

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 13, 1997

TWENTY-FIFTH SESSION DAY

SEVENTY-FOURTH 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
Thursday, February 13, 1997

The Assembly met at 7 a.m.

Hon. Valerie Brown, Assembly Member, 7th 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—75:

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

Quorum present.

At 11:37 a.m., Hon. Fred Keeley, 27th 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, Bowen, Cunneen, and Miller.

Because of illness: Assembly Member Murray.

EXPLANATIONS OF ABSENCE

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

February 7, 1997

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

Dear Mr. Speaker: On Thursday, February 13 I will be addressing the Interstate Clean Transportation Corridor Conference at a Fleet Operator's Workshop in my district.

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

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

Sincerely,

DEBRA BOWEN, Assembly Member
Fifty-third District

February 12, 1997

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 on Thursday, February 13, due to legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

JIM CUNNEEN, Assembly Member
Twenty-fourth District

February 12, 1997

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 Thursday, February 13, 1997 and session on Friday, February 14, 1997. 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

(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 February 6, 1997.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 13, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 74

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, February 13, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
House Resolution No. 7

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to third reading.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 266—Escutia. An act to add Section 7577 to, and to add Chapter 4.6 (commencing with Section 6015) to Title 7 of Part 3 of, the Penal Code, relating to Hepatitis B immunization.

ASSEMBLY BILL NO. 267—Lempert (Senator Sher, coauthor). An act to add Section 39121 to the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 268—Campbell. An act to amend and repeal Section 113843 of, and to repeal Section 113844 of, the Health and Safety Code, relating to drinking water.

ASSEMBLY BILL NO. 269—Ortiz. An act to add Section 2295 to the Business and Professions Code, and to add Section 1259.1 to the Health and Safety Code, relating to health.

ASSEMBLY BILL NO. 270—Torlakson. An act to amend Section 33385 of the Health and Safety Code, relating to redevelopment.

ASSEMBLY BILL NO. 271—Villaraigosa. An act to amend Sections 6050, 6051, 6126, 13601, and 13602 of the Penal Code, and to amend Section 1049 of the Welfare and Institutions Code, relating to corrections, and making an appropriation therefor.

ASSEMBLY BILL NO. 272—Kuykendall. An act to amend Section 52122, 52123, 52124, and 52126 of the Education Code, relating to class size reduction.

ASSEMBLY BILL NO. 273—Sweeney. An act to amend Sections 273a, 273d, and 1203.097 of the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 274—Floyd. An act to amend Section 1157 of the Evidence Code, relating to evidence.

ASSEMBLY BILL NO. 275—Papan. An act to amend Section 798.27 of the Civil Code, relating to mobilehomes.

ASSEMBLY BILL NO. 276—Woods. An act to add and repeal Chapter 10.5 (commencing with Section 4550) of Division 2 of the Business and Professions Code, relating to hypnotherapists.

ASSEMBLY BILL NO. 277—Ortiz. An act relating to energy resources, and making an appropriation therefor.

ASSEMBLY BILL NO. 278—Escutia. An act to amend Sections 39606, 39660, 39662, and 116365 of the Health and Safety Code, relating to environmental protection.

ASSEMBLY BILL NO. 279—Battin. An act to amend Sections 2073.5, 2074, 2074.2, and 2084 of, and to repeal Section 2085 of, the Fish and Game Code, relating to endangered species, and making an appropriation therefor.

ASSEMBLY BILL NO. 280—Keeley (Senator McPherson, coauthor). An act to add Sections 12706.1, 12706.2, and 12706.3 to the Water Code, relating to water.

ASSEMBLY BILL NO. 281—Hertzberg. An act to amend Section 5224.1 of the Education Code, relating to schools.

ASSEMBLY BILL NO. 282—Torlakson. An act to add Section 11274.5 to the Welfare and Institutions Code, relating to human services.

ASSEMBLY BILL NO. 283—Baca. An act to add and repeal Section 17052.21 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 284—Baca. An act relating to economic development.

ASSEMBLY BILL NO. 285—Honda. An act to add Section 56524.1 to the Education Code, relating to education.

ASSEMBLY BILL NO. 286—Honda. An act to add Section 20434.5 to the Government Code, relating to public employees.

ASSEMBLY BILL NO. 287—Honda. An act to amend Sections 33310, 39619, 44865, 48661, 49500, 49513, 49516, 49531, 49536, 49550, 49550.3, 49553, 49554, 49559, and 49570 of, and to repeal Sections 49514 and 49532 of, the Education Code, relating to education.

ASSEMBLY BILL NO. 288—Leonard. An act to add and repeal Chapter 5 (commencing with Section 33700) to Part 20 of the Education Code, relating to schools.

ASSEMBLY BILL NO. 289—Baca. An act to amend Sections 22102 and 22105 of the Financial Code, relating to financial institutions.

ASSEMBLY BILL NO. 290—Alby. An act to amend Sections 290 and 290.4 of the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 291—Granlund. An act to add Section 13613 to the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 292—Floyd. An act to add Section 6718 to the Labor Code, relating to employment.

ASSEMBLY BILL NO. 293—Cunneen. An act to amend Section 12022.6 of the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 294—Ortiz. An act to amend Section 19879 of the Government Code, relating to state employees.

ASSEMBLY BILL NO. 295—Oller. An act to repeal and add Section 11486 of the Welfare and Institutions Code, relating to human services.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 4—Floyd. Relative to Anti-personnel landmines.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to Committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
76	H. & C.D. and Jud.
79	Pub. S.
80	Rev. & Tax. and H. & C.D.
103	Health
104	Pub. S.
105	Pub. S.
106	Health
107	Budget
108	H. & C.D.
110	Ed. and Higher Ed.
111	Agri.
113	Hum. S.
114	G.O.
115	Pub. S.
119	Rev. & Tax.
120	Rev. & Tax.
121	Agri.
122	Rev. & Tax.
123	Pub. S.
124	Jud.
126	Jud.
127	Jud.
128	L. Gov.
129	Jud. and Health
130	Pub. S.
132	Ed. and TV. A. & I.T.
133	Pub. S.
134	P.E.,R. & S.S.
137	Pub. S.
138	Rev. & Tax.
139	Pub. S.
140	L. & E.
142	Ed.
143	Pub. S.
146	L. Gov.
148	Rev. & Tax.
149	Pub. S.
150	Ins.
169	Nat. Res.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
8	Rls.

House

<i>Resolution No.</i>	<i>Committee</i>
8	Rls.

Senate

<i>Bill No.</i>	<i>Committee</i>
21	Jud.
39	Rev. & Tax.

AUTHOR'S AMENDMENTS
Committee on Higher Education

February 13, 1997

Mr. Speaker: The Chair of your Committee on Higher Education reports:
Assembly Bill No. 13

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

LEMPERT, Chairman

ASSEMBLY BILL NO. 13—An act to add Article 19 (commencing with Section 69980) to Chapter 2 of Part 42 of the Education Code, relating to postsecondary education.

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.

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: February 13, 1997

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 8

With the recommendation: Be adopted.

PERATA, Chairman

Above resolution ordered on file.

Committee on Appropriations

Date of Hearing: February 13, 1997

Mr. Speaker: Your Committee on Appropriations reports:
Assembly Bill No. 74

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Judiciary, on February 20, 1997, upon adjournment of Floor Session.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Friday, February 14, 1997.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 13, 1997**

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

AB	RN
13	9707430

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