

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 4, 1998

**ONE HUNDRED SEVENTY-THIRD SESSION DAY
FOUR HUNDRED FIFTY-EIGHTH 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, March 4, 1998

The Assembly met at 7 a.m.

Hon. Joe Baca, Assistant Speaker pro Tempore, 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	Davis	Lempert	Prenter
Aguiar	Ducheny	Leonard	Richter
Alby	Escutia	Machado	Runner
Alquist	Figueroa	Margett	Scott
Aroner	Firestone	Martinez	Shelley
Ashburn	Floyd	Mazzoni	Strom-Martin
Baca	Frusetta	McClintock	Sweeney
Baldwin	Gallegos	Migden	Takasugi
Battin	Goldsmith	Morrissey	Thompson
Baugh	Granlund	Morrow	Thomson
Bowen	Havice	Murray	Torlakson
Bowler	Hertzberg	Napolitano	Vincent
Brewer	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Bustamante	Keeley	Ortiz	Wildman
Campbell	Knox	Pacheco	Woods
Cardenas	Kuehl	Papan	Wright
Cardoza	Kuykendall	Perata	Mr. Speaker
Cedillo	Leach	Poohigian	

Quorum present.

At 2 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 Members Honda and Miller.

On personal business, and waiving per diem: Assembly Members Bordonaro and Pringle.

Because of illness in his family: Assembly Member Cunneen.

EXPLANATIONS OF ABSENCE

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

March 3, 1998

*The Honorable Antonio Villaraigosa
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Villaraigosa: This letter is to request permission to be excused from Session on Wednesday, March 4, 1998, due to legislative business. I will be attending a debate at Harvard University on the Bilingual Education Initiative and my bill ACA 7 (School Board Bill of Rights.)

Thank you for your consideration.

Sincerely,

MICHAEL HONDA, Assembly Member
Twenty-third District

(NOTE: For letter explaining the absence of Assembly Member Miller on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Tuesday, March 4, 1998.)

COMMUNICATIONS

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

March 4, 1998

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

Dear Dotson: Please be advised that I am making the following committee changes:

- Replacing Assembly Member Margett with Assembly Member Battin on the Health Committee.
- Replacing Assembly Member Battin with Assembly Member Margett on the Transportation Committee.
- Replacing Assembly Member Thompson with Assembly Member Runner on the Budget Committee.
- Replacing Assembly Member Thompson with Assembly Member Runner on the Budget Sub-Committee #2 (Education Finance).
- Replacing Assembly Member Bordonaro with Assembly Member Ashburn on the Appropriations Committee.

Sincerely,

ANTONIO R. VILLARAIGOSA
Speaker of the Assembly

March 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 Liz Figueroa to the Assembly Education Committee to replace Assemblymember Mike Honda for today, March 4, 1998 only.

Thank you for your attention to this request.

Sincerely,

ANTONIO R. VILLARAIGOSA
 Speaker of the Assembly

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 116—Wildman. Relative to National Service and Volunteer Week.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 4, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
 Assembly Concurrent Resolution No. 97

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

(NOTE: Later this day Assembly Concurrent Resolution No. 97 was re-referred to the Committee on Appropriations.)

Assembly Chamber, March 4, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
 Assembly Concurrent Resolution No. 93

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 4, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
 Assembly Bill No. 1647

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, March 4, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
 Assembly Concurrent Resolution No. 85
 Assembly Concurrent Resolution No. 88

And reports the same correctly enrolled, and presented to the Secretary of the State on the 4th day of March, 1998, at 10:45 a.m.

E. DOTSON WILSON, Chief Clerk

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to Committee on March 3, 1998:

*Assembly Joint
Resolution No.*

Committee

54 ----- Rls.

AUTHOR'S AMENDMENTS

Committee on Governmental Organization

March 4, 1998

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Senate Bill No. 1138

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

BROWN, Chairwoman

SENATE BILL NO. 1138—An act to amend Section 989.5 of the Military and Veterans Code, relating to the veterans, and making an appropriation therefor.

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.

AUTHOR'S AMENDMENTS

Committee on Judiciary

March 4, 1998

Mr. Speaker: The Chair of your Committee on Judiciary reports: Assembly Bill No. 1630

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

ESCUTIA, Chairwoman

ASSEMBLY BILL NO. 1630—An act relating to child support.

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.

AUTHOR'S AMENDMENTS

Committee on Appropriations

March 4, 1998

Mr. Speaker: The Chair of your Committee on Appropriations reports: Senate Bill No. 19

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

MIGDEN, Chairwoman

SENATE BILL NO. 19—An act to amend Sections 639, 1033.5, and 1286.2 of, to add Sections 1280.1 and 1286.5 to, to add and repeal Title 11.5 (commencing with Section 1770) of Part 3 of, and to repeal Section 1775.16 of, the Code of Civil Procedure, and to amend Section 68616 of the Government Code, relating to alternative dispute resolution.

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.

AUTHOR'S AMENDMENTS**Committee on Water, Parks and Wildlife**

March 4, 1998

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Senate Bill No. 312

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

MACHADO, Chairman

SENATE BILL NO. 312—An act to add Division 26 (commencing with Section 79000) to the Water Code, relating to water.

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.

AUTHOR'S AMENDMENTS**Committee on Revenue and Taxation**

March 4, 1998

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 1713

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

KNOX, Chairman

ASSEMBLY BILL NO. 1713—An act to add and repeal Sections 17052.55, 17052.56, 23655, and 23656 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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.

AUTHOR'S AMENDMENTS**Committee on Consumer Protection, Governmental Efficiency and Economic Development**

March 4, 1998

Mr. Speaker: The Chair of your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Senate Bill No. 369

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

DAVIS, Chairwoman

SENATE BILL NO. 369—An act to add Section 12029 to, to add Article 2.2 (commencing with Section 12250) to Chapter 2 of Division 5 of, and to repeal Section 12736 of, the Business and Professions Code, relating to scanning devices.

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 Judiciary**

Date of Hearing: March 3, 1998

Mr. Speaker: Your Committee on Judiciary reports:
Assembly Bill No. 1643

With the recommendation: Do pass, and be re-referred to the Committee on Labor and Employment.

ESCUTIA, Chairwoman

Above bill re-referred to the Committee on Labor and Employment.

Committee on Public Safety

Date of Hearing: March 3, 1998

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 63

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

HERTZBERG, Chairman

Above bill ordered to second reading.

Committee on Governmental Organization

Date of Hearing: March 2, 1998

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 44

With amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairwoman

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: March 3, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Joint Resolution No. 54

With amendments with the recommendation: Amend, and be adopted, as amended.

PERATA, Chairman

Above resolution ordered on file.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1683—An act to amend Section 8107 of the Commercial Code, and to add Part 3 (commencing with Section 5500) to Division 5 of the Probate Code, relating to the Uniform TOD Security Registration Act.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 103 and 50, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 918—An act to amend Section 2001 of the Elections Code, relating to elections.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1186—An act to amend Section 193.7 of the Penal Code, and to amend Sections 13350 and 13350.5 of, to add Sections 13380, 13382, 13384, 13386, 13388, 13390, and 13392 to, to add Division 11.5 (commencing with Section 23500) to, and to repeal Sections 13352.2, 14602, 23137, 23138, 23139, 23141, 23142, 23143, 23144, 23145, 23145.2, 23145.3, 23145.5, 23145.6, 23145.8, 23146, 23147, 23154, 23155, 23156, 23157, 23157.5, 23158.2, 23158.5, 23159, 23159.5, 23160, 23161, 23165, 23166, 23167, 23170, 23171, 23175, 23176, 23180, 23181, 23182, 23185, 23186, 23187, 23190, 23191, 23192, 23194, 23195, 23196, 23197, 23198, 23199, 23200, 23201, 23202, 23203, 23204, 23205, 23206, 23206.1, 23206.5, 23207, 23208, 23209, 23210, 23211, 23212, 23235, 23246, 23248, 23249, 23249.52, 23249.53, 23249.54, 23249.55, 23249.56, 23249.57, and 23249.58 of, the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of Joint Rule 10.5, the following resolution was ordered re-referred to the Committee on Appropriations:

Assembly Concurrent Resolution No. 97.**SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committees were permitted to meet:

Select Committee on Gun Violence, on Tuesday, March 17, 1998, at 9:30 a.m., in Room 444;

Public Employees, Retirement and Social Security, on Wednesday, March 25, 1998, at 10 a.m., in Room 447.

MESSAGES FROM THE SENATE

Senate Chamber, March 4, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Hughes, Burton and Wright as a Committee on Conference concerning:

Senate Bill No. 1284.

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

ADJOURNMENT

At 4:57 p.m., the Assembly adjourned until 9:30 a.m., Thursday, March 5, 1998.

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 4, 1998

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

AB	RN
1630	9806043
1713	9806351

SB	RN
19	9806227
312	9806246
369	9805370
1138	9806194

Daily Total:	6
Cumulative Total:	3922

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