, together with letter of transmittal from Patricia Eberhart, Chief Finance Department, California Lottery, Sacramento, dated December 16, 1996, referred by the Speaker to the Committee on Governmental Organization.

**Lands Acquired for Project Mitigation
(Pursuant to Water Code Section 8610)**

Above transmitted report, together with letter of transmittal from Raymond E. Barsch, General Manager, The Reclamation Board, Sacramento, dated December 18, 1996, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Railroad Corporation Fees Budget, Public Utilities Commission
(Pursuant to Public Utilities Code Section 421)**

Above transmitted report, together with letter of transmittal from Wesley M. Franklin, Executive Director, Public Utilities Commission, San Francisco, dated December 20, 1996, referred by the Speaker to the Committee on Utilities and Commerce.

**Performance Based Budgeting Pilot Project, Fiscal Year 1995-1996,
Year End Report (Pursuant to DCA's 1995/96 PBB Contract)**

Above transmitted report together with letter of transmittal from Marjorie M. Berte, Director, Consumer Affairs, Sacramento, dated December 27, 1996, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**City of Long Beach, Tideland Oil Revenue Fund, Statement of Expenditures
Including Unpaid Obligations from Oil Revenue, September 30, 1996
(Pursuant to Section 10, Chapter 138, Statutes of 1964)**

Above transmitted report, together with letter of transmittal from John R. Calhoun, City Attorney, Office of the City Attorney of Long Beach, Long Beach, dated December 27, 1996, referred by the Speaker to the Committee on Local Government.

**California Transportation Commission, 1996 Annual Report
to California Legislature, Volume I—Significant Issues for 1997
Volume II—Status of Implementing State Transportation Blueprint,
Proposition 116, and Other Issues
(Pursuant to Government Code Sections 14535-14536)**

Above transmitted report, together with letter of transmittal from Edward G. Jordon, Chairman, California Transportation Commission, Sacramento, dated December 30, 1996, referred by the Speaker to the Committee on Transportation.

**Report to the Legislature on Voluntary Tattoo Removal Program
(Pursuant to 1996 Budget Act Item 5460-001-001)**

Above transmitted report, together with letter of transmittal from Francisco J. Alarcon, Director, Department of the Youth Authority, Sacramento, dated December 13, 1996, referred by the Speaker to the Committee on Budget.

Assumption Program of Loans for Education, 1995-96

Above transmitted report, together with letter of transmittal from Jon Shaver, Executive Director, California Student Aid Commission, Sacramento, dated December 11, 1996, referred by the Speaker to the Committee on Higher Education.

**Board of Registered Nursing,
Reports of Settlement Agreements or Arbitration Awards
(Pursuant to Business and Professions Code Section 806)**

Above transmitted report, together with letter of transmittal from Ruth Ann Terry, MPH, RN, Executive Officer, Board of Registered Nursing, Sacramento, Dated December 17, 1996, referred by the Speaker to the Committee on Health.

**Bureau of Medi-Cal Fraud, Quarterly Statistical Report,
July 1-September 30, 1996**

Above transmitted report, together with letter of transmittal from Thomas A. Temmerman, Director, Bureau of Medi-Cal Fraud, Department of Justice, Sacramento, dated November 12, 1996, referred by the Speaker to the Committee on Health.

**Every Woman Counts,
The Breast Cancer Early Detection Program, August 1996
(Pursuant to Revenue and Taxation Code Section 30461.6)**

Above transmitted report, together with letter of transmittal from S. Kimberly Belshe, Director, Department of Health Services, Sacramento, dated November 20, 1996, referred by the Speaker to the Committee on Health.

**California Cares:
Child Care and Development Services for Children and Families,
Phase III Final Report, Parts 1 & 2, August 1996
(Pursuant to Welfare and Institutions Code Section 1008.19)**

Above transmitted report, together with letter of transmittal from Jane Irvine Henderson, Ph.D., Deputy Superintendent, Child, Youth and Family Services Branch, Department of Education, Sacramento, dated November 25, 1996, referred by the Speaker to the Committee on Human Services.

**Department of Pesticide Regulation,
1996 Accounts Receivable Management Act
(Pursuant to Accounts Receivable Management Act, Chapter 1224,
Statutes of 1994)**

Above transmitted report, together with letter of transmittal from James W. Wells, Director, Department of Pesticide Regulation, Sacramento, dated November 25, 1996, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Evaluation of the Ward Grievance Procedure
(Pursuant to Welfare and Institutions Code Section 1766.5)**

Above transmitted report, together with letter of transmittal from Francisco J. Alarcon, Director, Department of the Youth Authority, Sacramento, dated November 26, 1996, referred by the Speaker to the Committee on Public Safety.

**Public Utilities Commission, Annual Report to the Legislature
(Pursuant to Public Utilities Code Sections 309.7 and 765.6)**

Above transmitted report, together with letter of transmittal from Wesley M. Franklin, Executive Director, Public Utilities Commission, San Francisco, dated November 27, 1996, referred by the Speaker to the Committee on Utilities and Commerce.

**1996 Report on Local Mandate Legislation
(Pursuant to Government Code Section 17562(b)3)**

Above transmitted report, together with letter of transmittal from Craig L. Brown, Director, Department of Finance, Sacramento, dated December 2, 1996, referred by the Speaker to the Committee on Appropriations.

**Division of Apprenticeship Standards and California Apprenticeship Council,
Annual Report on Activities to the Legislature and the Public, 1995
(Pursuant to Labor Code Section 3073.5)**

Above transmitted report, together with letter of transmittal from Lloyd W. Aubry, Jr., Director, Department of Industrial Relations, San Francisco, dated December 4, 1996, referred by the Speaker to the Committee on Labor and Employment.

**Property Tax Assessment Surveys for the Counties of Alameda,
Colusa, Imperial, Kern, Lassen, Los Angeles, Mono, Riverside,
San Francisco, Sierra, and San Luis Obispo.
(Pursuant to Government Code Section 15646)**

Above transmitted report, together with letter of transmittal from E.L. Sorensen, Jr., Executive Director, State Board of Equalization, Sacramento, dated December 11, 1996, referred by the Speaker to the Committee on Revenue and Taxation.

**Status Report, the Birth Defect Prevention Act of 1984, June 1996
(Pursuant to the Birth Defect Prevention Act of 1984)**

Above transmitted report, together with letter of transmittal from James W. Wells, Director, California Environmental Protection, Agency, Department of Pesticide Regulation, Sacramento, dated December 13, 1996, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Veterans Farm and Home Building Fund of 1943,
and Veterans Debenture Revenue Fund
(Pursuant to AB 2465 (Ch. 184, Statutes of 1994))**

Above transmitted report, together with letter of transmittal from Jay R. Vargas, Secretary, California Department of Veterans Affairs, Sacramento, dated December 12, 1996, referred by the Speaker to the Committee on Governmental Organization.

**California Earthquake Authority, Plan of Operations
(Pursuant to Insurance Code Section 10089.8(a))**

Above transmitted report, together with letter of transmittal from Greg Butler, Chief Executive Officer (Interim), California Earthquake Authority, Sacramento, dated January 8, 1997, referred by the Speaker to the Committee on Insurance.

**Annual Report of Minority/Women/Disabled Veteran
Business Enterprise Contract Participation
(Pursuant to Public Contract Code Section 10115.5)**

Above transmitted report, together with letter of transmittal from Deborah M. Hesse, Deputy Director, Regulatory, Outreach and Program Support, California Environmental Protection Agency, Sacramento, dated January 9, 1997, referred by the Speaker to the Committee on Utilities and Commerce.

**1997 OAL Determination No. 1 [Docket No. 90-034]
1996 OAL Determination No. 2 [Docket No. 90-033]
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from John D. Smith, Director, Office of Administrative Law, Sacramento, dated January 10, 1997, referred by the Speaker to the Committee on Judiciary.

**Report to the California Legislature:
Approved Mandate Claims, July 1, 1996–December 31, 1996
(Pursuant to Government Code Section 17600)**

Above transmitted report, together with letter of transmittal from Kirk G. Stewart, Executive Director, Commission on State Mandates, Sacramento, dated January 14, 1997, referred by the Speaker to the Committee on Appropriations.

**Report to the California Legislature on Denied Mandate Claims,
January 1, 1996–December 31, 1996
(Pursuant to Government Code Section 17601)**

Above transmitted report, together with letter of transmittal from Kirk G. Stewart, Executive Director, Commission on State Mandates, Sacramento, dated January 14, 1997, referred by the Speaker to the Committee on Appropriations.

**Audit Report, On Expenditures from the Public Utilities
Transportation Rate Fund
and the Public Utilities Transportation Reimbursement Account,
for the Fiscal Year 1995–96
(Pursuant to Public Utilities Code Sections 421(f) and 5012)**

Above transmitted report, together with letter of transmittal from Wesley M. Franklin, Executive Director, Public Utilities Commission, San Francisco, dated January 15, 1997, referred by the Speaker to the Committee on Utilities and Commerce.

**Employment Training Panel, 1995–96 Annual Report
(Pursuant to Unemployment Insurance Code Section 10205)**

Above transmitted report, together with letter of transmittal from Gerald G. Geismar, Executive Director, Employment Training Panel, Sacramento, dated January 15, 1997, referred by the Speaker to the Committee on Labor and Employment.

**California Community Colleges, Disabled Veteran, Minority, & Women
Business Enterprise Participation Report, Fiscal Year 1995–96
(Pursuant to Education Code Section 71028)**

Above transmitted report, together with letter of transmittal from Thomas J. Nussbaum, Chancellor, California Community Colleges, Sacramento, dated January 2, 1997, referred by the Speaker to the Committee on Utilities and Commerce.

**California Motorcyclist Safety Program, Annual Report to the Legislature
(Pursuant to California Vehicle Code Section 2936)**

Above transmitted report, together with letter of transmittal from D.O. Helmick, Commissioner, Department of California Highway Patrol, Sacramento, dated January 16, 1997, referred by the Speaker to the Committee on Transportation.

**A Data Access Report,
California Environmental Resources Evaluation System (CERES)
(Pursuant to Item #0540-001-001 of the 1996 Budget Act)**

Above transmitted report, together with letter of transmittal from Gary W. Darling, Chief Information Officer, Resources Agency dated January 1, 1997, referred by the Speaker to the Committee on Budget.

**Response to the Supplemental Report of the 1996 Budget Act
(Pursuant to Budget Item #1760-001-0666)**

**State Telecommunications Services
(Government Code Sections 11711, 11713, and 15277)**

Above transmitted reports, together with letter of transmittal from Peter G. Stamison, Director, Department of General Services, Sacramento, referred by the Speaker to the Committee on Budget.

**California Integrated Information Network,
A Strategic Plan for CALNET and All State Telecommunications Networks
(Pursuant to SB 1393, Chapter 162, Statutes of 1996)**

Above transmitted report, together with letter of transmittal from John Thomas Flynn, Chief Information Officer, Department of Information Technology, Sacramento, dated December 20, 1996, referred by the Speaker to the Committee on Utilities and Commerce.

Unemployment Insurance (UI) Fund Forecast, October 1996

Above transmitted report, together with letter of transmittal from Haven T. Bays, Chief, Fiscal Programs Division, Employment Development Department, Sacramento, dated January 14, 1997, referred by the Speaker to the Committee on Insurance.

**Audit Report, On Expenditures from the Public Utilities
Transportation Rate Fund
and the Public Utilities Transportation Reimbursement Account,
Fiscal Year 1995-96
(Pursuant to Public Utilities Code Sections 421(f) and 5012)**

Above transmitted report, together with letter of transmittal from Wesley M. Franklin, Executive Director, Public Utilities Commission, San Francisco, dated January 15, 1997, referred by the Speaker to the Committee on Utilities and Commerce.

**Final Report on Advisory Research Council, December 31, 1996
(Pursuant to Unemployment Insurance (UI) Code Section 10205(I))**

Above transmitted report, together with letter of transmittal from Thomas C. Ellick, Chairman, Employment Training Panel, Sacramento, dated January 28, 1997, referred by the Speaker to the Committee on Labor and Employment.

**Results of the Field Tests of Integrated Medi-Cal Mental Health Managed Care
(Pursuant to Welfare and Institutions Code Section 5719.5(g))**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, Sacramento, dated January 28, 1997, referred by the Speaker to the Committee on Health.

**California Public Employees' Retirement System, Fiscal Year Ended
June 30, 1996
(Pursuant to Government Code Section 20228)**

Above transmitted report, together with letter of transmittal from William Dale Crist, President, CalPERS' Board of Administration, Sacramento, dated January 28, 1997, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**1995/96 Annual Report to the Governor and the Legislature on the
Participation of
Business Owned by Minorities, Women and Disabled Veterans**

Above transmitted report, together with letter of transmittal from M. David Stirling, Chief Deputy Attorney General, Office of the Attorney General, Sacramento, dated January 28, 1997, referred by the Speaker to the Committee on Utilities and Commerce.

**High-Speed Rail Summary Report and Action Plan, Final Report
(Pursuant to Resolution Chapter 56, 1993)**

Above transmitted report, together with letter of transmittal from Dean R. Dunphy, Chair, Intercity High Speed Rail Commission, Sacramento, dated December 13, 1996, referred by the Speaker to the Committee on Transportation.

**Annual Report, Cal-Vet Insurance Plans, 1994, 1995, and 1996
(Pursuant to Military and Veterans Code Sections 987.2 and 989.7)**

Above transmitted report, together with letter of transmittal from Lee Bennett, Undersecretary, California Department of Veterans Affairs, Sacramento, dated January 22, 1997, referred by the Speaker to the Committee on Governmental Organization.

**A Report to the California Legislature,
Senate Budget and Fiscal Review Committee, Assembly Budget Committee,
and the Joint Legislative Budget Committee
on the Development of a Comprehensive Management System and
Implementation of Strategic and Operational Planning.
(Supplemental Report of the 1996 Budget Act, Item #3600-001-0200)**

Above transmitted report, together with letter of transmittal from Jacqueline E. Schafer, Director, Department of Fish and Game, Sacramento, dated January 24, 1997, referred by the Speaker to the Committee on Budget.

**Strategic Plan for Forensic Populations
(Pursuant to 1996-97 Budget, Items 4300-003-0001(6) and 4440-011-0001(8))**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health; Dennis G. Amundson, Director, Department of Developmental Services, Sacramento, dated January 27, 1997, referred by the Speaker to the Committee on Budget.

**1996-97 Annual Report, California Law Revision Commission
(Pursuant to Government Code Sections 8291 and 9795)**

Above transmitted report, together with letter of transmittal from Nathaniel Sterling, Executive Secretary, California Law Revision Commission, Palo Alto, dated January 30, 1997, referred by the Speaker to the Committee on Judiciary.

**Minority, Women, and Disabled Veteran Business Enterprise
Participation Report, Fiscal Year 1995-96
(Pursuant to Public Contract Code Section 10115.5)**

Above transmitted report, together with letter of transmittal from S. Kimberly Belshe, Director, Department of Health Services, Sacramento, referred by the Speaker to the Committee on Utilities and Commerce.

**California Conservation Corps, Level of Participation by
Minority, Women, and Disabled Veteran Owned Business Enterprises,
July 1, 1995-June 30, 1996
(Pursuant to AB 3301)**

Above transmitted report, together with letter of transmittal from Al Aramburu, Director, California Conservation Corps, Sacramento, dated January 24, 1997, referred by the Speaker to the Committee on Utilities and Commerce.

**Natural Community Conservation Planning, Quarterly Report
(July-September 1996)
(Pursuant to the Supplemental Report of the 1992 Budget Act)**

Above transmitted report, together with letter of transmittal from Jacqueline E. Schafer, Director, Department of Fish and Game, Sacramento, dated January 27, 1997, referred by the Speaker to the Committee on Budget.

**Department of Industrial Relations, Third Annual Report on
Workers' Compensation Reform Implementation, December 1, 1996
(Pursuant to the Supplemental Report of the 1994 Budget Act)**

Above transmitted report, together with letter of transmittal from Lloyd W. Aubry, Jr., Director, Department of Industrial Relations, Office of the Director, San Francisco, dated January 31, 1997, referred by the Speaker to the Committee on Insurance.

**Interim Report on the
Loss Control Consultation Certification and Targeted Inspection and
Consultation Programs
(Pursuant to Labor Code Sections 62.9(I)(1) and (2))**

Above transmitted report, together with letter of transmittal from Lloyd W. Aubry, Jr., Director, Department of Industrial Relations, Office of the Director, San Francisco, dated January 31, 1997, referred by the Speaker to the Committee on Insurance.

**1996 Report, Accounts Receivable Management Act
(Pursuant to Senate Bill 1838, Chapter 1224, of 1994)**

Above transmitted report, together with letter of transmittal from Sally R. Reed, Director, Department of Motor Vehicles, Sacramento, dated February 3, 1997, referred by the Speaker to the Committee on Transportation.

**Quarterly Report on Loaned Employees
Quarterly Report on Employees Working for
Agency's Interdepartmental Initiatives
(Pursuant to Supplemental Report of 1996 Budget Act,
Items 0555-001-044.2 and .3)**

Above transmitted report, together with letter of transmittal from Peter M. Rooney, Undersecretary, California Environmental Protection Agency, Sacramento, dated January 31, 1997, referred by the Speaker to the Committee on Budget.

**Annual Report on Exempt Employees
(Pursuant to Government Code Section 12010.6(f))**

Above transmitted report, together with letter of transmittal from David J. Tirapelle, Director, Department of Personnel Administration, Sacramento, dated February 3, 1997, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Report to the Joint Legislative Budget Committee
(Pursuant to Supplemental Report of the 1996 Budget Act, Item 2720-001-0001)**

Above transmitted report, together with letter of transmittal from D.O. Helmick, Commissioner, Department of California Highway Patrol, Sacramento, dated February 3, 1997, referred by the Speaker to the Committee on Budget.

**Annual Report to the Legislature
Concerning the School Employees Fund, Fiscal Year Ending, June 30, 1996
(Pursuant to California Unemployment Insurance Code Section 832)**

Above transmitted report, together with letter of transmittal from Al Lee, Chief Deputy Director, Employment Development Department, Sacramento, dated February 3, 1997, referred by the Speaker to the Committee on Labor and Employment.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 252—Leonard. An act to amend Sections 17620 and 17621 of the Education Code, and to amend Sections 65995, 65996, and 66007 of, and to add Section 65995.4 to, the Government Code, relating to school facilities.

ASSEMBLY BILL NO. 253—Takasugi and Campbell. An act to add Sections 18032 and 24916.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 254—Machado. An act to add Division 26 (commencing with Section 79000) to the Water Code, relating to financing a flood control and prevention program, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 255—Thomson. An act to add Sections 2541.1 and 2559.6 to the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 256—Cunneen. An act to add Section 25160.1 to the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 257—Villaraigosa. An act to amend Sections 12920, 12921, 12926, 12930, 12931, 12935, 12940, 12944, and 12993 of the Government Code, relating to fair employment and housing.

ASSEMBLY BILL NO. 258—Floyd. An act to add Section 17052.6 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 259—Scott, Papan, Baca, Mazzoni, and Wayne. An act to amend Section 48919 of, and to add Section 48919.5 to, the Education Code, relating to pupils, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 260—Alby and Morrow. An act to add Section 3032 to the Family Code, relating to custody.

ASSEMBLY BILL NO. 261—Baca, Havice, Kuehl, Vincent, Wayne, and Wright, (Senator O'Connell, coauthor). An act to add Chapter 2 (commencing with Section 100200) to Part 66 of the Education Code, relating to the financing of educational technology infrastructure, through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

ASSEMBLY BILL NO. 262—Woods. An act to amend Section 4551.5 of the Public Resources Code, relating to forest practices.

ASSEMBLY BILL NO. 263—Baca. An act relating to air pollution, and making an appropriation therefor.

ASSEMBLY BILL NO. 264—Baca. An act to add Article 5 (commencing with Section 76075) to Chapter 1 of Part 47 of the Education Code, relating to postsecondary education, and making an appropriation therefor.

ASSEMBLY BILL NO. 265—Battin. An act to amend Sections 17062 and 23457 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 13—Alby. Relative to American Heart Month.

ASSEMBLY JOINT RESOLUTION NO. 3—Baca. Relative to the Delhi Sands Flower-loving fly.

AUTHOR'S AMENDMENTS **Committee on Public Safety**

February 12, 1997

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 26

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HERTZBERG, Chairman

ASSEMBLY BILL NO. 26—An act to amend Section 1474 of the Penal Code, relating to habeas corpus.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

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

HOUSE RESOLUTION NO. 7—Relative to airbags.

Resolution read; amendments proposed by the Committee on Rules read and adopted, resolution ordered reprinted and to be placed upon the third reading file.

REPORTS OF STANDING COMMITTEES **Committee on Public Safety**

Date of Hearing: February 12, 1997

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 74

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

HERTZBERG, Chairman

**ASSEMBLY BILL NO. 74 TAKEN UP BY UNANIMOUS CONSENT
FOR SECOND READING**

Pursuant to unanimous consent granted to Assembly Member Migden on February 11, 1997, the following bill was taken up, without reference to file, for purpose of second reading and adoption of committee amendments at this time.

ASSEMBLY BILL NO. 74—An act to amend Sections 13202.3 and 14907 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

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

ANNOUNCEMENT

Speaker Cruz M. Bustamante announced that Floor Session scheduled for Thursday, February 13, 1997 is changed to Check-in Session, 7 a.m. to 3 p.m., and Floor Session will be held Friday, February 14, 1997 at 8:30 a.m.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Thursday, February 13, 1997.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 12, 1997**

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

AB	RN
26	9700605
74	9707593

HR	RN
7	9707496

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